

**MINUTES OF LAYTON CITY  
COUNCIL MEETING**

**AUGUST 6, 2015; 7:00 P.M.**

**MAYOR AND COUNCILMEMBERS  
PRESENT:**

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

**STAFF PRESENT:**

**ALEX JENSEN, GARY CRANE, BILL WRIGHT,  
DAVID PRICE, SCOTT CARTER, DOUG BITTON,  
BILL WRIGHT, PETER MATSON 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 Francis gave the invocation. Scouts and students were welcomed.

**MINUTES:**

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

**Layton City Council Work Meeting – June 4, 2015.**

The vote was unanimous to approve the minutes as written.

**MUNICIPAL EVENT ANNOUNCEMENTS:**

Councilmember Brown said there would be a Family Recreation activity on Monday in the amphitheater. They would be showing the movie “Hero” from 6 to 8 p.m. and there would be free treats.

Mayor Stevenson mentioned the farmers market in the park on Friday evenings.

**PRESENTATIONS:**

**RECOGNITION OF COMMUNITY EMERGENCY RESPONSE TEAM (CERT) GRADUATES**

Doug Bitton, Fire Prevention Specialist, presented information about the CERT program. He announced the current CERT graduates. The graduates came forward to receive certificates and to shake hands with the Mayor and Council.

**YEARS OF SERVICE AWARDS**

Alex Jensen, City Manager, recognized three individuals that had given many years of service to the City. He said the City’s greatest asset was its employees. Alex recognized Jay Bell with the Parks Department for 20 years of service; Ryan Eckardt with the Fire Department for 20 years of service; and Mike Naranjo with the Public Works Department for 30 years of service. Alex acknowledged the employees’ spouses for the significant sacrifices they made. The employees came forward to shake hands with the Mayor and Council.

Mayor Stevenson said these weren’t the Monday through Friday positions; very often these employees were called out in the middle of the night. He expressed his appreciation to the employees.

## **PRESENTATION – DAVIS COUNTY SCHOOL DISTRICT**

Craig Carter, Business Administrator with Davis School District, presented information about the upcoming bond proposition that would be on the ballot in November. He introduced Mr. Rick Astle, Principal of Layton High School and Mr. David Tanner, Director of Jr. High Schools. He presented a slide show explaining the needs in the School District. Mr. Carter indicated that the bond would cover a number of projects and needs in the District including a Jr. High in west Layton near Heritage Elementary. He indicated that the impact would be about \$3 to the homeowner of a \$240,000 home.

Mr. Rick Astle expressed appreciation to the City for their support of Layton High. He explained growth at Layton High and the need for additional space.

Mayor Stevenson asked why the School District didn't build Layton High big enough so that the portables weren't needed.

Mr. Carter explained that they were used temporarily as enrollment went up and down.

Mayor Stevenson said this area was unique; was there anything the School District could do to make the portables more attractive.

Mr. Carter said they would take any suggestions.

Councilmember Freitag said he appreciated that they were looking at the issue of security; did they take into consideration the security of students in the portables.

Mr. Carter said during a lockdown situation they often didn't have time to get the students out of the portables into the main building.

Councilmember Freitag asked if they could be fenced.

Mr. Astle said in regard to security, they had communication capabilities with the portables; they could be locked down.

Mayor Stevenson expressed appreciation for the partnership the City had with the School District. He said he felt that the City could do a resolution in support of the bond. He asked what the timing was on the Jr. High.

Mr. Carter indicated that they anticipated starting construction in the spring of 2017.

### **CITIZEN COMMENTS:**

Casey Johnson, 328 West 900 South, submitted a petition from his neighborhood requesting that their area be part of the next UTOPIA footprint in the City. Mr. Johnson said he was an owner of an internet technology business and three neighbors in his cul-de-sac worked from home. He indicated that they didn't have any internet options in their neighborhood; Century Link was 3 megabits per second, which was not enough speed for businesses to thrive. Mr. Johnson said the petition contained about 50 signatures of residents that lived about .3 miles away from the current UTOPIA footprint. He said they were very hopeful that the City would consider having UTOPIA in their neighborhood.

Mayor Stevenson said the City felt that fiber was an important thing. He said the process of working through the UTOPIA model was very complicated, but the City was working toward additional footprints in the City.

Mr. Johnson asked if there was any plan for his area at this point.

Alex Jensen, City Manager, said that area was planned for build out. He said he didn't know the priority of that area, but it had been analyzed and it would be an area that UTOPIA would be deployed to.

Gary Crane, City Attorney, said he thought this area was in the next group to be built.

Dan Ripple, 1941 North 2150 East, said relative to the Davis School District presentation, Representative Paul Ray was avidly against the bond issue because they were asking for a very large amount of money without any actual plans for development except for those portions of schools mentioned; there would still be a huge amount of money that would not be spent. Mr. Ripple complimented the City on the cleanliness of the parks, the streets and the recent construction of the roundabouts on Antelope Drive.

Niki Chamberland, 2242 North 1450 East, expressed concerns with safety issues at the Kays Creek trailhead near her home. She suggested caution signs and speed limit signs, and the possibility of a raised crosswalk.

**CONSENT AGENDA:**

**OPINION QUESTION ON THE NOVEMBER 3, 2015, BALLOT REGARDING IMPOSITION OF A RECREATION, ARTS, MUSEUM AND PARK (RAMP) TAX – RESOLUTION 15-47**

Scott Carter, Special Projects Manager, said Resolution 15-47 would place on the November 3, 2015, ballot, an opinion question asking the citizens whether or not they would support the imposition of a 1/10 of 1% sales tax for the support of recreation, arts, museum and parks (RAMP). Scott said on March 19, 2015, the Council adopted Resolution 15-17 notifying Davis County that the City wanted to move ahead with the RAMP tax. He said on April 7, 2015, the Davis County Commissioners allowed the City to move ahead with the RAMP tax; the County had the option to impose such tax on the entire County and they had allowed the City to approach this individually. Scott said on June 4, 2015, the Council adopted Resolution 15-36 stating that they were in favor of having the ballot proposition on the November 3, 2015, ballot.

Scott said the RAMP tax would be voted on at the November 3, 2015, election, and if passed the effective date of the tax would be April 1, 2016. He said the ballot language stated, “Shall the City of Layton Utah be authorized to impose 1/10 of 1% sales and use tax for funding recreational, arts, museum and parks improvements, facilities and organizations for the City of Layton; yes or no.” Scott said Staff recommended approval of Resolution 15-47 authorizing the Staff and the Election Officer to place the RAMP tax opinion question on the ballot giving the opportunity for both sides to express their opinion on the RAMP tax.

Councilmember Freitag said recently the Utah Taxpayers Association showed the tax burden in the top 50 cities in Utah; Layton was 37th out of 50, which was relatively low. Layton City was below the median and below the average in the State. He said if the RAMP tax passed, it wouldn’t change Layton’s position on that list. Councilmember Freitag said this Council and many Councils in the past had worked very hard to keep the tax burden on Layton residents very low.

Scott said the tax was very low; 1 cent on \$10. He said food items and gasoline would be exempt from the tax. Scott said on a \$30,000 car, the tax would be \$30.

Mayor Stevenson said the RAMP tax would have to be approved every 10 years. He said because it was based on sales tax, and with the large retail base in the City, a good portion of the tax would be generated from people that live outside of Layton.

**MOTION:** Councilmember Freitag moved to approved Resolution 15-47 regarding placing the RAMP tax on the November 3, 2015, ballot. Council Brown seconded the motion, which passed unanimously.

**APPOINTMENTS TO THE PLANNING COMMISSION – TRICIA PILNY AND DANIELA HARDING – RESOLUTION 15-47**

Peter Matson, City Planner, said Resolution 15-46 would make appointments to the Planning Commission. He said Gerald Gilbert recently completed his third term of service on the Planning Commission, which was the maximum number of years a person could serve. Peter indicated that Mayor Stevenson was

recommending that Tricia Pilny be appointed to the Planning Commission as a regular member and Daniela Harding be appointed as an alternate member to the Planning Commission. He said Mayor Stevenson recommended adoption of Resolution 15-47 making the appointments to the Planning Commission and Staff supported that recommendation.

**AMENDED PRELIMINARY PLAT – FORT LANE VILLAGE COMMERCIAL SUBDIVISION – SOUTHWEST CORNER OF GENTILE STREET AND FORT LANE**

Bill Wright, Community and Economic Development Director, said this was an amended preliminary plat for the Fort Lane Village Commercial Subdivision located on the southwest corner of Gentile Street and Fort Lane. He said in 2010 the Council approved the plat, which had been recorded. Bill said a few changes had taken place since that time. The Master Transportation Plan indicated that this portion of Gentile Street would need to be widened. He said this portion of Gentile Street was a UDOT road. Bill said the road would be taken from a 66-foot right of way to a 106-foot right of way. He said a portion of Gentile Street would be improved and widened in conjunction with the WinCo development that was about to start. Bill said UDOT agreed that the timing was good to do this now with the construction of the WinCo store, and had purchased the additional property needed for the widening. The amended plat allowed for the widening.

Bill said the second reasoning for the amended plat was that some of the lots had changed since 2010. He said WinCo decided to downsize the store, which required less parking. This would allow for an additional building site. Bill said there was a change in the lot configurations for Parcel 6 where Wasatch Drive and Gentile Street intersect; two parcels would be combined into one parcel making it more developable. He said another parcel was created just south of the Wells Fargo lot that would allow for a separate building. Bill said the Planning Commission recommended approval and Staff supported that recommendation.

Councilmember Brown said reconfiguring the plat would not affect the development agreement.

Bill said that was correct. He also indicated that there had been a preconstruction meeting today with WinCo. He said they would get going on the project in the next couple of weeks.

Councilmember Freitag said once that started the rest of the site would develop.

**MOTION:** Councilmember Francis moved to approve Items B and C of the Consent Agenda as presented. Councilmember Freitag seconded the motion, which passed unanimously.

**PUBLIC HEARINGS:**

**REZONE REQUEST – ANDERSON/WILLIAMS – A (AGRICULTURE) TO R-S (RESIDENTIAL SUBURBAN) – 3012 EAST BOULDER DRIVE – ORDINANCE 15-25**

Peter Matson said Ordinance 15-25 was a rezone request for property located at approximately 3012 East Boulder Drive. He identified the property on a map. Peter said the property was presently zoned agriculture and contained just over 6/10 of an acre. He said the rezone request was to accommodate the building of a home on the property. 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 Brown moved to close the public hearing and approve the rezone request as presented, Ordinance 15-25. Councilmember Day seconded the motion, which passed unanimously.

**REZONE REQUEST – FLINT/VAN DRIMMELEN – A (AGRICULTURE) TO R-S (RESIDENTIAL SUBURBAN) – APPROX. 50 NORTH 2200 WEST – ORDINANCE 15-18**

Peter Matson said Ordinance 15-18 was a rezone request for property located at 50 North 2200 West that contained approximately 6 acres. He identified the property on a map. Peter said the property would be joined together with the property to the west for a single family subdivision. He said the R-S zoning designation was consistent with the General Plan. Peter said this was before the Council on July 2, 2015, where it was tabled to allow time for the Council to make a decision on the West Davis Corridor interchange location and the classification of 2200 West. He said the Planning Commission recommended approval and Staff supported that recommendation.

Councilmember Freitag said as late as last night, he heard comments that a decision had not been made on 2200 West and projects were being held up until a decision was made. He said he felt that the Council had made the decision that 2200 West would remain a collector street, and the proposed interchange location would be at 2700 West, which would become the arterial street.

Peter said that was certainly his understanding and the rest of the Staff's understanding from the Council's review of that on July 20th.

Councilmember Brown said she wondered if the confusion came because the Council couldn't take a vote on that at the July meeting. She said there was a consensus from the Council, but the final vote would come when the Master Transportation Plan was adopted.

Peter said he would assume that was the issue.

Mayor Stevenson said when the Council adopted the Master Transportation Plan it would affect every road in the City, not just 2200 West or 2700 West. He said the discussion at the July 20th meeting indicated that the Council agreed with what was being presented in the Master Transportation Plan, which included the interchange being located at 2700 West.

Councilmember Brown said with this subdivision, there was 1 lot in the proposed subdivision that would face 2200 West. She asked if that lot would be big enough to accommodate a circular driveway.

Peter said yes. He said that could be addressed when the plat came before the Planning Commission and the Council.

Councilmember Freitag said if this was approved tonight, without a development agreement, all parties could move forward with the development, there would be no impacts to the existing property owners in the area, and whatever other plans they had with their properties they would know that they could move ahead.

Peter said yes.

**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 as presented, Ordinance 15-18. Councilmember Brown seconded the motion, which passed unanimously.

**The meeting adjourned at 8:14 p.m.**

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Thieda Wellman, City Recorder