

**REGULAR MEETING AGENDA OF THE
CITY COUNCIL OF LAYTON, UTAH**

PUBLIC NOTICE is hereby given that the City Council of Layton, Utah, will hold a regular public meeting in the Council Chambers in the City Center Building, 437 North Wasatch Drive, Layton, Utah, commencing at **7:00 PM on February 5, 2015.**

AGENDA ITEMS:

1. CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITION, APPROVAL OF MINUTES:

- A. Minutes of Layton City Council Work Meeting - December 18, 2014
- B. Minutes of Layton City Council Meeting - December 18, 2014
- C. Minutes of Layton City Council Special Meeting - January 14, 2015
- D. Minutes of Layton City Council Work Meeting - January 15, 2015
- E. Minutes of Layton City Council Meeting - January 15, 2015

2. MUNICIPAL EVENT ANNOUNCEMENTS:

3. CITIZEN COMMENTS:

4. VERBAL PETITIONS AND PRESENTATIONS:

- A. Presentation - Years of Service Awards

5. CONSENT ITEMS:(These items are considered by the City Council to be routine and will be enacted by a single motion. If discussion is desired on any particular consent item, that item may be removed from the consent agenda and considered separately.)

- A. Weber State University Center for Community Engaged Learning - Keys to Our Communities Award - Resolution 15-04
- B. Commercial Condominium Plat Approval – Thurgood Professional Condominium Plaza – 1449 North 1200 West
- C. Final Plat Approvals – Major Estates Subdivision Phases 1 and 2 – Approximately 725 North 3200 West
- D. Parcel Split – Ann Williams – 884 East Rosewood Lane
- E. Parcel Split – Green Cherry Lane – 1604 East Cherry Lane

6. PUBLIC HEARINGS:

- A. Community Development Block Grant Annual Action Plan for Fiscal Year 2015-2016

7. PLANNING COMMISSION RECOMMENDATIONS:

8. NEW BUSINESS:

9. UNFINISHED BUSINESS:

10. SPECIAL REPORTS:

ADJOURN:

Notice is hereby given that:

- A Work Meeting will be held at 5:30 p.m. to discuss miscellaneous matters.
- In the event of an absence of a full quorum, agenda items will be continued to the next regularly scheduled meeting.
- This meeting may involve the use of electronic communications for some of the members of this public body. The anchor location for the meeting shall be the Layton City Council Chambers, 437 North Wasatch Drive, Layton City. Members at remote locations may be connected to the meeting telephonically.
- By motion of the Layton City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed meeting for any of the purposes identified in that chapter.

Date: _____ **By:** _____
Thieda Wellman, City Recorder

LAYTON CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify Layton City eight or more hours in advance of the meeting. Please contact Kiley Day at 437 North Wasatch Drive, Layton, Utah 84041, 801.336.3825 or 801.336.3820.

Citizen Comment Guidelines

For the benefit of all who participate in a PUBLIC HEARING or in giving PUBLIC COMMENT during a City Council meeting, we respectfully request that the following procedures be observed so that all concerned individuals may have an opportunity to speak.

Electronic Information: An electronic or hard copy of any electronic information presented to the City Council must be submitted to the City Recorder by the end of the meeting.

Time: If you are giving public input on any item on the agenda, please limit comments to three (3) minutes. If greater time is necessary to discuss the item, the matter may, upon request, be placed on a future City Council agenda for further discussion.

New Information: Please limit comments to new information only to avoid repeating the same information multiple times.

Spokesperson: Please, if you are part of a large group, select a spokesperson for the group.

Courtesy: Please be courteous to those making comments by avoiding applauding or verbal outbursts either in favor of or against what is being said.

Comments: Your comments are important. To give order to the meeting, please direct comments to and through the person conducting the meeting.

Thank you.

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**MINUTES OF LAYTON CITY
COUNCIL WORK MEETING**

DECEMBER 18, 2014; 5:33 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**MAYOR PRO TEM JOYCE BROWN, TOM DAY,
JORY FRANCIS, SCOTT FREITAG AND JOY
PETRO**

ABSENT:

MAYOR BOB STEVENSON

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, BILL WRIGHT,
DAVID PRICE, RYAN PICKUP, DEAN HUNT,
PETER MATSON AND THIEDA WELLMAN**

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

Mayor Pro Tem Brown opened the meeting and excused Mayor Stevenson. She turned the time over to Alex Jensen, City Manager.

AGENDA:

**ACCEPT PROPOSAL FOR AN AGREEMENT WITH THINK ARCHITECTURE –
LANDSCAPING ARCHITECTURAL SERVICES FOR NEIGHBORHOOD PARK – 3500
NORTH 2100 EAST – RESOLUTION 14-75**

Dave Price, Parks and Recreation Director, said Resolution 14-75 would accept a proposal for architectural services for the design of a neighborhood park, and authorize the City Manager to conduct negotiations and enter into an agreement for the services. He said the park would be located in the Greyhawk Development at 3500 North 2100 East. Dave said 12 firms were evaluated through an RFP process; the firms were rated on technical ability and a fee proposal. He said the fees ranged from a low of \$50,000 to a high of \$118,000. Dave said THINK Architecture was rated highest through the RFP process.

Council and Staff discussed the broad range in proposed fees.

Dave indicated that the City had a long history with the principals of THINK Architecture.

Councilmember Freitag asked if the design would be based on Staff's rendition or were there other

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processes they would go through to gather information that would be used in the design of the park.

Dave said Staff's rendition was a starting point. He said this allowed Staff the opportunity to narrow down the scope of the project. Dave said providing this information allowed for the fee to be lower; they weren't starting from scratch. He said after the public meetings with the neighborhood, Staff felt that the elements that were included in the design were appropriate. Dave said through the interview process, THINK Architecture had some ideas relative to the placement of the elements that would save the City a substantial amount of money.

Mayor Pro Tem Brown mentioned some designs they presented that would work well with the elevations of the property.

Councilmember Freitag asked what the firm would provide for their \$65,000 fee.

Dave said their scope of work was included in their proposal. He said they would start with the City's conceptual drawing; establish a schedule; a review of the Staff's design; modify and produce design documents; provide final construction drawings and provide them in a form that the City could then use to bid the project. Dave said they would also provide construction review services.

Councilmember Freitag asked how much money was set aside for the project.

Dave said the entire project would be 1.4 million dollars. He said half of the project was included in this year's budget and half would be requested in next year's budget.

Councilmember Freitag asked when work would begin.

Dave said this coming spring or summer. He said the funds were set aside in the Park Impact Fee Fund.

Councilmember Freitag said a new element to this park was a pickle ball court. He asked if there were any other new elements.

Dave said yes; weight bearing exercise elements. He said many of the architects suggested having those by the playground so that parents could utilize the exercise equipment while children played.

Councilmember Freitag mentioned a recent survey that had a lot of feedback about parks. He said a major

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strength of Layton City was its parks and recreation programs. Councilmember Freitag said the information from the survey would be made available to Staff fairly soon. He said something that he was interested in, that was mentioned in the survey, was a dog park.

Dave said Staff was anxious to see the results of the survey. He said Staff had some ideas about how a dog park should be handled.

Council and Staff discussed aspects of a dog park.

Councilmember Freitag said he would be interested in asking the architects what they would do differently at Ellison Park. He mentioned the soil issues and trees that either died or wouldn't grow. Councilmember Freitag said there were definite shade issues at Ellison Park and the soil didn't take water well; it was either dry or very wet.

Dave said it was very clay soil and it was difficult for the trees to grow. He said Staff was exploring options to improve the situation.

Councilmember Freitag said it definitely impacted the use of the Park.

Council and Staff discussed parking at Ellison Park.

Councilmember Petro mentioned the location of the restroom facilities relative to the soccer fields.

Dave said additional restrooms were planned nearer to the fields as the park was built out.

AMEND CONSOLIDATED FEE SCHEDULE – ORDINANCE 14-29

Alex Jensen said this was proposed amendments to the Consolidated Fee Schedule that was discussed at the last meeting where Councilmember Freitag asked that additional research be done. He said Staff had the additional information ready to present.

Councilmember Freitag said he had a discussion with Dean this past week and was fine with the proposed amendments.

Dean Hunt, Fire Marshall, presented the Council with a list of the false alarms that had occurred during

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the past fiscal year. He said there was a total of 375 calls with 162 residential, which were not regulated, and 213 commercial calls. Dean said of the commercial calls, there were 96 false alarms that were due to faulty equipment. He said the number of false alarm fees that would have been assessed a fee, based on the proposed changes, was six. Dean said the goal was to reduce the number of false alarms. The proposed amendments would give the Fire Department the needed tools to accomplish that goal. Dean explained how he calculated the proposed fees.

Mayor Pro Tem Brown said she could see that this wasn't something the City was doing to try and raise money; it was hopefully a deterrent to encourage businesses to get issues repaired and help eliminate false alarms.

Dean said every time fire engines when out, it put people and firefighters in danger. He said they wanted to eliminate that as much as possible.

Councilmember Freitag expressed appreciation for Staff doing the research to provide the additional information. He asked that the Council be informed when businesses went over the limit where fees would be assessed.

Dean said an item came up in the last meeting relative to sale of fireworks. He said everything in the City's Code referred to the International Fire Code.

Dean mentioned a fire at the Greyhawk Apartments and the success of the fire sprinkling system.

FINAL APPROVAL EXTENSION REQUEST – JENSEN HOMESTEAD SUBDIVISION – APPROXIMATELY 2700 EAST GENTILE STREET

Bill Wright, Community and Economic Development Director, said this final approval extension request was for the Jensen Homestead Subdivision located on the far east side of Gentile Street where the curve occurred. He said approximately 2 ½ years ago Mr. Jensen subdivided the property by submitting a recording through the County, which was an illegal subdivision of the property. Bill said the City had worked with Mr. Jensen to go through the subdivision process and correctly divide the lots. He said there was an existing home on one of the lots and another one of the lots had been sold. Bill said the purchaser of the lot was not aware of the subdivision issues. He said there was some dedication of property along Gentile Street for curb and gutter. Bill said a one year extension was granted a year ago by Staff and recently the City received a letter from an attorney that was representing the owner of lot 1 asking for the

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Council to grant an additional one year extension as they were still in their efforts to access a bankruptcy action in order to get the funding necessary to complete the plat and bond for the improvements.

Mayor Pro Tem Brown said she understood that the owner of the lot was asking for the extension, not Mr. Jensen; she was having issues with Mr. Jensen and needed time to resolve those issues.

Bill said that was correct. He said this would allow more time for the two parties to work together to be able to finalize the subdivision.

Mayor Pro Tem Brown said she understood that Mr. Jensen was supposed to put in the curb and gutter.

Bill said that was correct. He said Mr. Jensen had not done that yet and had not posted a bond for the improvements.

Mayor Pro Tem Brown said Mr. Jensen did not inform the purchaser that this was not a legal subdivision before she purchased the lot.

Bill said that was correct.

Councilmember Day asked if there were two owners; one for lot 1 and one for lot 2.

Bill said that was correct. He said lot 2 had already been in an ownership outside of Mr. Jensen.

Gary Crane, City Attorney, explained the legal process where Mr. Jensen was compelled to go through the subdivision process.

Council and Staff discussed the fill that was brought in to build up lot 1 and the geotechnical issues that had been resolved to allow for the lot to be built on.

Councilmember Freitag asked what the consequences would be if the extension wasn't granted.

Gary said the owner of lot 1 would have to go through the subdivision process again. He said there would be additional fees.

Council and Staff discussed legal issues associated with the property and the extension process.

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FINAL APPROVAL COMMERCIAL PLAT – CASTLEBROOK COMMERCIAL SUBDIVISION – 930 WEST ANTELOPE DRIVE

Bill Wright said this was final approval of a commercial plat for the Castlebrook Commercial Subdivision located at 930 West Antelope Drive. He said it was the former site of the Castle Reception Center. Bill said the Castle had been demolished and construction had begun on a new commercial development. He said the property would be subdivided into three lots. Bill said a building was under construction on lot 3. He said the City had received the building plans for Popeye’s Chicken, which would be constructed on lot 2. Bill said the building on lot 3 would contain two restaurants; PizzaRev and Moe’s. He said the plat included dedication of approximately 13 feet along the frontage for City right of way.

Councilmember Freitag asked what Moe’s was.

Dean Hunt said it was a southwest grill.

Councilmember Freitag asked if there was any movement on the Mimi’s building.

Bill said no.

Councilmember Francis asked about the McGrath’s building.

Bill said Staff wasn’t aware of anything.

ENCOURAGE THE STATE OF UTAH TO ADDRESS COMPREHENSIVE TRANSPORTATION FUNDING – RESOLUTION 14-77

Alex Jensen said this was a resolution encouraging the State of Utah to address comprehensive transportation funding. He said this was an issue that came out of discussions at the Utah League of Cities & Towns (ULCT) meeting last fall.

Gary Crane said the Council previously approved becoming a part of the Transportation Coalition. He said they was putting together a public relations effort to be able to prepare the way to make some proposals at the next legislative session. Gary said the Council was aware that B & C Road Funds did very little as far as fixing and repairing the City’s roads. He said if a road couldn’t be serviced properly, it

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eventually required replacement, which was much more expensive. Gary said because of that and the increasing need for clean air options through alternative transportation, additional funding was needed. He said cities had very few options for funding sources. Gary said the ULCT was requesting that all of the cities pass this resolution, which would be forwarded to State Legislators and the Governor, indicating that transportation needs were not being met. He said funding needed to be separate from the B & C Road Funds because those were not indexed to increases in the economy. Gary said this resolution encouraged that cities would be able to adopt a ¼ cent local option sales tax that would specifically be designated for transportation needs until such time as those needs were ever met, and then it could be used for General Fund purposes. He said it was a local option; the cities would have to individually impose the option, and it would be collected by the cities. Gary said before the cities could begin to collect the tax, they would have to designate those projects that would be considered for use of the tax.

Council and Staff discussed current funding levels and sales tax revenues.

AMEND TITLE 5, CHAPTER 5.29 AND TITLE 12, CHAPTER 12.04 REDEFINING THE TERM “JUNK DEALER” AND PROVIDING PROHIBITION OF CERTAIN ACTIVITIES ON PUBLIC PROPERTY – ORDINANCE 14-26

Alex said this item and the next were tied together.

Gary Crane said for years there had been complaints about individuals that collected junk in the City’s rights of way. He said there hadn’t been an ordinance in place that specifically addressed the issue. Gary said the State had experienced a lot of theft of copper from street lights, which would then be taken to a junk dealer and sold. He said metal was something that had become very expensive and it was something that the State Legislature had been looking at. Gary said last year they made a change in the definition of a junk dealer to include not only people that bought and sold metals, but those that collected metal who then sold it without having any identification or indication where the metal was coming from. He said the State made junk dealers the same as second hand or pawn dealers where those items being sold had to be identified and tied to a specific person.

Gary said Staff had included three changes to the Municipal Code, one of which had to go through the Planning Commission approval process, and a public hearing. He said that amendment was in Chapter 19 and was identified in the next item.

Gary said the ordinance changes indicated that a person could not carry on this type of business unless

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they had a place of business to do it; the place of business could not be in a public right of way. He said State law required that these types of businesses had to identify where and from whom the junk was coming from. Gary said the ordinance also indicated that they could not obstruct the public rights of way or streets with these types of businesses. He said the ordinance changes were consistent with changes made to State law last year and would allow for the City's Code Enforcement Officers to enforce the law. Gary said the City had experienced issues with junk dealers on the road to the dump and along Highway 193.

Gary said the amendments to Title 5 and Title 12 did not require a public hearing, but changes to the zoning ordinance, Title 19, required a public hearing.

Councilmember Petro said she understood the purpose for this. She asked if the City could identify a place where they could set up shop.

Gary said they would only be allowed in a manufacturing zone. He said there were a couple of legitimate junk dealers in manufacturing zones. Gary said they would not be allowed to set up on a corner or along a roadway; that was exactly what the State didn't want to happen because that buyer took the junk to a legitimate dealer and couldn't identify where the metal was coming from. He said because of the price of copper, there was a lot of metal being stolen.

Councilmember Petro asked if the dealer on the east side of Fairfield Road, that had a sign in his front yard, would be able to continue to do business at that location.

Gary said that was an agricultural/residential zone and he would not be able to run a salvage business at that location.

AMEND TITLE 19, CHAPTER 19.02, SECTION 19.02.020 DEFINITIONS – ORDINANCE 14-30

Discussion of this item was included in the previous item.

The meeting adjourned at 6:53 p.m.

Thieda Wellman, City Recorder

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**MINUTES OF LAYTON CITY
COUNCIL MEETING**

DECEMBER 18, 2014; 7:00 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**MAYOR PRO TEM JOYCE BROWN, TOM DAY,
JORY FRANCIS, SCOTT FREITAG AND JOY
PETRO**

ABSENT:

MAYOR BOB STEVENSON

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, BILL WRIGHT,
DAVE PRICE, TERRY KEEFE, DEAN HUNT,
PETER MATSON, RYAN PICKUP AND THIEDA
WELLMAN**

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

Mayor Pro Tem Brown opened the meeting and excused Mayor Stevenson. She led the Pledge of Allegiance. Councilmember Francis gave the invocation. Scouts and students were welcomed.

MINUTES:

MOTION: Councilmember Petro moved and Councilmember Day seconded to approve the minutes of:

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

The vote was unanimous to approve the minutes as written.

MUNICIPAL EVENT ANNOUNCEMENTS:

Mayor Pro Tem Brown said this Saturday at Surf ‘n Swim from 7:00 p.m. to 10:00 p.m. admission would be \$1 and you could get your picture taken with Santa.

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PRESENTATION – CHIEF KEEFE

Chief Keefe said he wanted to thank the Council and Mr. Jensen for affording him the opportunity to be the Police Chief of this great City. He said the support had been unwavering and the Council had provided resources when they were needed. Chief Keefe expressed sincere appreciation for the opportunities he had been given and he especially thanked Mr. Jensen for having the confidence in him to hire him. He indicated that they had developed a tremendous friendship over the years. Chief Keefe thanked Gary Crane, City Attorney, and he indicated that the City had a tremendous City Manager and Attorney, as well as great Department Directors. He said the teamwork at Layton City was unparalleled in other cities in the State because of the leadership of Mr. Jensen and the Mayor and Council.

Mayor Pro Tem Brown expressed appreciation to Chief Keefe for his many years of service to the citizens of Layton. Chief Keefe and his wife Jann came forward to shake hands with the Council.

CITIZEN COMMENTS:

Tim McKinney, 2586 East Antelope Drive, expressed concerns with Antelope Drive and semi truck traffic on the street. He said there was a weight limit sign of 13,000 pounds, but he would like to see a no truck sign similar to the one on Legacy Parkway. Mr. McKinney said people flew through the roundabout, some of the street lights were not on, and speed was an issue.

Mayor Pro Tem Brown indicated that the City Manager was taking notes and would get back with Mr. McKinney.

Councilmember Petro asked what time semi trucks were on the road.

Mr. McKinney said he was seeing them in the evening between 7:00 p.m. and 8:00 p.m.

Councilmember Day asked if he was referring to the roundabout on Oak Forest.

Mr. McKinney said yes.

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CONSENT AGENDA:

ACCEPT THE PROPOSAL FOR AN AGREEMENT WITH THINK ARCHITECTURE – LANDSCAPE ARCHITECTURAL SERVICES FOR NEIGHBORHOOD PARK – 3500 NORTH 2100 EAST – RESOLUTION 14-75

Dave Price, Parks and Recreation Director, said Resolution 14-75 would accept a proposal for landscape architectural services for the design of a neighborhood park located at 3500 North 2100 East. He said the resolution would authorize the City Manager to conduct negotiations and enter into an agreement with THINK Architecture for the service. Dave said THINK Architecture was selected from a group of 12 landscape architectural firms that were evaluated by a committee. He said THINK Architecture received the highest score based on technical ability and price. Dave said the fee proposals for the service ranged from a low of \$50,000 to a high of \$118,803. He said THINK Architecture's fee of \$65,000 was the third lowest proposed fee. Dave said Staff recommended approval.

Mayor Pro Tem Brown asked Dave to explain where the park would be located.

Dave said the park would be located in the far northeast corner of the City near the large communication tower. He identified the property on a map and indicated that construction should begin this next summer.

Mayor Pro Tem Brown said the City had several pieces of property throughout the City that had been slated for a park. She said the Parks and Recreation Commission selected this park as the next park to be built.

Dave said residents in this area of the City had been waiting quite a long time for a park.

AMEND CONSOLIDATED FEE SCHEDULE – ORDINANCE 14-29

Dean Hunt, Fire Marshall, said Ordinance 14-29 would amend the Consolidated Fee Schedule. He said there were two changes being proposed. Dean said the first proposal was to change the fee associated with responsible party non-response for fire alarms. He said currently the City charged a \$25 fee for all non-response alarms. Dean said the proposal was to leave the residential fee at \$25 and increase the fee for commercial/nonresidential buildings to \$100.

Dean said the second proposed fee amendment involved commercial/nonresidential false fire alarm fees for

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false alarms above two alarms within a calendar quarter. He said the proposal was to change the fees from \$50 to \$250 for the first alarm over two in a quarter, \$75 to \$350 for the second alarm, and \$100 to \$450 for the third alarm. Dean said Staff recommended approval of the proposed fee changes.

ON-PREMISE RESTAURANT LIQUOR LICENSE – TROLLEY STATION – 855 WEST HERITAGE PARK BOULEVARD, SUITE 1

Bill Wright, Community and Economic Development Director, said this was an on-premise restaurant liquor license for a new restaurant, the Trolley Station, located at 855 West Heritage Park Boulevard, Suite 1. He said the owner was John Riddle. Bill said the location met all distance separation criteria and background checks had been approved by the Police Department. He said Staff recommended approval.

Councilmember Freitag asked if this was replacing an existing restaurant.

Bill said yes; formerly Bandito's was at this location.

FINAL APPROVAL EXTENSION REQUEST – JENSEN HOMESTEAD SUBDIVISION – APPROXIMATELY 2700 EAST GENTILE STREET

Bill Wright said this was a final approval extension request for the Jensen Homestead Subdivision located at approximately 2700 East Gentile Street. He said the subdivision was approved approximately 2 ½ years ago. Bill said a one year extension had been approved administratively by Staff, which expired on December 6, 2014. He said the owner of Lot 1 was requesting an additional extension that would allow additional time for some legal proceedings to occur that would allow the subdivision to be finalized and recorded. Bill said Staff recommended approval of a one year final approval extension to December 6, 2015.

FINAL APPROVAL COMMERCIAL CONDOMINIUM PLAT – WILLOW BEND COMMERCIAL CONDOMINIUMS – 489 WEST 2275 NORTH

Bill Wright said this was final approval of a commercial condominium plat for the Willow Bend Commercial Condominiums located at 489 West 2275 North, on the west side of Hill Field Road adjacent to Northridge High School. He said this was a newly developed commercial building owned by Mayor Stevenson. Bill said the desire was for a condominium plat approval to create three ownership entities that would occupy the building. He said the Planning Commission recommended approval and Staff supported that recommendation.

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FINAL APPROVAL COMMERCIAL PLAT – CASTLEBROOK COMMERCIAL SUBDIVISION – 930 WEST ANTELOPE DRIVE

Bill Wright said this was final approval of a commercial plat for a subdivision located at 930 West Antelope Drive. He said this was the former site of the Castle Reception Center. Bill said the development would contain three buildings on three lots. He said the development met all of the requirements of the zone. Bill indicated that there would be a dedication of right of way along Antelope Drive to the City. He said Lot 2 was designated for the Popeye’s Chicken Restaurant. Bill said the building on Lot 3 was under construction and would contain two restaurants; PizzaRev and Moe’s. He said the Planning Commission recommended approval and Staff supported that recommendation.

PARCEL SPLIT REQUEST – LAYTON HILLS PLAZA – 1830 NORTH HILL FIELD ROAD

Bill Wright said this was a parcel split request for an existing parcel that had two buildings and an out building. He said the property owner was Kevin Garn. Bill said the request was to split the parcel into two parcels to allow for the parcels to be sold separately. He said there was a strip mall on Parcel 2 and a corner building that had been a restaurant on Parcel 1. Bill said there was an out-building in the back that needed to remain with Parcel 2; there would be a “cherry stem” of property connecting the out building to Parcel 2. He said both parcels met the requirements of the zone. Bill said the Planning Commission recommended approval and Staff supported that recommendation.

RIGHT OF WAY AND EASEMENT GRANT AGREEMENTS – QUESTAR GAS COMPANY – VARIOUS UTOPIA HUT SITES – RESOLUTION 14-80

Bill Wright said Resolution 14-80 would approve easement grant agreements requested by Questar Gas Company for various UTOPIA sites throughout the community. He identified the locations on a map. Bill said this would allow Questar to have an easement across properties to service their lines. He said Staff recommended approval.

FIRST AMENDMENT TO LEASE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC – RESOLUTION 14-68

Gary Crane, City Attorney, said Resolution 14-68 was a first amendment to a lease agreement with New Cingular Wireless. He said this was for the Church Street tower behind the Fire Station. Gary said an

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additional area had previously been approved to accommodate a generator. He said this amendment would provide additional revenue to the City of approximately \$2,400 a year for the additional space. Gary said Staff recommended approval.

CITY MANAGER AGREEMENT BETWEEN THE CITY OF LAYTON AND ALEX R. JENSEN – RESOLUTION 14-73

Gary Crane said Resolution 14-73 would renew the agreement with the City Manager and provide for the terms of his employment with the City. He said each year the Mayor and Council evaluated the City Manager and updated the agreement. The agreement provided for the agreement between the City Manager and the City; it provided for the goals and incentives he would need to meet in order to make the employment valid; and it provided for termination. Gary said Staff recommended approval.

Councilmember Freitag said for clarification, the Council didn't review the terms of the agreement every year, it was a multi-year agreement, but they did review the performance every year.

Gary said that was correct.

AMEND TITLE 5, CHAPTER 5.29 AND TITLE 12, CHAPTER 12.04 REDEFINING THE TERM “JUNK DEALER” AND PROVIDING PROHIBITION OF CERTAIN ACTIVITIES ON PUBLIC PROPERTY – ORDINANCE 14-26

Gary Crane said this was an amendment to two provisions of the City's ordinances; one dealing specifically with business licensing, and one dealing with items in the City's rights of way. He said this was related to the public hearing item on zoning.

Gary said the three provisions were being changed to bring them into consistency with a change in State law that occurred last year. He said the change in State law changed the definition of junk dealer. Gary said as discussed in the earlier work meeting, junk dealing had become a very strong and prominent business as a result of the metals trade. He said much of the metal that was traded was unfortunately not legitimate metal. Gary said the State changed the definition of junk dealer in order to impose the same requirements on those who deal in metal and junk as those that ran a second hand or pawn store. He said Ordinance 14-26 provided for changes in the City's ordinance for the purpose of business licensing and for the purpose of what the City would allow to obstruct a right of way. Gary said metal or junk could not be sold or acquired in the City's rights of way. He said Staff recommended approval.

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Councilmember Freitag said relative to the City Manager's agreement, the Council didn't spend a lot of time discussing the quality of the City Manager because they didn't need to. He said Alex Jensen had served the City for more than 20 years and there was unanimous support from the Mayor and Council of the City Manager and the great job he did for the City. Councilmember Freitag said Mr. Jensen inspired the employees and other City leaders to always take into consideration the needs of the citizens and to always make sure the City operated well within its budget, well within its means, and accomplished the goals the elected officials gave to him and Staff. He said the Council greatly appreciated Mr. Jensen and looked forward to him continuing on with the City into the future.

MOTION: Councilmember Freitag moved to approve Items A, B, C, D, E, F, G, H, J, K and L of the Consent Agenda as presented, excluding Item I. Councilmember Day seconded the motion, which passed unanimously.

ENCOURAGE THE STATE OF UTAH TO ADDRESS COMPREHENSIVE TRANSPORTATION FUNDING – RESOLUTION 14-77

Gary Crane said in September the Utah League of Cities & Towns (ULCT) passed a resolution recognizing that cities were going to need additional funding for transportation needs into the future. He said B & C Road Funds received by the City were not nearly enough to make the needed repairs. Gary said the City subsequently passed a resolution that provided for an effort on the City's part to be able to educate the public on the need for additional revenues to handle transportation needs into the future. He said this was a follow up resolution that would encourage the State of Utah to consider a comprehensive transportation funding plan. Gary said the proposal was for up to ¼ cent local option increase in sales tax revenue in order to be able to provide for funding of transportation needs. He said those needs could include things from repairing roads to constructing trails and bike paths. Gary said all cities in the State would be adopting this resolution, which would be forwarded to the Governor and State Legislators to express the cities' concerns that the issue be addressed. He said Staff recommended approval of Resolution 14-77.

MOTION: Councilmember Freitag moved to approve Item I of the Consent Agenda, Resolution 14-77, as presented. Councilmember Francis seconded the motion. Councilmember Brown, Day, Francis, Freitag and Petro voted yea. The motion passed unanimously.

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PUBLIC HEARINGS:

AMEND TITLE 19, CHAPTER 19.02, SECTION 19.02.020 DEFINITIONS – ORDINANCE 14-30

Gary Crane said Ordinance 14-30 was the land use portion dealing with junk dealers mentioned earlier. He said the ordinance indicated that a junk dealing business needed to be in an area designated for junk dealing in the City. Gary said there were areas in the manufacturing zones of the City where they would be permitted and there should be a definite location, not a business traveling from street corner to street corner. He said the Planning Commission recommended approval and Staff supported that recommendation.

Mayor Pro Tem Brown opened the meeting for public input. None was given.

MOTION: Councilmember Freitag moved to close the public hearing and approve the amendments to Title 19, Ordinance 14-30. Councilmember Francis seconded the motion, which passed unanimously.

The meeting adjourned at 7:45 p.m.

Thieda Wellman, City Recorder

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**MINUTES OF LAYTON CITY
COUNCIL SPECIAL MEETING**

JANUARY 14, 2015; 7:36 A.M.

MAYOR AND COUNCILMEMBERS

PRESENT:

**MAYOR BOB STEVENSON, JOYCE BROWN,
TOM DAY AND JOY PETRO**

ABSENT:

JORY FRANCIS AND SCOTT FREITAG

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, BILL WRIGHT,
JIM MASON, TERRY COBURN, JAMES (WOODY)
WOODRUFF, ALLEN SWANSON, DAVE PRICE,
KENT ANDERSEN, STEVE GARSIDE, KEVIN
WARD AND THIEDA WELLMAN**

LEGISLATORS PRESENT:

**SENATORS JERRY STEVENSON AND STUART
ADAMS, AND REPRESENTATIVES STEVE
HANDY AND BRAD WILSON**

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

Mayor Stevenson opened the meeting and expressed appreciation for the Legislators being here. He turned the time over to Staff.

Gary Crane, City Attorney, thanked the Legislators for their work in representing Layton City. He said the northern portion of Davis County was well represented on Capitol Hill.

TRANSPORTATION FUNDING/NEEDS

Gary discussed a goal of the City over the next couple of years to get an overpass over I-15 just south of Kohl's, which would tie into a road north of the theaters and mall. Staff displayed an interactive map of the overpass and traffic flow. Gary indicated that the overpass was on the priority list of the Wasatch Front Regional Council. He said this year the City was looking for funding to do the study for the overpass. Gary said the Wasatch Front Regional Council had requested those funds.

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Senator Stuart Adams asked what the estimated cost of the study was.

Woody Woodruff, City Engineer, said the estimated cost of the overpass was \$20,000,000. He said the study would be approximately \$4,000,000.

Gary expressed appreciation for funding the City had received to help relieve congestion around the mall area and on Antelope Drive, but everyone knew that more would be needed in the future. He said everything would depend on funding and right now transportation funding was uncertain.

Councilmember Day asked where the State was with funding.

Gary said the State could bond again, but that was very unlikely. He said he understood that the Governor was rethinking his idea of moving funding from transportation to other things such as education. Gary said he understood that the Governor was contemplating that there should be more funds in transportation.

Senator Adams mentioned that gas tax was last raised in 1998. At that time the gas tax was supposed to handle new construction and maintenance. He said because of the Olympics coming in 2002, the State appropriated some general fund money into the Centennial Highway Fund to rebuild I-15. Senator Adams explained the rainy day fund and how those funds were used to balance the budget during the economic downturn. He said they found that transportation funds worked really well as a working rainy day fund. Senator Adams said over the years they had tried to take general fund monies and put it into transportation, but by doing that and because the gas tax had not been raised, it had caused the State to spend more general fund money for transportation. He said the transportation fund barely covers maintenance; they were simply filling pot holes.

Senator Adams said there had been a lot of discussion in the House and Senate about trying to deal with the non-inflationary value of the gas tax. He said it would be one of the big issues this session. Senator Adams said the Governor had wanted to take some of the general fund money out of transportation to use in other areas of the budget. He said the biggest challenge with that was that when I-15 was built in Utah County, there was about \$500,000,000 of general fund money spent on transportation, which was a pretty good amount. Senator Adams said when you looked at it, \$200,000,000 to \$300,000,000 of that was for debt service, which only left \$200,000,000 for projects. He said it didn't take many \$20,000,000 projects

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to use up that money.

Senator Adams said transportation would be a big issue this session. He said many Legislators believed that now was the time to deal with transportation; for years they had been kicking the can down the road. Senator Adams said the 24.5 cent gas tax was the same when gas was at \$2 a gallon or \$5 a gallon; it didn't change regardless of the price of gas or the price of a car. Cars were getting more miles to the gallon and there was more wear and tear on the roads. Without an inflationary element it was losing ground, and it had to be looked at. He said there was a push back on bonding right now and he didn't think bonding had a lot of probability this session.

Senator Jerry Stevenson said the bonds were being paid off very quickly and the State's bond capacity was increasing because of growth in the State. He said they didn't think the taxpayers of Utah should be paying a lot of money in interest, and they were right now because of what was done in Utah County. Senator Stevenson said it made a lot of sense to get those bonds paid off.

Senator Adams said for the economy to grow there had to be increased infrastructure. He said if the State wanted to grow the economy they had to do projects like this overpass. Senator Adams said the Legislature understood that infrastructure brought economic development and additional revenue for the public and private sector.

Gary said with the investment in Utah County that was where the economic growth was occurring.

Mayor Stevenson said the Utah League of Cities & Towns (ULCT) was pushing for a ¼ cent optional sales tax that could be used by the cities for transportation funding. He asked the Legislators how they felt about that and if they felt that the gas tax would be raised.

Senator Adams said there were a lot of people looking at the ¼ cent sales tax for funding. He said historically the local option sales tax had been directed toward public transit, counties and cities. Senator Adams suggested that the three entities get unified on what that ¼ cent would be used for.

Gary reviewed information presented by the ULCT earlier this week to their Legislative Policy Committee, and what some of the proposals were with the ¼ cent sales tax option. He indicated that the ULCT proposal was that the ¼ cent would be split between cities, counties and transit, but the cities

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would control the distribution. Gary said voter approval would be a killer for the cities on a local option.

Representative Steve Handy said Davis County still had the option of imposing a ¼ cent sales tax that they had not done in the past, but it would have to be done by the voters. He said that was in addition to the ¼ cent optional sales tax being discussed.

Gary reviewed current sales tax revenues and anticipated revenues with a ¼ cent increase; and an increase in motor fuel tax. He said there needed to be a Band-Aid big enough to fix the problem and not just continue to kick the can down the road.

Mayor Stevenson said if this hadn't been changed since 1998, if changes were made this year it was realistic to think that it would be a number of years before it was changed again. He said whatever was decided needed to be a substantial change.

Senator Adams said people were always concerned that with additional spending on anything it was taking money away from education. He said an inflationary adjustment was not a tax increase, but it was hard to sell.

Gary said some cities did truth in taxation every year to cover inflation. He said the problem with most taxes was that they didn't increase with inflation, particularly the gas tax.

Mayor Stevenson said it was not only the inflation factor, but every time someone boosted their mileage, it had a negative impact on gas tax.

Representative Handy said he heard President Niederhauser state that the Legislature would not act unless they felt pressure. He suggested that everyone stay involved.

Mayor Stevenson said if the Legislature allowed for the ¼ cent optional sales tax, the State would not be raising the tax, it would fall to the local communities to make that decision. He said his understanding was that if the cities imposed the ¼ cent optional sales tax, it would allow for some of the B and C Road Funds to go back to the State.

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Gary said the proposal was that the B and C Road Funds would be frozen at the level they were at when the tax was imposed. He said anything before that would continue to come to the cities, but anything after that would go back to State coffers. Gary said there was opposition to the local tax being imposed by individual cities instead of the counties. He said there was also a question on how it would be distributed.

Gary said it took years to determine how sales tax dollars would be distributed between cities, and now the question would be how to distribute this between three entities; counties, cities and transit.

Mayor Stevenson indicated that the monies would not only be used for roads; it would involve things like trails and bike paths.

Senator Adams said it was important to work some of these issues out. He said it was really challenging when there was confusion about how it would be split and when there were pressures that were not unified; the easiest thing was to do nothing.

Representative Handy said they wanted to do their duty and perform their responsibilities, but in his mind there were too many proposals.

Gary said the cities would continue to work on this.

LAW ENFORCEMENT/PUBLIC SAFETY

Gary said before Chief Keefe retired, his last words were, “Don’t let body cameras happen.” He said there was a national standard for using body cameras; the standards McKay was imposing were totally out there, and he didn’t have a background in law enforcement. Gary said nationally, police departments and chiefs knew what the standard was and they applied that standard. He said there were some very offensive parts in McKay’s bill. Gary said the cities would oppose that legislation pretty strongly. He said, for example, the idea that if the camera shut off like it did recently with the snow shovel incident, the presumption was that the officer acted inappropriately. Gary said those types of things were offensive and they indicated that McKay really didn’t know what he was talking about. He said cities felt that this should be left up to local jurisdictions to make that determination.

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Police Chief Allen Swanson said he had spoken with Representative McKay and he indicated that he had been with the San Diego Sheriff's Office for a few years. Allen said he told Representative McKay that there were 26 agencies, including Layton City, that already had a policy for body worn cameras. He said he also mentioned the national standard. Allen said Representative McKay indicated that he really didn't care about a national perspective at all.

Gary asked the Legislators to keep an eye on this.

Gary said relative to officer involved shootings, Senator Henderson had a bill indicating that an outside agency should be involved in investigating these. He said cities already did that; it seemed to be very workable.

Gary said relative to Grand Juries investigating use of force for shooting incidents, there wasn't a lot of opposition to that.

Steve Garside, Assistant City Attorney, said cities had been trying to get Grand Juries involved in this for a long time. He said the way it was set up in this State was that you couldn't do a Grand Jury unless a panel of judges approved that. Steve said with some of the more recent politically heated investigations that had gone on, and Grand Juries were requested, the judges had said no. He said this created problems because someone that was elected from one party was now doing an investigation of a person in another party. Steve said the issue has now come up with the use of force and using Grand Juries. He said cities were hopeful that they could get a good Grand Jury bill so that they would work the way they were supposed to.

Senator Adams asked if anyone was putting forward a bill.

Steve said they had been brought up several times, but nothing every happened.

Allen Swanson said this came up in the meeting with Senator Henderson.

Gary said she may be the one that actually carried the bill.

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Steve said it had actually been a misunderstanding of the role of a Grand Jury in the State.

Gary said e-file was a great concept, but when it was actually implemented, there was a very inadequate system of tracking cases that the State had sponsored for years and years, and it had been working on a shoe string. He said it was a program that had been used statewide, but it was on its last leg. Gary said in the meantime, the State was telling cities that everything they did had to be e-filed as of January 1st, and they had no link between the program being used and the courts. He said the courts had previously been doing all of the manual work, now they were saying all the prosecution offices had to do the manual work and get it to them in e-filing format. Gary said what it had done was impose a giant mandate on the cities. He said the Attorney General's Office had asked for an appropriation to try and come up with a new program that would perhaps link with the State courts; the cities didn't have that funding source. Gary said the cities would have to come up with funding; this was literally going to cost millions of dollars for cities to impose what seemed like a good idea. He said the Administrative Office of the Court (AOC) imposed this as of January 1st; the testing of this by Spanish Fork City ended in November, and Spanish Fork started waving a white flag back in November. Gary said it required the City to request a minimum of another ½ time employee.

Gary said the Pew Study was going to push drug possession charges, which were typically 3rd degree felonies, down to the misdemeanor courts, for the purpose of saving about 20% prison space. He said the difficulty was that the counties didn't have the facilities to do what they could at the state prison. Gary said in a prison setting they had therapy and rehabilitation programs set up. If they were put into county jails, they would pretty much just be warehoused. He said possession charges were used most of the time in order to get gang bangers off the streets. If they were pushed down to the misdemeanor level, West Valley City estimated that there would be an additional 400 cases they would have to take care of, and they were more difficult cases. Gary said he didn't think the cost had been interpreted and translated down to the local level. He said the other recommendation was that all traffic cases go to infractions, which would take away all opportunities to do things like traffic court and education programs, or negotiate any case. Gary said it would end up costing municipalities.

Gary said all of the recommendations that came out of the Pew Study for the purpose of reducing the number of prison beds being used would only shift the responsibility to local government. He said it ended up being an unfunded mandate. Gary said the Governor was very much behind this; there was a lot

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of support. He asked the Legislators to please consider the implications to local government.

Senator Adams said he was somewhat involved in this issue. He said they were a long ways from the end and the comments Gary made were comments other groups were making. Senator Adams said the challenge wasn't the statute; the concept was that nationally they had found a better way to handle drug offenders. He said if there was no rehabilitative possibility with the person that was different, they had found that treatment was better than incarceration. Senator Adams said what Gary had said was exactly right; the treatment often didn't happen in the prison system until the end of the sentence; they didn't want to deal with treatment because they didn't have the funds and resources. He said it was better to try and get someone into treatment earlier than later, and it was better to have someone go through treatment rather than a prison term. Senator Adams said there were a lot of first-time offenders at the prison. He said treatment was generally done by the counties. Senator Adams said crafting of the law was pretty easy; shifting of the money would be the hard part. He said he didn't think people were unaware of the issues; they would just have to work through them.

Steve Garside said county and city attorneys vehemently disagreed with a lot of the information in the Pew Study. He said there was nobody that had sent a first-time drug possession offender to prison. Steve said if it was based on a probation violation it could happen, but simply on a first-time possession it never happened. Steve said one way cities and counties had dealt with this was with drug courts. One of the problems with making drug possession misdemeanors instead of felonies, they no longer had the incentive to go to drug court. He said a lot of people would rather spend six months in jail instead of going through drug court.

Steve said some of the information presented in the Pew Study was not accurate. He said some of the information indicated that people were in prison as a result of an enhancement on a retail theft. Steve said they went through every file relative to retail theft and no one was in prison solely because of a retail theft; again it was because of a probation violation of another offense.

Senator Adams said the most important part of the process was to remain involved.

Representative Brad Wilson said there was a relatively sizeable appropriation that was supposed to be part of this process. He said he thought there was around \$10,000,000 that was intended to be used for some of the concerns Gary and Steve had voiced.

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Representative Wilson said Utah had a much lower percentage of the population that was incarcerated than most states, but the growth rate was much higher than most states in terms of how many people were being added to the system. He said there was something really strange in what the numbers meant for Utah; there needed to be a good discussion about this.

There was discussion about the prison relocation.

Steve Garside said there were several things statistically that the Pew Study didn't take into account; one being that the U.S. Attorney's Office had been taking significantly less drug cases than they had historically, which put a lot back on the counties. He said they also didn't take into account the effect of those that were unlawfully in the country and what impact that had on this. Steve said from a prosecution community standpoint, those had been some significant impacts as of late that were not taken into account in the study.

Senator Adams said they welcomed the information and involvement and it was through that involvement they would hopefully get the right answer. He said the data from Pew was that the number of people being incarcerated was actually down, but the prison population was increasing. There wasn't additional crime, but those people were spending longer time at the prison and they were going back more often because of things like parole violations. Senator Adams said they needed to see if they had the right system in place, and how did they help rehabilitate people with substance abuse problems.

Gary said the fear was that the cities and counties would lose some of the things they had found that did work, such as drug court.

WATER

Gary encouraged the Legislators to strongly look at the Lowery bill relative to water.

Senator Stevenson said he didn't think there would be a lot of issues on this unless someone tried to change it from where it was now. He said it seemed like it would work its way through the system.

Gary asked if there were any issues the Legislators would want the cities actively engaged in.

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Senator Stevenson said not unless the City had 500 acres available for a prison.

Mayor Stevenson thanked the Legislators for the funding of Antelope Drive and Hill Field Road. He said the proposed overpass would also be important to the City. Mayor Stevenson said everyone realized that with the F-35 coming to Hill Air Force Base, it would greatly impact the area. He said support of the Base was very important.

Representative Wilson said with the West Davis Corridor and the shared solution discussions, was there an effort in the County, among the cities, to make that a priority.

Mayor Stevenson said Layton City felt that the West Davis Corridor was very important. He said the last thing he saw relative to the shared solution was that Layton should add approximately 5,000 apartments along the Main Street corridor.

Bill Wright, Community and Economic Development Director, said Staff was doing some more analysis, but basically they were focusing all of the development along the West Davis Corridor and making the assumption that by 2050 everything would be totally developed. Bill said there needed to be a reality check; Layton certainly carried a lot of the variety of housing types and higher density. He said Staff was reviewing information to see what the shared solution really did, but it put a lot of additional higher density development in Layton. Bill said the difficulty was whether or not Layton City could absorb it with the infrastructure, and did it really solve the problem.

Mayor Stevenson said there was no question that the West Davis Corridor would add to the County and it was needed very badly.

Representative Wilson said he believed it would take a countywide effort from the cities and Legislators to make it happen. He said they needed to start focusing on making it a priority in the State, and finding funding.

Mayor Stevenson said he thought that from Kaysville City north, there was a lot of support.

Gary said when you looked at what happened in Utah County and Salt Lake County, they were very well

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organized. He said it seemed to be a little bit splintered up north; there needed to be pressure from cities and counties up north. Gary said traveling from Salt Lake City north was a much different trip than it was traveling from Salt Lake City south.

Senator Stevenson said the Legacy Highway on the south end of the County was on the outskirts and was not a dividing issue with the citizens or communities. He said the West Davis Highway itself was a dividing issue. Senator Stevenson said he didn't think the citizens understood that it was an absolute necessity, but they would because the growth in Davis County would come from Layton City north. He said from Layton City south they were approaching build-out in a lot of areas. Another 80,000 people in the north end of the County would create problems; you wouldn't be able to get from the western most reaches of the County to I-15. Senator Stevenson said Layton had done a great Job with the Parkway, Gentile Street and Hill Field Road, but some communities had not fared so well. He said it was a big issue that was getting bigger all of the time. The only solution was the West Davis Highway.

Mayor Stevenson said he would try to organize a group from the north end of the County.

Alex Jensen, City Manager, said in some of the meetings there had been a very strong inference that if the money wasn't spent toward building the West Davis Corridor then those same dollars would be made available from the State to build local streets. He said some cities to the west and north that had been in support of the corridor were now rethinking that. Alex said the City had had some cordial but plain discussions with the agencies involved to say that that should be clarified. He said he understood that those clarifications would be made by the end of the month and they would try to provide data to make it clear what the options were to the various entities. Alex said based on bad data, and assumptions people were making, support had fractured.

Representative Wilson said they needed to dispel those myths, because that was what they were. He said if you understood the long-term implications, you would know with 100% certainty that the West Davis Corridor would dramatically improve the quality of life of the residents, and improve the economy. Representative Wilson said it was imperative for the prosperity of northern Utah. He said they simply couldn't let this window of opportunity close; they had to get everyone on board and build the road.

Senator Stevenson said they had gone way too long trying to be politically correct and get everyone onboard. He said the fact remained that probably not everyone was going to get onboard, but we still

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needed the road.

Representative Wilson said as the largest city in the County, Layton had a lot of influence.

Gary thanked everyone for coming.

The meeting adjourned at 8:42 a.m.

Thieda Wellman, City Recorder

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**MINUTES OF LAYTON CITY
COUNCIL WORK MEETING**

JANUARY 15, 2015; 5:32 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

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

ABSENT:

JORY FRANCIS

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, BILL WRIGHT,
PETER MATSON, TRACY PROBERT, DAVE
PRICE, WESTON APPLONIE, DEVON RIGSBY
(INTERN), DAVE THOMAS, TERRY COBURN
AND THIEDA WELLMAN**

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

Mayor Stevenson opened the meeting and turned the time over to Staff.

AGENDA:

DISCUSSION – REFUSE CONTRACT

Tracy Probert, Finance Director, said the current contract with Waste Management for trash collection would expire on July 1, 2015. He said Staff would recommend pursuing an extension of the contract. Tracy said Waste Management had been working with the City since 2004. He said currently the City was only paying 20 cents more per can than they were in 2003 with the previous provider. Tracy said the cost had gone up 94 cents per can over the 11 ½ years that Waste Management had been the service provider. He said there were 18,445 first cans and 4,732 second cans in service in the City.

Tracy said Waste Management was a large company that had the equipment and was the kind of operation that could efficiently provide the services to the City. He said there were 20 to 30 calls a day from residents relating to garbage service, mostly doing with damaged cans, and Waste Management was very responsive to get out in 3 to 5 days to take care of the problems; most were handled in 1 day.

Mayor Stevenson said with new construction they were very slow to get out a new can; it usually took 5 days.

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Tracy said he would let Waste Management know that there was a problem with that.

Tracy said he felt the service was good and he would recommend moving forward with an extension of the contract.

Councilmember Petro said they were very good to take care of any problem she had reported.

Councilmember Day asked how long the extension would be for.

Tracy said 3 to 5 years.

Councilmember Day asked if there were other companies interested in providing the service.

Tracy said yes, but there weren't a lot of companies large enough to service Layton.

Mayor Stevenson asked if there were any cities in the county that didn't use Waste Management.

Alex Jensen, City Manager, said there were some smaller cities that used smaller companies.

Alex asked Staff would like Council's approval to negotiate a good extension with Waste Management. He said this would allow Staff to work with them and see how badly they wanted the City's business. Alex said Staff would bring information back to the Council.

Councilmember Petro asked if it was wise to have that long of a term of extension.

Alex said it could be a three year extension. He said Staff's experience with Waste Management was positive; they had been very reasonable with their rate increases and had done a great job for the City.

Consensus was to move forward with negotiations for an extension.

PRESENTATION – DAVIS ARTS COUNCIL

Kirt Bateman, Executive Director of the Davis Arts Council, introduced Dawn Brandvold and Valerie Davis. He said the Davis Arts Council had their biggest season ever in 2014; mostly because of the two

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performances by Bill Cosby. Mr. Bateman said it was great timing for when Mr. Cosby was here. He said they had over 25,000 guests through the gates for the paid series and the free Sunday night series. Mr. Bateman said the free series was the biggest ever this year; there were usually over 500 guests in attendance.

Mr. Bateman said the museum had been exceptionally accommodating to them and Staff was great to work with. He said they were very happy with the comments they received from their subscribers. Mr. Bateman explained all the free events they were providing to the community. He indicated that there would be a student arts show next week at the Conference Center.

Mr. Bateman indicated that he would like to have a discussion about growth. He said the Davis Arts Council was at a crossroads; they had done a lot with a little, but some artists wouldn't come to Layton because there weren't appropriate changing rooms; restrooms; etc. Mr. Bateman said their board had just passed a budget over \$500,000 and they had been in the black since 2008. He said they had some funds they would like to invest back into the amphitheater and they would be hiring one additional staff member to help with outreach and education. Mr. Bateman said the board approved \$15,000 to go into capital improvements for the amphitheater; they would like to see dressing rooms added. He said they saw the value in investing back into the facility.

Mr. Bateman said he continued to get comments from people that there was no other place like this anywhere. They had regular clients that came from Oregon because of the venue. He said their board had discussions about how to grow and be successful, but keep the hometown feeling of the facility. Mr. Bateman said they had a vision of an indoor music venue to make Layton the place for music and dance performances. He said there could be performances all year around; there was an opportunity for people to look at Layton as the place to go for music and culture. Mr. Bateman mentioned some of the other venues in nearby cities and the types of art they focused on. He said if Layton invested in a venue he would promise the City that they would be successful. Mr. Bateman thanked the City for their support.

Councilmember Brown asked about the upcoming season.

Mr. Bateman said nothing was booked yet, but there were some great names he could not divulge. He said it would be a great summer.

Mayor Stevenson asked if the performing arts center was something that could be used during the Sundance Film Festival.

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Mr. Bateman said he couldn't see why they couldn't pursue that; it would be a great location for them compared to some others they were using.

Dave Thomas, Recreation Supervisor, mentioned the canvas covering over the stage at the amphitheater.

Mr. Bateman said they had several conversations about the canvas, which had been up since 2006. He said it was very brittle and leaked. Mr. Bateman said they had put some money aside in their budget to buy a new canvas.

Mayor Stevenson asked how much it would cost to replace the canvas cover.

Dave said it was about \$5,000 to \$6,000.

Mr. Bateman said they were prepared to invest some money in replacing the canvas and the \$15,000 for restroom improvements.

Mayor Stevenson said this organization was run mostly by volunteers. He mentioned some of the volunteers involved and the time they spent. Mayor Stevenson said each year the amphitheater was getting fuller and fuller; the City was getting known for the venue. He said the amphitheater needed to be expanded. Mayor Stevenson said a rap tax could be used for something like the vision Mr. Bateman shared of a performing arts center and it would benefit the entire County. He said the City should look at a rap tax. Mayor Stevenson said improvements to the dressing rooms were something the City could possibly do in-house without spending a lot of money.

Mr. Bateman expressed appreciation to the City for everything they did to make the Davis Arts Council successful.

Alex said relative to replacing the canvas at the amphitheater, the City could cover that expense as an operational expense, which would allow the Arts Council to put more of their efforts toward capital improvements such as a green room.

Mr. Bateman said that would allow them to add more money to improve the dressing room. He said there was also a need for a permanent box office.

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Dave Price, Parks and Recreation Director, suggested doing the capital improvements at one time, including a box office.

Mayor Stevenson asked what the economic benefits would be of some of these improvements.

Bill Wright, Community and Economic Development Director, said an indoor performing center would be huge. He said the location would be important. Bill said Staff would love to be involved and look at the entire City to see what the best options would be.

Mr. Bateman expressed appreciation to the Mayor and Council for their time.

DISCUSSION – BEEKEEPING REGULATIONS AND RESEARCH

Alex said there were citizens that were asking about the City's position on beekeeping. He said Staff had collected information and was looking for feedback from the Council as to whether it should be pursued.

Peter Matson, City Planner, introduced Weston Applonie, the newest Planner on Staff, and Devon Rigsby, a political science student at Weber State University working as an intern in the Planning Division.

Weston reviewed the history of beekeeping in Utah. He indicated that since 2011 beekeeping in Layton had almost doubled. Weston said based on numbers from the Utah County Agricultural Food Department there were 30 registered beekeepers with 90 registered hives in Layton. He said there could be some beekeepers that were not registered.

Councilmember Freitag asked why someone would register.

Weston was it was a requirement of State law and inspections by the County Inspector kept the hives healthy.

Councilmember Brown said she assumed that someone could go on the internet and order beekeeping supplies without having to get a license.

Weston said that was correct. He said there could be some doing that now in Layton.

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Weston indicated that in the last few years there had been a focus on local food production, which probably impacted the increase in beekeeping. He said farmers or residents could also want to increase their flower and garden production. Weston said having bee hives close would encourage more growth.

Weston reviewed what other cities were doing. He said there were only 3 cities in Davis County that had ordinances in place; Bountiful, Centerville and Syracuse.

Councilmember Brown asked if an ordinance was passed, did beekeeping become more popular.

Weston said he didn't ask that specific question, but he could get that information.

Peter said it seemed that the ordinances were put in place as a reaction to the popularity of beekeeping. He said most of the ordinances had been put in place in the last 3 to 5 years.

Weston said for a small city, Bountiful had the most beekeepers. He said for a long time Bountiful's ordinance specifically prohibited beekeeping. He said their ordinance was changed about 9 months ago.

Councilmember Brown asked if the City's ordinance permitted it now.

Weston said it wasn't specifically prohibited.

Peter said beekeeping was allowed as a permitted use in the agricultural zone and the M-2 manufacturing zone as noted on the land use table. He said it wasn't mentioned anywhere else in the Code.

Councilmember Freitag said if it wasn't prohibited, was it allowed.

Peter said it wasn't allowed.

Councilmember Brown said if someone complained about a neighbor having bees, would the City prosecute that.

Peter said it would be a code enforcement issue.

Councilmember Day said since it wasn't mentioned specifically as being permitted would it be prohibited.

D R A F T

Gary Crane, City Attorney, said the zoning ordinance worked opposite of most other ordinances. He said if it was not expressly allowed, it was prohibited.

Peter said it was not allowed in any zone except agricultural and M-2 zones.

Councilmember Freitag asked if the City knew where the registered beekeepers were located.

Weston said the County would have that information.

Councilmember Freitag said he wasn't interested in coordinates, he was interested in knowing if there was a problem; were 29 of the hives in the City located in an area where they weren't allowed. Was this something the City needed to address.

Peter said Staff could get the addresses of the registered beekeepers.

Councilmember Freitag asked how often they were related to agricultural uses; did a farmer have a colony to take care of his crops.

Weston said without the addresses, it was difficult to determine if they were being used in agricultural areas. He said he would doubt that there were 30 farmers in the area with bee hives.

Peter said he knew of a handful of people that had them to pollinate flower gardens and fruit trees.

Councilmember Brown said she had spoken with a neighbor that had bee hives, and he had indicated that everyone benefitted from a hive in the neighborhood because of the bees pollinating flowers.

Councilmember Day said the ones he knew about that were located on farms were from people that just wanted a location to put their hives.

Mayor Stevenson asked if bees helped the Day farm.

Councilmember Day said the bottom line was that you wouldn't get a lot of crops without bees. He said larger hives were focused on honey production. Councilmember Day said years ago when there were lots of orchards, they would hire beekeepers to put hives in their orchards. He said that was probably still

D R A F T

happening in Brigham City and Bountiful where there were larger commercial orchards.

Councilmember Freitag asked why some cities had put ordinances in place.

Weston said most of the ordinances came from residents, similar to the chicken keeping ordinance.

Weston reviewed regulations in other cities' ordinances, including limiting the number of hives based on lot size, zone and setback requirements; flyway barriers were required; and a water source had to be available. He said bees drank water; if a water source wasn't provided they would go to water in a neighbor's yard.

Council and Staff discussed some of the regulations.

Councilmember Brown said bees were different than chickens, cats or dogs; you couldn't keep the bees in your yard. She said if the hives weren't taken care of, the bees would go somewhere else. Councilmember Brown said when she was walking her dogs on the dike behind her home, there was a full colony of bees in a tree above her head. She said if it had been her husband, and one bee had stung him, she didn't know if he could have survived. Councilmember Brown said she was concerned that people would get hives, not know what they were doing, and not take care of them.

Councilmember Day said those things could happen naturally as well.

Councilmember Brown said she had two people close to her home that had bees. If an ordinance was passed she might have 10 people close to her home with bees. She said there were a lot of people that were deathly allergic to bees. Councilmember Brown said her husband couldn't go anywhere without carrying an Epi-pen because he was that allergic to bees. She said he didn't expect to confront a swarm of bees in his neighborhood.

Weston said that was a valid concern. He discussed some of the problems with bee hives, such as swarming. Weston said a question would be was it safer to have an ordinance with guidelines, because there were beekeeping operations in the area, or would it be better to keep it where it was currently. He said some of the guidelines were that they had to be aware of swarming and they had to maintain their hives.

Councilmember Brown said when the ordinance was passed for chickens, there really wasn't any teeth in

D R A F T

the ordinance. She asked if there would be consequences in a beekeeping ordinance.

Weston said he had seen a couple of ordinances from other cities that specifically laid out consequences; it was something that could be added to the City's ordinance.

Councilmember Brown said if this moved forward, she would like to see some consequences in the ordinance if people were not following the regulations.

Bill Wright, Community and Economic Development Director, said there had been some code enforcement with chickens relative to setbacks. He said consequences could be included in the ordinance.

Councilmember Brown asked if the ordinance could indicate that they had to be registered with the State.

Weston said it was a State regulation that they had to be registered with the State.

Weston indicated that there hadn't been a lot of complaints from residents in other communities. He reviewed some of the concerns and issues in other communities.

Weston reviewed State law relative to beekeeping.

Weston reviewed information in a draft ordinance, including registration and maintaining an active license with the Department of Agriculture; the colonies would be kept in removable frames; there would be a 10-foot setback requirement; they would operate in accordance with State guidelines; hives would be conspicuously marked with the State registration number; hives would be placed in a manner that the general flight pattern of the bees would not create a nuisance for humans and domesticated animals; when hives were located within 25 feet of a property line a flyway barrier would be required; and flyways would be six feet tall and would run 10 feet either way from the hives.

Councilmember Brown suggested that the ordinance include that they had to be within a fenced yard.

Weston reviewed the proposed number of hives that would be allowed based on lot size. He said they would not be allowed in front or side yards. Weston said the water source would be required from March 1 through October 31.

Mayor Stevenson asked how far a bee would fly.

D R A F T

Weston said they could go up to 4 miles, but they would typically stay as close as possible to the hive.

Council and Staff discussed the amount of honey that would be produced.

BID AWARD – WIDDISON TURBINE SERVICE LLC – LAYTON CITY SHOP WELL REHABILITATION – 1925 NORTH FORT LANE – RESOLUTION 15-03

Terry Coburn, Public Works Director, said Resolution 15-03 would award a bid for rehabilitation of the shop well. He said the City had 6 deep wells along with water that was purchased from Weber Basin. Terry said currently the City produced about 50% of the water used and 50% was purchased from Weber Basin. He said there were some towns in the area that didn't have any deep wells and were solely dependent on Weber Basin for their culinary water supply, which was not a good position to be in.

Terry said the State Engineer had become increasingly tight on allowing permitted wells because there were so many permitted wells that were drawing from the same aquifer. He said the City had to come up with creative ways to maximize the production of the wells. Terry said some of the City's wells were drilled 30 or 40 years ago.

Terry said the City had already rehabilitated the Fort Lane well. He said the rehabilitation process involved removing the pump and motor, putting a video camera down the well for inspection of the casing, and cleaning the casing with brushes and hydrochloric acid. Terry said the cleaning process removed minerals from the slits in the casing, which built up over time, and allowed water to flow into the well.

Terry said there were only two companies that did this type of work, and Widdison was the only company that did this particular process.

Terry said before the Fort Lane well was rehabilitated, it had a pumping rate of 1,100 gallons a minute and a drawdown of 84 feet. He said that resulted in a specific capacity of 13.1 gallons per minute per foot. Terry said after the rehabilitation process, the Fort Lane well had a pumping rate of 2,400 gallons a minute and a drawdown of only 17 feet. He said it resulted in a specific capacity of 141.2 gallons per minute per foot. Terry said the well was performing better after the rehabilitation than it did when it was originally drilled.

D R A F T

Councilmember Petro asked how often they would do this process.

Terry said every 10 to 15 years. He said water was becoming a precious commodity in the State. Terry said it was important to keep the wells in good condition because he didn't know if the City would ever be permitted to drill another one.

Mayor Stevenson asked who had wells in the aquifer.

Terry said every city from North Salt Lake to Roy.

Councilmember Day asked if there had been any measurable drawdown on the aquifer in the City's wells.

Terry said there was some in drought years. He said the City's wells were in good shape. Terry said the City didn't pump at full capacity of the wells because the City had to pay for the water that was contracted with Weber Basin whether it was used or not. He said the City always made sure it was using all the water that was purchased.

The meeting adjourned at 6:58 p.m.

Thieda Wellman, City Recorder

D R A F T

**MINUTES OF LAYTON CITY
COUNCIL MEETING**

JANUARY 15, 2015; 7:01 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. Councilmember Day gave the invocation. Scouts and students were welcomed.

MINUTES:

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

Layton City Council Work Meeting – November 20, 2014;

Layton City Council Meeting – November 20, 2014;

Layton City Council Work Meeting – December 4, 2014; and

Layton City Council Meeting – December 4, 2014.

The vote was unanimous to approve the minutes as written.

MUNICIPAL EVENT ANNOUNCEMENTS:

Councilmember Brown indicated that Family Recreation would be sponsoring a family skate night at the South Davis Recreation Center this Saturday from 7:00 p.m. to 9:00 p.m. She said in past years skate rental had been \$1 and there had been refreshments.

D R A F T

CITIZEN COMMENTS:

Steven and Michelle Simpson, 1499 North 125 East, raised concerns with the City's ordinance that prohibited animals in parks. They said they would like the Council to change the ordinance to allow dogs in the parks; dogs were important to families. Mr. Simpson indicated that walking dogs was healthy; walking dogs in a park was safer than walking them on the sidewalks or streets; more and more municipalities were building dog parks; people were already walking their dogs in the parks in the evening; dogs in parks was part of America; and dog waste stations would eliminate some of the concerns.

Councilmember Brown said dogs were allowed on the City's trails on a leash; the City did provide waste stations along the trails.

Mr. Simpson said those were fantastic, but they were looking more toward neighborhood parks.

Mayor Stevenson said there had been some discussion about a dog park. He said as many people as would like to see dogs in the parks there were as many people that didn't want to see them. Mayor Stevenson said there would continue to be discussions about a dog park.

Councilmember Petro asked how far they would be willing to drive to get to a dog park.

Mr. Simpson said they wouldn't want to drive they would want to walk there.

Mayor Stevenson thanked the Simpsons for their comments.

PRESENTATIONS:

YOUTH COUNCIL SWEARING IN

Mayor Stevenson invited members of the Youth Council to come forward.

Carolyn Hunter, Youth Council Advisor, explained the Youth Council program and mentioned some of the events the Youth Council had been involved with.

Thieda Wellman, City Recorder, administered the oath of office to the Youth Council. The Youth Council

D R A F T

came forward to shake hands with the Mayor and Council.

CONSENT AGENDA:

PARTIAL RELEASE OF EASEMENT – HILTON HOME2 SUITES – RESOLUTION 15-01

Gary Crane, City Attorney, said Resolution 15-01 would release a partial easement that was located behind the Home2 Suites that was currently being used for parking for the facility. Gary said this transaction took place several years ago with Home2 Suites paying the City for the easement, but the City never conveyed the release of easement to them. He said the easement contained approximately 29,000 square feet.

Councilmember Brown asked if the public was able to use the parking area.

Gary said yes.

BID AWARD – WHITAKER CONSTRUCTION COMPANY – LAND DRAIN MANHOLE REHAB PROJECT – LAKELAND AND EASTVIEW SUBDIVISIONS – RESOLUTION 15-02

Terry Coburn, Public Works Director, said Resolution 15-02 authorized the execution of an agreement between Layton City and Whitaker Construction Company for the land drain manhole rehab project. Terry said the project included the rehab of 57 land drain manholes in the Lakeland and Eastview Subdivisions. He said it included replacing the gravel floors of the existing manholes with concrete. Terry said the project would improve the ability for the land drain lines to be flushed and maintained. He said three bids were received with Whitaker Construction submitting the lowest responsive, responsible bid of \$69,895; the engineer's estimate for the project was \$70,000. Terry said Staff recommended approval.

BID AWARD – WIDDISON TURBINE SERVICE LLC – LAYTON CITY SHOP WELL REHABILITATION – 1925 NORTH FORT LANE – RESOLUTION 15-03

Terry Coburn said Resolution 15-03 authorized the execution of an agreement between Layton City and Widdison Turbine Services, LLC for the Layton City Shop well rehabilitation project. He said the project included the rehabilitation of the well and all associated items for a fully functioning system. Terry said the project would clean and chemically treat the well to help insure continued water production at optimum performance from the well in the future. He said an advertisement requesting qualifications was published with Widdison Turbine Service being the only contractor to submit a statement of qualifications and a bid in

D R A F T

the amount of \$146,140; the engineer's estimate for the project was \$150,000. Terry said Staff recommended approval.

Mayor Stevenson asked Terry to explain to the audience what happened with this process.

Terry said the City had six deep wells in the City that were drilled to about 700 feet deep. He said over time the screens in the wells became plugged with minerals. Terry said they were originally slatted so that the water could flow through the casing where it could be pumped. He said over time the minerals diminished those slots. Terry said the rehab process involved pulling of 700 feet of pipe, the pump and motor, and then swabbed the casing with brushes and chemicals that cleaned the casing so that the water could better flow into the casing. He said when the Fort Lane well was rehabbed, it more than doubled the capacity of the well.

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

PUBLIC HEARINGS:

REZONE REQUEST – BAC LAYTON, LLC – R-1-10 (SINGLE FAMILY RESIDENTIAL) TO R-1-8 (SINGLE FAMILY RESIDENTIAL) – SOUTHEAST CORNER OF GORDON AVENUE AND COLD CREEK WAY – ORDINANCE 15-01

Peter Matson, City Planner, said this was a rezone request submitted by BAC Layton LLC. He said the property was located on the southeast corner of Cold Creek Way and Gordon Avenue, north of Ellison Park Elementary. Peter said the request was to rezone the property from R-1-10 to R-1-8. He said the difference in the zones was 10,000 square foot lots as opposed to 8,000 square foot lots. Peter said the recommendation of the General Plan was for 2 to 4 units per acre; the proposed rezone was within those recommendations. Peter said the property was impacted by some surrounding land uses that were unique to a single family subdivision. He said to the north there was professional business zoning on an arterial street, the D & R G Rail Trail and M-2 zoning was located to the east, and there was an elementary school to the south. Peter said the Planning Commission recommended approval of the rezone and Staff supported that recommendation.

Mayor Stevenson said most of the lots were more than 10,000 square feet.

Peter said that was correct. He said about 55 feet of the rear yards of the lots along the trail would be impacted by easements.

D R A F T

Councilmember Brown asked if there could be gates between the back yards and the trail.

Peter said no.

Mayor Stevenson opened the meeting for public input. None was given.

MOTION: Councilmember Freitag moved to close the public hearing and approve the rezone request, Ordinance 15-01. Councilmember Brown seconded the motion, which passed unanimously.

Mayor Stevenson said next Friday at 7:00 p.m. at the Conference Center there would be an art program that would be a presentation of art from high schools throughout the County. He said this would be a free event and would include food.

Councilmember Brown said students had until January 22nd to enter the art contest. She said there was prize money.

The meeting adjourned at 7:33 p.m.

Thieda Wellman, City Recorder

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 4.A.

Subject:

Presentation – Years of Service Awards

Background:

The following employees with 20 years of service and above will be recognized at Council Meeting. Employees with 15 years or less will be recognized in department staff meetings.

Administration

35 – Scott Carter

Community Development

15 – Michael Thomas

Finance

10 – Linda Larsen

10 – Vicki Wetzel

15 – Stephanie Combes

Fire

10 – Paul Christensen

10 – Trevor Haycock

15 – Thayne Roberts

20 – Michael Sheets

25 – Ralph Stott

Management Services

10 – Carson Criddle

15 – Jamie Senninger

Parks and Recreation

15 – Kelly Whitesides

Police

5 – Ida Beazer

5 – Steve Garrison

5 – Karl Kuehn

5 – Bryan Purdy

10 – Nicholas Applonie

10 – Brady Fitzpatrick

15 – Joyce Christensen

15 – Jared Criddle

20 – Ted Donoviel

30 – Jeffrey Shumway

Public Works

5 – Michael Heath

5 – Ashley Thoman

40 – Terry Coburn

Alternatives:

N/A

Recommendation:

N/A

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 5.A.

Subject:

Weber State University Center for Community Engaged Learning - Keys to Our Communities Award - Resolution 15-04

Background:

The Center for Community Engaged Learning at Weber State University was established in June of 2007. The Center's mission is to engage students, faculty and staff members in service, democratic engagement and community research to promote civic participation, build community capacity, enhance the educational experience and enrich the community. Since its inception, over 44,000 students have contributed more than 942,000 combined hours of community engagement with an estimated dollar equivalent of \$17 million. Layton City recognizes and congratulates the Center for Community Engaged Learning and Weber State University for receiving the Keys to Our Communities Award.

Alternatives:

Alternatives are to 1) Adopt Resolution 15-04 recognizing and congratulating the Center for Community Engaged Learning at Weber State University for receiving the Keys to Our Communities Award; or 2) Not adopt Resolution 15-04.

Recommendation:

Staff recommends the Council adopt Resolution 15-04 recognizing and congratulating the Center for Community Engaged Learning at Weber State University for receiving the Keys to Our Communities Award.

RESOLUTION 15-04

A RESOLUTION DEMONSTRATING LAYTON CITY'S SUPPORT OF THE "KEYS TO OUR COMMUNITIES" AWARD FOR THE CENTER FOR COMMUNITY ENGAGED LEARNING AT WEBER STATE UNIVERSITY.

WHEREAS, Weber State University has a rich history over the past 125 years as it has evolved from an academy to a university, all the while collaborating with communities, locally at first and now internationally, and developing partnerships that have continued for decades; and

WHEREAS, the Center for Community Engaged Learning at Weber State University was established in June, 2007. The Center is a strategic partnership between Academic Affairs and Student Affairs that provides both curricular and co-curricular community engagement opportunities in partnership with local community organizations; and

WHEREAS, the Center's mission is to engage students, faculty and staff members in service, democratic engagement, and community research to promote civic participation, build community capacity, enhance the educational experience and enrich the community; and

WHEREAS, community engaged learning is an academic experience that involves a collaborative relationship with the community that prepares students, faculty, staff and alumni to be engaged citizens, which strengthens democratic values and underscores civic responsibility while addressing community issues; and

WHEREAS, since its inception, over 44,000 students have contributed more than 942,000 combined hours of community engagement with an estimated dollar equivalent of \$17 million; and

WHEREAS, community stewardship is woven into the fabric and culture of the campus and was recognized as such by the prestigious Carnegie Classification for Community Engagement in 2008. Weber State University has also been listed each year on The President's Higher Education Community Service Honor Roll since the inception of the award.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAYTON, UTAH:

1. The City hereby acknowledges, supports, and applauds the mission of the Center for Community Engaged Learning at Weber State University.
2. The City hereby recognizes and congratulates the Center and the University for receiving the first "Keys to Our Communities" award.


PASSED AND ADOPTED by the City Council of Layton, Utah, this 5th day of February, 2015.

ROBERT J STEVENSON, Mayor

ATTEST:

THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:



STEVEN L GARSIDE, Assistant City Attorney

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 5.B.

Subject:

Commercial Condominium Plat Approval – Thurgood Professional Condominium Plaza – 1449 North 1200 West

Background:

The applicant, Bob Thurgood, is requesting approval to record the Thurgood Professional Condominium Plaza plat. The proposal is to create separate ownership between three different entities that will occupy the same building. The building and the site are existing. The proposed condominium plat contains .536 acres.

Alternatives:

Alternatives are to 1) Grant commercial condominium plat approval for Thurgood Professional Condominium Plaza subject to meeting all Staff requirements as outlined in Staff memorandums; or 2) Deny granting commercial condominium plat approval.

Recommendation:

On January 13, 2015, the Planning Commission unanimously recommended the Council grant commercial condominium plat approval to Thurgood Professional Condominium Plaza subject to meeting all Staff requirements as outlined in Staff memorandums.

Staff supports the recommendation of the Planning Commission.



**COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

Staff Report

To: City Council

From: Kem Weaver, Planner II

A handwritten signature in black ink, appearing to be "KW", written over a horizontal line.

Date: February 5, 2015

Re: Thurgood Professional Condominium Plaza Plat

Location: 1449 North 1200 West

Zoning: C-H (Highway Regional Commercial)

Background:

The applicant, Bob Thurgood, is requesting approval to record the Thurgood Professional Condominium Plaza plat. Currently, the .536 acre site is under single ownership with the occupant of each unit wanting to own their own commercial space. Each building space would be granted its own property identification number once the plat is recorded.

Aside from the existing building, the common areas will be considered as the parking area, signage and landscaping. Covenants are required to be recorded with the plat. The covenants designate responsibility for the maintenance of the building, parking areas, landscaping and signage. Essentially, the responsibilities are divided into the three different ownership entities.

There are some minor corrections that need to be made to the covenants and the plat before it can be recorded.

Staff Recommendation:

Staff recommends commercial condominium plat approval be granted subject to meeting all Staff requirements as outlined in Staff memorandums.

Engineering

A handwritten signature in black ink, appearing to be "JA", written over a horizontal line.

Planning

A handwritten signature in black ink, appearing to be "KW", written over a horizontal line.

Fire

A handwritten signature in black ink, appearing to be "OK", written over a horizontal line.

Planning Commission Action: On January 13, 2015, the Planning Commission voted unanimously to recommend the Council grant commercial condominium plat approval subject to meeting all Staff requirements.

The Commission asked for public comment. No public comments were given.



Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

MEMORANDUM

TO: Hansen & Associates: gregh@haies.net
Bob Thurgood: rlthurgood@gmail.com

FROM: Ryan Bankhead

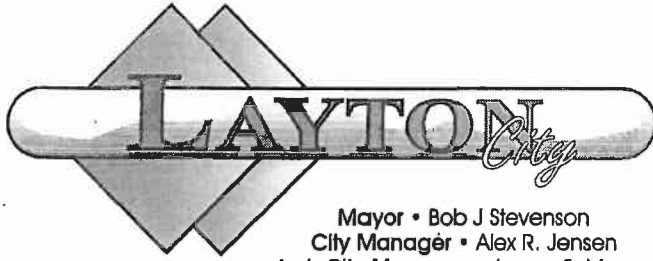
CC: Building/Community Development Department/Fire

DATE: December 19, 2014

RE: Thurgood Professional Condominium Plaza

I have reviewed the dedication plat and title report received on December 2, 2014 for the Thurgood Professional Condominium Plaza located at approximately 1449 N. 1200 W. The Condominium Plat has been stamped "**APPROVED, AS CORRECTED**". The following concerns must be addressed prior to submitting the mylar:

1. The Surveyor's Certificate references 3 units, while the drawing shows 6. This must be corrected.
2. The boundary description makes a qualifying call to 1800 West, this should be corrected to 1200 West.
3. The "4" between "the" and "Condominium" in the Owner's Dedication and Consent to Record should be removed.
4. CC&R's must be submitted and must clearly define ownership and maintenance of the shared water and sanitary sewer services.
5. Bearings of the exterior walls of the building should be shown on the plat so that the building and units can be accurately recreated. Once those bearings are provided the distances establishing the location of the building in relationship to the boundary will be checked.
6. Sheets should be number 1 of 3, 2 of 3, and 3 of 3.
7. Schedule B section 2 #13 easement location must be shown on the plat.



Mayor • Bob J Stevenson
City Manager • Alex R. Jensen
Asst. City Manager • James S. Mason

• Fire Department •
Kevin Ward • Fire Chief
Telephone: (801) 336-3940
Fax: (801) 546-0901

Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

MEMORANDUM

TO: Community Development, Attention: Julie Matthews

FROM: Douglas K. Bitton, Fire Prevention Specialist 

RE: Thurgood Professional Condominium Plaza (Plat) @ 1449 N 1200 W

CC: 1) Engineering
2) Hansen & Associates Inc., gregh@haies.net
3) Bob Thurgood, rlthurgood@gmail.com

DATE: December 4, 2014

I have reviewed the plat received on December 1, 2014 for the above referenced project. The Fire Department, with regards to the change of the plat, does not have any comments at this time.

These plans have been reviewed for Fire Department requirements only. Other departments may review these plans and will have their requirements. This review by the Fire Department must not be construed as final approval from Layton City.

DB\Thurgood Pro Condo Plaza:kn
Plan # S14-122, District # 52
Project Tracker: #LAY 1412021488





Memorandum

To: Planning Commission
From: Scott Carter, Parks Planner
Date: December 11, 2014
Re: Thurgood Professional Condominium Plaza – 1449 North 1200 West

The proposed conversion of the existing commercial building to be known as Thurgood Professional Condominium Plaza will not impact the Parks & Recreation Department.

Recommendation

Parks & Recreation supports approval of Thurgood Professional Condominium Plaza.


Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

CITY COUNCIL

February 5, 2015

Thurgood Professional Condominium Plaza Plat


Legend

 City Boundary

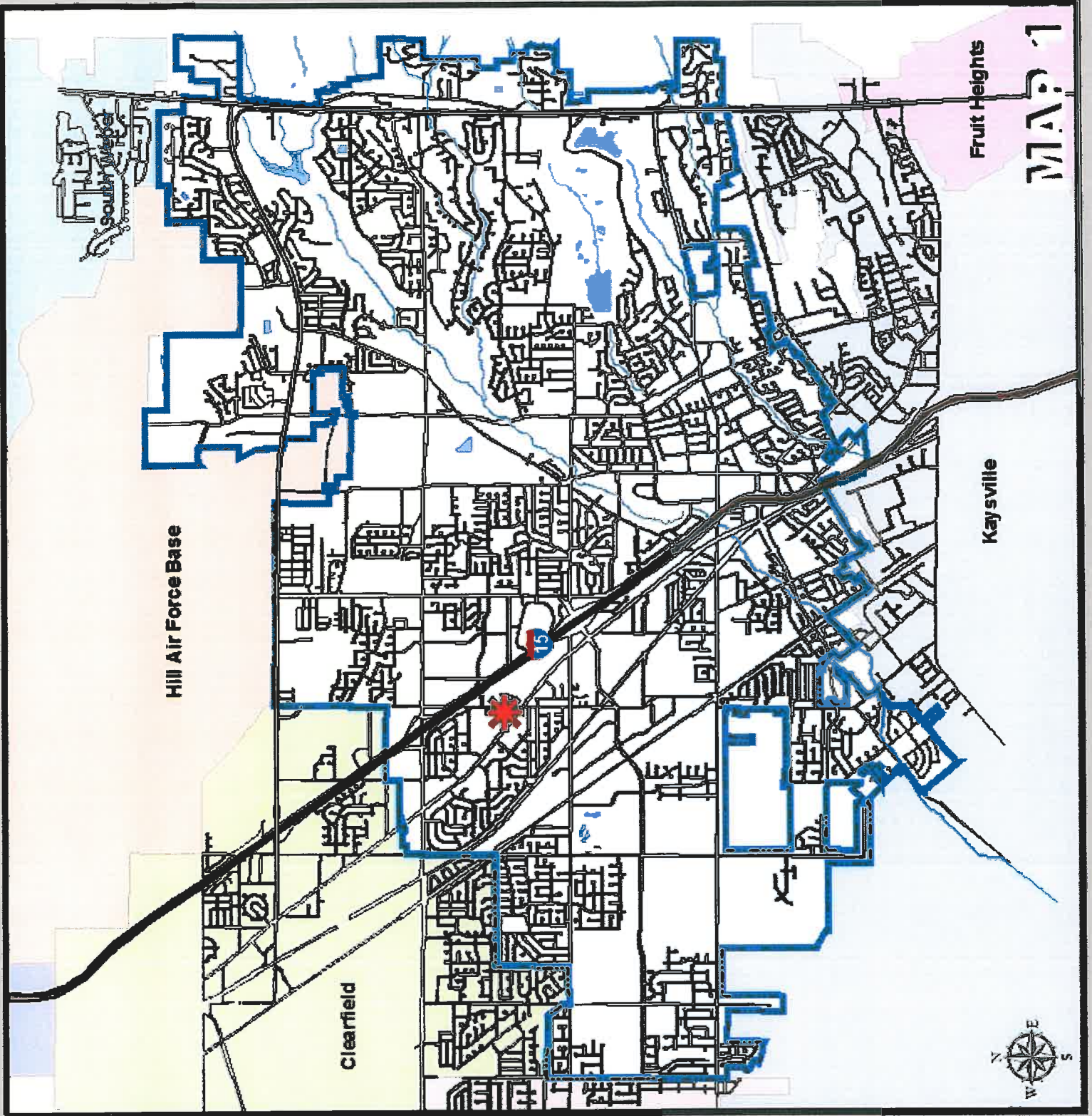
 Interstate 15

 Highways

 Lakes

 Streams

 - Project Site



Kaysville

Fruit Heights

MAP 1

CITY COUNCIL

February 5, 2015

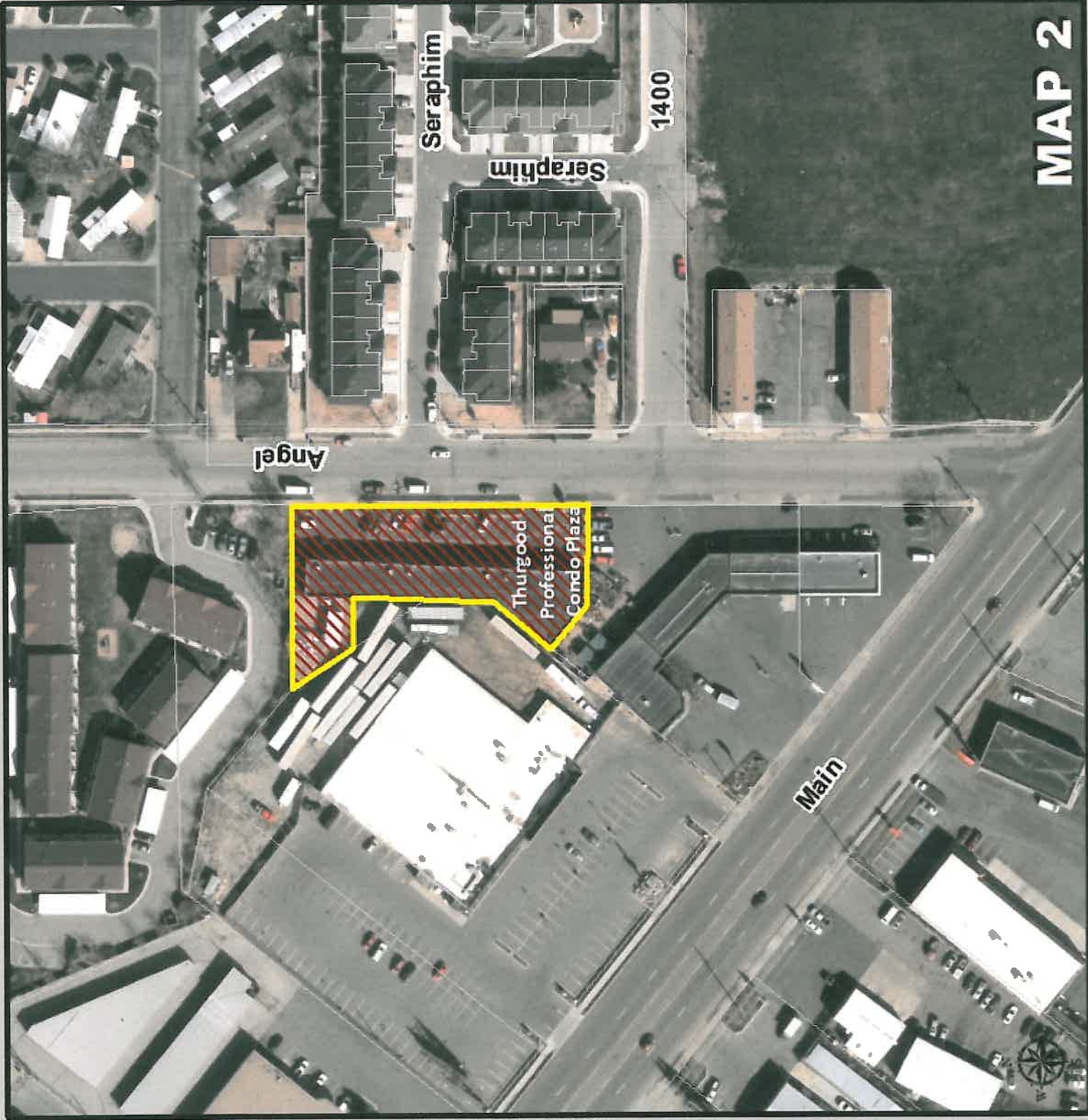
Thurgood Professional Condominium Plaza Plat

Legend

- City Boundary
- Centerlines
- Highways
- Interstate 15
- Streams
- Lakes

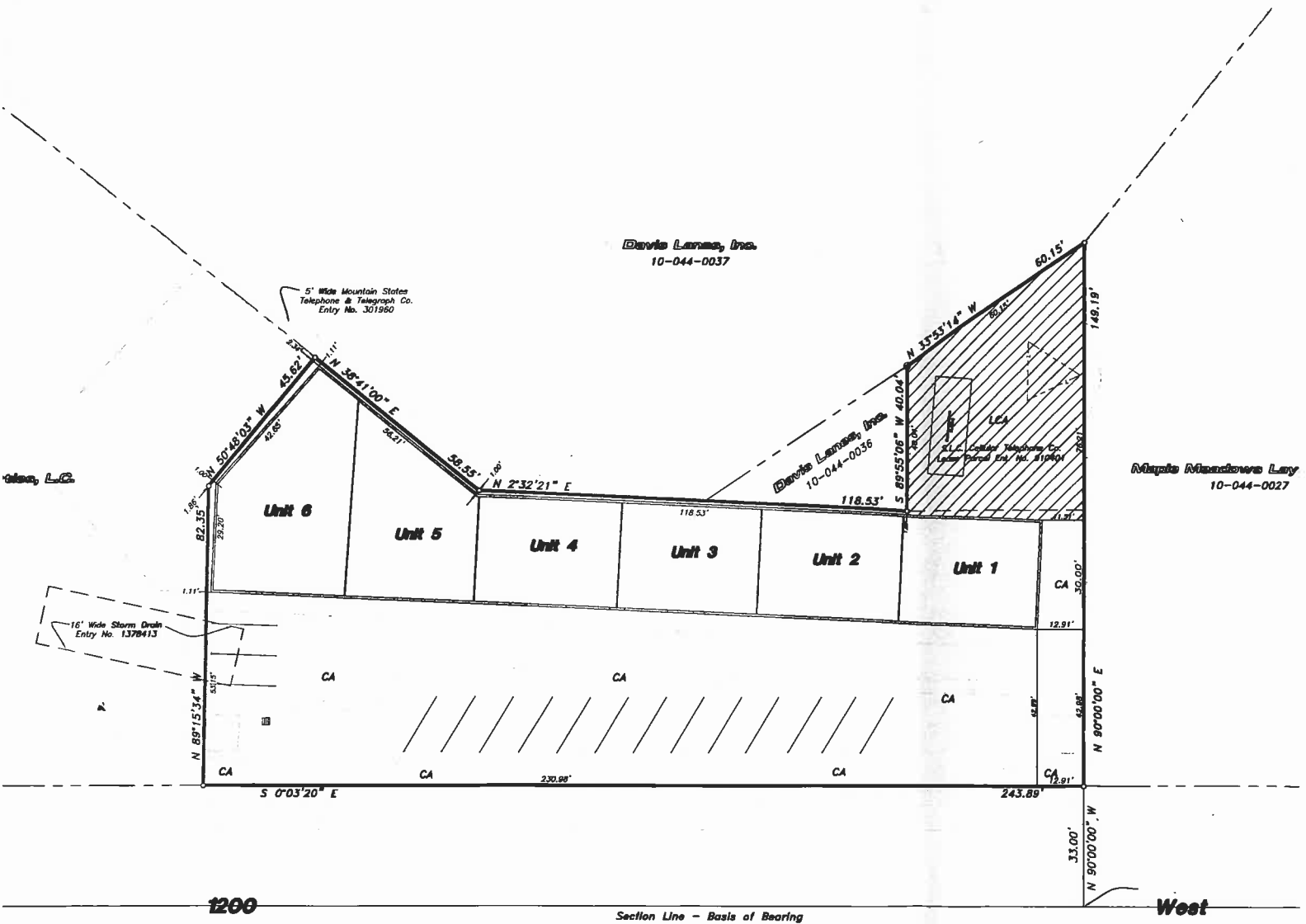
 Project Area

1 Inch = 110 feet



Thurgood Professional Condominium Plaza

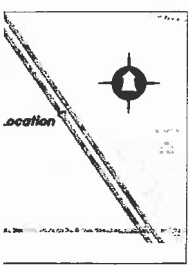
Layton City, Davis County, Utah
 A Part of the Southeast Quarter of Section 18,
 Township 4 North, Range 1 West, Salt Lake Base & Meridian



1200

Section Line - Basis of Bearing

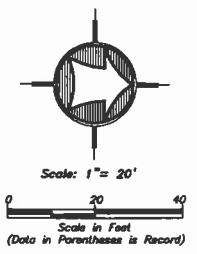
West



- Notes:**
- 1 - There are 15 parking stalls.
 - 2 - Common Area, (CA).
 - 3 - Limited Common Area, (LCA) to be attached to Units 1 & 2.
 - 4 - All Dimensions Shown to the Existing Building are at Right Angles to the Adjoining Property Line.

NARRATIVE

The Purpose of this Survey was to Establish and set the Property Corners of the Three Unit Condominium Plat as Shown and Described Hereon. This Survey was Ordered by Bob Thurgood. The Control used to Establish the Property Corners was the Survey conducted by HAI in 2012 along with the Existing Davis County Surveyor Monumentation Surrounding Section 18, Township 4 North, Range 1 West, S.L.B.&M. The basis of bearing is the West line of said Section which bears South 00°03'20" East, Utah North, State Plane, Calculated N.A.D.83 Bearing.



MOUNTAIN STATE TELEPHONE AND TELEGRAPH COMPANY APPROVAL

Approved as to Form this _____ day of _____, A.D., 2014, by a representative of Mountain States Telephone and Telegraph Company.

LAYTON CITY ENGINEER APPROVAL

Approved as to Form this _____ day of _____, A.D., 2014.

APPROVAL AS TO FORM

Approved as to Form this _____ day of _____, A.D., 2014.

LAYTON CITY COUNCIL

Presented to the Layton City Council of _____ A.D., 2014 Condominium Plat was Approved on

ASSOCIATES, INC.
 Surveyors and Land Surveyors
 100 West, Brigham, Utah 84302
 www.haies.net
 Ogden Logan
 (350) 4905 (435) 752-8272

Mnt. States Telephone & Telegraph Co. Representative

Layton City Engineer

Layton City Attorney

Attest: City Recorder Mayor

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 5.C.

Subject:

Final Plat Approvals – Major Estates Subdivision Phases 1 and 2 – Approximately 725 North 3200 West

Background:

On April 8, 2014, the Planning Commission approved the preliminary plat for the Major Estates Subdivision. The applicant is requesting final plat approval for two phases to develop 17.73 acres of vacant farmland on two long slim parcels with frontage on both 3200 West and 2700 West. This equates to a depth of a half-mile. Vacant farmland is adjacent to the north, west and south. The existing Swan Meadows single family subdivision is to the east.

The proposed development for Phase 1 contains 23 lots, which meets the density requirement of 2.2 units per acre for lot averaged subdivisions. Lot averaged subdivisions can only occur within the Residential Suburban (R-S) zone. Instead of requiring each lot to have 15,000 square feet in area, the lot size can be averaged by having a typical range of no less than 10,000 square feet to 20,000 square feet plus; there is no maximum lot size. The lot sizes for this phase range from 13,661 square feet to 28,700 square feet. The average lot size for Phase 1 is 14,588 square feet.

The 4-way intersection will incorporate a roundabout to facilitate speed reduction for the future 725 North street, as shown on the construction drawing for Phase 1.

Phase 2 contains 18 lots, which meets the density requirement of 2.2 units per acre for lot averaged subdivisions. The lot sizes range from 11,321 to 18,538 square feet. The average lot size for Phase 2 is 14,597 square feet.

Alternatives:

Alternatives are to 1) Grant final plat approval to Major Estates Subdivision Phases 1 and 2 subject to meeting all Staff requirements as outlined in Staff memorandums; or 2) Deny granting final plat approval to Major Estates Subdivision Phases 1 and 2.

Recommendation:

On January 13, 2015, the Planning Commission unanimously recommended the Council grant final plat approval to Major Estates Subdivision Phases 1 and 2 subject to meeting all Staff requirements as outlined in Staff memorandums.

Staff supports the recommendation of the Planning Commission.



**COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

Staff Report

To: City Council

From: Kem Weaver, Planner II 

Date: February 5, 2015

Re: Major Estates Subdivision Phases 1 and 2 Final Plat

Location: Approximately 725 North 3200 West

Zoning: R-S (Residential Suburban)

Background:

The applicant, Perry Homes, is requesting final plat approval to develop 17.73 acres of vacant farmland. The parcels are long and narrow with frontage on both 3200 West and 2700 West streets with the depth of the parcels being a half-mile. Vacant agricultural properties are to the north, across 3200 West to the west and to the south. The existing Swan Meadows single family residential subdivision is to the east.

Phase 1 of the proposed subdivision will contain 23 lots, which meets the maximum density requirement of 2.2 units per acre for lot averaged subdivisions. A lot averaged subdivision can only be developed in the Residential Suburban (R-S) zone. Typically, the minimum lot size in the R-S zone is 15,000 square feet; however, a provision in the zoning ordinance allows for an R-S subdivision to be lot averaged if the proposed development is larger than 5 acres. Lot sizes in a lot averaged subdivision can be no smaller than 10,000 square feet and there is no maximum lot size. The lot sizes for Phase 1 range from 13,661 to 28,700 square feet.

Phase 2 contains 18 lots, which meets the density requirement of 2.2 units per acre. The lot sizes range from 11,321 to 18,538 square feet.

The Rocky Mountain Power corridor divides the two phases. The Layton City Trails Map indicates that there is to be a planned intercity trail within the power corridor. The City will work with Rocky Mountain Power to locate the trail in the corridor sometime in the future.

The streets meet the new street cross section requirements for residential streets as do the block lengths for the R-S zone. Stubbed streets will be placed on both the north and south

sides of the development for access to future residential development. Per the attached construction drawing for Phase 1, the developer plans to install a roundabout at the four way intersection of the development. The roundabout will act as a traffic calming feature since the street running east and west is a straight-a-way for half a mile.

As per the preliminary plat approval, the developer will be required, by ordinance, to fence the north and south boundary of the subdivision to protect agricultural fields from junk and debris during construction. Ordinance 18.36.180 states that any fence that is required to be installed as a condition of a development shall be completed immediately, but not later than 30 days after issuance of a development permit or pre-construction meeting. Table 16-1 and 16-3 in the Landscaping Ordinance (19.16) states that a six-foot chain link fence is the minimum requirement when single family dwelling uses are adjacent to agricultural uses.

Staff Recommendation:

Staff recommends final plat approval be granted subject to meeting all Staff requirements as outlined in Staff memorandums.

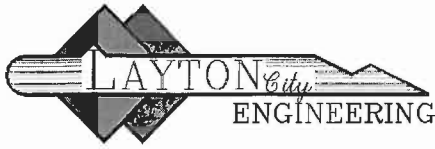
Engineering 

Planning 

Fire 

Planning Commission Action: On January 13, 2015, the Planning Commission voted unanimously to recommend the Council grant final plat approval subject to meeting all Staff requirements.

The Commission asked for public comment. No public comments were given.



Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

MEMORANDUM

TO: Jeff Taylor, jtaylor@perryhomesutah.com
Adam Nash, adam@growthaid.com
Greg Day, gday@focusutah.com

FROM: Debi Richards, Assistant City Engineer

CC: Community Development/Fire Department

DATE: December 3, 2014

SUBJECT: MAJOR ESTATES PHASE 1 AND 2 (Final Review 3rd submittal)
725 NORTH 3200 WEST

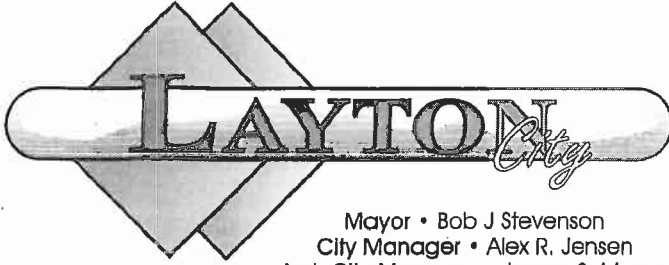
I have reviewed the final plans received November 20, 2014, for Major Estates Phase 1 and 2 Subdivision at 725 North 3200 West. The plans have been stamped "Approved as Submitted". The following comments must be addressed and 3 additional sets of plans signed and stamped by a licensed P.E. submitted prior to scheduling a pre-construction meeting. The set of plans received in Engineering must also be signed and stamped or an additional set must be submitted.

Dedication Plat - Phase 1 and 2

1. A current title report must be submitted with the final paper plat submittal.
2. Bearings and distances for the power easement must be shown to accurately locate the power easement on Phase 1.
3. The address of the north/south street on Phase 2 shown as 3850 West is incorrect.

General

1. Lighting payment for Phase 1 received 11/12/14.
2. Water Exaction payment for Phase 1 was received 11/12/14.
3. A letter from Davis and Weber Counties Canal Company approving the secondary water design and acknowledging the fees for secondary water service have been paid must be submitted.
4. As noted in the previous memo, the secondary water line must be constructed to 2700 West and connect to the DWCCC line with the construction of Phase 1.
5. As noted in the previous memo, the culinary water line must be extended through Phase 2 and connected at 2700 West with the construction of Phase 1.



Mayor • Bob J Stevenson
City Manager • Alex R. Jensen
Asst. City Manager • James S. Mason

• Fire Department •
Kevin Ward • Fire Chief
Telephone: (801) 336-3940
Fax: (801) 546-0901

Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

MEMORANDUM

TO: Community Development, Attention: Julie Matthews

FROM: Douglas K. Bitton, Fire Prevention Specialist

RE: Major Estates (Final) @ 725 North 3200 West

CC: 1) Engineering
2) Jeff Taylor, jperry@perryhomesutah.com
3) Greg Day, gday@focusutah.com
4) Adam Nash, adam@growthaid.com

DATE: October 15, 2014

I have reviewed the site plan submitted on October 6, 2014 for the above referenced project. The Fire Prevention Division of this department approves of this final submittal.

These plans have been reviewed for Fire Department requirements only. Other departments must review these plans and will have their requirements. This review by the Fire Department must not be construed as final approval from Layton City.

DKB\Major Estates APPROVAL:kn
Plan # S14-096, District # 40
Project Tracker #LAY 1401301425





Memorandum

To: Planning Commission
From: Scott Carter, Parks Planner
Date: June 27, 2014
Re: Major Estates Subdivision, Final – 725 North 3200 West

The Parks & Recreation Department will not be adversely impacted by the proposed Major Estates Subdivision. These proposed lots straddle the Rocky Mountain Power corridor, which has been left open in the subdivision plans. The Layton City Trails Map indicates that there is to be an intercity trail within the power corridor. We hope to be able to work with the Power Company to locate the trail in the corridor sometime in the future.

The subdivision is adjacent to a 22 acre area that the City hopes to develop into a park. The proposed park is immediately south of the subdivision and would have frontage on West Hill Field Road. This park area is also located within the power corridor. An agreement to develop the park in the corridor has expired but we are working to renew that agreement.

Any street buffers or other landscaping within or adjacent to the public streets is to be maintained privately.

Recommendation

Parks & Recreation supports final approval of Major Estates Subdivision.

Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.


CITY COUNCIL

February 5, 2015

Major Estates Phases 1 and 2

Final Plats

Legend

 City Boundary

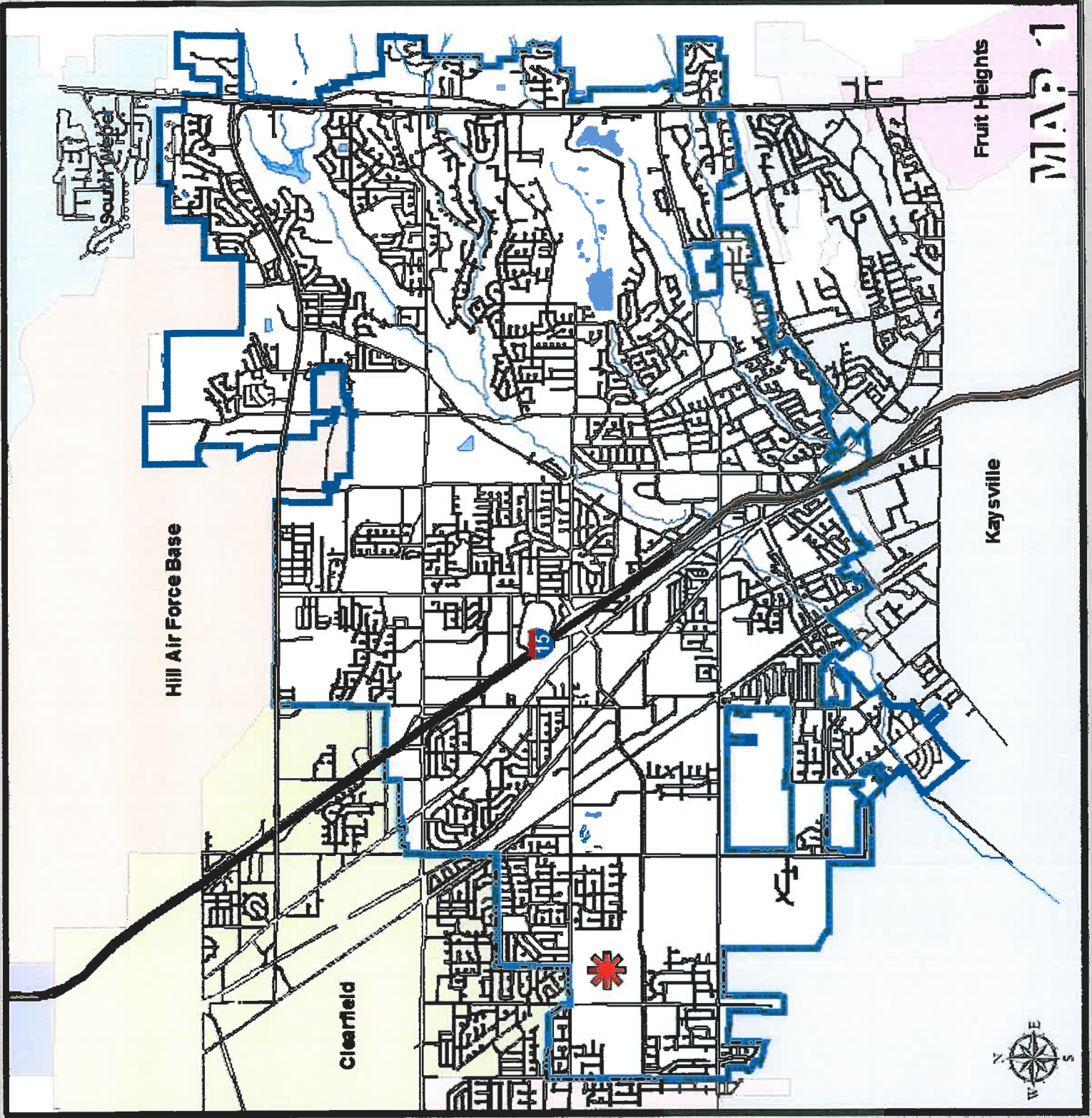
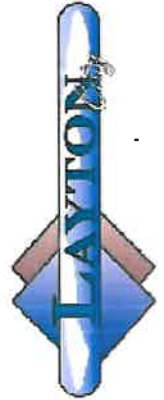
 Interstate 15

 Highways

 Lakes

 Streams

 - Project Site



CITY COUNCIL

February 5, 2015

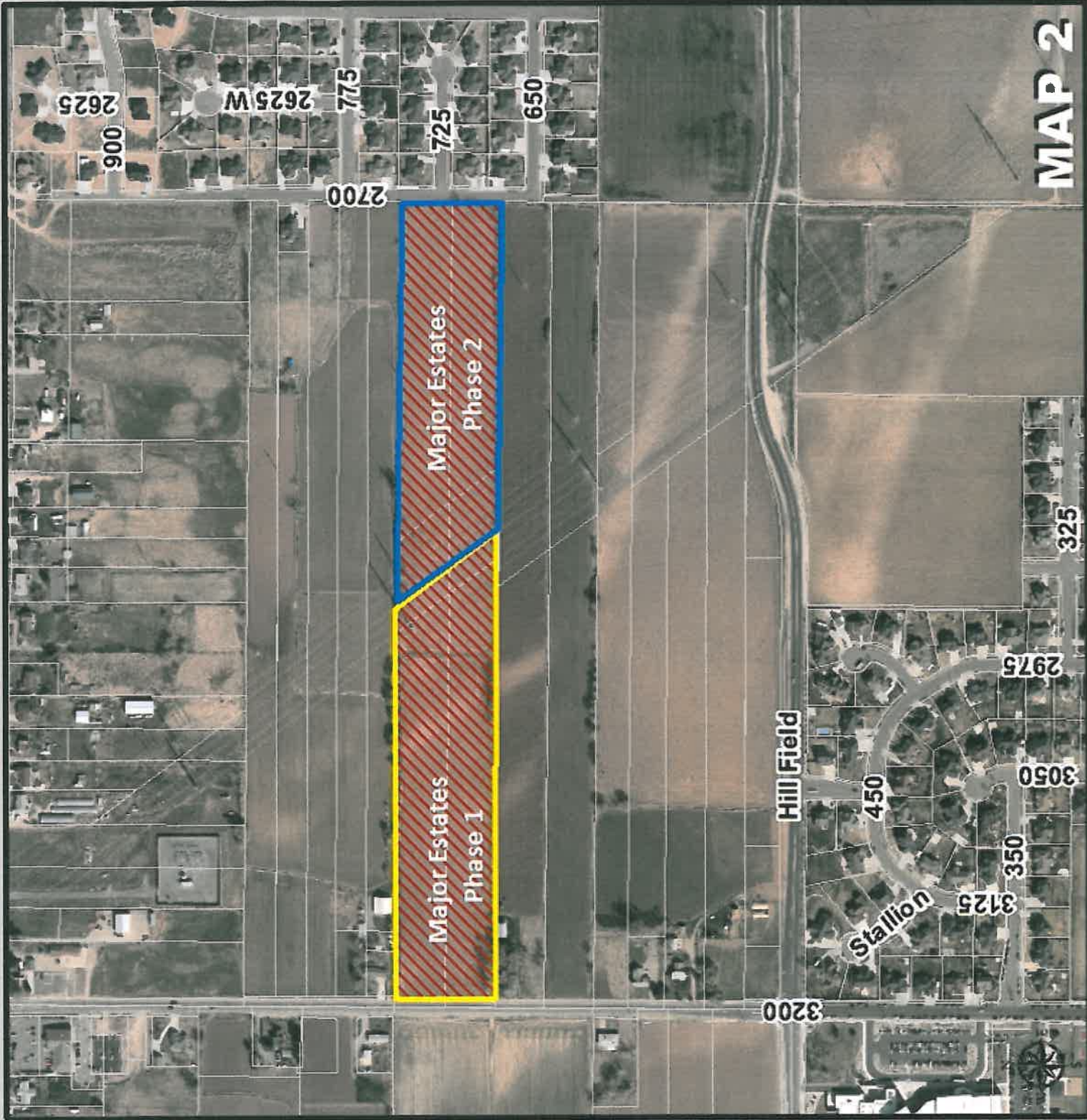
Major Estates Phases 1 and 2

Final Plats

Legend

- Centerlines
- City Boundary
- Interstate 15
- Highways
- Lakes
- Streams
- Project Area

1 inch = 440 feet



SURVEYOR'S CERTIFICATE

I, Dennis R. Crabb, do hereby certify that I am a duly Licensed Surveyor, and that I have personally supervised the execution of the above described survey, and that the same is correct and true to the best of my knowledge and belief, and that the same has been prepared in accordance with the provisions of the Utah Surveying Act, Chapter 10, Utah Code, and the rules and regulations of the State Board of Surveyors, and that the same has been prepared in accordance with the provisions of the Utah Surveying Act, Chapter 10, Utah Code, and the rules and regulations of the State Board of Surveyors, and that the same has been prepared in accordance with the provisions of the Utah Surveying Act, Chapter 10, Utah Code, and the rules and regulations of the State Board of Surveyors.

Dennis R. Crabb
 Surveyor
 No. 5789
 State of Utah

BOUNDARY DESCRIPTION

A portion of the North of Section 24, Township 4 North, Range 2 West, Salt Lake Meridian, Salt Lake County, Utah, containing 13.274 acres, more or less, is hereby dedicated to the public use of the State of Utah, to be known as the "MAJOR ESTATES PHASE I". The dedication is subject to the provisions of the Utah Surveying Act, Chapter 10, Utah Code, and the rules and regulations of the State Board of Surveyors, and that the same has been prepared in accordance with the provisions of the Utah Surveying Act, Chapter 10, Utah Code, and the rules and regulations of the State Board of Surveyors.

OWNERS DEDICATION

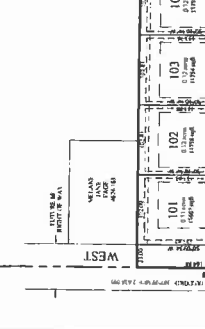
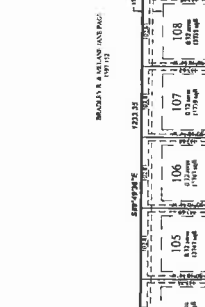
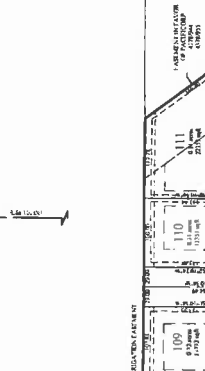
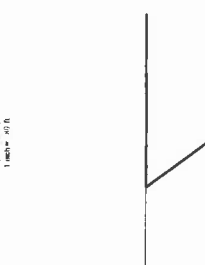
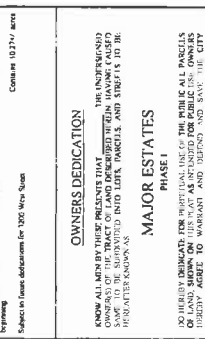
THE UNDERSIGNED HEREBY DEDICATE TO THE PUBLIC USE OF THE STATE OF UTAH, TO BE KNOWN AS THE "MAJOR ESTATES PHASE I", THE TRACT OF LAND DESCRIBED WITHIN THE BOUNDARY DESCRIPTION HEREON, TO BE SUBDIVIDED INTO LOTS, PARCELS, AND STREETS TO BE DESCRIBED HEREON.

MAJOR ESTATES PHASE I

DO HEREBY DEDICATE TO THE PUBLIC USE OF THE PUBLIC LANDS OF THE STATE OF UTAH, TO BE KNOWN AS THE "MAJOR ESTATES PHASE I", THE TRACT OF LAND DESCRIBED WITHIN THE BOUNDARY DESCRIPTION HEREON, TO BE SUBDIVIDED INTO LOTS, PARCELS, AND STREETS TO BE DESCRIBED HEREON.

LIMITED LIABILITY ACKNOWLEDGMENT

ON THE DAY OF [REDACTED] 2014, I, [REDACTED], PERSONALLY APPEARED BEFORE ME, [REDACTED], A NOTARY PUBLIC IN AND FOR THE COUNTY OF [REDACTED], STATE OF UTAH, AND ACKNOWLEDGED TO ME THAT THE ABOVE DESCRIBED DEDICATION WAS MADE BY THE UNDERSIGNED AND THAT THE UNDERSIGNED HAS READ AND UNDERSTANDS THE CONTENTS AND EFFECTS OF THE DEDICATION AND HAS VOLUNTARILY AND KNOWINGLY MADE THE SAME.



PLANNING COMMISSION

APPROVED TO FORM THIS [REDACTED] DAY OF [REDACTED], A.D. 2014.

CHAIRMAN: [REDACTED]

CITY ENGINEER

APPROVED TO FORM THIS [REDACTED] DAY OF [REDACTED], A.D. 2014.

LAYTON CITY ENGINEER: [REDACTED]

CITY ATTORNEY

APPROVED AS TO FORM THIS [REDACTED] DAY OF [REDACTED], A.D. 2014.

LAYTON CITY ATTORNEY: [REDACTED]

CITY COUNCIL

PRESENTED TO THE LAYTON CITY COUNCIL THIS [REDACTED] DAY OF [REDACTED], A.D. 2014. THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

AYRES: [REDACTED]

RECORDED #

STATE OF UTAH COUNTY OF DAVIS

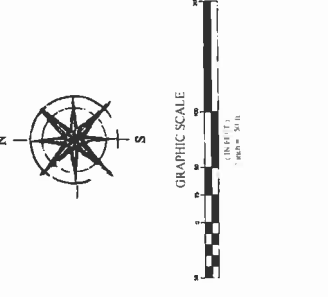
DATE: [REDACTED] TIME: [REDACTED] PAGE: [REDACTED]

FILE #

COUNTY RECORDER

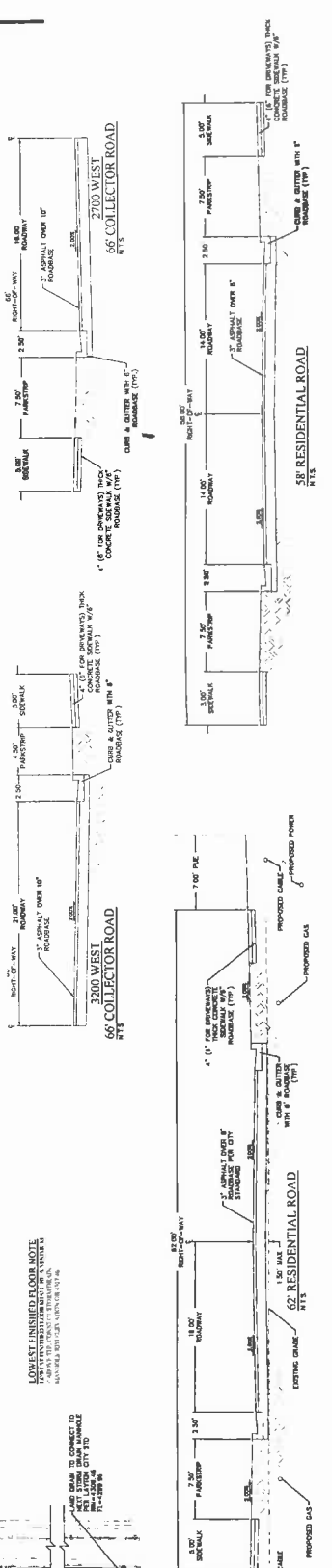
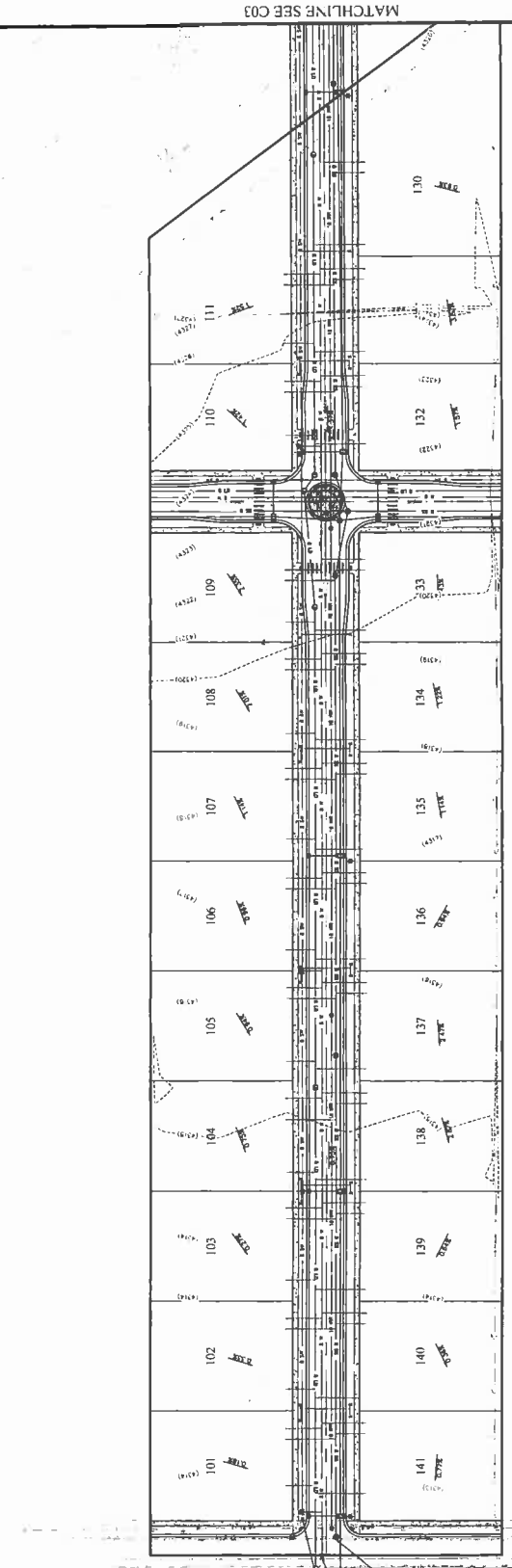


DATE	DESCRIPTION
10/20/2023	ISSUED FOR PERMIT
08/20/2023	REVISED
08/15/2023	REVISED
08/15/2023	REVISED
08/15/2023	REVISED
08/15/2023	REVISED
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08/15/2023	REVISED
08/15/2023	REVISED
08/15/2023	REVISED



LEGEND

---	BOUNDARY
---	CONTRACT
---	LOT LINE
---	1" 10'00" OVER 10"
---	1" 12'00" OVER 12"
---	1" 14'00" OVER 14"
---	1" 16'00" OVER 16"
---	1" 18'00" OVER 18"
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---	1" 200'00" OVER 200"



THIS DOCUMENT IS THE PROPERTY OF FOCUS ENGINEERING AND SURVEYING, LLC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE OR MODIFICATION OF THIS DOCUMENT WITHOUT THE WRITTEN CONSENT OF FOCUS ENGINEERING AND SURVEYING, LLC IS STRICTLY PROHIBITED.

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 5.D.

Subject:

Parcel Split – Ann Williams – 884 East Rosewood Lane

Background:

The applicant, Ann Williams, is requesting parcel split approval to separate a parcel into two parcels for the purpose of building a future single family home.

Alternatives:

Alternatives are to 1) Grant parcel split approval to Ann Williams subject to meeting all Staff requirements as outlined in Staff memorandums; or 2) Deny granting parcel split approval.

Recommendation:

On January 13, 2015, the Planning Commission unanimously recommended the Council grant parcel split approval to Ann Williams subject to meeting all Staff requirements as outlined in Staff memorandums.

Staff supports the recommendation of the Planning Commission.



**COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

Staff Report

To: City Council

From: Kem Weaver, Planner II 

Date: February 5, 2015

Re: Ann Williams Parcel Split

Location: 884 East Rosewood Lane

Zoning: R-1-10 (Single Family Residential)

Background:

The applicant, Ann Williams, is requesting parcel split approval. The proposed parcel split will separate 1.038 acres into two parcels and create a single family detached buildable lot within the R-1-10 zone. The parcel being split off is vacant with the potential to receive a building permit from the City for a future single family home. Once split, the east parcel that has the existing home is .563 acres and the west parcel that is vacant is .475 acres.

Along the west property line of the parcel being split is an existing brick shed building with a carport. This building and carport are considered legal non-conforming and can remain if no development occurs on the vacant parcel. Before a building permit can be approved by the City on the newly created parcel, the carport and possibly the shed would have to be relocated or demolished.

Per the parcel split site plan, both lots meet the minimum frontage and area requirements of the R-1-10 zone.

Staff Recommendation:

Staff recommends parcel split approval be granted subject to meeting all Staff requirements as outlined in Staff memorandums.

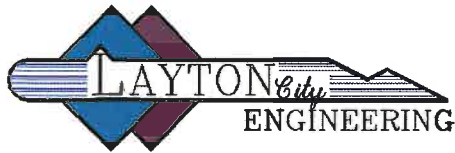
Engineering 

Planning 

Fire 

Planning Commission Action: On January 13, 2015, the Planning Commission voted unanimously to recommend the Council grant parcel split approval subject to meeting all Staff requirements.

The Commission asked for public comment. No public comments were given.



Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

MEMORANDUM

TO: Ann Williams, annwilliams09@hotmail.com
Keith Russell, krussell@ensignutah.com

CC: COMMUNITY DEVELOPMENT DEPARTMENT/FIRE DEPARTMENT

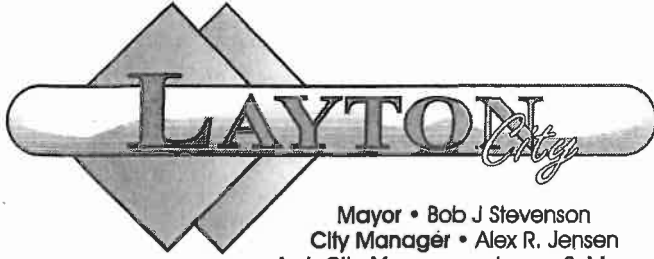
FROM: Debi Richards, Assistant City Engineer

DATE: December 9, 2014

SUBJECT: Ann Williams Parcel Split – 2nd submittal
884 East Rosewood Lane

I have reviewed the parcel split drawing, title report and documents to be recorded received in Engineering on December 1, 2014. The engineering department recommends the parcel split be approved subject to the following comments.

1. The bearing of the last call in the legal description for the public utility easement (submitted on the document to be recorded) shown as N53D23'55"W should be corrected to match the drawing and to close to N23D23'55"W.
2. Taxes for 2014 were due per the title report and must be paid prior to recording the documents. All of the documents submitted should be recorded and a copy of the recorded documents submitted to Layton City for our files.
3. Prior to issuing a building permit for the vacant parcel a site plan must be submitted for review and approval. Some items to be included on the site plan are the installation of the sewer and water laterals and connections, the 100 year flood plain boundary and elevation, and a grading plan. The buildable area cannot be located within the 100 year flood plain boundary/elevation.



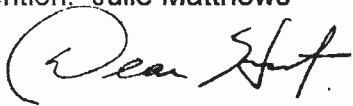
Mayor • Bob J Stevenson
City Manager • Alex R. Jensen
Asst. City Manager • James S. Mason

• Fire Department •
Kevin Ward • Fire Chief
Telephone: (801) 336-3940
Fax: (801) 546-0901

Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

MEMORANDUM

TO: Community Development, Attention: Julie Matthews

FROM: Dean Hunt, Fire Marshal 

RE: Ann Williams Parcel Split (Final) @ 884 East Rosewood Lane

CC: 1) Engineering
2) Keith Russell, krussell@ensignutah.com
3) Ann Williams, annwilliams09@hotmail.com

DATE: December 3, 2014

I have reviewed the site plan received on November 26, 2014 for the above referenced project. The Fire Department, with regards to parcel split, does not have any comments at this time and recommends granting approval of this parcel split. However, for future development our concerns include but are not limited to the following:

1. A minimum fire flow requirement will be determined for buildings that are to be built on this property. The fire flow requirement must be determined by the Fire Prevention Division of this department and will be based upon the type of construction as listed in the building code and total square footage of the building. Prior to applying for a building permit, provide the Fire Prevention Division of this department the type and size of structure(s) to be built.
2. This plan does not indicate existing fire hydrants to this property or in proximity to this property. Additional fire hydrants may be required. There must be a fire hydrant within 250 feet driving distance from the property.



Ann Williams Parcel Split (Final)
December 3, 2014
Page 2

These plans have been reviewed for Fire Department requirements only. Other departments may review these plans and will have their requirements. This review by the Fire Department must not be construed as final approval from Layton City.

DBHAnn Williams PS :kn
Plan # S14-118, District # 31
Project Tracker #LAY 1410221475





Memorandum

To: Planning Commission
From: Scott Carter, Parks Planner
Date: December 11, 2014
Re: Ann Williams Parcel Split, Final – 884 East Rosewood Lane

This proposed parcel split will not have any impacts on the Parks & Recreation Department. The proposal falls within the service area of Chapel Park which is located directly across the street.

Recommendation

Parks & Recreation supports the approval of the Ann Williams Parcel Split located at 884 East Rosewood Lane.






Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

CITY COUNCIL

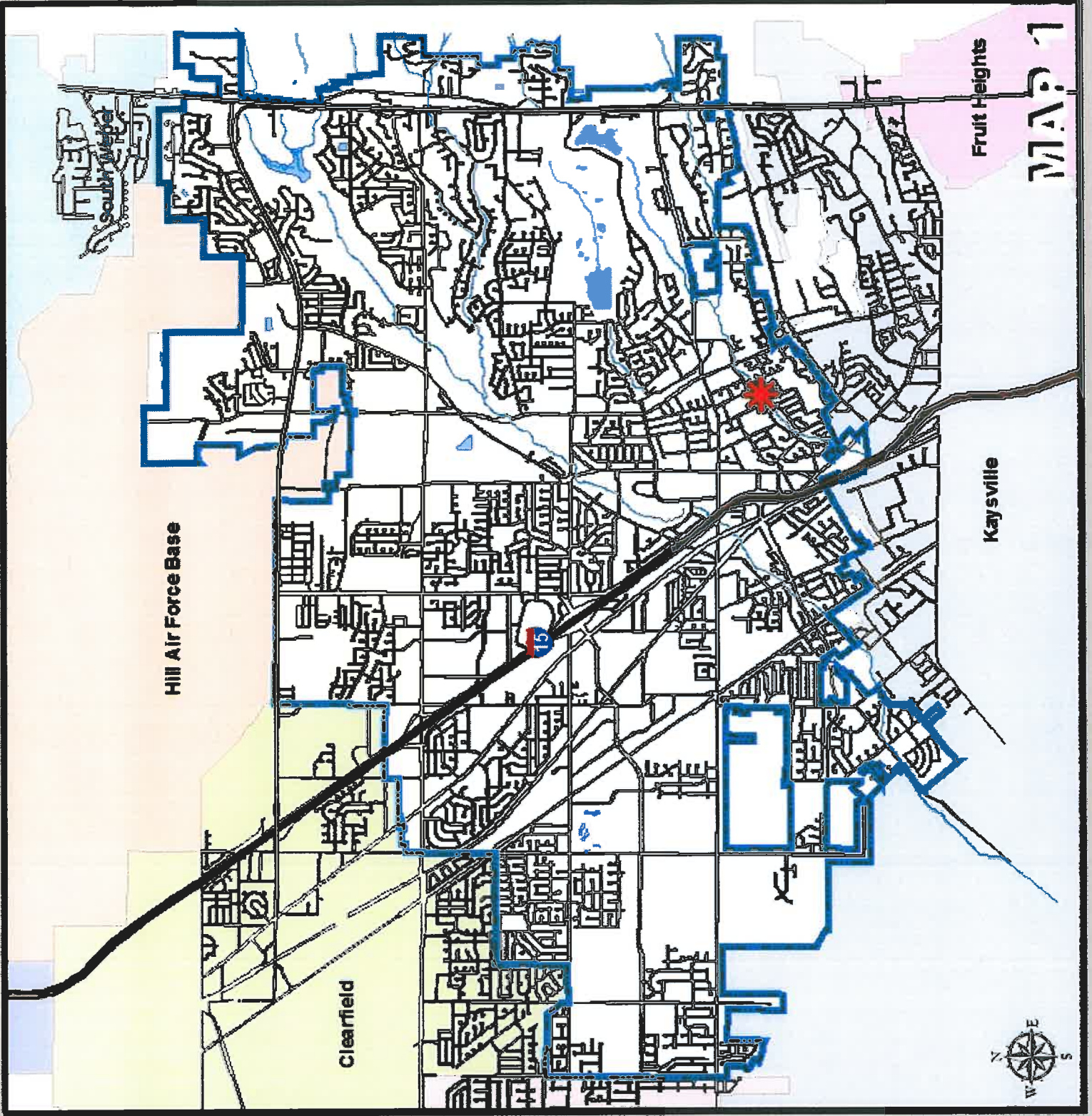
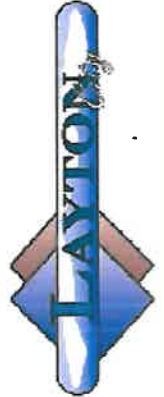
February 5, 2015

Ann Williams Parcel Split

Legend

-  City Boundary
-  Interstate 15
-  Highways
-  Lakes
-  Streams

 Project Site



MAP 1

CITY COUNCIL

February 5, 2015

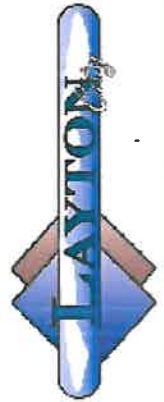
Ann Williams Parcel Split

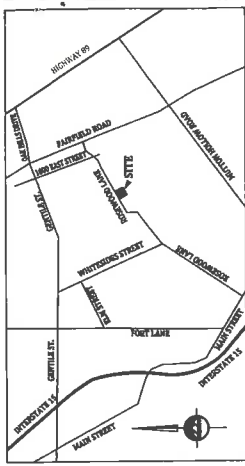
Legend

- City Boundary
- Centerlines
- Highways
- Interstate 15
- Streams
- Lakes

 Project Area

1 inch = 165 feet





VICINITY MAP
LAYTON UT 84040

EXISTING EASEMENTS

1. A 10-foot wide easement for utility lines (water, gas, sewer, electric, and telephone) is shown along the south line of the subject property. This easement is shown in accordance with the plat of the subdivision of the subject property, dated 11/11/11, and is shown in accordance with the plat of the subdivision of the subject property, dated 11/11/11. The easement is shown in accordance with the plat of the subdivision of the subject property, dated 11/11/11, and is shown in accordance with the plat of the subdivision of the subject property, dated 11/11/11. The easement is shown in accordance with the plat of the subdivision of the subject property, dated 11/11/11, and is shown in accordance with the plat of the subdivision of the subject property, dated 11/11/11.

DEED DESCRIPTION

1. A certain parcel of land in the County of Salt Lake State, Utah, containing 0.1000 acres, more or less, being the same parcel of land as described in the plat of the subdivision of the subject property, dated 11/11/11, and is shown in accordance with the plat of the subdivision of the subject property, dated 11/11/11. The parcel is shown in accordance with the plat of the subdivision of the subject property, dated 11/11/11, and is shown in accordance with the plat of the subdivision of the subject property, dated 11/11/11.

TOTAL PROPERTY DESCRIPTION

1. A certain parcel of land in the County of Salt Lake State, Utah, containing 0.1000 acres, more or less, being the same parcel of land as described in the plat of the subdivision of the subject property, dated 11/11/11, and is shown in accordance with the plat of the subdivision of the subject property, dated 11/11/11. The parcel is shown in accordance with the plat of the subdivision of the subject property, dated 11/11/11, and is shown in accordance with the plat of the subdivision of the subject property, dated 11/11/11.

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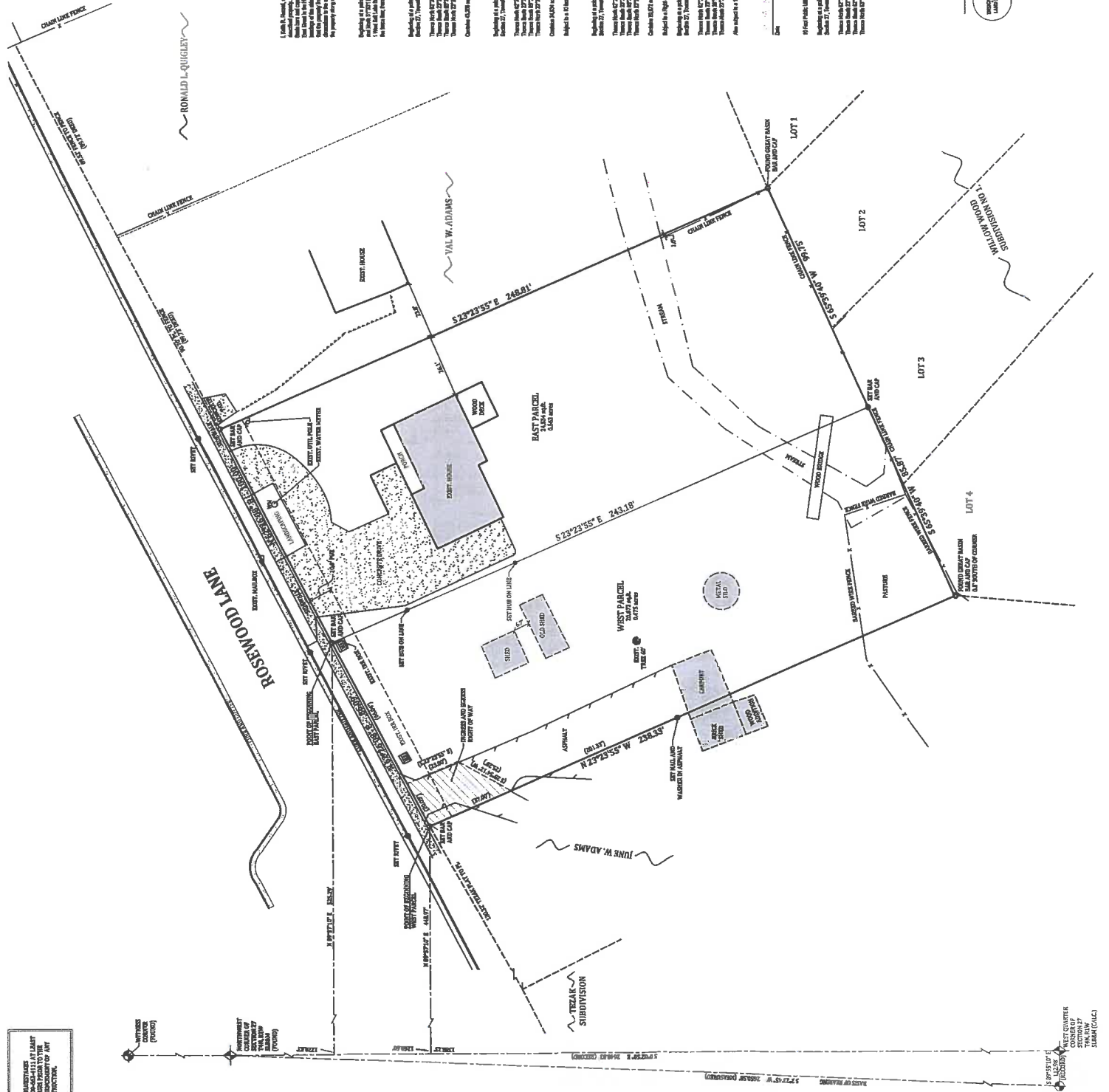
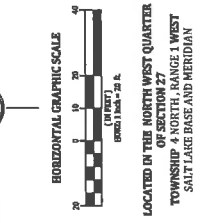
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RECEIVED
 NOV 25 2011
 SALT LAKE COUNTY
 COMMUNITY DEVELOPMENT



SUBDIVISION
 1. A certain parcel of land in the County of Salt Lake State, Utah, containing 0.1000 acres, more or less, being the same parcel of land as described in the plat of the subdivision of the subject property, dated 11/11/11, and is shown in accordance with the plat of the subdivision of the subject property, dated 11/11/11.

5. A certain parcel of land in the County of Salt Lake State, Utah, containing 0.1000 acres, more or less, being the same parcel of land as described in the plat of the subdivision of the subject property, dated 11/11/11, and is shown in accordance with the plat of the subdivision of the subject property, dated 11/11/11.

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 5.E.

Subject:

Parcel Split – Green Cherry Lane – 1604 East Cherry Lane

Background:

The applicant, Ed Green, is requesting parcel split approval to create a separate .22 acre lot for the home fronting Cherry Lane. The remaining parcel is 1.62 acres.

Alternatives:

Alternatives are to 1) Grant parcel split approval to Ed Green subject to meeting all Staff requirements as outlined in Staff memorandums; or 2) Deny granting parcel split approval.

Recommendation:

On January 13, 2015, the Planning Commission unanimously recommended the Council grant parcel split approval to Ed Green subject to meeting all Staff requirements as outlined in Staff memorandums.

Staff supports the recommendation of the Planning Commission.



**COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

Staff Report

To: City Council

From: Weston Applonie Planner I

Date: February 5, 2015

Re: Green Cherry Lane Parcel Split

Location: 1604 East Cherry Lane

Zoning: R-1-8 (Single Family Residential)

Background:

The applicant, Ed Green, is requesting parcel split approval to create a separate .22 acre lot for the existing home fronting Cherry Lane. The remaining parcel is 1.62 acres. The proposed parcel split is located at 1604 East Cherry Lane. The parcel is surrounded by R-1-8 and R-1-10 subdivisions to the north and east and A (Agriculture) zoning district to the south and west.

The parcel split will separate the existing home parcel from the remaining parcel. A small portion of the existing parcel will also be deeded to the adjacent property on the west side.

The subject property is located in an R-1-8 zoning district. The parcel split will meet the required minimum lot area size of 8,000 square feet and minimum frontage of 60 feet.

Staff Recommendation:

Staff recommends parcel split approval be granted subject to meeting all Staff requirements as outlined in Staff memorandums.

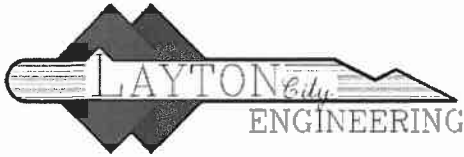
Engineering

Planning

Fire

Planning Commission Action: On January 13, 2015, the Planning Commission voted unanimously to recommend the Council grant parcel split approval subject to meeting all Staff requirements.

The Commission asked for public comment. No public comments were given.



Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

MEMORANDUM

TO: Andy Hubbard; andyh@greatbasinengineering.com
Ed Green; edgontherun@comcast.net

FROM: Shannon Hansen, Staff Engineer

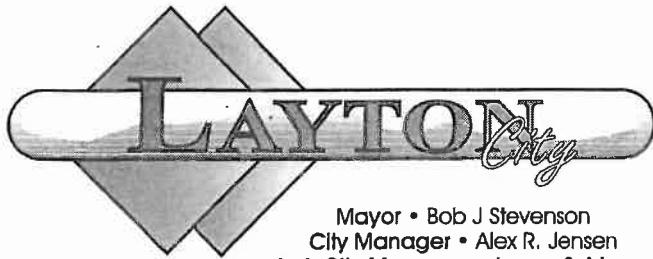
CC: Fire Department
Community Planning and Development Department

DATE: December 15, 2014

RE: **Green Cherry Lane Parcel Split (1604 East Cherry Lane)**

I have reviewed the parcel split submitted on December 2, 2014 for the property located at approximately 1604 East Cherry Lane. The plans have been stamped "APPROVED AS CORRECTED."

1. On the plat, on the Robert Green Parcel, the bearing for the 3rd call after the point of beginning should be NE rather than SW and the 4th call should be SE rather than NW.
2. On the plat, on the Remainder Parcel, the bearings for all calls after the point of beginning are counter-clockwise rather than clockwise.
3. When placing the Remainder Parcel boundary description, there is a 1.16' gap with the Ed & Rob property to the south.
4. The dedication of Emerald Drive will be addressed when the Remainder Parcel develops.




Mayor • Bob J Stevenson
City Manager • Alex R. Jensen
Asst. City Manager • James S. Mason

• Fire Department •
Kevin Ward • Fire Chief
Telephone: (801) 336-3940
Fax: (801) 546-0901

Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

MEMORANDUM

TO: Community Development, Attention: Julie Matthews

FROM: Douglas K. Bitton, Fire Prevention Specialist 

RE: Green Cherry Lane Parcel Split @ 1604 East Cherry Lane

CC: 1) Engineering
2) Ed Green, edgontherun@comcast.net
3) Andy Hubbard, andyh@greatbasinengineering.com

DATE: December 4, 2014

I have reviewed the request for parcel split and the site plan received on December 2, 2014 for the above referenced project. The Fire Department, with regards to the parcel split, does not have any comments at this time. However, for future development of the buildable parcel our concerns include but are not limited to the following:

1. A minimum fire flow requirement will be determined for buildings that are to be built on this property. The fire flow requirement must be determined by the Fire Prevention Division of this department and will be based upon the type of construction as listed in the building code and total square footage of the building. Prior to applying for a building permit, provide the Fire Prevention Division of this department the type and size of structure(s) to be built.
2. Designated fire access roads shall have a minimum clear and unobstructed width of 26 feet. Access roads shall be measured by an approved route around the exterior of the building or facility. If dead-end roads are created in excess of 150 feet, approved turnarounds shall be provided.



Ed Green Parcel Split
December 4, 2014
Page 2

3. Where applicable, two means of egress may be required.
4. On site fire hydrants may be required.

These plans have been reviewed for Fire Department requirements only. Other departments may review these plans and will have their requirements. This review by the Fire Department must not be construed as final approval from Layton City.

DB\Ed Green PS :kn
Plan # S14-121, District # 23
Project Tracker: #LAY 1412031489





Memorandum

To: Planning Commission
From: Scott Carter, Parks Planner
Date: December 11, 2014
Re: Green Cherry Lane Parcel Split, Final – 1604 East Cherry Lane

This proposed parcel split will not have any impacts on the Parks & Recreation Department. The proposal falls within the service area of Andy Adams Park.

Recommendation

Parks & Recreation supports final approval of the Green Cherry Lane Parcel Split located at 1604 East Cherry Lane.

Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

City Council Meeting

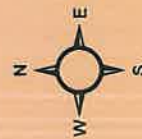
February 5, 2015

Green Cherry Lane Parcel Split

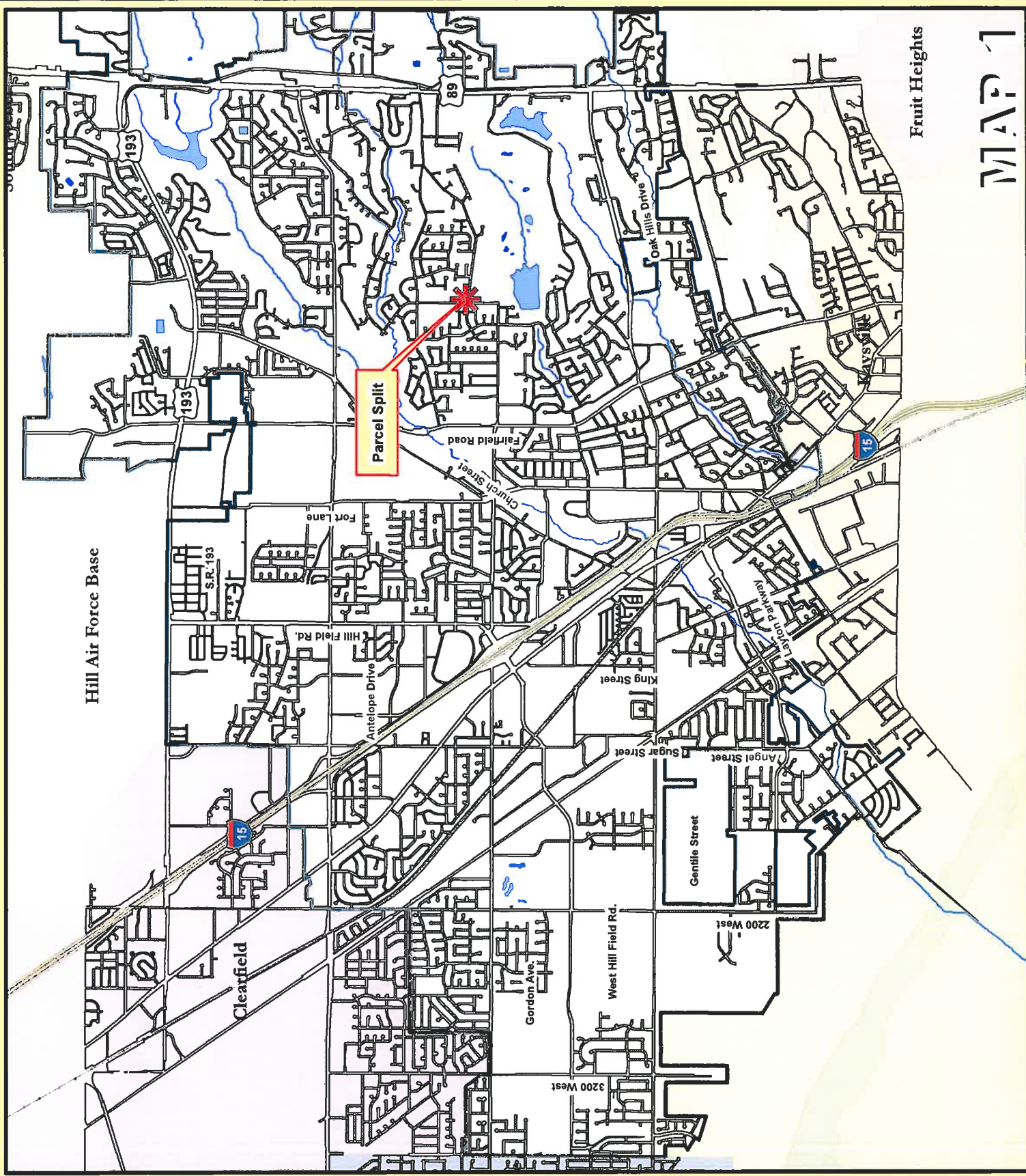
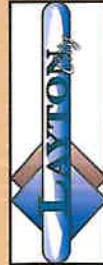
R-1-8

- LEGEND
- Rail Lines
 - Interstate 15
 - Layton City Boundary
 - Rights of Way
 - Lakes
 - Streams

Parcel Split



1 inch = 4,250 feet



Fruit Heights

MAP 1

City Council Meeting

February 5, 2015

Green Cherry Lane Parcel Split

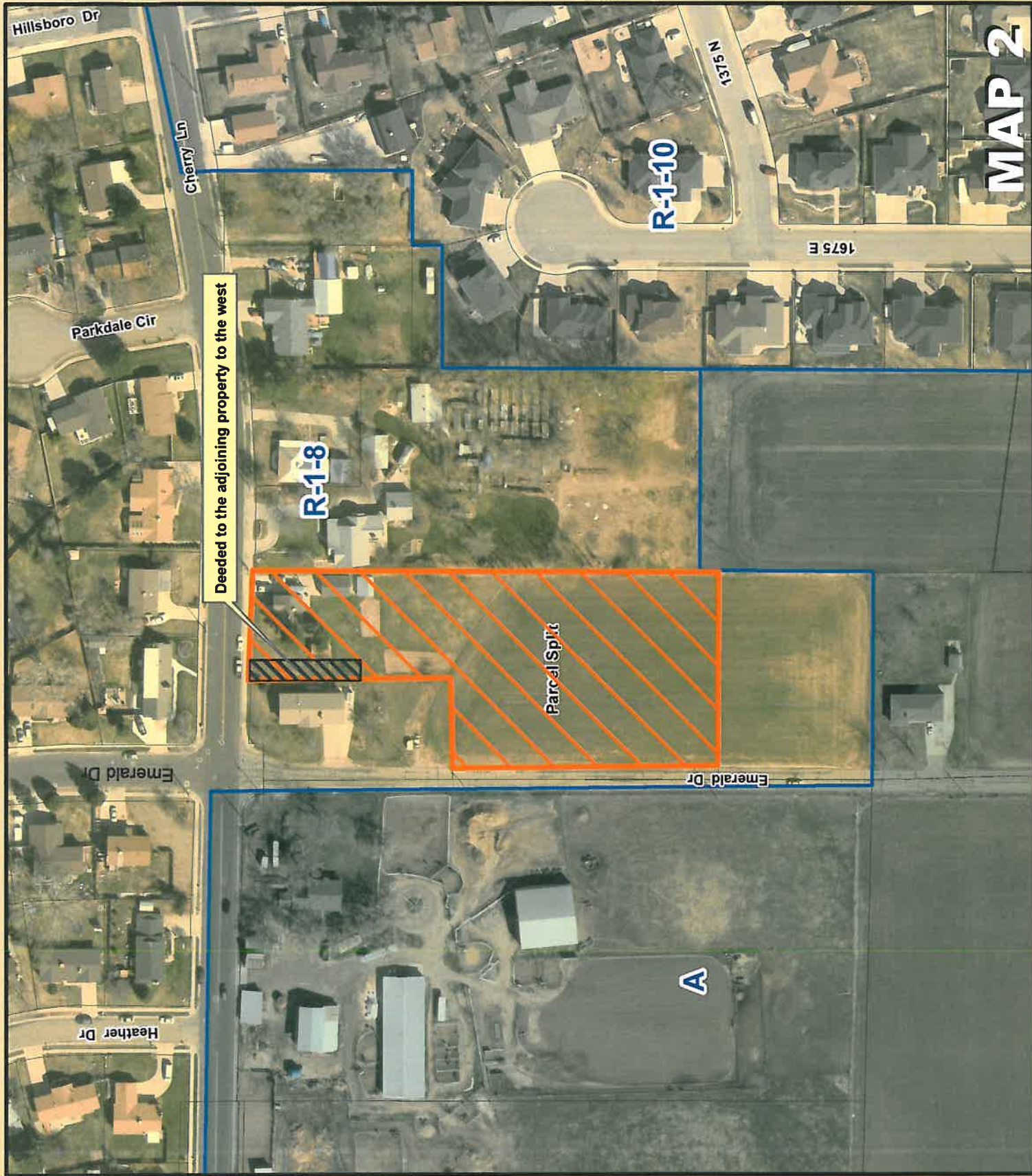
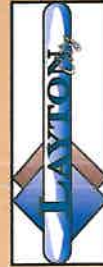
R-1-8

LEGEND

- Layton City Boundary
- Zoning
- Property
- Lakes
- Streams



1 inch = 139.99 feet



Legend

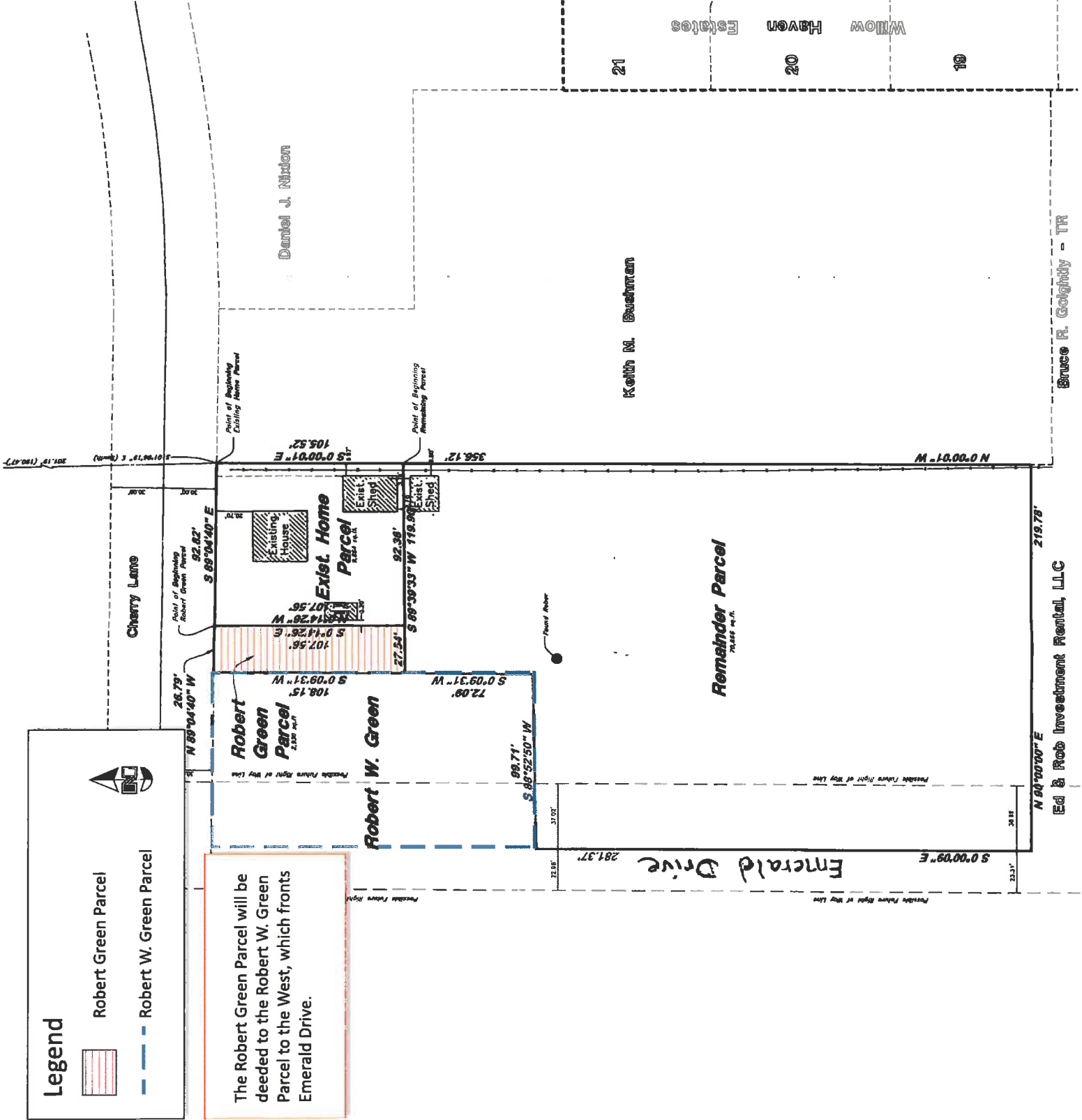


Robert Green Parcel



Robert W. Green Parcel

The Robert Green Parcel will be deeded to the Robert W. Green Parcel to the West, which fronts Emerald Drive.



**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 6.A.

Subject:

Community Development Block Grant Annual Action Plan for Fiscal Year 2015-2016

Background:

As an entitlement Grantee of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG), Layton City is required to develop an Annual Action Plan (Plan). The Plan outlines how the City will allocate its allotment of CDBG funds during the upcoming Program Year, July 1, 2015 to June 30, 2016. HUD regulations require two public hearings during the preparation of the Plan.

This is the first public hearing which is being held to gather information from the public concerning the needs within Layton City. Community organizations may present requests for assistance with their operational costs. There is no action required on this item. The finalized Plan will be presented to the Council in May.

Alternatives:

N/A

Recommendation:

N/A