

**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 May 16, 2019.**

AGENDA ITEMS:

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

A. Minutes of Layton City Council Meeting - April 4, 2019

2. MUNICIPAL EVENT ANNOUNCEMENTS:

3. VERBAL PETITIONS AND PRESENTATIONS:

A. Presentation - Dennis Howland

B. Presentation - I-15 Davis/Weber Express Lanes Project Update

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. Reappoint Mr. Richard Allen to the Board of Directors for the Mosquito Abatement District-Davis -Resolution 19-35

B. Bid Award – Cache Valley Electric – Fairfield Road and Church Street Signal, Project 18-57 – Resolution 19-29 – Intersection of Fairfield Road and Church Street

C. Amendment to Title 18, Chapter 18.36 of the Layton Municipal Code by the Addition of Section 18.36.200, Establishing the Responsibility for Development Improvements – Ordinance 19-16

D. Amended Plat– Layton Parke Estates Phase 1 Subdivision, 1st Amendment – 1852 West 850 South

E. Amended Plat– Daniel’s Canyon Subdivision, 2nd Amendment – Approximately 1130 North 3300 East

6. PUBLIC HEARINGS:

7. OTHER BUSINESS:

ADJOURN:

Notice is hereby given that:

- A Redevelopment Agency (RDA) Meeting will be held at 5:30 PM. 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:** _____
Kimberly S Read, 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.

D R A F T

MINUTES OF LAYTON CITY COUNCIL MEETING

APRIL 4, 2019; 7:02 P.M.

MAYOR AND COUNCILMEMBERS PRESENT:

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

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, TERRY COBURN,
TRACY PROBERT, DAVID PRICE, KEVIN WARD,
AND KIM READ**

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

Mayor Freitag opened the meeting and led the Pledge of Allegiance. Councilmember Brown gave the invocation. Scouts and students were welcomed.

MINUTES:

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

Layton City Council Work Meeting – January 17, 2019;

Layton City Council Meeting – February 7, 2019;

Layton City Council Special Meeting – February 28, 2019; and

Layton City Council Strategic Planning Work Meeting – February 28, 2019.

The vote was unanimous to approve the minutes as written.

Mayor Freitag announced Councilmember Carter was representing the City at Layton Christian Academy acknowledging their basketball team's achievement of taking State.

MUNICIPAL EVENT ANNOUNCEMENTS:

Councilmember Petro encouraged residents to visit the City's website to view all events and announced the following:

- Beginning Wednesday, April 10, 2019, the City would begin hosting seminars for small business

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owners to network. She stated the seminars were every Wednesday from 11:30 a.m. – 1:00 p.m. for three weeks and lunch would be provided.

- Monday, April 15, 2019, the Parks and Recreation Free Family Activity would be a game night at Central Davis Junior High. She stated games and refreshments would be provided.
- Friday, April 26, 2019, Layton Christian Academy would begin hosting “Bingo” nights.
- Tuesday, April 30, 2019, beginning at 10:00 a.m., the Davis Arts Council would begin selling tickets to its Summer Nights with the Stars performances. She highlighted a few of the performers.

Councilmember Davis provided the website for the Davis Arts Council.

PRESENTATIONS:

PRESENTATION – DR. MARK ORASKOVICH

Kevin Ward, Fire Chief, expressed appreciation to the Council in allowing the Fire Department to make the presentation. He announced this month marked the 25th Anniversary for ambulance services provided by Layton Fire Department and in conjunction with that milestone the Department believed it was appropriate to acknowledge the department’s medical director, Dr. Mark Oraskovich. He introduced Dr. Oraskovich to the Council and highlighted his achievements not only with Layton City, but with Davis County, the State of Utah, and hospitals throughout the state.

Chief Ward expressed appreciation and presented Dr. Oraskovich with a plaque from the City.

Dr. Oraskovich stated he was honored to receive the plaque and recognition from Layton City Fire. He stated it had been an honor to represent Layton City as its Medical Director for 25 years and indicated he had continued the relationship with Layton City because he believed it had the best Fire Department employees, administration and City officials. He expressed appreciation for the support the department has received from the Administration resulting in one of the top paramedic agencies in the State of Utah.

Councilmember Carter arrived at 7:13 p.m.

Dr. Oraskovich stated because the City had been so supportive the Fire Department had been able to truly deliver the best quality of service. He complimented Chief Jason Cooke for his vision and leadership in contributing to the Fire Department’s success.

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Mayor Freitag stated he had been involved with emergency services for over 20 years and had witnessed the success of Layton City's first responder program. He also expressed appreciation to Chief Jason Cooke.

PROCLAMATION – NATIONAL FAIR HOUSING MONTH

Mayor Freitag read the National Fair Housing Proclamation to the Council.

PROCLAMATION – SEXUAL ASSAULT AWARENESS MONTH

Mayor Freitag informed the Council the blue ribbons tied on the columns at the City building entrance and on trees throughout the community and state were meant to bring attention to Sexual Assault Awareness Month. He read the Sexual Assault Awareness Proclamation to the Council.

Mayor Freitag pointed out the City had received grants from the Department of Justice to provide a victim's advocate for victims of crimes within the City. He added he had also signed a grant application earlier today which would provide funding to assist victims with housing costs. He stated Layton City would be one of the first in the State to receive the grant and provide this resource to the community.

Gary Crane, City Attorney, indicated the City should know by the end of the month if the grant application was successful and stated he believed the City had an excellent chance of receiving the grant funds.

Councilmember Davis announced Councilmember Carter had presented a proclamation to the Layton Christian Academy basketball team earlier this evening.

CITIZEN COMMENTS:

Lily St. Clair, 860 Sapphire Drive, expressed appreciation to Mayor Freitag for addressing her previous concerns regarding the fowl in Commons Park. She explained with emotion how she had named the ducks and looked for them when visiting the park and expressed concern with the dogs and seagulls mingling with the ducks. She also believed the flock of ducks frequenting the park were dwindling and suggested people were killing the ducks.

David Price, Parks and Recreation Director, responded the ducks and other fowl were wild and were free to come and go and stated with natural attrition over a period of time some will naturally die. He assured Ms. St. Clair none of the ducks had been removed from the park in a malicious manner.

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Ms. St. Clair expressed sadness at the loss of some of her favorite ducks in the park. Mr. Price responded Parks and Recreation Staff loved the ducks as much as she did and provided them with a highly nutritious feed. He indicated from time to time Mother Nature takes its toll on the flock and some die from year to year.

She also reported on problems she has experienced by high school students parking along the street adjacent to the park. Mayor Freitag responded the Council had discussed the on street parking issue from her previous visits to the Council meetings and stated the on street parking was public parking, therefore the City couldn't prohibit the students from parking there. He suggested she visit the park when school was not in session to avoid further conflict with the students. He also reiterated Mr. Price's remarks that the ducks and geese do not belong to Layton City and unfortunately ducks can get run over, or naturally die. He mentioned there were other issues with the public feeding the ducks food they shouldn't eat but emphasized most visitors to the park come to enjoy the presence of the ducks. He believed the balance which currently existed in the park with the public and fowl was appropriate and the alternative would be to have Wildlife Services remove them.

He expressed appreciation for her efforts in contributing to the safety and enjoyment of the ducks and explained the City had to view access to the park in its totality, and other than her concern, hadn't received other complaints from the public regarding the parking.

CONSENT AGENDA:

APPOINTMENT TO THE PARKS AND RECREATION COMMISSION – RESOLUTION 19-25

Mayor Freitag announced the Resolution would ratify the creation of an emeritus position on the Commission and stated the Council had requested Don Wilhelm serve in that capacity on the Commission to oversee the Fourth of July parade.

Mr. Price expressed appreciation to the outgoing Commission members: Don Wilhelm, Rick Brady, and Sara Beckstead for their service of three terms, three years each. He pointed out their departures would leave three openings on the Commission and Mayor Freitag has made the following recommendations: Katie Mansell, currently serving as an alternate member, be appointed as a regular member; CJ Benson, Angela Richards be appointed to serve as regular members on the Commission; and that Rachelle Woodbury be appointed to serve as an alternate member on the Commission. He also indicated the Mayor recommended Kathy Blackner be reappointed for a second term on the Commission.

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Mr. Price mentioned the experience and previous service to the Commission by Don Wilhelm and pointed out the need for an emeritus position for Mr. Wilhelm to ensure continuity regarding the parade.

Staff recommended approval of Resolution 19-25.

BID AWARD – CACHE VALLEY ELECTRIC – GORDON AVENUE AUXILIARY LANES, PROJECT 18-72 – RESOLUTION 19-24 – INTERSECTION OF GORDON AVENUE AND FORT LANE

Terry Coburn, Public Works Director, explained the Resolution would authorize the execution of an agreement with Cache Valley Electric for the Gordon Avenue Auxiliary lanes. He reviewed the scope of the project and stated the City had completed the bid process. He stated Cache Valley Electric was the lone bidder with a bid amount of \$151,224.19 and indicated the engineer's estimate was \$130,000.00. Staff recommended approval.

Councilmember Brown inquired about the proposed stop light to be located at the intersection of Church and Fairfield. Mr. Coburn responded the project would be completed sometime during the summer.

BID AWARD – MORGAN PAVEMENT MAINTENANCE, INC. – SLURRY SEAL, PROJECT 19-52 – RESOLUTION 19-23 – VARIOUS LOCATIONS THROUGHOUT THE CITY

Mr. Coburn explained the Resolution would authorize the execution of an agreement with Morgan Pavement Maintenance for the slurry seal project. He reviewed the scope of the project and stated the City had completed the bid process with three bids received. He reported the lowest bid was submitted by Morgan Pavement in the amount of \$617,400 and the engineer's estimate was \$590,000. Staff recommended approval.

BID AWARD – SUPERIOR ASPHALT, LLC – 2019-2020 CRACK SEAL, PROJECT 19-53 – RESOLUTION 19-22 – VARIOUS LOCATIONS THROUGHOUT THE CITY

Mr. Coburn explained the Resolution would authorize an agreement with Superior Asphalt, LLC, for the 2019-2020 Crack Seal project and reviewed the scope of the project with the Council. He stated three bids were received with Superior Asphalt submitting the lowest responsible bid in the amount of \$223,216 and

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the engineer's estimate was \$220,000. Staff recommended approval.

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

OTHER BUSINESS:

Mayor Freitag announced the Council would be reconvening in a work session following the adjournment of the meeting.

MOTION: Councilmember Davis moved to adjourn and reconvene as the City Council in a work session at 7:48 p.m. Councilmember Day seconded the motion, which passed unanimously.

The meeting adjourned at 7:48 p.m.

Kimberly S Read, City Recorder

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

Item Number: 3.A.

Subject:

Presentation - Dennis Howland

Background:

Mr. Dennis Howland, Utah President of the Vietnam Veterans of America, has asked for time on the agenda to make a presentation to the Mayor and Council and also a presentation to Mr. David Price, Parks and Recreation Director and Ms. JoEllen Grandy, Layton City Parks Planner.

Alternatives:

N/A

Recommendation:

N/A

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

Item Number: 3.B.

Subject:

Presentation - I-15 Davis/Weber Express Lanes Project Update

Background:

Mr. Brett Slater, UDOT Project Manager and Ms. Anne Williams, Public Involvement Representative, have asked for time on the agenda to update the Mayor, Council, Staff and citizens on the I-15 Davis/Weber Express Lanes Project.

Alternatives:

N/A

Recommendation:

N/A

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

Item Number: 5.A.

Subject:

Reappoint Mr. Richard Allen to the Board of Directors for the Mosquito Abatement District-Davis - Resolution 19-35

Background:

Layton Municipal Code Title 2, Chapter 2.08, Section 2.08.060 authorizes the Mayor to appoint a City official, employee, or citizen to serve on certain boards. The Mayor has elected to reappoint Mr. Richard Allen to the Board of Directors for the Mosquito Abatement District-Davis. The term of the appointment is four years. Mr. Allen's should have been reappointed on June 5 2018, thus this four year term will expire on June 5, 2022. Mr. Allen currently serves and has previously served in the position for several terms. Staff believes that Mr. Allen is an excellent candidate to serve on the Mosquito Abatement District-Davis Board of Directors.

Alternatives:

Alternatives are to 1) Adopt Resolution 19-35 reappointing Mr. Richard Allen to the Board of Directors for the Mosquito Abatement District-Davis to serve the remainder of the four year term expiring on June 5, 2022; 2) Adopt Resolution 19-35 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 19-35 and remand to Staff with directions.

Recommendation:

The Mayor and Staff recommend the Council adopt Resolution 19-35 reappointing Mr. Richard Allen to the Board of Directors for the Mosquito Abatement District-Davis to serve the remainder of the four year term expiring on June 5, 2022.

RESOLUTION 19-35

A RESOLUTION REAPPOINTING RICHARD ALLEN TO THE BOARD OF DIRECTORS OF THE MOSQUITO ABATEMENT DISTRICT-DAVIS.

WHEREAS, pursuant to Title 2, Chapter 2.08, Section 2.08.070 of the Layton Municipal Code, the Mayor is authorized to appoint a City official, City employee, or citizen to serve on certain boards; and

WHEREAS, the Mosquito Abatement District-Davis requires such an appointment; and

WHEREAS, Richard Allen is currently serving on the Board of the Mosquito Abatement District-Davis; and

WHEREAS, the Mayor has elected to reappoint Richard Allen to serve on the Board of the Mosquito Abatement District-Davis; and

WHEREAS, the term for service on that Board is four (4) years; and

WHEREAS, the City Council finds it to be in the best interest of the citizens to have Richard Allen continue to serve on the Board of the Mosquito Abatement District-Davis completing the remainder of the four (4) year term; and

WHEREAS, the current term on the Board of the Mosquito Abatement District-Davis will expire on June 5, 2022.

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

1. That Richard Allen be reappointed by the Mayor to serve the remainder of a four (4) year term on the Board of the Mosquito Abatement District-Davis which term will expire on June 5, 2022.
2. That the City Council hereby affirms said appointment.
3. The City wishes to express its appreciation to Mr. Richard Allen for his prior service on the Board and his continued desire to serve in this public capacity.

PASSED AND ADOPTED by the City Council of Layton City, Utah, this **16th day of May, 2019**.

SCOTT FREITAG, Mayor

ATTEST:

KIMBERLY S READ, City Recorder

APPROVED AS TO FORM:



For Gary R. Crane, City Attorney

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

Item Number: 5.B.

Subject:

Bid Award – Cache Valley Electric – Fairfield Road and Church Street Signal, Project 18-57 – Resolution 19-29 – Intersection of Fairfield Road and Church Street

Background:

Resolution 19-29 authorizes the execution of an agreement between Layton City and Cache Valley Electric for the Fairfield Road and Church Street Signal, Project 18-57. The project includes the installation of a traffic signal, two SL-04 street lights, and all associated items. The project also includes the installation of a turn lane, a pedestrian island, rehabilitating the existing asphalt, and associated items.

One bid was received, with Cache Valley Electric submitting the lowest responsive, responsible bid in the amount of \$320,923.96. The engineer's estimate was \$400,000.00.

Alternatives:

Alternatives are to 1) Adopt Resolution 19-29 awarding the bid to Cache Valley Electric for the Fairfield Road and Church Street Signal, Project 18-57; 2) Adopt Resolution 19-29 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 19-29 and remand to Staff with directions.

Recommendation:

Staff recommends the Council adopt Resolution 19-29 awarding the bid to Cache Valley Electric for the Fairfield Road and Church Street Signal, Project 18-57 and authorize the City Manager to execute the agreement.

RESOLUTION 19-29

ADOPTING AN AGREEMENT WITH CACHE VALLEY ELECTRIC FOR THE FAIRFIELD ROAD AND CHURCH STREET SIGNAL, PROJECT 18-57

WHEREAS, Layton City (hereinafter "City") has elected to complete street improvements to be known as Fairfield Road and Church Street Signal, Project 18-57 (hereinafter "Project 18-57"); and

WHEREAS, the City received one bid for construction of the referenced project on May 1, 2019, 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 Cache Valley Electric (hereinafter "CVE") as the contractor for Project 18-57.

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

1. CVE is conditionally selected as the lowest responsive and responsible bidder with whom the City Manager should conduct negotiations for Project 18-57.

2. The City Manager is directed to conduct negotiations for an agreement (hereinafter "Agreement") with CVE for Project 18-57. 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 CVE 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 18-57.

3. When the Agreement is in a form acceptable to the City Manager and City Attorney and after CVE 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 CVE and the formal award of the contract to CVE for Project 18-57, pursuant to the terms and conditions of the Agreement.

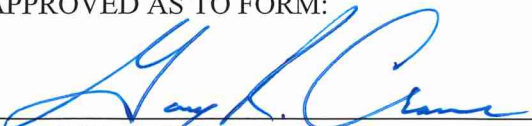
PASSED AND ADOPTED by the City Council of Layton, Utah, this 16th day of May, 2019.

SCOTT FREITAG, Mayor

ATTEST:

KIMBERLY S READ, City Recorder

APPROVED AS TO FORM:



GARY CRANE, City Attorney

SUBMITTING DEPARTMENT:



for: TERRY COBURN, Public Works Director

LAYTON CITY CORPORATION

Fairfield Road and Church Street Signal, Project 18-57

Bid Opening May 1, 2019, 5:00 p.m.

Engineer's Estimate: \$400,000

Project 18-57				Cache Valley Electric	
Schedule A - Street Construction			QTY	Unit	(\$ Per)
					TOTAL (\$)
A1	Mobilization	1	LS	\$7,365.00	\$7,365.00
A2	Clear and Excavate Right-of-Way, Saw Cut as Necessary	1	LS	\$13,754.00	\$13,754.00
A3	Mill Existing Asphalt (West Church Street)	800	SY	\$5.75	\$4,600.00
A4	Furnish and Install Road Base Material	530	TN	\$28.38	\$15,041.40
A5	Furnish and Install PG 58-28 Asphalt	280	TN	\$87.40	\$24,472.00
A6	Adjust Existing Water Valve Box Cover to New Grade	1	EA	\$575.00	\$575.00
A7	Adjust Existing Manhole Cover to New Grade	1	EA	\$575.00	\$575.00
A8	Construct Standard 40-inch Curb and Gutter	900	LF	\$27.98	\$25,182.00
A9	Construct Sidewalk and ADA Ramp	3,050	SF	\$7.25	\$22,112.50
A10	Construct Drive Approach	240	SF	\$12.94	\$3,105.60
A11	Construct Type B5 Curbing	360	LF	\$39.10	\$14,076.00
A12	Install Detectable Warning Surface	48	SF	\$34.50	\$1,656.00
A13	Furnish and Install Chain Link Fence	240	LF	\$21.08	\$5,059.20
A14	Furnish and Install Chain Link Double Swing Gate	1	EA	\$920.00	\$920.00
A15	Furnish and Install Landscaping	4,620	SF	\$4.17	\$19,265.40
A16	Relocate Valve	1	EA	\$1,150.00	\$1,150.00
A17	UDOT Contract #189824	1	LS	\$162,014.86	\$162,014.86
Schedule A Total:					\$320,923.96
Project Total					\$320,923.96

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

Item Number: 5.C.

Subject:

Amendment to Title 18, Chapter 18.36 of the Layton Municipal Code by the Addition of Section 18.36.200, Establishing the Responsibility for Development Improvements – Ordinance 19-16

Background:

As the Council is aware, as the development of property nears completion there is a change in ownership of both property and improvements. The timing of the change of ownership is not the same for the property as it is for the improvements. While the ownership of the underlying property is generally transferred upon a filing with the county recorder's office, the transfer of the improvements can be established by ordinance. In reviewing the City's ordinance, it is apparent that a clarification is warranted.

In establishing the change of ownership and responsibility for constructed and installed improvements, maintaining continuity with the warranty for those improvements would provide clarity and consistency. Ordinance 19-16 provides for the transfer at the time the warranty period ends and the City issues a final letter of acceptance.

Alternatives:

Alternatives are to 1) Adopt Ordinance 19-16 Amending Title 18, Chapter 18.36 of the Layton Municipal Code by the addition of Section 18.36.200 Establishing the Responsibility for Development Improvements; 2) Adopt Ordinance 19-16 with any amendments the Council deems appropriate; or 3) Not adopt Ordinance 19-16 and remand to Staff with directions.

Recommendation:

Staff recommends the Council adopt Ordinance 19-16 Amending Title 18, Chapter 18.36 of the Layton Municipal Code by the addition of Section 18.36.200 Establishing the Responsibility for Development Improvements and authorize the Mayor to sign the necessary documents.

ORDINANCE 19-16

AN ORDINANCE AMENDING TITLE 18, CHAPTER 18.36 OF THE LAYTON MUNICIPAL CODE BY THE ADDITION OF SECTION 18.36.200 ESTABLISHING THE RESPONSIBILITY FOR DEVELOPMENT IMPROVEMENTS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Layton City Council has determined to clarify the responsibility for development improvements during the development process; and

WHEREAS, it is the developer who is in the position of control and oversight of the project, the manner and timing of the placement of improvements and controlling access thereto; and

WHEREAS, having that control and oversight, it is appropriate to clarify that the developer will maintain the responsibility, including liability, over the development improvements until the established warranty period has successfully expired and the City has issued a letter of final acceptance;

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

SECTION I. Repealer. If any provision of Layton City's ordinance that is deemed to be inconsistent with this amendment is hereby repealed.

SECTION II. Enactment. Title 18, Chapter 18.36, Section 18.36.200 of the Layton Municipal Code is enacted to read as follows:

18.36.200 Responsibility for Development Improvements.

The ownership, responsibility, and liability for the improvements installed or constructed by the developer remain with the developer until the warranty period has ended, and the letter of final acceptance is issued by the City.

SECTION III. Severability. If any part of this ordinance is found to be invalid by a court of competent jurisdiction, the remaining language shall remain in full force and effect.

SECTION IV. Effective Date. This ordinance amendment shall become effective immediately upon posting.

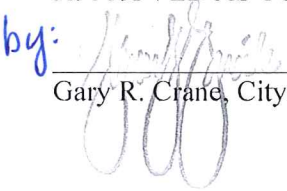
PASSED AND ADOPTED by the City Council of Layton, Utah, **this 16th day of May, 2019.**

SCOTT FREITAG, Mayor

ATTEST:

KIMBERLY READ, City Recorder

APPROVED AS TO FORM:

by: 

Gary R. Crane, City Attorney

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

Item Number: 5.D.

Subject:

Amended Plat– Layton Parke Estates Phase 1 Subdivision, 1st Amendment – 1852 West 850 South

Background:

The applicant, Bryce Thurgood, representing Castle Creek Homes, is requesting to amend Lot 122-R of the Layton Parke Estates Phase 1 Subdivision. The amendment involves replacing a turn-a-round loop that encompasses the entire frontage of the lot, with a hammerhead turn-a-round using a smaller portion of the lot. An easement will be required on the lot to ensure the turn-a-round is not encumbered with parking.

Alternatives:

Alternatives are to 1) Grant amended plat approval to Layton Parke Estates Phase 1 Subdivision, 1st Amendment subject to meeting all Staff requirements as outlined in Staff memorandums; or 2) Deny granting the proposed amendment.

Recommendation:

On April 23, 2019, the Planning Commission unanimously recommended the Council approve Layton Parke Estates Phase 1 Subdivision, 1st Amendment subject to meeting all Staff requirements as outlined in Staff memorandums.

Staff supports the recommendation of the Planning Commission.



Staff Report

**COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

To: City Council

From: Kem Weaver, Planner II

Date: May 16, 2019

Re: Layton Parke Estates Phase 1 Subdivision, 1st Amendment

Location: 1852 West 850 South

Zoning: R-S (Residential Suburban)

Description:

The applicant, Bryce Thurgood, representing Castle Creek Homes, is requesting to amend Lot 122-R of the recorded plat for the Layton Parke Estates Phase 1 Subdivision. Lot 122-R is located at the end of a stubbed street with R-S zoning surrounding the lot.

Background:

The recorded plat for Layton Parke Estates Phase 1 shows a circular temporary turn-a-round fronting Lot 122-R, which encroaches into the lot. The request is to eliminate the circular turn-a-round and replace it with a temporary hammerhead turn-a-round. The temporary hammerhead turn-a-round is another option for a fire truck turn-a-round that has been approved by the Fire Marshall and the City engineering department.

The temporary turn-a-round easement can be separate from the future driveway on the lot. The temporary turn-a-round on the lot will need to be a minimum compacted road base and signed stating that it is a turn-a-round for fire apparatus that cannot be removed, and not used for parking. Once the stubbed street continues to the east, the temporary turn-a-round can be removed.

Staff Recommendation:

Staff recommends amended plat approval be granted subject to meeting all Staff requirements as outlined in Staff memorandums.

Engineering

Planning

Fire _____

Planning Commission Action: On April 23, 2019, the Planning Commission voted unanimously to recommend the Council approve Layton Parke Estates Phase 1 Subdivision, 1st Amendment subject to meeting all Staff requirements.

The Commission asked for public comment. No public comments were given.



Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

MEMORANDUM

TO: Keith Russell; krussel@ensignutah.com
Bryce Thurgood; brycethurgood@gmail.com

CC: CED Department/Fire Marshal

FROM: Ryan Bankhead, Staff Engineer

DATE: March 28, 2019

SUBJECT: Layton Parke Estates Phase 1 – First Amendment
1852 W 850 S

I have reviewed the amended dedication plat submitted on March 4, 2019 and received in Engineering on March 11, 2019 for the Layton Parke Estates Phase 1 – First Amendment located at 1852 W 850 S. The plat has been stamped "Approved as Corrected". The following comments and corrections will need to be addressed with the submittal of the mylar.

1. The Rocky Mountain signature block will need to be removed from the plat.
2. There is a random KRR above the West Quarter Corner monument.
3. The section corner tie contains ties to two section corners both the West Quarter and the Southwest Corner of Section 30. It is recommended that tie come from one corner.
4. The bearing of the center (6°56'54") of the third call after the POB will need to be corrected.
5. The easement for exception #12 will need to be shown on the plat with the respective signature block or be removed from the title report.
6. The temporary turn-a-round and signs will need to be installed prior to the issuance of a building permit.



Community • Prosperity • Choice

Mayor * Scott Freitag
City Manager * Alex R. Jensen

Fire Department
Kevin Ward * Fire Chief
Telephone (801) 336-3940
Fax: (801) 546-0901

*(801) 336-3940 * FAX: (801) 546-0901 Fire Department
* 530 North 2200 West * Layton, Utah 84041

Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

MEMORANDUM

TO: Community Development, Attention: Kendall Welch

FROM: Douglas K. Bitton, Fire Marshal 

RE: Layton Parke Estates Phase 1-1st Amended @ 1852 W 850 S

CC: 1) Engineering
2) Keith Russell, krussell@ensigneng.com
3) Bryce Thurgood, brycethurgood@gmail.com

DATE: May 4, 2019

I have reviewed the final plat received on April 11, 2019 for the above referenced project. The Fire Department, with regard to the final plat, does not have any comments at this time.

These plans have been reviewed for Fire Department requirements only. Other departments may review these plans and will have their requirements. This review by the Fire Department must not be construed as final approval from Layton City.

DB\Layton Parke Estates Ph 1 1st Amended S19-065:me
Plan #S19-065 District #42
Project Tracker #LAY19031112884
ERS#9479



• Parks and Recreation •
JoEllen Grandy • Parks Planner
Telephone: (801) 336-3926
Fax: (801) 336-3909

Memorandum

To: Ensign Engineering - Keith Russell, Castle Creek Homes – Bryce Thurgood
CC: Community Development, Fire, & Engineering
From: JoEllen Grandy, Parks Planner – Parks & Recreation
Date: April 12, 2019
Re: Layton Parke Estates Phase 1 First Amended, Final Approval II – 1852 West 850 S

The Layton Parke Estates Phase I First Amended (Lot 122-R) located at 1852 West 850 South lies partially within the future service area of Kay's Creek Estates Park.

The Parks & Recreation Department has reviewed the plans re-submitted on April 11th and has no comments or concerns regarding the Layton Parke Estates Phase 1 First Amended (Lot 122-R).

Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.



CITY COUNCIL

Layton Parke
Estates
Subdivision Phase 1
1st Amendment
Lot 122-R

1852 West
850 South

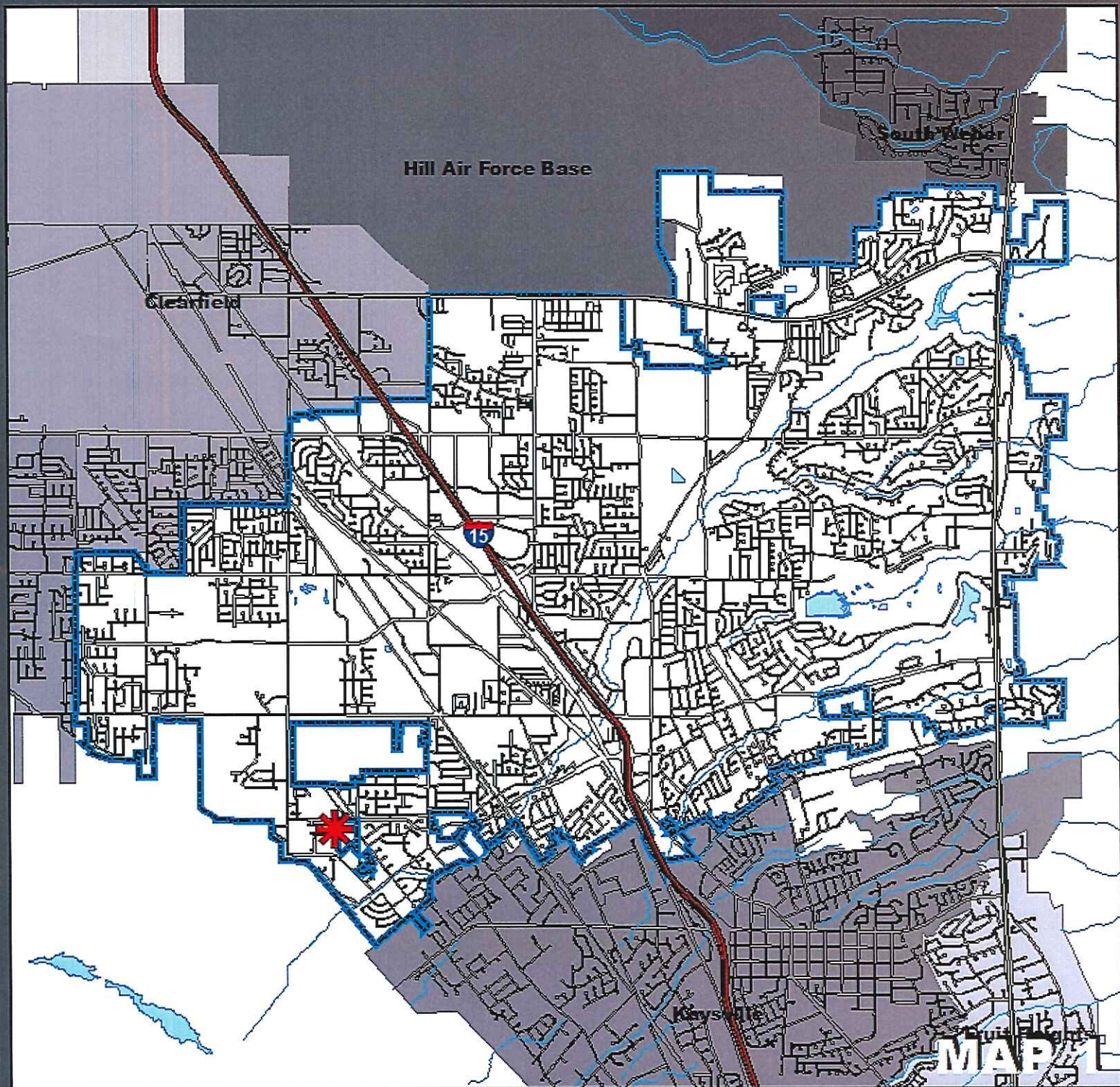
Legend

-  City Boundary
-  Interstate 15
-  Highways
-  Lakes
-  Streams

 - Project Site



1 inch = 5,000 feet

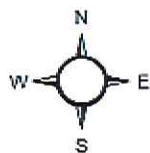


CITY COUNCIL

Layton Parke Estates Subdivision Phase 1 1st Amendment Lot 122-R

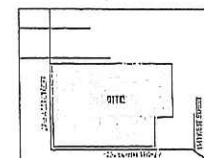
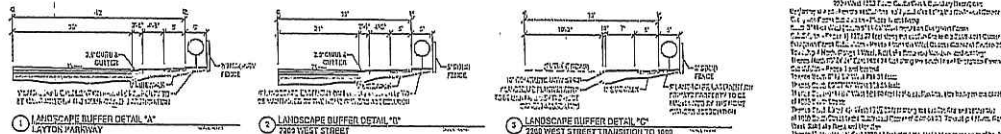
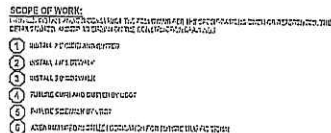
1852 West
850 South

-  Rights of Way
-  Layton City Boundary
-  Interstate 15
-  Streams
-  Lakes
-  Subject Area



1 inch = 133 feet





ENSIGN
THE STANDARD IN ENGINEERING

LAYTON
1485 W. Hill Field Rd., Ste. 204
Layton, UT 84041
Phone: 801.547.1100

SALT LAKE CITY
Phone: 801.255.0529

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.855.1453

RICHFIELD
Phone: 435.886.2983

WWW.ENSIGNENG.COM

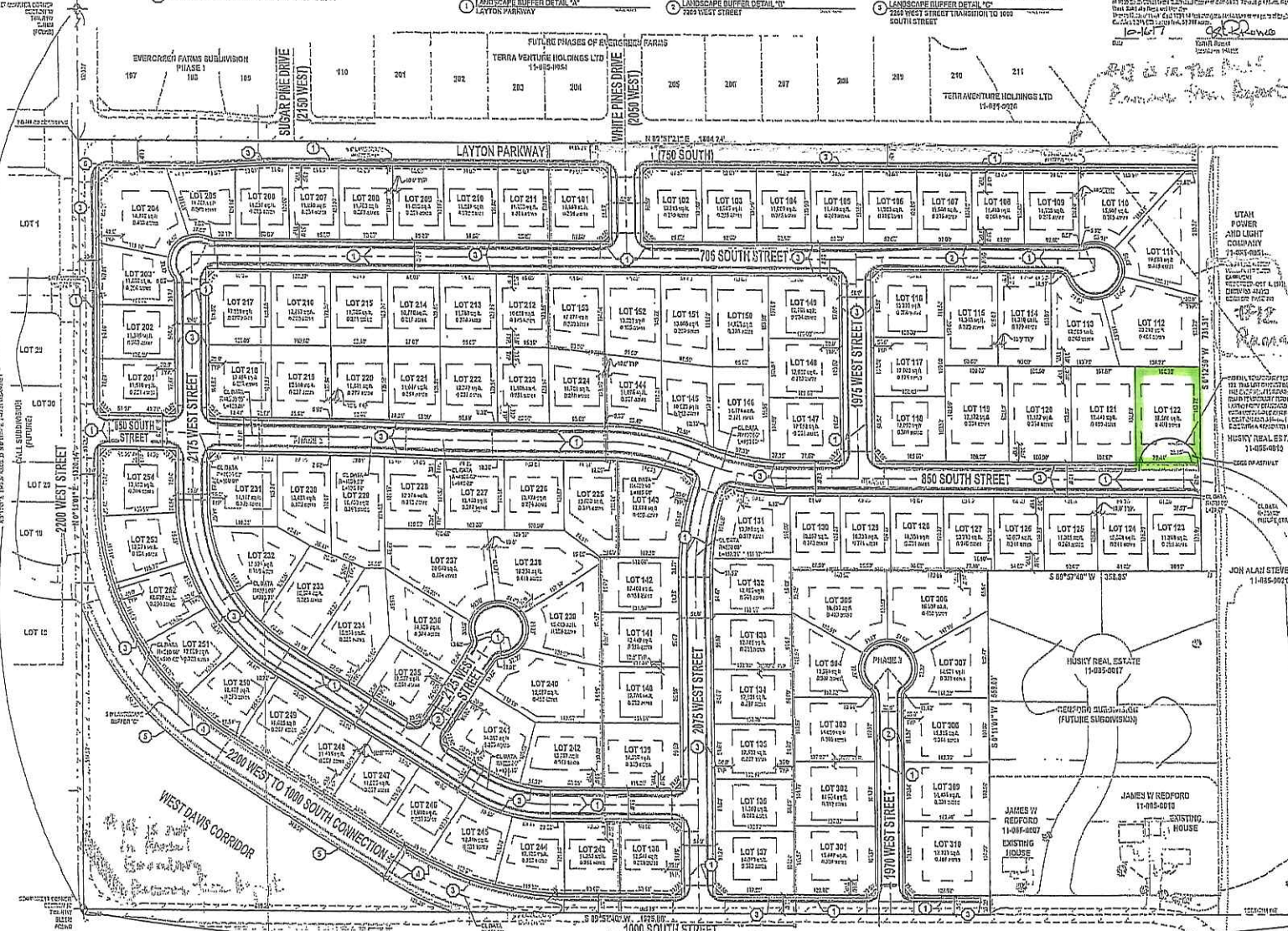
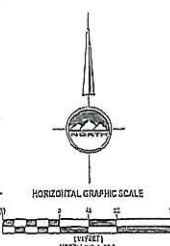
FILE
CIVIL RIGHTS DIVISION
U.S. DEPARTMENT OF JUSTICE
NEW YORK OFFICE
COMM-FBI
BUREAU (100-442671)

PARKE ESTATES
BETWEEN 1900 WEST AND 2200 WEST
AYTON, UTAH

PRELIMINARY
SITE PLAN

PROJECT NAME 12345	PROJECT NO. 10101
OWNER 12345	DATE 1/1/2010
PROJECT LOCATION 12345	

1 OF 3

[illegible][illegible]

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

Item Number: 5.E.

Subject:

Amended Plat– Daniel’s Canyon Subdivision, 2nd Amendment – Approximately 1130 North 3300 East

Background:

The applicant, Danny Wall, is requesting to amend Lots 7 and 8 of the Daniel’s Canyon Subdivision. The amendment involves combining two lots into one lot. The single lot will meet the R-1-10 zone requirements with regards to frontage and area.

Alternatives:

Alternatives are to 1) Grant amended plat approval to Daniel’s Canyon Subdivision, 2nd Amendment subject to meeting all Staff requirements as outlined in Staff memorandums; or 2) Deny the proposed amendment.

Recommendation:

On May 14, 2019, the Planning Commission unanimously recommended the Council approve Daniel’s Canyon Subdivision, 2nd Amendment subject to meeting all Staff requirements as outlined in Staff memorandums.

Staff supports the recommendation of the Planning Commission.



Staff Report

**COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

To: City Council

From: Kem Weaver, Planner II 

Date: May 16, 2019

Re: Daniel's Canyon Subdivision – 2nd Amendment

Location: 1130 North 3300 East

Zoning: R-1-10 (Single Family Residential)

Description:

The applicant, Danny Wall, is requesting to amend Lots 7 and 8 of the recorded plat for the Daniel's Canyon Subdivision. Lots 7 and 8 are located at the southeast end of a cul-de-sac street. R-1-10 zoning is located to the north and west, unincorporated County land is to the south and US Forest Service land is to the east.

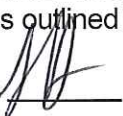
Background:

The recorded plat for Daniel's Canyon includes 10 lots; lots 7 and 8 are uniquely shaped and have a number of easements on both lots that make it difficult to build a home on each lot. A detention basin and land drain easement are located at the front of Lot 7. Both lots have a rock fall easement through the center of each lot. The rear portion of the lots are steep and unbuildable.

By combining the two lots into one there is a bigger buildable area outside the easement areas. With the plat amendment, the side yard public utility easements will be vacated between Lots 7 and 8.

Staff Recommendation:

Staff recommends amended plat approval be granted subject to meeting all Staff requirements as outlined in Staff memorandums.

Engineering 

Planning 

Fire _____

Planning Commission Action: On May 14, 2019, the Planning Commission voted unanimously to recommend the Council approve Daniel's Canyon Subdivision – 2nd Amendment subject to meeting all Staff requirements.

The Commission asked for public comment. No public comments were given.



Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

MEMORANDUM

TO: Planning Commission
City Council

FROM: Stacy Majewski, Staff Engineer

CC: Community & Economic Development

DATE: May 6, 2019

SUBJECT: Daniel's Canyon Subdivision, Second Amended (2nd submittal)

We have reviewed the dedication plat and public utility easement vacation document submitted on April 25, 2019 for the Daniel's Canyon Subdivision, Second Amended located at 1130 North 3300 East. The Engineering Department recommends the plat be approved. The Engineering Department has found that the plat meets the requirements as set forth in the Municipal Code and Engineering Standards and Design Guidelines.



Community • Prosperity • Choice

Mayor * Scott Freitag
City Manager * Alex R. Jensen

Fire Department
Kevin Ward * Fire Chief
Telephone (801) 336-3940
Fax: (801) 546-0901

*(801) 336-3940 * FAX: (801) 546-0901 Fire Department
* 530 North 2200 West * Layton, Utah 84041

Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

MEMORANDUM

TO: Community Development, Attention: Kendall Welch

FROM: Douglas K. Bitton, Fire Marshal 

RE: Daniel's Canyon Subdivision-2nd Amended @ 1130 N 3300 E

CC: 1) Engineering
2) Keith Russell, krussell@ensignutah.com
3) Danny Wall, dwall@wallcompanies.net

DATE: March 15, 2019

I have reviewed the plat adjustments to make a bigger lot received on March 7, 2019 for the above referenced project. The Fire Department, with regards to the lot adjustments, does not have any comments at this time.

These plans have been reviewed for Fire Department requirements only. Other departments may review these plans and will have their requirements. This review by the Fire Department must not be construed as final approval from Layton City.

DB\Daniel's Canyon Sub 2nd Amend S19-045:me
Plan #S19-045 District #34
Project Tracker #LAY1903072883
ERS#9285



Community • Prosperity • Choice

• Parks and Recreation •
JoEllen Grandy • Parks Planner
Telephone: (801) 336-3926
Fax: (801) 336-3909

Memorandum

To: Danny Wall, Keith Russell
CC: Community Development, Fire, & Engineering
From: JoEllen Grandy, Parks Planner – Parks & Recreation
Date: March 15, 2019
Re: Daniel Canyon Subdivision Second Amendment, Final Approval – 1130 N. 3300 E.

The Daniels Canyon Subdivision located at 1130 North 3300 East is within the future service area of Snow Canyon Park. The applicant's proposed lots to be amended (Tax ID#s 09-405-0007 and 09-405-0008) would not impact the Parks & Recreation Department.

The Parks & Recreation Department has reviewed the plans submitted on March 7th and has no comments or concerns regarding the Daniel Canyon Subdivision Second Amendment.

Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.



CITY COUNCIL

Daniel's Canyon Subdivision 2nd Amendment

Approximately
1130 North
3300 East

Legend

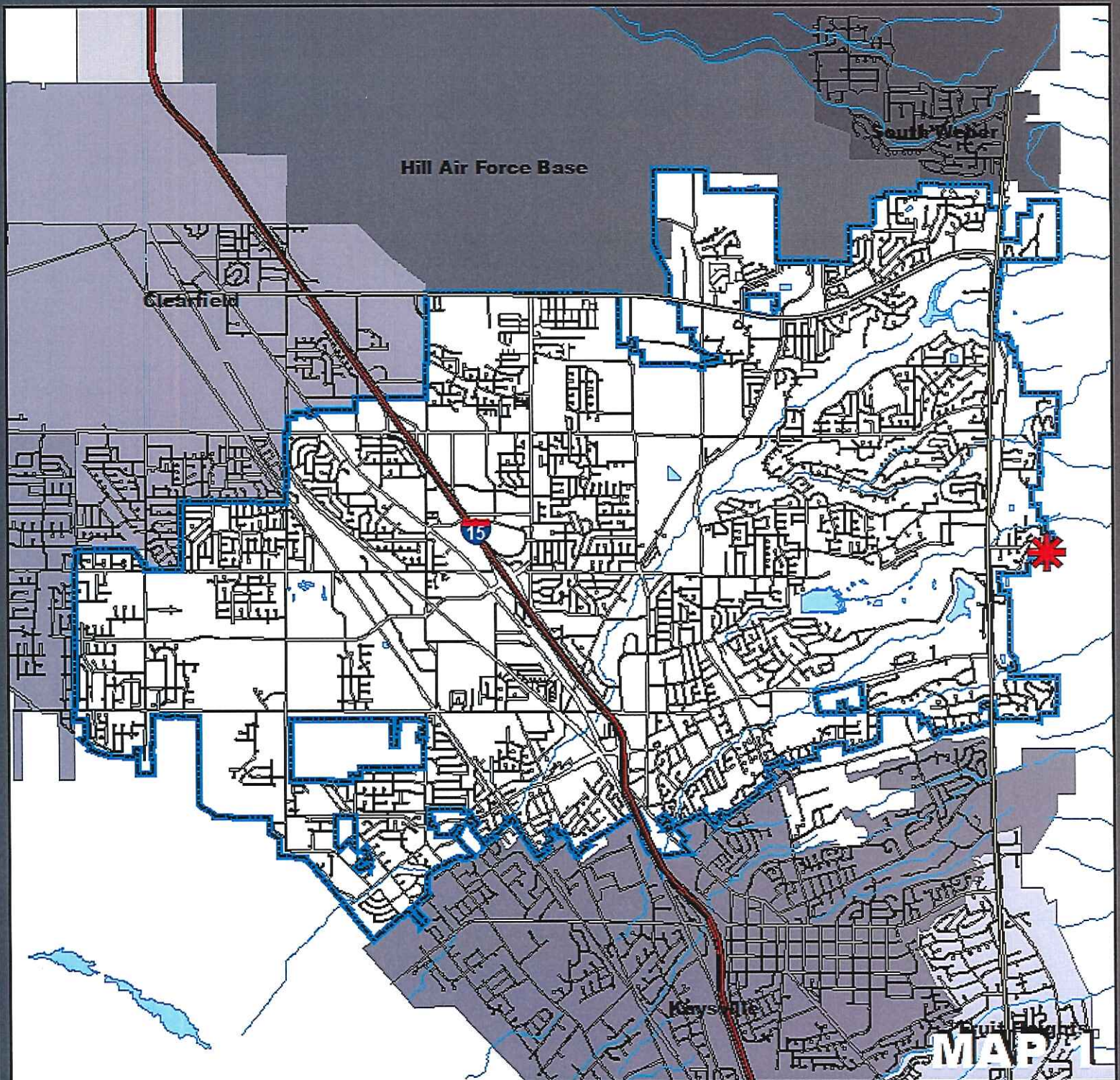
-  City Boundary
-  Interstate 15
-  Highways
-  Lakes
-  Streams

 - Project Site



1 inch = 5,000 feet


Layton
City

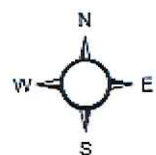


CITY COUNCIL

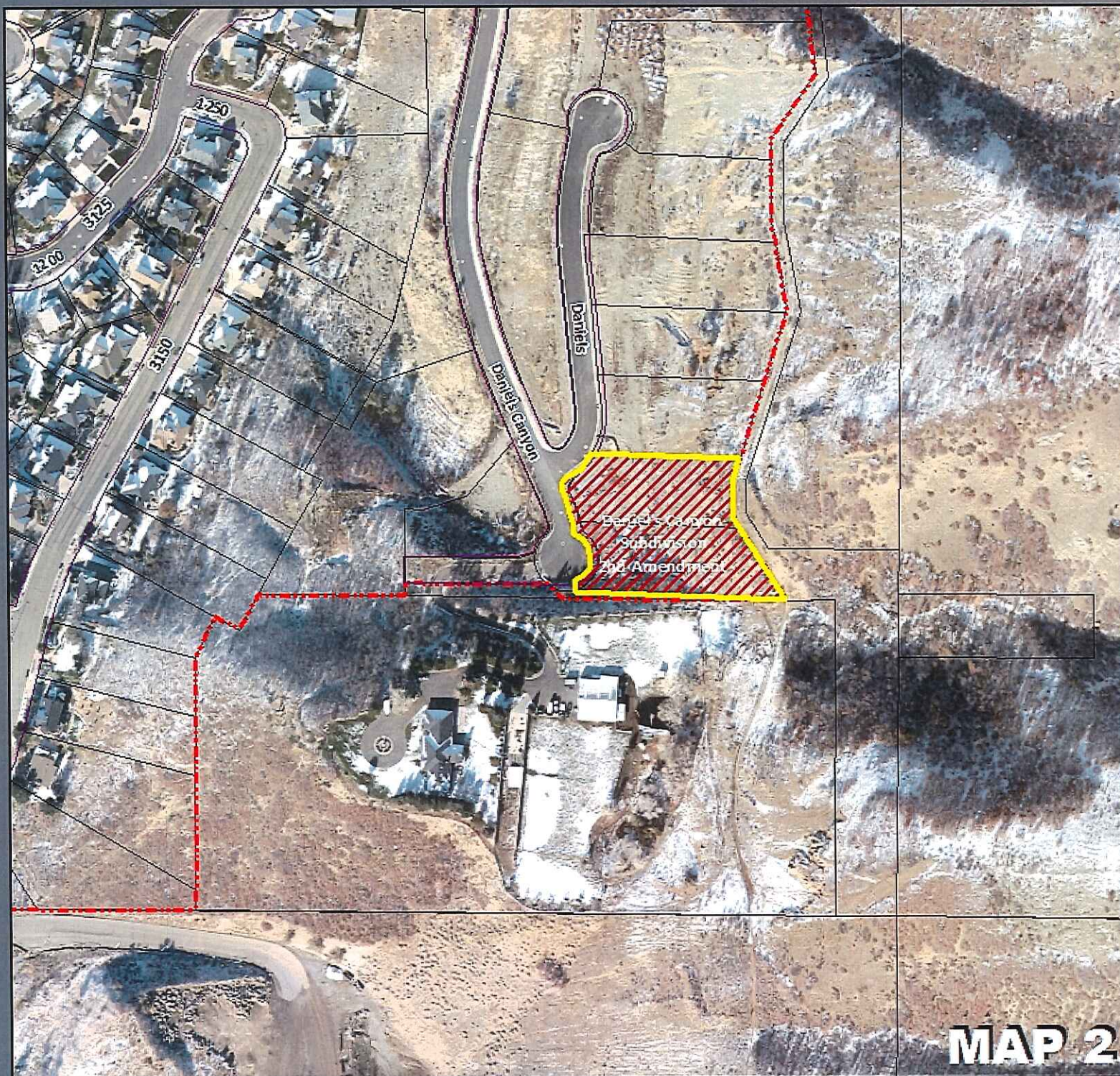
Daniel's Canyon Subdivision 2nd Amendment

Approximately
1130 North
3300 East

-  Rights of Way
-  Layton City Boundary
-  Interstate 15
-  Streams
-  Lakes
-  Subject Area



1 inch = 208 feet



MAP 2

NOTES:

the following is a list of the names of the persons who have been named in the above mentioned cases:

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DAYTON CITY, OHIO

CHAIRMAN, DAYTON CITY PARKING COMM.

BY

Journal of Management Education 36(7) 809-824

SHEET 1 OF 2	job no.	L-1008027
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