

**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 September 15, 2016.**

AGENDA ITEMS:

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

- A. Minutes of Layton City Council Meeting - August 4, 2016
- B. Minutes of Layton City Council Work Meeting - August 18, 2016
- C. Minutes of Layton City Council Meeting - August 18, 2016

2. MUNICIPAL EVENT ANNOUNCEMENTS:

3. VERBAL PETITIONS AND PRESENTATIONS:

- A. Presentation - Youth Court Graduation and Swearing In and Recognition from Davis County Commissioners
- B. Presentation - Citizen Award

4. CITIZEN COMMENTS:

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. Bid Award – Associated Brigham Contractors, Inc. – Aircraft Avenue and Birch Circle Sanitary Sewer Repairs, Project 15-44 – Resolution 16-65 – Aircraft Avenue from Gentile Street to Adams Street and in Birch Circle from Dixie Avenue to the End of the Cul-de-sac

6. PUBLIC HEARINGS:

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 PM 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 MEETING

AUGUST 4, 2016; 7:00 P.M.

MAYOR AND COUNCILMEMBERS PRESENT:

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

STAFF PRESENT:

**ALEX JENSEN, STEVE GARSIDE, KENT
ANDERSEN, PETER MATSON AND THIEDA
WELLMAN**

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

Mayor Pro Tem Freitag opened the meeting and indicated that Mayor Stevenson would be arriving later. He led the Pledge of Allegiance. Councilmember Petro gave the invocation. Scouts and students were welcomed.

Mayor Pro Tem Freitag recognized Peter Matson, City Planner, on his retirement. He expressed the Council's appreciation to Peter for all that he had done for the City.

MUNICIPAL EVENT ANNOUNCEMENTS:

Councilmember Brown said on August 26th Family Recreation would sponsor the annual family bash at Surf 'n Swim. She said there would be \$1 admission and children that had participated in the Go 'n Play program that had collected 12 tokens could get their family in free.

Councilmember Petro said the Layton FEST theme this week would be the Olympics. She said they would be broadcasting the opening ceremony of the Olympics in the park.

CITIZEN COMMENTS:

Barry McClellan, 611 West 425 South, said he owned the holding strip that went across the end of 425 South. He said he didn't want the street to go through, but he was willing to negotiate an exchange for the land that the developer of the Willow Tree Subdivision needed. Mr. McClellan said the neighbors on 350 South had been approached by the developer and had reached an agreement for fencing around their yards.

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He said it was only through the City Attorney that he had been able to contact the developer, but they had not yet reached an agreement. Mr. McClellan said for the exchange of his land he wanted continued privacy including fencing and privacy panels, but he had not yet been presented with an offer in exchange for the holding strip across his property. He said he was willing to negotiate but he was not satisfied because nothing had been presented yet. Mr. McClellan asked if the Council was willing to give this project final approval with something like this outstanding when the lack of an agreement could potentially lead to a taking of the land; was the Council willing to do that without having a proposed agreement with the landowner.

Mayor Pro Tem Freitag asked Steve Garside if he was familiar with this issue.

Steve Garside, Assistant City Attorney, said Mr. Crane had been discussing this with Mr. McClellan, but that wasn't a reason to hold up the development process. He said Staff knew that there were still some issues that needed to be worked out, which was not uncommon, but the developer had complied with the City's ordinances. Steve said this was something Staff felt could be resolved but did not warrant stopping the approval process.

Mayor Pro Tem Freitag said Mr. McClellan's comments had been noted.

Mr. McClellan asked if the Council's intent was to finalize this project.

Mayor Pro Tem Freitag said the intent was to have it addressed on the agenda; it would be up to the Council to approve it or not.

Councilmember Day asked if there had been discussions with the developer.

Mr. McClellan said he had an initial discussion with the City Attorney. He said the City Attorney brought Mr. Green to a meeting, but Mr. Green didn't appreciate what he wanted. Mr. McClellan said he had an above the ground pool and he was concerned with the neighbors seeing into his back yard; he wanted a privacy panel above the fence.

Councilmember Day asked if he was looking for something similar to what was done at the 350 South connection, or did he want something different.

Mr. McClellan said it was a little bit different; property owners on the other road only owned half the property that he owns, and he was asking for about half of what the other neighbors received. He said they

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should be able to reach an agreement but that hadn't happened yet.

Mr. McClellan asked if this were to face eminent domain proceedings, would the developer be the one to pursue that or would it be the City.

Steve said that was yet to be determined.

Councilmember Day said the road couldn't be put in until this was resolved.

Steve said that was correct.

Councilmember Day said the road couldn't go through Mr. McClellan's property until this was resolved.

Steve said that was correct. He said for clarification, eminent domain proceedings would not have to be concluded, but without judicial authorization the road could not be put on the property.

Tyson Roberts, 891 West Weaver Lane, said behind his home was the Henry Walker Old Farm Subdivision. He said there were two homes being built directly behind his barn. The elevation of the cul-de-sac was about 10 feet above the elevation of his property. Mr. Roberts said he was concerned about storm water runoff from the development onto his property because of the elevation change. He said he was concerned that the runoff would come onto his property into the buildings, or runoff to the west into a field that he farmed.

Mayor Pro Tem Freitag asked if Staff could look at that.

Alex Jensen, City Manager, said this issue had been raised several weeks ago through Councilmember Day. Alex said he had talked to the City Engineer about this. He said, as Mr. Roberts described, there was an elevation difference, but the engineering that had been done on the road would take the water off the road away from Mr. Roberts' property. Alex said the requirement of all developers and homeowners, was that they couldn't run their water off onto adjacent property whether it was residential or agricultural property. He said Staff didn't think that it was going to be an issue. Alex said when the big home at the end of the cul-de-sac was landscaped, the City would have to work with them to make sure there was some type of catchment opportunity so that the water didn't flow onto Mr. Roberts' property.

Mr. Roberts said relative to the big home, the City required the developer to put a six-foot vinyl fence along the agriculture property. He said the elevation of the home was about a foot taller than the fence and they

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were pushing dirt onto the fence. Mr. Roberts said he assumed that the fence was his to maintain into the future and he was concerned with the dirt damaging the fence.

Alex said he didn't think the fence would be Mr. Roberts' to maintain; it would be the responsibility of the homeowner. He said he would talk with Staff to make sure that the dirt wouldn't be left up the fence; hopefully it was a temporary issue and as soon as the grading was done that would be removed.

Mr. Roberts said his other issue was on Sugar Street and a problem with semi trucks parking along the street and leaving trash and human waste behind. He said he farmed the field and it was a great concern relative to food safety. Mr. Roberts said the curb was painted red but there was not much enforcement being done.

Mayor Pro Tem Freitag said the Police Department and Code Enforcement could check on that.

Alex said this was an issue that had been previously raised through the same source. He said it was a cat and mouse game; there wasn't an officer posted there 24/7. Alex said he would follow up with the Police Department.

Marvin Guymon, 1665 West 1960 North, said he lived in the Camelot Subdivision. Mr. Guymon said he recently attended a Planning Commission meeting regarding issues the neighborhood had with Kate's Place or the chiropractic clinic that was recently built. He said Cory Bowden was the owner of the building and was looking for additional parking for that building and had approached some homeowners to purchase their properties to construct additional parking. Mr. Guymon said they were concerned with increasing the parking area and the high influx of traffic that came through that area; their home values would decrease. He expressed concerns with additional traffic in their neighborhood and additional truck traffic causing damage to the road.

Mayor Pro Tem Freitag said Staff would address those issues. He said the homes in that area were zoned residential and parking lots would not be an approved use in that zone. The homes could not be purchased and turned into parking lots without a rezone of the property.

Julie Gardiner, 1771 North 1690 West, said she would echo everything Mr. Guymon had stated. She explained a conversation they had with Mr. Bowden and his plans for renting additional space in his building, which would bring additional traffic to the neighborhood. She repeated traffic and road concerns expressed by Mr. Guymon.

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Mayor Pro Tem Freitag expressed appreciation for the comments and indicated that the City would do everything possible to mitigate the concerns.

Mayor Stevenson arrived at 7:28 p.m.

Roberto Barbosa, 1561 West 1850 North, expressed the same concerns with the commercial building on the corner of Antelope Drive relative to traffic in their neighborhood.

Norma Allred, 1529 West 1750 North, expressed concerns with traffic in the Camelot Subdivision and with people making u-turns in their subdivision to avoid traffic on Antelope Drive. She asked if the new overpass by Kohl's would block Angel Street from going onto Main Street.

Mayor Stevenson said the intersection of Angel Street and Main Street would be moved, but there would still be a connection. He said the overpass should help with traffic on Antelope Drive and help with traffic cutting through the neighborhood.

Ms. Allred mentioned concerns with the width of the streets in their subdivision and with cars parking on the street, which allowed for only one car to get by.

Mayor Stevenson said there were conflicting opinions with street widths; some felt that narrow streets caused cars to slow down, but wider streets accommodated more traffic. This was a concern with every subdivision in the City. He said Staff would see if anything could be done.

Mayor Stevenson apologized for being late; he had been attending a reception at Hill Air Force Base. He said there would be a ceremony tomorrow recognizing that the F-35s were combat ready. Mayor Stevenson mentioned some of the dignitaries that had attended the reception.

Mr. McClellan said the F-35s were much noisier than the F-16s.

Charles Cope, 1835 North 1400 West, expressed concerns with road conditions in the Camelot Subdivision. He said infrastructure needed to be maintained.

Mayor Stevenson indicated that he would drive through that area tomorrow. He said it came down to a budgetary issue, but Staff would see what could be done.

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CONSENT AGENDA:

EXTEND THE APPOINTMENT OF HANSEN BRADSHAW MALMROSE & ERICKSON, P.C., TO PERFORM THE FINANCIAL AUDIT OF THE CITY – RESOLUTION 16-50

Alex Jensen said Resolution 16-50 proposed extending the current professional services agreement for independent audit services the City had with the accounting firm of Hansen Bradshaw Malmrose & Erickson. He said they had performed the City's independent financial audit for several years, and had done a very good job. The principal that had been responsible for the audit had changed over the years, and the City felt that there had been good independent review. Alex said the existing contract expired June 30, 2016, and they had approached the City with a request that they City consider an additional five-year extension to the contract.

Alex said the proposed fee schedule was at a discounted rate for the next year. The reason they were able to do that was because the City recently made some modifications to its financial accounting system and the software that was purchased was the same software Hansen Bradshaw Malmrose & Erickson used to perform the audit; there were tremendous efficiencies that had been realized. Alex said the proposed price for 2016 would be the same price as they charged in 2014. He said Staff recommended approval.

PARTICIPATION AGREEMENT BETWEEN LAYTON CITY AND RC WILLEY HOME FURNISHINGS – RESOLUTION 16-55

Kent Andersen, Deputy Director of Community and Economic Development, said Resolution 16-55 was a participation agreement with RC Willey Home Furnishings. He introduced Scott Hymas, CEO of RC Willey and Steve Bullard with Coldwell Banker Commercial. Kent said it was exciting to talk about RC Willey locating in Layton City. He said in the spring of 2015, City Staff began discussions with RC Willey to construct a new, approximately 144,000 square foot regional retail facility in the City. The site for the new facility would be located at approximately 2197 North 1400 West.

Kent said Layton City actively pursues opportunities to further economic development, enhance investment, and facilitate the creation of additional employment in the City. A new RC Willey store would accomplish all of those goals. He said obviously, with a development like this, a significant investment was required by the City to attract them to this location. To facilitate RC Willey locating in the City, a participation agreement was proposed. The agreement stipulated that RC Willey would receive \$439,500 toward the cost of onsite infrastructure improvements; approximately \$698,450 toward the cost of impact fees and water

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exaction; transfer of 1.106 acres of land from the City; access to .35 acres of land leased by the City from UDOT; and they would not be required to reimburse the City for the construction of the 1400 West frontage road. The infrastructure, impact fees and water exaction participation would not occur until 30 days after RC Willey had occupied the site and completed one uninterrupted month of occupancy and retail operations. Transfer of land ownership would occur upon execution of the agreement and RC Willey's acquisition of the adjacent property, which occurred on July 8, 2016. If RC Willey did not commence retail operation by December 31, 2021, land ownership would revert back to the City. If RC Willey ceased retail operations for more than 30 consecutive days during a period of 10 years from commencement of retail operations, land ownership would revert to the City, access to the leased property would cease, and any funds provided by the City would be repaid to the City.

Kent said there were a lot of controls in the agreement to make sure the City's money was well protected and that the City received a return on the investment. With approval and execution of the agreement, all parties were prepared to proceed. He said Staff recommended adoption of Resolution 16-55, approving the participation agreement between the City and RC Willey Home Furnishings. Kent invited Mr. Hymas to address the Council.

Mr. Scott Hymas said he appreciated working with the Staff and the Mayor. He said when businesses made a capital investment such as this, they looked out 25 years to see if it was something that was going to be worthwhile. Mr. Hymas said as they had reviewed their existing footprint in Davis County, they felt that this was the right thing for RC Willey. He said they viewed this project to be a regional project, and because of the location and visibility they felt that there would be many people from southeastern Idaho that would shop at the store. Mr. Hymas said they had purchased the property but they didn't have an exact timeframe for construction. He said they intended to be a good partner for the City when they did move in.

Mr. Hymas said they actually did more business outside the State than they did inside the State, but they always knew their roots came from Davis County. They were committed to Utah and Davis County in making this a very successful location. He said this location would be similar to the Draper location. Mr. Hymas said they were excited to come to this location.

Mayor Stevenson expressed appreciation to RC Willey. He said Layton City was honored to carry the Davis County banner for RC Willey.

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CONVEYANCE FROM THE CITY TO RC WILLEY HOME FURNISHINGS OF AN INSIGNIFICANT PARCEL OF LAND OWNED BY THE CITY – APPROXIMATELY 2197 NORTH 1400 WEST – RESOLUTION 16-56

Kent Andersen said Resolution 16-56 was a conveyance from the City to RC Willey Home Furnishings of an insignificant parcel of land owned by the City that was undevelopable on its own because of its configuration. He said the property was located at approximately 2197 North 1400 West. Kent said this was the 1.106 acres of land included in the participation agreement discussed in the previous item. He said Staff recommended approval.

INTERLOCAL AGREEMENT BETWEEN THE CITY AND THE RDA OF LAYTON CITY – RESOLUTION 16-57

Kent Andersen said Resolution 16-57 was an interlocal agreement between the City and the RDA of Layton City. He said part of the creation of the Layton Antelope Drive CDA was interlocal agreements between the RDA and participating taxing entities. Kent said all of the taxing entities, including Davis School District, Davis County, Layton City, North Davis Sewer District, Weber Basin Water District, and the Mosquito Abatement District had agreed to participate and share their increase in property taxes on the RC Willey site for 50% for 15 years; the City's participation would be at 85% for 15 years. The estimated amount of tax increment was \$370,000 over the 15 year period. Kent said currently the City was receiving \$157 a year in property taxes on the site; after the 15 years was completed the City would receive approximately \$29,236 a year. This was quite a return on the investment. He said Staff recommended approval.

FINAL PLAT – WILLOW TREE SUBDIVISION, PHASES 1 AND 2 – APPROXIMATELY 650 WEST WEAVER LANE

Kent Andersen said this was final plat approval for the Willow Tree Subdivision, Phases 1 and 2, located at approximately 650 West Weaver Lane. He said the primary access into the subdivision would be off of Weaver Lane. Phase 1 would have 26 lots on 9.48 acres with a density of 2.7 units per acre; Phase 2 would have 22 lots on 7.6 acres with a density of 2.9 units per acre. Kent indicated that Jordan Valley Water Conservancy District had an easement that ran along five of the lots that backed against the D&RG Trail. A detention basin would be located within the 50-foot easement on lots 13 through 17 in Phase 1. Kent identified the detention basin on a map and indicated that the homes would have to be setback at least 10 feet from the detention basin. He said the Parks Department continued to work with the developer and UTA to

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develop a trail head area at the end of Weaver Lane adjacent to the trail. The trailhead would be dedicated to the City when the plat for Phase 1 was recorded. He said there would be connector streets to the east at 350 South, and one at 425 South when the holding strip was acquired. Kent said the Planning Commission recommended approval and Staff supported that recommendation.

Councilmember Brown asked Staff to remind her what a holding strip was.

Kent said a holding strip was a piece of property that was owned by a neighboring property owner. For some reason or another the developer and property owner were unable to come to an agreement to be able to purchase the property and provide access to a stub street. He said some sort of negotiation needed to happen or a judicial action had to occur.

Councilmember Brown said the road existed but it was stubbed into the adjacent property.

Steve Garside said holding strips had been disallowed for many years; this was a remnant from a prior practice where a developer would put in a project, but to insure that they recouped some of their costs, they would put in a holding strip. When the adjacent property developed they could then recoup a portion of those costs in exchange for access over the held property. Steve said since then those had been disallowed and the City had other mechanisms to insure that property owners were adequately compensated. He said this was a remnant from decades gone by. The City found the situation now where they needed to insure that both property owners were taken care of equitably. That was the issue being faced at this time.

Councilmember Day said ultimately that was the developer and the homeowner's issue, not the City's.

Steve said the City tries to facilitate these resolutions because obviously the City had some interest in it as well. The City wanted to make sure the existing citizen was taken care of and that the developer wasn't held hostage. And the City needed to insure the appropriate circulation of the infrastructure.

Mayor Stevenson said the bottom line was that the City hoped the developer and property owner could reach an agreement before the City had to get involved with it.

FINAL PLAT – RBH SOUND CONDOMINIUM – 382 MARSHALL WAY

Kent Andersen said this was final plat approval for RBH Sound Condominium located at 382 Marshall Way. He said the request was to divide an existing building into five separate tenant spaces with each space having

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separate ownership. Kent said the applicant would maintain the largest tenant space with 18,876 square feet; the other four tenant spaces would each have 4,687 square feet. Parking and landscape areas on the property would be common area and maintained by the business owners' association. He said the Planning Commission recommended approval and Staff supported that recommendation.

MOTION: Councilmember Brown moved to approve Items A, B, C, D, F, and G of the Consent Agenda as presented. Councilmember Day seconded the motion, which passed unanimously.

FINAL PLAT – THE VILLAS AT HARMONY PLACE PRUD, PHASE 7 – APPROXIMATELY 2300 WEST 400 SOUTH

Mayor Stevenson indicated that he was the developer on this project and would recuse himself from discussion on this item. He turned the meeting over to Mayor Pro Tem Freitag and left the meeting.

Kent Andersen said this was final plat approval for the Villas At Harmony Place PRUD, Phase 7, located at approximately 2300 West 400 South. He said the applicant was Bob Stevenson. The proposed phase contained 3.22 acres with 15 lots creating a density of 4.65 units per acre. A portion of the acreage would be common area for the landscaped open space. Kent said the proposed phase would extend 2300 West further north and create a connection with 400 South. A temporary turnaround would be required at the north end of 2300 West.

Kent said the developer was required to install a six-foot solid vinyl fence along the east boundary of the property, which was adjacent to a future site of an LDS Church. The fence color was to be taupe and would need to be installed with the improvements of the streets and utilities. Kent said the developer was requesting that a portion of the open space be allowed to be allocated to Phase 8; it would still meet the overall requirements of open space and provided a little bit more open space for Phase 8. He said the Planning Commission recommended approval and Staff supported that recommendation.

Councilmember Day said relative to secondary water, the exaction was being lowered from 6 acre feet to 2 acre feet. He said the numbers weren't important but the water was required to be there by spring and he wondered how that was going to happen. Councilmember Day said he wondered who was going to pay for the infrastructure; would that be Kays Creek Irrigation Company or Layton City; was the City stepping ahead of itself until the water study was complete and the City knew what was going to happen in the entire west Layton area. He said he didn't know if there should be a reduction in the water exaction when that question was uncertain.

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Kent said the water exaction would only occur if the property was able to be serviced by secondary water. If for some reason it was unable to be serviced, the applicant would be required to pay the entire exaction amount.

Councilmember Day asked if that was written in the documentation. He said some developers had been required to put in the infrastructure and some had not, whether or not secondary water was available. Councilmember Day said that was becoming more and more of a problem.

Kent said he believed that any new development was required to pay for the infrastructure that was associated with the development.

Councilmember Day said on the Wayne Flint property they didn't have to install the secondary water infrastructure; Perry Homes adjacent to this development did. He said his point was that the City needed to move forward and make the decisions about secondary water so that these future problems didn't happen.

Alex said based on direction Staff received at a Council Strategic Planning meeting a couple of months ago regarding secondary water, direction to Engineering Staff had been to require developers of any new subdivision coming forward to install the secondary water infrastructure. Alex said he would follow up to make sure that was happening with this development as well.

MOTION: Councilmember Davis moved to approve Item E of the Consent Agenda as presented. Councilmember Petro seconded the motion, which passed unanimously.

Mayor Stevenson returned to the meeting.

PUBLIC HEARINGS:

LAYTON ANTELOPE DRIVE COMMUNITY DEVELOPMENT PROJECT AREA PLAN AND BUDGET – ORDINANCE 16-36

Kent Andersen said Ordinance 16-36 was adoption of the Layton Antelope Drive CDA project area plan and budget. He said the RDA proposed the Layton Antelope Drive CDA, which was approved in the earlier RDA meeting. Kent said if adopted, the project area would allow the RDA to receive tax increment to assist with tenant attraction in the project area. He said as discussed earlier, the redevelopment area would be for the

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attraction of RC Willey. Participation from the taxing entities was at 50% for 15 years except for Layton City; the City was at 85% for 15 years. Kent said Staff recommended approval.

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

MOTION: Councilmember Freitag moved to close the public hearing and approve the Layton Antelope Drive CDA Plan and Budget as presented, Ordinance 16-36. Councilmember Brown seconded the motion, which passed unanimously.

ANNEXATION AGREEMENT, ANNEXATION AND REZONE REQUEST – NEVILLE/OVATION HOMES – A (AGRICULTURE) TO R-S PRUD (RESIDENTIAL SUBURBAN PLANNED RESIDENTIAL UNIT DEVELOPMENT) – APPROXIMATELY 1900 WEST 1000 SOUTH – RESOLUTION 16-59 AND ORDINANCES 16-21 AND 16-22

Kent Andersen said this was an annexation agreement, annexation, and rezone request from the Nevilles and Ovation Homes, represented by Resolution 16-59 and Ordinances 16-21 and 16-22. The property was located at approximately 1900 West 1000 South. He displayed a map and identified the property. Kent said the property was adjacent to the recently annexed Davis School District property where a junior high school would be built.

Kent said the property proposed for annexation contained 12.23 acres; the property proposed for rezone contained 13.66 acres located on the south side of 1000 South. The north 1.43 acres was already in the City and was currently zoned R-S; the south 12.23 acres was in unincorporated County. The total 13.66 acres was proposed to be rezoned to R-S PRUD. The property was directly north of the Barlow PRUD property that was recently annexed into the City.

Kent said the annexation area was surrounded by unincorporated County and R-S zoning to the north, agricultural and R-S PRUD to the east and unincorporated County to the south and west. He said the annexation petition was accompanied by a request to develop a single family detached and attached PRUD with access from 1000 South, and a connection to the Barlow PRUD property to the south. Kent said the development was designed to cater to a senior demographic or empty nester.

Kent said the proposal was to develop 43 units, including 31 detached units and 12 attached units. The homes would include a minimum two car garage; the detached homes would be not less than 1,500 square feet and the attached would be not less than 1,300 square feet. Kent said in order to meet the open space requirement,

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which was about 40% of the overall site, the applicant was requesting that some of the open space be met on the Barlow PRUD. The Barlow PRUD would not be double counting open space; this would be in addition to what was required for the Barlow PRUD. Ovation Homes was developing both properties and they flowed well together.

Kent said the applicant would still be short .26 acres of open space; this could be met during preliminary plat approval. One proposal was to amend one of the single family lots and make it a cottage lot, which would allow the developer the flexibility for an additional .26 acres of open space.

Kent said there was good discussion in the work meeting about a proposal of how the development would proceed. He said at this time Staff would support the recommendation of the Planning Commission that the Council adopt Resolution 16-59 approving the annexation agreement, and adopt Ordinance 16-21 approving the annexation based on consistency with the annexation plan. The Planning Commission also recommended the Council adopt Ordinance 16-22 approving the rezone request to R-S PRUD, subject to approval of the conceptual PRUD plan. Kent said that recommendation was based on consistency with the General Plan. He said 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 annexation agreement, annexation, and rezone request as presented, Resolution 16-59 and Ordinances 16-21 and 16-22. Councilmember Davis seconded the motion, which passed unanimously.

Mayor Stevenson asked Peter Matson to come to the podium.

Peter thanked the Council and Staff for all the years he had been with the City. He said he had a great amount of respect for appointed and elected officials.

Mayor Stevenson expressed appreciation to Peter for his help over the years and for his friendship.

Councilmember Brown expressed appreciation to Peter. She said he was always willing to answer her questions. She knew that his footprint was in the City and he had a lot to do with the future direction of the City.

Councilmember Davis expressed appreciation for Peter's mentoring and his many long years of service to

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the City and citizens.

Mayor Stevenson presented Peter with a card and street sign “Matson Avenue.”

The meeting adjourned at 8:34 p.m.

Thieda Wellman, City Recorder

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MINUTES OF LAYTON CITY COUNCIL WORK MEETING

AUGUST 18, 2016; 5:33 P.M.

MAYOR AND COUNCILMEMBERS PRESENT:

**MAYOR BOB STEVENSON, BRUCE DAVIS, TOM
DAY, SCOTT FREITAG AND JOY PETRO**

ABSENT:

JOYCE BROWN

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, TERRY COBURN,
TRACY PROBERT, BILL WRIGHT, SCOTT
CARTER, KENT ANDERSEN, DAVID PRICE, ED
FRAZIER, JOELLEN GRANDY, CHRIS
SCHWARTZ AND THIEDA WELLMAN**

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

Mayor Stevenson opened the meeting and excused Councilmember Brown. He turned the time over to Staff.

AGENDA:

UPDATE – STORM DRAIN MASTER PLAN AND IMPACT FEES

This item was not discussed.

PRESENTATION – NEW LAYTON CITY WEBSITE

Ed Frazier, IT Manager, said Staff wanted to present the new website to the Council and receive feedback. He mentioned the trend for websites to be more graphic in nature with less text. He presented information on mega menus, which allowed users to find things faster. Ed reviewed various aspects of the new website. He indicated that the site would be very mobile device friendly.

Councilmember Freitag arrived at 5:38 p.m.

Councilmember Day asked when the website would be ready to launch.

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Alex Jensen, City Manager, said it was ready to go but Staff wanted to get the Council's approval before launching.

Ed displayed a video that was on the Fire Department page. He said the new website would make it easier to put out various videos. He reviewed other aspects of the website.

Council and Staff discussed making the "contact us" feature more prominent.

Alex said based on user data, Staff had tried to cater to the demand. Anything could be changed based on the Council's preference.

Discussion suggested that the new website was a much needed improvement over the previous site.

Alex said in a month or so Staff would be bringing a community calendar idea to the Council for review; it would allow government or nonprofit organizations to put events on the calendar. He said it would tie into the City's website.

Ed explained how the community calendar would function and the application process to add things to the calendar.

Discussion suggested launching the new website and making adjustments as needed.

There was discussion about using a drone to film various activities in the City.

Alex explained liability issues with using drones.

MISCELLANEOUS:

Ovation Homes Annexation

Bill Wright, Community and Economic Development Director, said this was a discussion of the Ovation Homes annexation in west Layton that was approved at the last meeting. He said he understood that Ovation Homes presented an alternative plan, with more units. Bill said the Frosts came to see him this week once he was back in the office and had an opportunity to gather feedback from Staff. He said it came down to a policy of land use, specifically along 1000 South. Bill said conversations from the

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beginning were that the northern portion of this development should be an R-S lot layout; south of that would be cottage homes and attached units near the Barlow property to the south and east. Feedback from the City Planners was that with allowing for R-S lot averaged lots, not all of the lots would be 15,000 square feet. In order to allow for lot averaged lots, the property would need to have a minimum of 3 acres. This property did not meet that minimum, but Staff felt that in this area that was extreme and felt that allowing for lot averaging was appropriate and would allow for Ovation Homes to develop large lots but not require a minimum of 15,000 square feet; some of the lots were 12,000 square feet. Bill said the property to the north was in the annexation process, which would allow for the lot averaged option. That was why Staff supported lot averaging in the R-S portion of this development.

Bill said last week when he met with Norm Frost, Mr. Frost understood the reasoning for that decision. He said he understood that the Frosts had mentioned that there would be pickle ball courts; the City needed to be careful and not get enamored by that. Bill said the HOA would own those courts. He said he felt the decision to annex the property and leave the R-S zone in place on the northern portion of the property was the right decision. He said this afternoon he received an email from the Frosts sharing their opinion. Bill said his recommendation was that the Council made the right decision with leaving the R-S zone in place and the City should proceed in that regard.

Bill said he understood that there was a conversation about their plan of putting larger cottage homes on the R-S lots that would front onto 1000 South. He said Ovation Homes invited him to visit their product in Farmington, which had bigger cottage homes. However, it still had the feel of cottage homes, not normal R-S homes.

Bill explained changes Ovation Homes was proposing on the Barlow property to the south with the preliminary plat. There would be much more open space. Ovation Homes would connect these to development together as a PRUD and count the open space across the line between the two developments.

Councilmember Petro asked Bill if the developers were comfortable with Staff's recommendation to keep the R-S lot averaged zone on the northern portion of the property.

Bill said when he met with Norm Frost on Tuesday they were. He said after that meeting they submitted the email stating why they felt that 47 units would be better than 43.

Mayor Stevenson recognized Mr. Brad Frost.

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Brad Frost said they had a great relationship with the City and this was not a point of contention. He said the difference was that they had done so much with amenities in the open space and they would like to put in the pickle ball courts. Mr. Frost said with their age bracket, a two acre park in the middle of the development would not be utilized. He said they would like to do something nice; 47 units would allow for nicer amenities.

Alex asked Mr. Frost if he was stating that they would only be able to do pickle ball courts, which was their decision, if they were allowed 47 lots. He said if Mr. Frost wanted to construct pickle ball courts he could do that with 43 or 47 lots; that was his choice. Alex said the pickle ball courts and the attractiveness of that should not be used as an incentive to change the land use. He said from the City's experience, the pickle ball courts would not be a public amenity because the HOA people would want that for their private use. Alex said Ovation Homes was a great developer and the City appreciated them being in the City, but the decision should be based on planning and zoning logic and not on a recreation facility.

Councilmember Petro said on the lower Barlow portion, what would happen on the open space facing south where the homes were removed from the plan.

Bill said they needed that as open space to meet their minimum open space requirement.

Councilmember Petro said she wouldn't want to see that left as a natural weedy area.

Bill said the landscape plan had that area left as a natural area.

DISCUSSION – NAMING AND GRAND OPENING OF NEW PARK – 3500 NORTH REDTAIL WAY

David Price, Parks and Recreation Director, said the new playground at Ellison Park and the new park near Greyhawk were ready for opening. He said Staff would like to schedule grand openings on the evening of Wednesday, August 31st.

David displayed pictures of the new playground at Ellison Park and explained some of the features. He said it had been very well received. David said the grand opening for this was scheduled at 5:30 p.m. on the 31st.

David displayed pictures of the new park near Greyhawk and explained some of the features. He said the

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park was opened last Friday; they had to do a soft opening because they couldn't keep people from jumping the fence. David said some of the areas of grass was still immature and signs had been posted to keep people off of those areas. He said this grand opening was scheduled for 7:00 p.m. on the 31st. David said there were several existing trees in the park, but new trees had not yet been planted to allow the grass to mature. He said Council would be planting the first new tree the night of the grand opening.

Councilmember Day asked what happened with the radio tower.

David said Staff had been talking with the gentleman that provided service on that tower. He had removed all of the big dishes; there were two very small dishes on the tower. David said Staff felt that because of the service that was provided to the City and Hill Air Force Base, it may be in the City's best interest to allow him to continue to do business there. David said once the big dishes were removed, the tower was much less visually intrusive.

David said Staff was recommending that the new park be named Greyhawk Park. He said a few names were considered, but Staff felt that this area was associated with the Greyhawk Development and people were already calling it Greyhawk Park.

Consensus was to name the park Greyhawk Park.

MIDTOWN SIGNAGE

David displayed a sample of the new signs for the Midtown area. He said Staff felt that the colors turned out well. David said there would be 23 signs in the Midtown area providing information and direction to the different amenities.

Discussion suggested that the white on the signs might need to be a little brighter.

PEDESTRIAN CROSSINGS

Terry Coburn, Public Works Director, said on the regular meeting agenda there was a contract to install pedestrian crossings and a traffic signal. He said the traffic signal would be located at the intersection of Wasatch Drive and Fairfield Road. The two pedestrian school crossings would be installed at E.G. King Elementary on Gordon Avenue and Hill Boulevard.

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Terry said four HAWK crossings would be installed where the D&RG Trail crossed Layton Parkway, Hill Field Road, 2200 West and Gordon Avenue. He said the crossings would allow pedestrians to stop traffic with the signal.

Council and Staff discussed how the signals would function.

CAMELOT SUBDIVISION CITIZEN CONCERNS

Terry said relative to the comments and questions from the citizens in the Camelot Subdivision area, the City hadn't done a lot of road work in that area because there was a pipeline project in this year's budget that would be bid in the spring; and there was a curb and gutter project that would be done in the spring. He said Staff would make some repairs in 6 areas where the road was in fairly bad condition. Terry said it didn't make any sense to overlay the road until the pipe project was completed. Once the pipe project was completed in the spring, the road was scheduled to be overlayed in the next year's budget. He said the residents would be contacted.

Mayor Stevenson asked about the timing of the Fairfield Road light.

Terry said once the contract was approved, construction would probably begin in a couple of months.

ECONOMIC DEVELOPMENT UPDATE

Kent Andersen, Deputy Director of Community and Economic Development, said Layton received about \$750,000,000 in total retail sales. He said Layton was the ninth largest city in the State, but it was fourth in the State for retail sales. Layton was number one in retail sales north of Salt Lake City. Kent reviewed some marketing material Staff used with potential businesses.

Kent indicated that the Café Sabor ribbon cutting ceremony would be tomorrow at 11:00 a.m. He explained some of the updates they had made to the site including an outside dining area.

Kent said Doug Wright would be in the downtown area tomorrow promoting the Midtown Trolley.

Councilmember Freitag asked if there was any way to put an informational sign about the City by the train station.

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Kent said they were meeting with the County next week about putting signs around the City marketing the trolley. He said UDOT wouldn't allow for marketing on the train station property. Kent said there would be a small sponsorship sign inside the trolley.

Bill said Staff was working to provide free Wi-Fi in the Café Sabor and train station area.

Kent mentioned the Kihomac development. He said they would be going through the certificate of occupancy review next week and were beginning to move equipment into the site. Kent said they would like to participate more with the City and State from a donation perspective. He said they had five acres of property that they wanted to look at participating with in an incubation center where they would donate the land and donate funds for an ongoing participation. Kent said Staff met with them, the State, and Weber State University today to talk about ways to make that happen. He said this would be a great startup center for manufacturers being collocated with other manufacturers, which provided a great benefit and could be a real catalyst for development at the East Gate Business Park.

Alex said a tour of the Kihomac building could be arranged for anyone on the Council if they wanted to see this very impressive building.

Kent said there would be a ribbon cutting ceremony sometime near the end of October.

The meeting adjourned at 7:00 p.m.

Thieda Wellman, City Recorder

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MINUTES OF LAYTON CITY COUNCIL MEETING

AUGUST 18, 2016; 7:03 P.M.

MAYOR AND COUNCILMEMBERS PRESENT:

**MAYOR BOB STEVENSON, BRUCE DAVIS, TOM
DAY, SCOTT FREITAG AND JOY PETRO**

ABSENT:

JOYCE BROWN

STAFF PRESENT:

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

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

Mayor Stevenson opened the meeting and excused Councilmember Brown. He led the Pledge of Allegiance. Councilmember Day gave the invocation. Scouts and students were welcomed.

MINUTES:

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

**Layton City Council Work Meeting – July 21, 2016; and
Layton City Council Meeting – July 21, 2016.**

The vote was unanimous to approve the minutes as written.

MUNICIPAL EVENT ANNOUNCEMENTS:

Councilmember Petro mentioned that Layton FEST would be tomorrow. She said for this one time, residents could bring their dogs to the park. There would be demonstrations from local businesses and the Fire Department.

Councilmember Petro said this Saturday night the Collin Raye concert was sold out. She said there were only two more concerts left this season.

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Mayor Stevenson mentioned that the Family Recreation Program would be holding their Movie Night on September 2nd; they would be showing the new Star Wars movie. He said the Halloween Bash would be held on October 28th and the Surf 'n Swim party would be held on August 26th; anyone that had participated in the Go 'n Play program and collected 10 tokens could get their family in for free.

CITIZEN COMMENTS:

Kevin and Barbara Sampson, 1237 Nalder Street, and Don Jones, 1111 Nalder Street, mentioned the storm drain repairs in their area. The contractors had indicated that they would only be patching the street where the cuts were made and the entire street would not be repaired. The damage would not be sufficiently repaired with patches.

Terry Coburn, Public Works Director, said the road would be overlayed when the pipe project was complete.

Mr. Sampson said Mark Stenquist with the Engineering Department had stated that the street would only be repaired and not overlayed. He said the condition of the road was critical; he had contacted the City each year and was told that they were on the 5 year list. Mr. Sampson said he wondered when that would happen.

Terry said it would have been a waste of taxpayer's money to do any type of extensive road repair in the area until this pipe project was complete. He said Mr. Stenquist worked for him, but he would check on what the contractor was supposed to do relative to repairing the road. Terry said once the pipe project was completed, if needed, the City would overlay the road this year.

Mr. Sampson said the City did a great job with snow removal.

CONSENT AGENDA:

BID AWARD – HIDDEN PEAK ELECTRIC – CONSTRUCTION OF PEDESTRIAN CROSSINGS AND TRAFFIC SIGNALS – VARIOUS LOCATIONS THROUGHOUT CITY – RESOLUTION 16-53

Terry Coburn said Resolution 16-53 authorized the execution of an agreement with Hidden Peak Electric for the construction of pedestrian crossings and a traffic signal project. He said the project included the construction of a traffic signal at Wasatch Drive and Fairfield Road; two pedestrian school crossings on Gordon Avenue, one at E.G. King Elementary and one at Hill Boulevard; and four HAWK crossings on the

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D&RG Trail. Terry said three bids were received with Hidden Peak Electric submitting the lowest responsive, responsible bid of \$292,625; the engineer's estimate was \$190,000. He said Staff recommended approval.

BETTERMENT AGREEMENT BETWEEN LAYTON CITY AND UDOT FOR THE SR-232 (HILL FIELD ROAD) AND I-15 INTERCHANGE MODIFICATION – RESOLUTION 16-58

Terry Coburn said Resolution 16-58 authorized the execution of an agreement with UDOT for a betterment agreement at Hill Field Road and the I-15 interchange. He said the costs shown in the agreement encompassed the additional work associated with the project. The betterments included decorative light poles that would be provided by the City and used at the Hill Field Road and I-15 interchange; moving the City's water line on Hill Field Road to avoid storm drain conflicts; various conduit, wire and powder coating of signal poles; and landscaping and aesthetics in the area.

Terry said Resolution 16-58 would incorporate and replace Resolution 16-10, which was passed and adopted by the Council on February 18, 2016, in the form of a credit of \$48,000, for water line maintenance and construction to be deducted from the betterments referenced in the agreement. He said subject to the provisions, the City agreed to reimburse UDOT for these betterment items in the amount of \$119,766.22. Terry said the City had budgeted \$220,000 for these items. He said Staff recommended approval.

Councilmember Freitag asked for an update on the Hill Field Road construction project.

Terry said the City Engineer attended a meeting today. This was not a Layton City project, it was a UDOT project. He said they were getting ready to pour the cement road from the Hill AFB gate to the Sizzler Restaurant next week. Terry said in an effort to help with traffic leaving Northridge High School, they would be bringing food trucks into the high school during the lunch hour to try and keep the kids at the school and limit traffic on the road. He said the City's portion of the project was completed earlier.

EXEMPTION TO THE RELOCATION REQUIREMENTS OF LAYTON CITY'S FRANCHISE REQUIREMENTS FOR UTILITIES LOCATED WITHIN THE CITY'S RIGHT OF WAY, IN CONJUNCTION WITH THE UDOT PROJECT "LAYTON I-15 CROSSING" RESOLUTION 16-51

Gary Crane, City Attorney, said this related to the UDOT project for a flyover that would be constructed from north of the Mall, over I-15, to south of Kohl's. He said most utilities in these areas were located within private easements that the utility companies owned. Gary said the City had franchise agreements with most

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of the utility companies; Century Link had never signed franchise agreements with most cities as they felt they had a preemptive right. He said Resolution 16-51 covered utility companies that had a franchise agreement with the City and allowed the Mayor to sign a waiver for certain provisions of those franchise agreements; for those that did not have franchise agreements with the City it provided assurance to them that the City would treat them in exactly the same way as those with franchise agreements when it came to this exemption.

Gary said UDOT requested that where ever there was a utility in a private easement, which they would have to pay for, that the City allow them to relocate those utilities into the roadway. This would eliminate the cost of those private utility easements. Gary said the City would also assure the utility companies that in the future they would never have to acquire private easements to relocate their utility for the purpose of this project. He said this would be a significant savings for UDOT.

Gary said this was not significant to the City because the City located utilities in the City's rights of way anyway. He said basically, through this exemption, the City had provided UDOT a reduction in costs in their overall costs of the flyover. Gary said Staff recommended approval.

APPOINTMENT OF GEORGE WILSON AS AN ALTERNATE MEMBER OF THE PLANNING COMMISSION – RESOLUTION 16-62

Mayor Stevenson said three candidates had been interviewed for an alternate opening on the Planning Commission. He said Mr. Wilson was being recommended and he asked for the Council's support.

PRELIMINARY PLAT – FIDDLER'S CREEK MEADOWS PRUD – APPROXIMATELY 255 SOUTH FAIRFIELD ROAD

Bill Wright, Community and Economic Development Director, said this was a preliminary plat submitted by Elite Craft Homes; Jerry Preston was the developer. He said the project was located at approximately 255 South Fairfield Road.

Bill said in April the Council approved a rezone of this property from agriculture to R-1-6 PRUD. He said at that time there was considerable conversation with neighboring homeowners. Bill said Staff believed that this had resulted in an excellent subdivision plan that responded to the issues the Council received that night. He said when the rezone was approved, the concept plan had 31 lots; as it had gone through preliminary engineering it had dropped to 30 lots, which met the density requirements and would not require a density

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bonus for the project.

Bill said the project had 30 single-family detached homes. Ownership would be by the pad site as outlined; the land surrounding the pads would be common open space and maintained by an HOA. The open space was 44.7% of the site, which met Code requirements. He said the Design Review Committee reviewed the plat layout and architecture and made some recommendations that had been addressed by the applicant. Bill said the Planning Commission recommended approval and Staff supported that recommendation.

FINAL PLAT – HARMONY PLACE PRUD PHASES 2 AND 3 – APPROXIMATELY 2500 WEST 400 SOUTH

Bill Wright said this was final plat approval for Harmony Place PRUD, Phases 2 and 3, located at approximately 2500 West 400 South. He said Phase 1 was under construction and they were now ready for final approval of Phase 2 and Phase 3, which would continue developing infrastructure to the south.

Bill said Phase 2 contained 4.67 acres and Phase 3 had 4.53 acres; approximately 9 acres overall. He said the proposal was for 16 lots in each phase. Bill said an important aspect of these phases was that it would continue development toward the elementary school site and would have the infrastructure developed for the frontage of the school and part of the City park project. He displayed a conceptual drawing of the project. Bill said the Planning Commission recommended approval and Staff supported that recommendation.

FINAL PLAT – WINDMILL SUBDIVISION PHASES 2A AND 2B – APPROXIMATELY 200 SOUTH 3300 WEST

Bill Wright said this was a final plat request for the Windmill Subdivision, Phases 2A and 2B, located at approximately 200 South 3300 West. He displayed a conceptual drawing of the area. Bill said the preliminary plat for the overall area was approved on July 14, 2015; Phases 2A and 2B were part of that overall plan.

Bill said these phases would continue the project to the west and south and connect into the Island View Subdivision. He said this would provide for good traffic circulation in the area. Bill said the Planning Commission recommended approval and Staff supported that recommendation.

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

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FINAL PLAT – THE VINEYARDS SUBDIVISION PHASE 4 – APPROXIMATELY 1200 NORTH 2200 WEST

Mayor Stevenson indicated that his mother owned this property and he would recuse himself. He left the meeting.

Bill Wright said this was a final plat request for the Vineyards Subdivision, Phase 4, located at approximately 1200 North 2200 West. He said the applicant, Elda Stevenson, was requesting final plat approval for six lots on 1.87 acres. Bill said the other phases of the subdivision were developed between 2003 and 2005. He displayed a map of the area and explained that this phase would finish off a stub to the east and allow for a stub street to the south into a future phase of the development. Bill said the Planning Commission recommended approval and Staff supported that recommendation.

MOTION: Councilmember Petro moved to approve Item G of the Consent Agenda as presented. Councilmember Davis seconded the motion, which passed unanimously.

Mayor Stevenson returned to the meeting.

Mayor Stevenson suggested having a free weekend over the Labor Day weekend at Surf 'n Swim to say thank you to the community for tolerating all of the road construction. He said the City was trying to improve as many roads as possible with the amount of money that was available and citizens had been pretty patient. Mayor Stevenson said when all of it was done it would really help transportation movement in the City.

Discussion suggested that this was a good thing to do.

Mayor Stevenson asked about putting news notes in the utility bills.

Alex said the next cycle that it could happen would be September.

Mayor Stevenson asked if Lynn Arave was going to make a presentation on different formats to the Council.

Alex said Mr. Arave had reviewed the proposal and had some opinions that he would like to share with the Council. He said it was a matter of getting Mr. Arave scheduled.

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Mayor Stevenson indicated that at a recent COG meeting, they were informed that the County would be bringing movie brokers to the City to review possible movie sites.

Mayor Stevenson mentioned that Dave Weaver resigned from the RAMP Committee in order to fulfill his Planning Commission commitment.

Mayor Stevenson said Rick Smith was an alternate on the RAMP committee and would step into that vacancy for now.

Councilmember Petro indicated that applications for RAMP funding for 2017 were open, but would close on October 1st.

The meeting adjourned at 7:44 p.m.

Thieda Wellman, City Recorder

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

Item Number: 3.A.

Subject:

Presentation - Youth Court Graduation and Swearing In and Recognition from Davis County Commissioners

Background:

The Youth Court has asked for time on the agenda to recognize those who have graduated and to swear in new members. Davis County Commissioner, Jim Smith, would like to recognize the graduates from Layton Youth Court.

Alternatives:

N/A

Recommendation:

N/A

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

Item Number: 3.B.

Subject:

Presentation - Citizen Award

Background:

Layton City Fire and Police Departments would like to recognize Amanda Jennings and Leigh Otis for their life saving efforts performed on April 27, 2016, at Northridge High School.

Alternatives:

N/A

Recommendation:

N/A

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

Item Number: 5.A.

Subject:

Bid Award – Associated Brigham Contractors, Inc. – Aircraft Avenue and Birch Circle Sanitary Sewer Repairs, Project 15-44 – Resolution 16-65 – Aircraft Avenue from Gentile Street to Adams Street and in Birch Circle from Dixie Avenue to the End of the Cul-de-sac

Background:

Resolution 16-65 authorizes the execution of an agreement between Layton City and Associated Brigham Contractors, Inc. for the Aircraft Avenue and Birch Circle Sanitary Sewer Repairs, Project 15-44. The project includes the construction of approximately 550 LF of 8-inch sanitary sewer line and all associated items, for a fully functioning system. This project will replace the deteriorating sanitary sewer lines along Aircraft Avenue from Gentile Street to Adams Street and in Birch Circle from Dixie Avenue to the end of the cul-de-sac.

One bid was received, with Associated Brigham Contractors, Inc. submitting the lowest responsive, responsible bid in the amount of \$136,791. The engineer's estimate was \$125,000.

Alternatives:

Alternatives are to 1) Adopt and ratify Resolution 16-65 awarding the bid to Associated Brigham Contractors, Inc. for the Aircraft Avenue and Birch Circle Sanitary Sewer Repairs, Project 15-44; 2) Adopt Resolution 16-65 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 16-65 and remand to Staff with directions.

Recommendation:

Staff recommends the Council adopt and ratify Resolution 16-65 awarding the bid to Associated Brigham Contractors, Inc. for the Aircraft Avenue and Birch Circle Sanitary Sewer Repairs, Project 15-44 and authorize the City Manager to execute the agreement .

RESOLUTION 16-65

ADOPTING AND RATIFYING AN AGREEMENT WITH ASSOCIATED BRIGHAM CONTRACTORS, INC. FOR THE AIRCRAFT AVENUE AND BIRCH CIRCLE SANITARY SEWER REPAIRS, PROJECT 15-44

WHEREAS, Layton City (hereinafter "City") has elected to replace the sanitary sewer line to be known as Aircraft Avenue and Birch Circle Sanitary Sewer Repairs, Project 15-44 (hereinafter "Project 15-44"); and

WHEREAS, the City received one bid for construction of the referenced project on August 11, 2016, with the results of the bid attached hereto for the Council's review; and

WHEREAS, City Staff has reviewed and evaluated the response to the Advertisement for Bids and has found it to be in the best interest of the City and citizens of Layton City to conditionally select Associated Brigham Contractors, Inc. (hereinafter referred to as ABC, Inc.) as the contractor for Project 15-44.

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

1. ABC, Inc. is conditionally selected as the lowest responsive and responsible bidder with whom the City Manager should conduct negotiations for Project 15-44.

2. The City Manager is directed to conduct negotiations for an agreement (hereinafter "Agreement") with ABC, Inc. for Project 15-44. The terms of the Agreement shall address the terms and conditions of the Advertisement for Bids as well as the price contained in the proposal submitted by ABC, Inc. that are consistent with the intent of the Advertisement for Bids. The Agreement shall include such other provisions as are deemed necessary to accomplish the purposes of the City in entering an agreement for Project 15-44.

3. When the Agreement is in a form acceptable to the City Manager and City Attorney and after ABC, Inc. has properly executed said Agreement, the City Manager is authorized to execute the Agreement on behalf of the City. Execution of the Agreement by the City Manager shall constitute the City's acceptance of the offer by ABC, Inc. and the formal award of the contract to ABC, Inc. for Project 15-44, pursuant to the terms and conditions of the Agreement.

4. That any actions taken heretofore in furtherance of this Resolution are hereby ratified.

PASSED AND ADOPTED by the City Council of Layton, Utah, this 15th day of **September, 2016**.

ATTEST:

THIEDA WELLMAN, City Recorder

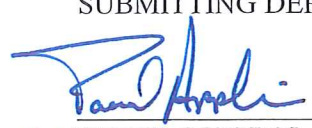
ROBERT J STEVENSON, Mayor

APPROVED AS TO FORM:

SUBMITTING DEPARTMENT:



For: GARY CRANE, City Attorney



For: TERRY COBURN, Public Works Director

Aircraft Avenue and Birch Circle Sanitary Sewer Repairs, Project 15-44

Bid Opening August 11, 2016, 10:00 a.m.

Engineer's Estimate: \$125,000.00

Schedule A: Aircraft Avenue Sanitary Sewer Construction				Associated Brigham Contractors, Inc.	
		QTY	Unit	(\$ Per	TOTAL (\$)
A1	Furnish and install 1" gravel bedding	150	TON	\$21.65	\$3,247.50
A2	Furnish and install 3" minus select borrow material	400	TON	\$19.20	\$7,680.00
A3	Replace roadbase minimum 8" thick	200	TON	\$19.20	\$3,840.00
A4	Replace asphalt minimum 4" thick	105	TON	\$131.00	\$13,755.00
A5	F&I 8" PVC	315	LF	\$59.00	\$18,585.00
A6	Remove existing 8" RCP	15	LF	\$17.10	\$256.50
A7	Replace 4" lateral through right-of-way	3	EA	\$2,850.00	\$8,550.00
A8	Loop existing culinary 3/4"-1" lateral if required	1	EA	\$481.00	\$481.00
A9	Flush & video new SS line	1	LS	\$1,424.00	\$1,424.00
A10	Remove existing manhole	1	LF	\$762.00	\$762.00
A11	Construct 4' dia. manhole	2	EA	\$3,000.00	\$6,000.00
A12	Remove and replace standard curb if required	30	LF	\$63.00	\$1,890.00
A13	Modify existing storm drain inlet box to accept a hooded grade and frame	2	EA	\$1,660.00	\$3,320.00
Schedule A Total:					\$69,791.00

Schedule B: Birch Circle Sanitary Sewer Construction				Associated Brigham Contractors, Inc.	
		QTY	Unit	(\$ Per	TOTAL (\$)
B1	Furnish and install 1" gravel bedding	100	TON	\$21.65	\$2,165.00
B2	Furnish and install 3" minus select borrow material	270	TON	\$19.20	\$5,184.00
B3	Replace roadbase minimum 8" thick	115	TON	\$19.20	\$2,208.00
B4	Replace asphalt minimum 4" thick	65	TON	\$131.00	\$8,515.00
B5	F&I 8" PVC	240	LF	\$54.50	\$13,080.00
B6	Remove existing sewer pipe	240	LF	\$8.00	\$1,920.00
B7	Replace 4" lateral through right-of-way	7	EA	\$2,650.00	\$18,550.00
B8	Loop existing culinary 3/4"-1" lateral if required	1	EA	\$481.00	\$481.00
B9	Flush & video new SS line	1	LS	\$1,400.00	\$1,400.00
B10	Remove existing manhole	1	Ea	\$762.00	\$762.00
B11	Construct 4' dia. manhole	1	EA	\$2,900.00	\$2,900.00
B12	Remove existing sidewalk platform. Replace with standard handicap ramp.	2	EA	\$2,480.00	\$4,960.00
B13	Remove and replace existing watrway	65	LF	\$75.00	\$4,875.00
Schedule B Total:					\$67,000.00
Project Total:					\$136,791.00