
Minutes
Regular Meeting
May 13, 2015

Present: Mayor Kenneth Neilson, Councilmen Garth Nisson, Thad Seegmiller, Kress Staheli, Ron Truman, Jeff Turek, City Attorney Jeff Starkey, City Recorder Danice Bulloch, Community Development Director Drew Ellerman, Public Works Director Mike Shaw, Police Chief Jim Keith, Administrative Services Manager Kimberly Ruesch, Audience: Doug Watts, Nicholas Leavitt, Joey Brooks, Joe Brooks, Mori Kessler, Michael Abegglen, Kent Abegglen, Katherine Staheli, Jayden Smith, Harold Studley, Chelsea Holt, Danny Fuchs, Brandi Studley, Blair Gibson, Karen Blake, Kelly Blake

Excused: City Manager Roger Carter

Meeting commenced at 6:00 P.M.

Invocation: Councilman Staheli

Pledge of Allegiance: Joey Brooks, BS Troop 71

1. APPROVAL OF THE AGENDA

Councilman Staheli made a motion to approve the agenda with the removal of Items 7B, 7C and 10A. Councilman Seegmiller seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

2. ANNOUNCEMENTS

Mayor Neilson thanked all of those who participated in the Cotton Day's Event.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

None

4. **CONSENT AGENDA**

APPROVAL OF MINUTES: Consideration to approve the minutes from the City Council Meetings of 4/8/15, 4/21/15 and 4/22/15.

BOARD AUDIT REPORT: Consideration to approve the Board Audit Report for April 2015.

Councilman Truman made a motion to approve the consent agenda. Councilman Turek seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

5. **AWARD OF BID**

A. Consideration to award the bid for the construction of the Washington City Police Building, located at 135 N. 100 East. Police Chief Jim Keith

Police Chief Jim Keith reviewed the bids for the Washington City Police Building. A total of 5 bids were received with Watts Construction being the low bid in the amount of \$2,642,678.

Councilman Truman made a motion to award the bid for the construction of the Washington City Police Building to Watts Construction in the amount of \$2,642,678, located at 135 N. 100 East. Councilman Nisson seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

6. **PUBLIC HEARINGS AND RELATED ORDINANCES**

A. Public Hearing for consideration to approve General Plan Amendment G-15-01, requesting to change the Land Use Map from NC (Neighborhood Commercial) to LD (Low Density), located at approximately 2000 S. Washington Fields Road. Applicant: Washington City

Community Development Director Drew Ellerman reviewed:
Washington City is seeking to amend the General Plan Land Use Map in the area located at approximately 2000 South Washington Fields Road. The requested area covers 3.07 acres. The current Land Use designation is Neighborhood Commercial (NCOM). The City is seeking to have the Land Use designation changed to the Low Density Residential (LD) designation as

outlined in the General Plan.

The request to amend this parcel is due to several failed zone change request for commercial development at this location. Since future applications will most likely continue to be denied, the City Council has requested that this parcel be changed to a residential land use designation for future residential growth at this location. The current surrounding General Plan Land Use designations are Low Density Residential to the north, east, west and south.

The Planning Commission, by a vote of 3-1, recommended denial of G-15-01 to amend the General Plan Land Use Map as outlined above, to the City Council. The denial was based on the thought that this corner could still be a viable commercial developable parcel under the right conditions. Also, that is would be a bad residential development with traffic hardships.

Kelly Blake stated there were several discussions regarding this property, and Council is aware of the feelings of the neighborhood. The area would not be best served at commercial property. It is not safe for the neighbors or the individual's driving the area.

Councilman Truman stated he recalls there has been significant discussion about the property being surrounded by residential, and a commercial designation is a spot zone.

Mr. Blake stated there are many other variables, which come into play when having commercial right next to residential. The entire neighborhood feels this property should be residential.

Harold Staheli stated if there is commercial right next to residential, there will be a safety issue with children playing in the roads. There are better locations in Washington Fields to place a gas station.

Blair Gibson would recommend keeping the area residential.

Councilman Turek made a motion to close the public hearing. Councilman Seegmiller seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

B. Consideration to approve an Ordinance to approve the General Plan Amendment G-15-01.

Councilman Staheli stated the Planning Commission are the land use experts, and they look at things more black and white than the City Council. However, the Council does not have to agree with their decisions.

Councilman Turek made a motion to approve an Ordinance to approve the General Plan Amendment G-15-01. Councilman Truman seconded the motion; which passed with the

following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

7. FINAL PLATS

A. Consideration to approve the final plat for Washington Vista Phase 1A, located at approximately 1960 North 770 West. Applicant: Matthew Lowe

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval of a final plat for the Washington Vista, Phase 1A subdivision, located at approximately 1860 North 770 West. This particular subdivision is proposing 8 lots on an area covering 2.612 acres. The specific location of this subdivision is zoned Single-Family Residential - 10,000 Sq. Ft. Min. (R-1-10). The Preliminary Plat was approved back on May 25, 2012.

The Planning Commission unanimously recommended approval of the Final plat for the Washington Vista, Phase 1A subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. When applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners" are used, they shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.
6. There is an Open Space/Underground Detention area on the south side of Lot #1, which currently is labeled as "20' Utility Easement - (No Build)", that needs to be shown as "Landscaped Common Area" with a HOA maintenance responsibility attachment in the General Notes section, and labeled as a blanket utility easement to be shown on the plat.

7. "Parcel A" as shown on the current plat, needs to be re-named to "Landscaped Common Area" with a HOA maintenance responsibility attachment in the General Notes section.
8. Note number three in the "General Notes" section of the plat needs to be eliminated. Setbacks in straight zoned parcels should not be noted or recorded on final plats.

Councilman Truman expressed concern about the look of the detention basin.

Community Development Director Ellerman stated the detention is all underground, and the landscaping will be designed to match what is currently along Green Spring Drive.

Councilman Staheli asked if it would be necessary to place a condition with regard to the landscaping.

Community Development Director Ellerman stated he would be comfortable with adding a condition 9 to stated the landscaping to be designed to match what is currently along Green Spring.

Councilman Truman made a motion to approve the final plat for Washington Vista Phase 1A, located at approximately 1960 North 770 West with the findings and conditions of Staff and as recommended by the Planning Commission with the additional condition 9 the utility easement and common area have landscaping to be consistent with what is currently along Green Spring Drive . Councilman Turek seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

B. Consideration to approve the final plat for Westgate Hills Phase 2D, located at approximately 100 North 1400 West. Applicant: Richard Rogers

Removed

C. Consideration to approve the final plat for Westgate Hills Phase 2E, located at approximately 150 North 1400 West. Applicant: Richard Rogers

Removed

8. SUBDIVISION NAME CHANGE

A. Consideration to approve the Name Change for the subdivision Brillo Del Sol to Brio, and the approval of the Assignments. Community Development Director Drew Ellerman

Community Development Director Drew Ellerman Reviewed:

The applicant is simply wishing to change the name of the current Brillo Del Sol (PCD) to the

new “Brio” name. There will need to be changes also on the Project Plan book and the Development Agreement for the PCD to bring all these (and any others) documents current with the proposed name change.

Staff is recommending approval of the Planned Community Development name change from “Brillo Del Sol” to the new “Brio”, to the City Council.

City Attorney Jeff Starkey explained this assignment would also address the financiers of the project as well. There have been some changes with the developer over time, and therefore, the names on the finance documents have been changed as well.

Councilman Seegmiller made a motion to approve the Name Change for the subdivision Brillo Del Sol to Brio, and the approval of the Assignments. Councilman Turek seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

9. HILLSIDE PROTECTION BOARD

A. Consideration to appoint members to the Hillside Protection Board. Mayor Kenneth Neilson

Mayor Neilson stated he had asked Community Development Director Ellerman to recommended three engineers to serve, he has recommended Jason Smith, Dave Black, and James Dotson. In addition he has asked the following citizens to participate Quinn Allgood, Lynn Syphus, and Mike Heaton.

Councilman Truman stated he would prefer having someone other than Jason Smith, since he is already on the Planning Commission. It would be good to have someone different.

Councilman Staheli stated what he would like about Jason Smith would be he is already familiar with our Ordinance. He would feel very comfortable having him serve, and he does not believe there would be a conflict.

Community Development Director Ellerman stated if Council feels it necessary, a fourth engineer could be added.

Councilman Staheli asked for explanation of the role of this committee.

Community Development Director Ellerman reviewed the purpose of the Hillside Protection Committee, which is required by Ordinance.

Councilman Turek made a motion to appoint Jason Smith, Dave Black, James Dotson, Quinn

Allgood, Lynn Syphus, and Mike Heaton to the Hillside Protection Board as recommended by Mayor Neilson. Councilman Staheli seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Nay</i>
<i>Councilman Turek</i>	<i>Aye</i>

10. ORDINANCES

A. Consideration to approve the proposed Shade Tree Ordinance. City Attorney Jeff Starkey

Removed

11. CAPITAL PROJECTS

A. Consideration to approve the 5-year Capital Projects of Washington City. Administratives Services Manager Kimberly Ruesch

Administrative Services Manager Kimberly Ruesch briefly reviewed the 5-year Capital Projects Plan with Council.

Councilman Staheli asked about the excess in approved bonding for the Police Building.

Administrative Services Manager Ruesch stated the adjustment would not be made on the plan itself. Everything for funding has to be submitted, approved, and then sent up to the trustee for funding. If the full amount of the construction funds are not used, then they would be used to pay down the principle.

Councilman Seegmiller made a motion to approve the 5-year Capital Projects of Washington City. Councilman Truman seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

12. TENTATIVE BUDGET

A. Consideration to approve a Resolution accepting the 2015/2016 Fiscal Year Tentative Budget for Washington City, and setting the date for a Public Hearing to consider adoption of the Final Budget. Administratives Services Manager Kimberly Ruesch

Administrative Services Manager Kimberly Ruesch reviewed the Resolution for the 2015/2016 Budget.

Councilman Turek made a motion to approve a Resolution accepting the 2015/2016 Fiscal Year Tentative Budget for Washington City, and setting the date of May 27, 2015 for a Public Hearing to consider adoption of the Final Budget. Councilman Seegmiller seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

13. REPORT OF OFFICERS FROM ASSIGNED COMMITTEE

None

14. ADJOURNMENT

Councilman Turek made a motion to adjourn the meeting. Councilman Seegmiller seconded the motion; which passed with the following roll call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

Meeting adjourned at 7:01 P.M.

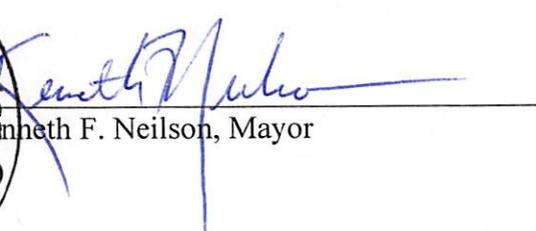
Passed and approved this 27th day of May 2015.

Attest by:


Danice B. Bulloch, CMC
City Recorder



Washington City


Kenneth F. Neilson, Mayor