

**MINUTES OF LAYTON CITY
COUNCIL MEETING**

APRIL 2, 2015; 7:02 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

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

ABSENT:

JORY FRANCIS

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, BILL WRIGHT,
PETER MATSON, TERRY COBURN, JAMES
(WOODY) WOODRUFF AND THIEDA WELLMAN**

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

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

MINUTES:

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

**Layton City Council Work Meeting – February 19, 2015;
Layton City Council Meeting – February 19, 2015;
Layton City Council Budget Work Meeting – March 3, 2015;
Layton City Council Work Meeting – March 5, 2015; and
Layton City Council Meeting – March 5, 2015.**

The vote was unanimous to approve the minutes as written.

MUNICIPAL EVENT ANNOUNCEMENTS:

Councilmember Brown indicated that the Annual Easter Egg Dive would be this Saturday at Surf 'n Swim from 10:00 a.m. to noon. She said the cost would be \$5.

Councilmember Brown indicated that Family Recreation would host Flap Jack Friday and Bingo on April 10th at Central Davis Jr. High. She said this was a free activity and there would be prizes for Bingo.

Councilmember Brown said on April 15th there would be a Master Transportation Plan open house from 6:00 p.m. to 8:00 p.m. in the Council Chambers. She said the City was in the process of updating the Master Transportation Plan and the public was invited to attend the meeting and give input.

Councilmember Brown said Envision Layton was a planning process for the community into the future. She said there were two open houses planned; April 29th and May 5th. Councilmember Brown said those open houses would be held at Layton High and citizens would have an opportunity to provide input.

CITIZEN COMMENTS:

Dennis Howland, President of the Vietnam Veterans of America for Northern Utah, thanked the City for the tremendous partnership in bring the Vietnam Veterans of America Memorial Wall replica to Layton. Mr. Howland said this was happening because the City had a heart and believed that veterans deserved recognition. He thanked the Mayor and those that joined them at the State Capitol on Monday.

Mayor Stevenson asked Mr. Howland if in the future this could be the location for the March Vietnam Veterans Day recognition meeting instead of the Capitol in Salt Lake City.

Mr. Howland said absolutely. He said this would be a place for all veterans to come and have ceremonies; Layton could become the hub of northern Utah.

Mayor Stevenson asked Mr. Howland for a bio that could be included in the City's newsletter.

Mr. Howland said he would be happy to provide that. He said they would be a big presence at the City's July 4th Parade this year and in the future.

Councilmember Petro said this would be a prime opportunity to mention the bricks that would be for sale.

Mr. Howland said they would be selling personalized bricks to support the memorial. He gave the Council copies of a flyer explaining the cost of the bricks. Mr. Howland said the revenue would be used to build the memorial.

Nancy Sholtz, Gordon Avenue, expressed concerns with a broken lateral line to Kays Creek Irrigation that serviced her property. She said they were told that the cost to repair the line was the homeowner's responsibility. Ms. Sholtz said the cost would be \$7,000 to repair the line, but the line was in the City street. She said they didn't understand why it was their responsibility to dig up the City street and repair the line. Ms. Sholtz said they paid for irrigation water last year and didn't get a drop of water because they couldn't afford to fix the line.

Mayor Stevenson said the problem was that this was Kays Creek Irrigation water, not Layton City water. He said the City had no responsibility or jurisdiction over the line. Mayor Stevenson said the City might be able to put some gentle pressure on the irrigation company. He said he talked to Mr. Green with Kays Creek Irrigation and was told that the homeowner was responsible for everything past the valve. Mayor Stevenson asked Ms. Sholtz what they were hearing back from Kays Creek Irrigation.

Ms. Sholtz said they were being told that they were responsible for the entire repair to the valve, which was located in the center of the street. She said the break involved their neighbors as well.

Mayor Stevenson asked if they had gone to the Board of Directors meeting.

Councilmember Day said he was at the Kays Creek Irrigation Board meeting the other night when the Sholtz Family spoke at length with Mr. Green. He said Mr. Green referred them back to the Board. Councilmember Day said it was somewhat of a unique situation because the valve was usually located in the park strip, but at this location on Gordon Avenue it was in the middle to the road. He said it was mentioned that this happened when the road was widened.

Ms. Sholtz expressed concerns with liability if the line broke and damaged the road or caused an accident.

Councilmember Day said there wasn't a simple answer, but he felt that it should be looked at from the City's point of view as well.

Mayor Stevenson said the City would see what it could do; that wasn't a promise, but the City would see what it could do. He asked for the addresses.

Ms. Sholtz said the addresses were 1248 and 1268 East Gordon Avenue.

CONSENT AGENDA:

AGREEMENT WITH DAVIS COUNTY FOR CONDUCTING THE 2015 MUNICIPAL ELECTION UNDER THE OVERSIGHT OF THE CITY RECORDER – RESOLUTION 15-21

Thieda Wellman, City Recorder, said Resolution 15-21 would approve an agreement with the County for the

upcoming municipal election. She said there were three City Council seats open in this year's election. There would be a primary election in August and a general election in November. Thieda said the agreement outlined the things that the County would provide and those things the City Recorder was responsible for. She said the City had budgeted just under \$50,000 for the election. Thieda said Staff recommended approval of Resolution 15-21.

Councilmember Day asked if that would be a traditional election and not a mail in election.

Thieda said based on previous discussion, the City would run a traditional election using voting machines. She said she had informed the County that the City would not be doing a by-mail election.

2006 REVENUE BOND REFUNDING PARAMETERS RESOLUTION – RESOLUTION 15-22

Gary Crane, City Attorney, said this was considered a refunding of bonding the City currently had. Gary introduced Laura Lewis with Lewis Young Robertson and Burningham.

Gary said every once in a while an opportunity came up because of a change in the bond markets to be able to refund a bond, which was similar to a refinance. He said if certain parameters were met, and if the City was able to save enough money, it became very worthwhile to refund the bonds.

Gary said Resolution 15-22 was a parameters resolution that outlined the parameters of the process. He said the most critical section of the resolution was Section 1, which defined the four parameters that needed to be in place before the City would proceed forward with signing the closing documents. Gary said the resolution indicated that the bonds would bear a true interest cost of 2.75% and would deliver a net present value savings to the City of at least \$110,000. He said as Laura Lewis went to the market seeking bonds, she would make sure they met those parameters before proceeding forward. Gary said Staff recommended approval of Resolution 15-22 to allow the City to proceed forward and allow Lewis Young Robertson and Burningham to proceed forward with looking at what was available in the marketplace.

Councilmember Brown asked if this would extend the date that the bonds would be paid off.

Laura Lewis said maturity of the bonds was not being extended; the payoff date would remain the same.

2015 REVISED DEVELOPMENT GUIDELINES AND DESIGN STANDARDS – RESOLUTION 15-09

Terry Coburn, Public Works Director, said Resolution 15-09 would adopt the 2015 Revised Development Guidelines and Design Standards. He said the Engineering Division currently maintained a set of Development Guidelines and Design Standards for the purpose of informing developers of the current guidelines and standards, and to assist them in meeting those standards. Terry said some of the guidelines and standards required updates or revisions. He said Section 19.01.240 of the Layton Municipal Code allowed for the City Engineer to draft, approve, adopt, interpret and amend the Guidelines from time to time as determined necessary. Terry said the City Engineer and Staff had re-written the current Guidelines. He said the revisions or additions were included in the Work Meeting Packet and presented on February 5, 2015. Terry said Staff recommended that the Council adopt Resolution 15-09.

BID AWARD – CRACAR CONSTRUCTION COMPANY – TALBOT DR. RECONSTRUCTION – TALBOT DRIVE FROM APPROXIMATELY GENTILE STREET TO LINDSAY STREET, WITH EXTENSIONS FOR TALBOT CIRCLE AND GODDARD CIRCLE – RESOLUTION 15-20

Terry Coburn said Resolution 15-20 authorized the execution of an agreement with CraCar Construction Company for the Talbot Drive reconstruction project. He said the project included the construction of 1,100 tons of asphalt, 3,300 tons of roadbase, 2,250 lineal feet of curb and gutter, 1,110 lineal feet of sidewalk, installation of 1,224 lineal feet of storm drain pipe, 1,400 lineal feet of sanitary sewer pipe, 1,800 lineal feet of water pipe, fiber optic conduit, and other associated work items. Terry said the project would replace

undersized and damaged water and sewer lines, providing a total reconstruction of road and waterways in this area. He said seven bids were received with CraCar Construction submitting the lowest responsive, responsible bid of \$915,741.52; the Engineer's estimate was \$1,000,000. Terry said Staff recommended approval.

REQUEST FOR PROPOSAL AWARD – C&L WATER SOLUTIONS, INC. – 2015 SANITARY SEWER LINING – TWO LOCATIONS: 2600 EAST AND 200 NORTH, AND SNOQUALMIE CIRCLE – RESOLUTION 15-19

Terry Coburn said Resolution 15-19 authorized the execution of an agreement with C&L Water Solutions, Inc. for the 2015 Sanitary Sewer Lining Project. He said the project would consist of the lining of 8-inch sewer pipe at two locations; approximately 1,100 feet at 2600 East and 200 North, and approximately 1,000 feet at Snoqualmie Circle. Terry said the project would upgrade and repair the sanitary sewer system mains in areas that had accessibility or slope issues and had created continual maintenance issues. He said one bid was received from C&L Water Solutions in the amount of \$180,305; the Engineer's estimate was \$200,000. Terry said Staff recommended approval.

FINAL PLAT – GREYHAWK TOWNHOMES NORTH PRUD – APPROXIMATELY 3260 NORTH 1700 EAST

Bill Wright, Community and Economic Development Director, said this was final plat approval for the Greyhawk Townhomes North PRUD, located at approximately 3260 North 1700 East. He said this project was located in the northeast portion of the community and was part of the larger Greyhawk Development that was approved as part of an annexation and development agreement in 2006.

Bill said in July 2014 the Council approved a preliminary plat extension for this townhome project. He said the final plat would accommodate a 114 unit townhome development on 23 acres of vacant property. Bill said these townhomes would have a different format than those located to the south. He indicated that they would have private streets that would enter from Redtail Way and 1700 East. Bill said each townhome would have 2-car attached garages to the rear of the townhomes, which were typically considered alley-fed townhomes. He said the Planning Commission recommended approval subject to meeting all Staff requirements, and Staff supported that recommendation.

HOLMES BUSINESS PARK PLAT AMENDMENT AND CONDOMINIUM PLAT – 952 SOUTH MAIN STREET

Bill Wright said this was a request for a plat amendment and a condominium plat. He said the applicant was Sterling Homes, the owner of the property located at 952 South Main Street. Bill said there were two buildings on the property; the front building was recently completed and was occupied by Discovery Reality and there were some vacant suites. He said the building to the rear was occupied by a kidney dialysis center.

Bill said the first request was to do a plat amendment and split the two buildings into two parcels so that ownership could be arranged separately. He said both parcels met the area requirements for the buildings, and the parking requirements would also be met.

Bill said the second request was for a condominium plat for the front building, splitting it into 5 different suites. He said there were CCRs in place to handle common amenities for maintenance and the exterior of the building.

Bill said both of these requests were reviewed by the Planning Commission on March 10, 2015, and they recommended approval. He said Staff supported that recommendation.

Councilmember Petro asked about fencing.

Bill said the fencing issue had been resolved. He said vinyl fencing had been installed along the front parcel,

and there was an agreement arranged with the property owner to the south. He said the rear portion of the property would be fenced with chain link fencing.

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

PUBLIC HEARINGS:

ANNEXATION REQUEST – LAYTON CITY (GREYHAWK PARK) – APPROXIMATELY 3500 NORTH REDTAIL WAY – ORDINANCE 15-10

Peter Matson, City Planner, said this was an annexation request submitted by Layton City together with Wasatch Integrated Waste Management to annex approximately 10.24 acres located in the northeast corner of the City. He said the property was referred to as the Greyhawk Park property.

Peter said Ordinance 15-10 would finalize the Council’s action to bring the property into the City. He said Layton City owned the majority of the parcel; 10.03 acres, and Waste Management owned .21 acres at the very southeast corner of the property. Peter said both entities signed the annexation petition that was reviewed by the Council last month. He said the required protest period had expired and no protests were received.

Peter displayed a concept plan the Parks Department was working on for a new park on the property. He said the property was in conformance with the City’s General Plan and with the City’s Annexation Plan. 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 Day moved to close the public hearing and approve the annexation, Ordinance 15-10. Councilmember Brown seconded the motion, which passed unanimously.

DEVELOPMENT AGREEMENT AND REZONE REQUEST – WIDNER-BASTIAN – R-1-6 TO R-2 – 950 NORTH RAINBOW DRIVE – RESOLUTION 15-18 AND ORDINANCE 15-05

Peter Matson said this was a development agreement and rezone request submitted to the City by the Widner family, for 3.7 acres of property located at approximately 950 North Rainbow Drive. He said the Widners were represented by Mr. Mike Bastian.

Peter said the request was to change the zoning on the property from R-1-6 to R-2, which was a single and two-family residential zoning district. He said the applicant was proposing to develop two twin homes on the property. Peter said the property was located on a collector street near Gordon Avenue. He said there was a five-plex to the north and single family to the south. Peter said the applicant was proposing an in-between zoning designation to transition the land uses from the more intense on the north to the single family on the south.

Peter said the development agreement included basic site plan and architectural requirements, including 40% open space, no more than 2 twin home units on the property, a landscape plan with particular attention placed with the final landscape plan on the south property line adjacent to the single family home, building materials would be mostly of masonry materials, a maximum height of 30 feet, and that each townhome have a minimum of an attached single car garage.

Peter said the Planning Commission recommended approval based on the notion that this zoning provided a reasonable transition between the multi-family zoning on the north and the single family zoning to the south, 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 development agreement and rezone request, Resolution 15-18 and Ordinance 15-05. Councilmember Day seconded the motion, which passed unanimously.

ANNEXATION AGREEMENT, ANNEXATION AND REZONE REQUEST – MORGAN-BONE-ALLRED – A TO R-S – APPROXIMATELY 200 SOUTH 3200 WEST – RESOLUTION 15-15, AND ORDINANCES 15-11 AND 15-09

Peter Matson said this was an annexation agreement, annexation, and rezone request submitted on behalf of the property owners, the Morgan, Bone and Allred families, for 33 acres of property located at approximately 200 South 3200 West. He identified the property on a map. Peter said the applicant was Destination Homes; the proposal was for a single family residential subdivision under the R-S zone.

Peter said in Article 4 of the annexation agreement, there were several items focused on the utilities servicing this project, and how they would have to connect to existing City services. He said culinary water, sanitary sewer, storm drain and land drain would ultimately connect to the southwest portion of the property into existing utilities in Overlook Drive.

Peter said as was discussed in the earlier Work Meeting, as the Planning Commission reviewed this proposal and looking at the future connections into 3200 West, there would be one connection on the north end at approximately 100 South and a second connection could occur in the area of 200 South. He said Section 4.7.2 of the annexation agreement referred to a street connection at approximately 200 South. Peter said the recommendation was to change the language in that section of the agreement indicating that the connection may be required in the future when a phase of the development in that area occurred. He said at that time this development and surrounding developments would be reviewed relative to the City's block length standard and determine if a street connection would be required in that area.

Peter said Staff recommended that that adjusted language to the annexation agreement be approved; moving it from a mandatory connection to a determination if it was needed based on the situation that occurred when that portion of the property developed.

Peter said off-street improvements were also addressed in the agreement. He said when the development connected to 3200 West, or if it connected through to Gentile Street, the agreement required the developer to complete improvements to make sure there was a sidewalk connection. Peter said connections onto 3200 West would require improvements to include curb, gutter, sidewalk and street improvements, to make sure that there was a sidewalk connection all the way up to the existing sidewalk on the west side of 3200 West closer to Gentile Street.

Peter said the annexation and rezone request was consistent with the City's General Plan recommendation for this area, and this area was in the City's Annexation Plan. He said the Planning Commission recommended approval of the annexation agreement, the annexation request and the rezone, 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 annexation agreement, annexation and rezone request, Resolution 15-15, and Ordinances 15-11 and 15-09. Councilmember Freitag seconded the motion, which passed unanimously.

REZONE REQUEST – BONE-DESTINATION HOMES – A TO R-S – APPROXIMATELY 100 AND 202 SOUTH 3200 WEST – ORDINANCE 15-08

Peter Matson said this was a rezone request submitted by Destination Homes in behalf of the Bone family for property located at approximately 100 and 202 South 3200 West. He said this was directly east of the

property reviewed in the previous item for annexation. Peter said this property was originally to be part of that rezone petition, but it was separated to make sure the City had the proper paperwork. He said the north portion contained 1.56 acres and the south portion contained 1.37 acres. Peter said the proposal was to rezone the property from agriculture to R-S. He said the Planning Commission recommended approval and Staff supported that recommendation.

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

MOTION: Councilmember Freitag moved to close the public hearing and approve the rezone request, Ordinance 15-08. Councilmember Day seconded the motion, which passed unanimously.

The meeting adjourned at 7:57 p.m.

Thieda Wellman, City Recorder