Washington City
Where Dixie Begins

Washington City Council
111 North 100 East
Washington City, UT 84780
Phone (435) 656-6300
Fax (435) 656-6370
www.washingtoncity.org

Minutes
Regular Meeting
August 26, 2015

Attendance: Mayor Kenneth Neilson, Councilmen Garth Nisson, Thad Seegmiller, Kress Staheli, Ronald Truman, City Attorney Jeff Starkey, Public Works Director Mike Shaw, Community Development Director Drew Ellerman, Police Chief Jim Keith, IT Kelly L Carlson, City Recorder Danice Bulloch, Audience: Abbie Dickie, Natalie Grisier, Sydney Dobson, Megan Bang, Brenda Brown, Kaysha Price, Teresa Wallie, Jarom Price, Miles Callahan, Kyle Momert, Sara Lang, Ruth Batt, Sue Crosby, Bad Allen, Dantzelle Allen, Kolene Granger, Jean Arbuckle, Troy Belliston

Excused: Councilman Jeff Turek, City Manager Roger Carter

Meeting commenced at 6:00 P.M.

Invocation: Councilman Seegmiller
Pledge of Allegiance: Councilman Nisson

1. APPROVAL OF THE AGENDA

Councilman Seegmiller made a motion to approve the agenda. Councilman Nisson seconded the motion; which passed with the following roll call vote:

Councilman Nisson	*Aye*
Councilman Seegmiller	*Aye*
Councilman Staheli	*Aye*
Councilman Truman	*Aye*

2. ANNOUNCEMENTS

None

3. DECLARATION OF ABSTENTIONS & CONFLICTS

None

4. CONSENT AGENDA

<u>APPROVAL OF MINUTES:</u> Consideration to approve the minutes from the City Council Meetings 8/12/15.

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

Councilman Nisson	*Aye*
Councilman Seegmiller	*Aye*
Councilman Staheli	*Aye*
Councilman Truman	*Aye*

5. PUBLIC HEARINGS AND RELATED ORDINANCES

A. Public Hearing for consideration to approve a Zone Change request Z-15-11 to change zone from RA-2 (Residential Agriculture minimum 2 acres lots) to RA-1 (Residential Agriculture minimum 1 acre lots), located at approximately 2700 E. Washington Dam Road. Applicant: Leon and Ora Lee Smith.

Community Development Director Drew Ellerman reviewed:
The applicant is requesting approval to change the zoning of approximately 3.00 acres, located at approximately 2700 East Washington Dam Road. The requested change is from the current zoning of Residential/Agricultural - 2 acre min. (RA-2) to a proposed Residential/Agricultural - 1 Acre Min. (RA-1) zoning designation.

The Planning Commission unanimously recommended approval of Z-15-11, for the zone change request from Residential/Agricultural - 2 acre min. (RA-2) to Residential/Agricultural - 1 acre min. (RA-1), to the City Council, based on the following findings.

Findings
1. That the requested zoning conforms to the intent of the land use designation of the General Plan.
2. The utilities necessary for this type of development will be readily accessible to the site.

No public comments were made.

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

Councilman Nisson	*Aye*
Councilman Seegmiller	*Aye*
Councilman Staheli	*Aye*
Councilman Truman	*Aye*

B. Consideration to approve an Ordinance approving Zone Change Z-15-11, to change present zone from RA-2 to RA-1.

Councilman Staheli made a motion to approve an Ordinance approving Zone Change Z-15-11 to change present zone from RA-2 to RA-1. Councilman Truman seconded the motion; which passed with the following roll call vote:

Councilman Nisson	*Aye*
Councilman Seegmiller	*Aye*
Councilman Staheli	*Aye*
Councilman Truman	*Aye*

6. PRELIMINARY PLATS

A. Consideration to approve a Preliminary Plat for the Warner Gateway, located east of Marlberry at approximately 4600 South. Applicant: Corbin Church

Community Development Director Drew Ellerman reviewed:
The applicant is requesting approval of a Preliminary plat for the Warner Gateway subdivision, located at approximately 4600 South 1200 East (just east of Marlberry Way of The Meadows at Stucki Farms subdivision). The applicant is wishing to develop 162 lots on an area covering 34.84 acres. The location of this particular project is zoned Single-Family Residential - 6,000 Sq. Ft. Min. (R-1-6).

The proposed subdivision conforms to the subdivision requirements and other city ordinances as it relates to this location. The one problem area of concern to this request, is the fact that there is only one ingress/egress roadway currently available (Marlberry Way) to this proposed subdivision. With that said, staff is requiring that only 30 lots will be able to apply for final plat status until the time that other ingress/egress points will be established as growth occurs to the either the north or south boundary lines of the subdivision.

Staff has reviewed the request and recommends approval, with conditions, of the preliminary plat as outlined. The Planning Commission reviewed this request at their August 5, 2015 meeting, and after lengthy public input (public hearing process), decided by a split vote (3-2) to recommend denial. The stated reason(s) for the denial recommendation by Donn Williams who made the motion; was that the design (or layout of the lots and streets) of the plat itself was not to his liking; that there is no park or recreation area; that the traffic pattern was insufficient; and that the drainage basin presented on the plat is not large enough.

It needs to be pointed out, according to state statute, if a proposal for a subdivision meets the standards and requirements as outlined in the zoning regulations and the subdivision ordinance, a vote of approval has to be given. The reasons given in the denial motion are not adequate justifications, just by their lack of clarification alone. Design and layout of any subdivision are, and should be, left to be arbitrary. No park or recreation requirement exist on standard zoning designations and just because The Meadows subdivision has a park (which is actually a necessary drainage basin), does not mean that all surrounding developments must have a park as well. As for the traffic patterns, the attorney for Stucki Farms himself stated that they are required to stub a road from the west and south to allow for access to and from this proposed subdivision parcel. Did everyone think that these required stub roads would not be used to move traffic across them? And finally, the statement about the drainage basin. This absolutely has to

be left in the hands of professional engineers to decide what the actual working size should be, not decided in a public hearing by individuals who do not have the expertise.

The Planning Commission, by a vote of 3-2, recommended denial of the Preliminary plat for the Warner Gateway subdivision to the City Council, based on "configuration of the plat design, lack of a park and recreation, traffic patterns and a larger drainage basin".

Staff's recommendation is still for approval to both the Planning Commission and the City Council, based on the following findings and subject to the following conditions:

Findings
1. The preliminary plat meets the land use designation as outlined in the General Plan Land Use Map for the proposed area.
2. That the preliminary plat conforms to the Zoning and the Subdivision Ordinances as conditioned.

Conditions
1. A final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
2. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.
3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
5. At the time of final plat submittal, the following documents shall also be submitted:
    A. A title report.
    B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).
6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
7. A final landscaped plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.
9. Driveway locations are to be approved by the Public Works Department.
10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.
11. Only thirty (30) lots will be able to apply for final plat status and be recorded, until the time

that alternative ingress/egress roads are made available through development to either the north or the south boundary lines of the subdivision.
12. Post Construction Maintenance Agreement will need to be recorded prior to Final Plat recordation.

Corbin Church reviewed the subdivision map with Council. The project is adjacent to the Southern Parkway, which he feels would not be an appropriate location for large lots. He has done a full traffic study on this project, which indicates there would not be a significant increase in traffic. He currently on has one access to this project, which will limit the number of lots he will be able to develop until such time as a second access can be found.

Councilman Staheli commented when the zone change request was made, he was under the impression there would be varied lots sizes. This rendering tends to all be smaller lots.

Mr. Church reviewed the lots on his plat, and he only has a handful of lots in the 8,000 to 10,000 sq. ft. lots.

Councilman Staheli asked Mr. Church if he feels this development is in harmony with the adjacent development.

Mr. Church stated he felt that was a very subjective question. Stucki Farms does not sit next to the Parkway. He is much greater density than Stucki Farms, but as you get closer to the expressway in Stucki Farms there is also RV Parking.

Councilman Staheli stated he is not seeing the variation in lot sizes from east to west of the development.

Mr. Church explained going from east to west, they are approximately the same size.

Councilman Staheli asked about the access for the development.

Brandi Walker with Bush and Gudgell Engineering reviewed the access point and potential future access with Council.

Councilman Seegmiller asked about condition number 11, which only allows for 30 homes to be built with one access.

Community Development Director Ellerman explained how the number of access for a development is determined.

Councilman Seegmiller asked for clarification on lot sizes on the adjacent Stucki Farms.

Community Development Director Ellerman reviewed the adjacent lot sizes in Stucki Farms.

Councilman Seegmiller commented Stucki Farms has such a large variation in their development, he is not sure how it would be possible to feather with that type of diversity.

Community Development Director Ellerman reviewed the history of Stucki Farms lots. Their development has had some changes over time. They have adjusted lot sizes, and added a park because of drainage issues.

Councilman Staheli stated there have been other developments, which have come back to Council to amend to make larger lots.

Ms. Walker explained the development Councilman Staheli is referring to, is because the development was purchased in its entirety by a different developer. The lots were too shallow to build on, so they amended to development to 8,000 lot size. She feels there is a need for this size of lot in Washington City. The area is overwhelmed with larger lots, and the development would hit a specific market.

Councilman Staheli asked if the developer is willing to make any concessions on the lots sizes in this development.

Councilman Seegmiller proposed lots 1 - 12 be made slightly larger, which would help with the feathering because they are adjacent to the larger lots in Stucki Farms.

Mr. Church stated when the development was in the original planning stages, he had planned to. However, he needs egress through the area for sewer. He was hoping to work with the developer on the adjacent parcel by taking out some of the lots, after approval as a bargaining chip, in order to obtain a sewer egress. Otherwise, he would have to build the lots up much higher in order to get sewer connection. Therefore, he would block the view of the homes in Stucki Farms.

Ms. Walker reviewed the map with Council members showing the potential sewer connection.

Mr. Church stated he is willing to work with the other developer, if they are willing to work with him.

Councilman Seegmiller stated he understands, but he also believes slightly larger lots here would be more appropriate.

Councilman Truman stated he is concerned about the lot sizes as well as the single access at this point. He would prefer the developer come back to Council once they have designated access point.

Mr. Church reviewed on the map, an area of collapsible soils. This area has to soaked and sink the land. It is an expensive process, and if he cannot move forward with a portion of the development, he is held hostage on his parcel.

Councilman Truman stated it may be an expensive process, but it would be worse if the development were to begin, and then at a later date not be able to complete because of the expense.

Councilman Staheli stated he appreciates Mr. Church is willing to work with Council on the lot sizes.

Councilman Seegmiller asked if lots 1 - 12 could be reduced to lots 1 - 8.

Mr. Church stated this was more than he originally planned to reduce, but he would be willing to do so. He explained Carl Larson is a good friend, and he hopes to be able to work together.

Councilman Staheli stated access is a big challenge, and hopefully Mr. Church and Mr. Larson can work together and be good neighbors to get this resolved. He also appreciates the willingness to bring back an amended plat, which would allow for additional feathering.

Mr. Church asked for clarification on how they move forward.

Councilman Staheli asked this item to be tabled in order to accommodate the changes as has been discussed tonight.

Carl Larson reviewed the history of his development along with the proposed Southern Corridor. He had an opportunity to purchase the property from Mr. Church, but he had doubled the price. If he would have purchased the property, he would have included open space, walking space and tree lined corridors. He changed the drainage from rocks to a park, which was used in exchange for different areas proposed as a park. He has never agreed to give two accesses to the south. He planned to give one, but does not know where it would be located at this time. He has a problem with this design, and he does not like the lot sizes to be used to get a sewer connection. It's important as a developer to complete the due diligence.

Councilman Truman asked what he would like to see for the adjacent parcel.

Mr. Larson stated he does not feel it is his place to tell the Council what should be developed. Stucki Farms Development is a PCD, which is a very large development with varied lot sizes. He also has included commercial, and high density.

Councilman Truman stated he understands it is Councils decision, but he would like to get Mr. Larson's basic concerns.

Mr. Larson stated his main issues are access and sewer. He does not feel it is his responsibility to provide those to Mr. Church. He does feel tabling the development is in the best interest of everyone until the issues can be addressed.

Mayor Neilson stated he knows there are individuals who would like to make comments. However, he would recommend waiting until Mr. Church has an opportunity to make changes to the development and come back before Council.

Richard Elsmore stated he does not feel this proposed development is in harmony with Stucki Farms. He would like some of the amenities Stucki Farms has to be integrated in the adjacent development. He feels there will be a hazard if Marlberry way is going to be the main access.

Jim Lilywhite stated he likes the comment of placing a buffer zone between Stucki Farms and this development. This area could be used as an access to a city park. Also, he has spoke with

the BLM, and they anticipate it taking at least 5 years to change the protected zone, where a proposed access would be placed. He is concerned about drainage, and he feels the City should look ahead to place bike paths and parks.

Councilman Staheli made a motion to table the preliminary plat to September 23, 2015 in order to allow the applicant to make revisions. Councilman Seegmiller seconded the motion; which passed with the following roll call vote:

Councilman Nisson	*Aye*
Councilman Seegmiller	*Aye*
Councilman Staheli	*Aye*
Councilman Truman	*Aye*

B. Consideration to approve a Preliminary Plat for Eagle Summit Estates, located south of Westgate Hill at approximately 1300 West 200 North. Applicant is Jay Keltner

Community Development Director Drew Ellerman reviewed:
The applicant is requesting approval of a Preliminary plat for the Eagle Summit Estates subdivision, located at approximately 1300 West 200 North (just south of Cove Drive). The applicant is wishing to develop 39 lots on an area covering 30.23 acres. The location of this particular project is zoned Single-Family Residential - 15,000 Sq. Ft. Min. (R-1-15).

This particular location is also within the Hillside Protection Overlay Zone of Washington City. Thus, the applicant was required to make application to the Hillside Protection Board and receive recommendation/approval from that board. Extra "conditions of approval" as outlined by the Hillside Board, are found under the "Conditions" portion, at the bottom of this report.

The proposed subdivision conforms to the subdivision requirements and other city ordinances as it relates to this location. Staff has reviewed the request and recommends approval, with conditions, of the preliminary plat as outlined.

The Planning Commission, by a vote of 4-1, recommended approval of the Preliminary plat for the Eagle Summit Estates subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings
1. The preliminary plat meets the land use designation as outlined in the General Plan Land Use Map for the proposed area.
2. That the preliminary plat conforms to the Zoning and the Subdivision Ordinances as conditioned.

Conditions
1. A final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.

2. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.
3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
5. At the time of final plat submittal, the following documents shall also be submitted:
   A. A title report.
   B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).
6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
7. A final landscaped plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.
9. Driveway locations are to be approved by the Public Works Department.
10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.
11. Post Construction Maintenance Agreement will need to be recorded prior to Final Plat recordation.
12. The following items are requirements as provided from the Hillside Protection Board members:
   a. A detailed retaining wall design will be made part of the recorded final plat for all walls to be built the same for aesthetic appeal. Thus, all walls will be uniform in appearance (design and color). The design of these walls will be required to be pre-approved by staff.
   b. The final plat will also have included in the "General Notes", that all lot owners will be required to develop their individual lots according to the Hillside Protection Overlay Zone standards (including all retaining walls).
   c. All retaining walls will be the responsibility of the individual lot owners (excluding the specific retaining walls on those lots listed in letter "d" which follows).
   d. Lots 29, 30, 31, 32, 36, 37 and 38 are required to have the lowest tier retaining walls built during construction of the subdivision. These such retaining walls will be as per the design criteria as mentioned in letter "a" above.
   e. The "Geological Hazard Study and Hillside Review" as prepared by AGEC - Applied Geotech, must be followed and adhered to as well as all the above required items. In the case of any conflicts, the more strict will always apply.
13. The development will need to provide sufficient easements to accommodate the proposed water system improvements contemplated in the submitted water model for this development prior to any land disturbance taking place in the site.

14. A second access (ingress/egress) will be required to be built and tied to a public road on the St. George side of the subdivision. This will be completed before the thirty first lot receives a building permit.
15. Water flows at fire hydrants must be approved by the Fire Marshall and Public Works Department prior to the recording of any lots tied to said hydrants within the subdivision.

Councilman Nisson asked why Commissioner Papa voted against the development.

Community Development Director Ellerman stated he is not certain if Commissioner Papa ever stated the exact reason for his denial.

Councilman Staheli asked for clarification about the do not disturb line.

Community Development Director Ellerman reviewed the location on the map, along with the reason for the do not disturb. The property is very rocky, and along fault line.

Councilman Staheli asked if there is a concern for the homes below the rock wall, once the building begins.

Community Development Director Ellerman stated the area below the development is to be labeled common area.

Doug Rogers stated he met with the Canyon Cove HOA to address their concerns. There are several homes approximately 10 feet off of the cliff, and they are concerned about the rock fall. He talked with Kimball Gardner, the Canyon Cove Developer. Westgate was built when Canyon Cove was being constructed. Their was blasting done at that time, and there were no rock fall issues. He feels every precaution has been taken.

Mayor Neilson asked if a do not disturb fence would be removed once the construction is complete.

Mr. Rogers stated he believes they will leave the fencing. However, it would be up to each individual lot owner if they chose to remove the fence. They would do so, knowing there would be no buildings or trails within the area.

Councilman Staheli asked if the do not disturb area would be clearly marked on the plat.

Community Development Director Ellerman stated there would be a note on the plat, and the hash marks will be indicated as the Council sees now on the presentation.

Cheryl Russell stated she appreciates Mr. Rogers talking to their HOA. However, they still have concerns with the building above them. They also have issues with the do not disturb line. When they were at the Planning Commission, they asked if a site visit could take place, so everyone could see what they are discussing. There were previous notes stated the rock fall needed to be addressed, however, when the item came back, there was nothing mentioned. She would hope Council would take into consideration the concern for the homes below this development. The development also needs to address the storm drainage. If water is discharged

down below, it will increase an already existing problem.

Councilman Staheli clarified they would like lots 34, 35, and 36 eliminated.

Ms. Russell stated they would like to have those lots eliminated or moved back, they are directly above their homes. She would like to know who is going to be responsible for the rock fall if it happens.

Community Development Director Ellerman explained the developer is going to be responsible for their development. They know there are concerns, and those will have to be addressed and mitigated.

Brandi Walker with Bush and Gudgell Engineering, stated they have had two separate geo-technical reports, and their concerns are not with rock fall but with the hillside, which is being addressed with the fencing.

Councilman Nisson asked what was recommended by the Hillside Committee.

Ms. Walker stated the recommendation was for slope.

Councilman Truman stated he would feels they should rely on the engineer's recommendations along with the recommendation of the Hillside Committee.

Councilman Truman made a motion to approve the preliminary plat request for Eagle Summit Estates, located south of Westgate Hill at approximately 1300 West 200 North with the findings and conditions of Staff and as recommended by the Planning Commission. Councilman Seegmiller seconded the motion; which passed with the following roll call vote:

Councilman Nisson	*Aye*
Councilman Seegmiller	*Aye*
Councilman Staheli	*Nay*
Councilman Truman	*Aye*

7. RESOLUTIONS

A. Consideration to approve a Resolution approving the form of the Equipment Lease Agreement with Zions First National Bank, Salt Lake City, Utah. Finding that it is in the best interest of Washington City, Utah to enter into said Agreement and authorizing the execution and delivery thereof. Kerry Wheelwright, City Treasurer

City Treasurer Kerry Wheelwright reviewed the Equipment Lease Agreement with Zions First National Bank. The money has been allocated to the departments, and will be on a 5 year repayment plan.

Councilman Truman made a motion to approve a Resolution approving the form of the Equipment Lease Agreement with Zions First National Bank, Salt Lake City, Utah. Finding that

it is in the best interest of Washington City, Utah to enter into said Agreement and authorizing the execution and delivery thereof. Councilman Seegmiller seconded the motion; which passed with the following roll call vote:

Councilman Nisson	*Aye*
Councilman Seegmiller	*Aye*
Councilman Staheli	*Aye*
Councilman Truman	*Aye*

8. ORDINANCES

A. Consideration to approve an Ordinance of Washington City by instituting a program for curbside collection of residential recyclable materials and establishing rules, regulations and fees pertaining to said program. Jeff Starkey, City Attorney

Councilman Seegmiller explained this started with the Washington County Waste District. After months of discussion, the Ordinance reflects Washington City's willingness to participate in the recycling program, with an opt out options for the residents of Washington City.

City Attorney Starkey stated notifications will be sent out as efficiently as possible. If Washington City has under 50% participation, we will be removed from the program.

Neil Schwendiman with Washington County Solid Waste stated there are some smaller Cities who are not participating. However, we have enough participation to move forward. This is going to be an interesting program, and they are excited to get it started on February 1, 2016.

City Attorney Starkey stated the following item on the agenda is approval of the agreement for the recycling program.

Councilman Seegmiller made a motion to approve an Ordinance of Washington City by instituting a program for curbside collection of residential recyclable materials and establishing rules, regulations and fees pertaining to said program. Councilman Staheli seconded the motion; which passed with the following roll call vote:

Councilman Nisson	*Aye*
Councilman Seegmiller	*Aye*
Councilman Staheli	*Aye*
Councilman Truman	*Aye*

9. AGREEMENTS

A. Consideration to approve an Agreement between Washington County Special Service District No.1 and Dixie Waste Services Inc. and authorizing the execution of an agreement between Washington County Special Services District No. 1 and Washington City, Utah. Jeff Starkey, City Attorney

City Attorney Starkey explained this is an agreement explaining the parameters of the Blu Can

Recycling.

Councilman Seegmiller noted this is a 5 year agreement.

Councilman Staheli made a motion to approve an Agreement between Washington County Special Service District No.1 and Dixie Waste Services Inc. and authorizing the execution of an agreement between Washington County Special Services District No. 1 and Washington City, Utah. Councilman Seegmiller seconded the motion; which passed with the following roll call vote:

Councilman Nisson	*Aye*
Councilman Seegmiller	*Aye*
Councilman Staheli	*Aye*
Councilman Truman	*Aye*

B. Consideration to approve a Facility Lease Agreement between Weight Watchers and Washington City to be located at the Community Center. Jeff Starkey, City Attorney

City Attorney Starkey reviewed the lease agreement with Weight Watchers. This is a one year agreement with the possibility of 2 extensions. They are going to be using the multi-purpose room for approximately 10 hours per week total.

Councilman Staheli made a motion to approve a Facility Lease Agreement between Weight Watchers and Washington City to be located at the Community Center. Councilman Truman seconded the motion; which passed with the following roll call vote:

Councilman Nisson	*Aye*
Councilman Seegmiller	*Aye*
Councilman Staheli	*Aye*
Councilman Truman	*Aye*

10. AWARD OF BID & RFP

A. Consideration to award the bid for the 3650 South Road & Storm Drain Project. Mike Shaw, Public Works Director

Public Works Director Mike Shaw reviewed the bids for the 3650 South Road & Storm Drain Project. It is Staff's recommendation to award the project to the low bid, which was submitted by JP Excavating in the amount of $1,409,268.73.

Councilman Seegmiller made a motion to award the bid for 3560 South, Road & Storm Drain Project to JP Excavating for $1,409,268.73. Councilman Truman seconded the motion; which passed with the following roll call vote:

Councilman Nisson	*Aye*
Councilman Seegmiller	*Aye*

Councilman Staheli *Aye*
Councilman Truman *Aye*

11. REPORT OF OFFICERS FROM ASSIGNED COMMITTEE

Councilman Nisson stated west nile has been found in three locations in Washington County over the past week. The Mosquito Abatement Office has been working on the issue, but encourage everyone to take precautions.

12. CITY MANAGER REPORT

None

13. CLOSED SESSION

A. The character or professional competence of an individual.

Councilman Seegmiller made a motion to move into Closed Session to discuss the character or professional competence of an individual. Councilman Nisson second the motion; which passed with the following roll call vote:

Councilman Nisson *Aye*
Councilman Seegmiller *Aye*
Councilman Staheli *Aye*
Councilman Truman *Aye*

The Council moved into Closed Session at 8:36 P.M.

The Council adjourned the Closed Session and returned to the Regular Meeting at 9:31 P.M.

14. ADJOURNMENT

Meeting adjourned at 9:31 P.M.

Passed and approved this 23rd day of September 2015.

Washington City

Kenneth F. Neilson, Mayor

Attest by:

Danice B. Bulloch, City Recorder