

**MINUTES OF LAYTON CITY
COUNCIL MEETING**

FEBRUARY 19, 2015; 7:03 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 TRACY PROBERT 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. Mayor Stevenson gave the invocation. Scouts and students were welcomed.

MUNICIPAL EVENT ANNOUNCEMENTS:

Councilmember Brown mentioned the Family Recreation Program activity on March 13th at the library from 6:30 p.m. to 8:30 p.m.

Mayor Stevenson indicated that Cleone Whitman had passed away. He said Mrs. Whitman was 100 years old and had been very active in the community. Mayor Stevenson said Mrs. Whitman had been a teacher at several of the schools in the City. He said there was not a better person or one who was more dedicated to serving the community.

CITIZEN COMMENTS:

Fred Murray, resident, indicated that he had sent an email to some of the Council asking that the City allow for bees in residential areas of the City. He said he would need to order bees by March 18th to get them established this year. Mr. Murray said a lot of people had bees in the City.

Mayor Stevenson asked Mr. Murray how much background he had in beekeeping.

Mr. Murray said he had been doing it for about 5 years. He said in the past he had as many as 8 hives. Mr. Murray said he lost his hives in November due to cold weather. He said the hives helped the entire neighborhood with pollinating flowers and plants.

Councilmember Brown said Staff had made one presentation to the Council about beekeeping. She asked where Staff was with an ordinance change.

Alex Jensen, City Manager, said Staff probably wouldn't have anything ready by March 18th. He said they were waiting for direction from the Council whether to formalize the proposed draft ordinance for consideration or not.

Councilmember Day said he would like to see Staff proceed with the ordinance.

Councilmember Brown said there was a bill at the State Legislature concerning bees.

Gary Crane, City Attorney, said there was a bill moving through the State Legislature that would preempt local authority in dealing with beekeeping.

Councilmember Brown suggested waiting until the State decision was made.

Councilmember Day told Mr. Murray to contact him if he had trouble finding a place to house his bees; he could find a place to store them in an agricultural area until the issue was resolved.

Mayor Stevenson asked how expensive a hive would be.

Mr. Murray said about \$400 for everything including equipment; a hive with a queen bee was approximately \$100.

Councilmember Petro said she would also entertain storing a hive where she lived.

Councilmember Brown expressed appreciation to Mr. Murray for trying to obey the current ordinance.

CONSENT AGENDA:

INTERLOCAL COOPERATION AGREEMENT WITH DAVIS COUNTY FOR ANIMAL CONTROL SERVICES – RESOLUTION 15-10

Gary Crane, City Attorney, said Resolution 15-10 would authorize an agreement with Davis County for animal control services. He said the agreement hadn't changed for many years, except for the cost. Gary said the cost was based on the average number of calls over a two year period. He said this year the contract was for \$155,670.22, which wasn't a significant increase from the previous year. Gary said Staff recommended approval.

ANNEXATION REQUEST – LAYTON CITY AND WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT – ACCEPTANCE AND CERTIFICATION OF THE PETITION FOR ANNEXATION – APPROXIMATELY 3500 NORTH REDTAIL WAY (2100 EAST) – RESOLUTIONS 15-05 AND 15-06

Peter Matson, City Planner, said this was an annexation request submitted by Layton City and Wasatch Integrated Waste Management for property located just north of the Greyhawk development. He said the property contained 10.24 acres and would be utilized as a park. Peter said Resolution 15-05 would approve the Council's acceptance of the annexation petition, and Resolution 15-06 acknowledged the Council's receipt of the City Recorder's certification of the annexation. He said with Council's approval, Staff would begin the process as outlined in State law for the appropriate protest period and future public hearing. Peter said Staff recommended approval.

Councilmember Brown said there was usually a fee required with an annexation petition. She asked if those fees were waived since the applicant was the City.

Peter said that was correct.

ANNEXATION REQUEST – MORGAN/BONE – ACCEPTANCE AND CERTIFICATION OF THE PETITION FOR ANNEXATION – APPROXIMATELY 200 SOUTH 3200 WEST – RESOLUTIONS 15-07 AND 15-08

Peter Matson said this was an annexation petition submitted by the Morgan and Bone families for property located near the southwest corner of 3200 West and Gentile Street. Peter said a small portion of the annexation area was owned by the Allred family. He said the property contained approximately 33 acres. Peter said the applicant and ultimate developer was Destination Homes. He said there would be a petition to rezone the property at a later date from agriculture to R-S with the likely development of a lot averaged R-S subdivision. Peter said the future subdivision would connect into Overlook Drive, and the utilities and street connection into that property were some of the items that would likely be listed in an annexation agreement that would be brought back to the Council, along with finalization of the annexation and the rezone of the property, at a later date. He said Staff recommended approval of Resolutions 15-07 and 15-08.

Councilmember Freitag asked how many homes could go into the development area, and at what point would it overburden Overlook Drive and Bluff Ridge Boulevard given that they were the only way into the area.

Peter said there would be access onto Gentile Street and 3200 West as well. He said the R-S lot averaged provisions of the Code allowed up to 2.2 units per acre, or approximately 75 homes.

Councilmember Brown said right now the Council was only considering the petition for annexation.

Peter said that was correct. He said there would be an annexation agreement that would come back to the Council that would address any unique utility situations associated with the property.

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

PUBLIC HEARINGS:

AMEND TITLE 18, CHAPTER 18.25, SECTION 18.25.010 OF THE LAYTON MUNICIPAL CODE BY CLARIFYING THE REQUIREMENTS OF PUBLIC UTILITY AND DRAINAGE EASEMENTS – ORDINANCE 15-02

Peter Matson said Ordinance 15-02 was a simple amendment to Title 18, which was the subdivision ordinance. He said the amendment would clarify the requirements of public utility and drainage easements (PUDEs). Peter said PUDEs were typically noted on subdivision lots around the periphery, rear sides and front of typical subdivision lots to handle such utilities as fiber optics, telecommunications, gas, electricity, water, etc. He said they were also intended to channel and direct surface drainage. Peter said the purpose of this ordinance amendment was to clarify the requirements, and the establishment and timing of establishment of PUDEs. He said Ordinance 15-02 proposed replacing the term phone with fiber and telecommunications, and adding language that PUDEs shall be established as part of the subdivision process on property being divided. For existing lots the PUDE shall be created as a prerequisite of obtaining a building or other development permit. Peter said the Planning Commission recommended approval and Staff supported that recommendation.

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

MOTION: Councilmember Francis moved to close the public hearing and approve the amendments to Title 18, Ordinance 15-02, as presented. Councilmember Brown seconded the motion, which passed unanimously.

AMEND BUDGET FOR FISCAL YEAR 2014-2015 – ORDINANCE 15-04

Tracy Probert, Finance Director, said Ordinance 15-04 would amend the current year budget. He said the proposed amendments were reviewed in detail at the February 5, 2015, work meeting, and nothing had changed since that time. Tracy said the budget amendments would add an additional \$175,617.42 to the general fund budget; \$102,530.58 of that would be brought forward from fund balance, approximately \$60,000 was from grant revenue, and the balance was from other unanticipated sources.

Tracy said in other funds of the City, amendments that were noteworthy were: 1) a \$75,000 reduction in the dispatch fund due to a piece of equipment being funded in the prior year; 2) a \$162,000 increase in the water projects budget for the replacement of water meters; and 3) a \$30,000 increase in the emergency medical services budget for new EKG and defibrillator equipment for the ambulances.

Tracy said Staff recommended approval of Ordinance 15-04 amending the budget for fiscal year 2014-2015.

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

MOTION: Councilmember Brown moved to close the public hearing and approve the amendments to the budget, Ordinance 15-04. Councilmember Day seconded the motion, which passed unanimously.

Mayor Stevenson asked Gary to give a general update of the legislative session.

Gary gave the Mayor and Council a brief update on some of the bills being considered by the State Legislature, and the status of some of the bills being closely monitored by the Utah League of Cities & Towns.

The meeting adjourned at 7:46 p.m.

Thieda Wellman, City Recorder