

**MINUTES OF LAYTON CITY
COUNCIL MEETING**

JULY 18, 2013; 7:00 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**MAYOR J. STEPHEN CURTIS, MICHAEL
BOUWHUIS, JOYCE BROWN, BARRY FLITTON
AND JORY FRANCIS**

ABSENT:

SCOTT FREITAG

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, BILL WRIGHT,
PETER MATSON, TERRY COBURN, TERRY
KEEFE, DAVE THOMAS AND THIEDA
WELLMAN**

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

Mayor Curtis opened the meeting and excused Councilmember Freitag. Northridge High School Junior Air Force ROTC posted the colors and led the Pledge of Allegiance. Shalie Reich gave the invocation.

MUNICIPAL EVENT ANNOUNCEMENTS:

Councilmember Brown said this Wednesday, July 24th, the Davis Chamber of Commerce would be hosting Taste of the Town in Commons Park. She said this was a great activity where residents could sample food from various restaurants from the area. Councilmember Brown said that evening, Layton City was sponsoring Riders in the Sky, which was a free concert. She said the concert started at 8:00 p.m. and the gates opened at 7:00 p.m.

Councilmember Bouwhuis gave an update on the progression of the repairs North Davis Sewer District was making in the Gordon Avenue area. He said they would begin repairs on Antelope Drive sometime next winter.

Councilmember Brown expressed appreciation to Staff for making July 4th such a great event. She said she had received a lot of positive feedback from citizens.

Mayor Curtis said Riders in the Sky did the sound track for Toy Story. He said the concert was a very fun family event that was free.

PRESENTATIONS:

YEARS OF SERVICE AWARDS

Alex Jensen, City Manager, said without a doubt, the City's most important asset was its employees. He said twice a year, in five year increments, the City recognized employees for their years of service to the City. Alex said employees with less than 20 years of service were recognized in their department meetings; employees with more than 20 years of service were recognized at a Council meeting.

Alex recognized Scott Maughan, Battalion Chief with the Fire Department for 20 years of service; Jared Sholly with the Fire Department for 20 years of service; Gary Crane, City Attorney, for 20 years of service; Merlynn Miya with the Parks and Recreation Department for 20 years of service; Joanne Manning, a Crossing Guard at Heritage Elementary with 20 years of service; and Debbie Pettijohn with the Police Department for 20 years of service. Those employees in attendance came forward to receive plaques and to shake hands with the Mayor and Council.

Alex said the City had tried to be very efficient when hiring employees. He said the City had a very low

and very consistent number of employees per 1,000 population. Alex said employees were expected to perform their duties in a very efficient manner. He said the City was proud that with the downturn in the economy, the City didn't have to lay off any employees. Alex said even though the City had not been able to give salary increases consistent with past practices, employees did not complain but were thankful for being able to work for the City. He said this was a very vivid reminder of how special the employees of Layton City were.

CONSENT AGENDA:

APPROVAL OF POLLING LOCATIONS AND APPOINTMENT OF POLL WORKERS – RESOLUTION 13-38

Thieda Wellman, City Recorder, said Resolution 13-38 would approve the polling locations for the upcoming primary election, and appoint the polling judges that would be working at those locations. She said this item was fairly routine in nature, but State code required that the elective body approve the polling locations and appoint the poll workers.

Thieda said the City would be using Vote Centers again this year. She said there were six Vote Center polling locations in the City and residents could vote at any polling location regardless of where their precinct was assigned. Thieda indicated that the poll workers could not be an immediate family member of any of the candidates in their home polling location. She said Staff recommended approval of Resolution 13-38.

Councilmember Flitton asked Thieda to identify the six polling locations.

Thieda said the six Vote Center polling locations were Valley View Golf Course, Northridge High School, Layton High School, Heritage Elementary, Ellison Park Elementary and Mountain View Elementary.

Councilmember Brown asked when the primary election would be held.

Thieda said the primary election was scheduled for August 13, 2013, and there would be early voting two weeks before the primary election at the City Center building. She said the dates and times of early voting were available on the City's website.

AMENDMENT TO TITLE 4 OF THE LAYTON MUNICIPAL CODE – CITY'S RECORDS ACCESS MANAGEMENT ACT – ORDINANCE 13-11

Gary Crane, City Attorney, said Ordinance 13-11 was an amendment to the Government Records Access Management Act, fondly known as GRAMA. He said every year the legislature made changes to the GRAMA law, and these amendments would bring the City Code in line with those changes. Gary said many of the changes were technical changes, and changes to the types of records that were covered by GRAMA.

Gary said personal notes made by the Council were not generally subject to GRAMA. Personal telephone numbers or email addresses were not subject to GRAMA, but elected officials did have to have an email address or phone number available for the public to contact them. Gary said relative to appeals, the City Manager or Chief Executive Officer of the City was able to determine whether a private record should be released or not.

Gary said the City retained records for as long as the State indicated that they should be retained. He said there were certain opportunities the State allowed for cities to set retention for a record if the city did not want to follow the recommendation of the State. Gary said traditionally recordings of public meeting had been retained for one year; a few years ago that was changed to three years. He said this amendment indicated that the City would retain meeting recordings for one year, which was more than adequate. Gary said the written record of the meeting was the permanent record and would be retained forever. He said Staff

recommended approval of Ordinance 13-11.

BID AWARD – ORMOND CONSTRUCTION, INC. – PINWOOD STORM DRAIN PROJECT – APPROXIMATELY 2500 EAST TO 2825 EAST PINWOOD ROAD – RESOLUTION 13-37

Terry Coburn, Public Works Director, said Resolution 13-37 authorized the execution of an agreement with Ormond Construction for the Pinwood Storm Drain project. He said the project included the construction of approximately 1,500 linear feet of 15 inch to 18 inch storm drain pipe, and other items. Terry said the project would improve storm drainage in the area and refurbish the asphalt for better traffic safety and flow. He said four bids were received with Ormond Construction submitting the lowest responsive, responsible bid of \$219,583.41; the engineer's estimate for the project was \$250,000. Terry said Staff recommended approval.

ON-PREMISE CLUB LIQUOR LICENSE – LINDA LOU'S TIME FOR TWO – 2981 NORTH 350 WEST

Bill Wright, Community and Economic Development Director, said this was a request for an on-premise club liquor license for Linda Lou's Time for Two, which was an existing private club located at 2981 North 350 West, on the northern portion of Hill Field Road close to the intersection of Highway 193. Bill said there was a change in ownership, which required a new license. He said the location met all of the buffering requirements and background checks had been completed by the Police Department.

Bill said this private club did have a nonconforming right to continue its operation at this location. He said the club was located outside of the commercial superblock designations that were put in place years ago, but the use was already established. Bill said as a part of the nonconforming right, ownership of the property could change. He said Staff recommended approval of the on-premise club liquor license.

Councilmember Flitton asked if there was a buffering violation, would the new owner be able to get a license.

Bill said there was a public hearing process that would allow that to happen, if it was approved by the Council.

FINAL PLAT APPROVAL – FERNWOOD SPRINGS PRIVATE SUBDIVISION – APPROXIMATELY 3200 EAST FERNWOOD DRIVE

Bill Wright said this was a final plat approval for the Fernwood Springs Private Subdivision located at approximately 3200 East Fernwood Drive. He said the subdivision was approved in February 2009 as a preliminary plat because of some geotechnical and sensitive lands issues that required the Council review the preliminary plat. Bill said since that time there had been a downturn in the economy and the applicant had not advanced the subdivision to the final plat approval. He said all of the engineering and technical requirements had been completed.

Bill said this would be a private subdivision with a private drive off of Fernwood Drive, and private utility systems that would service the five lots. He said there was an existing home on the property that would remain and there would be development opportunities on the remaining four lots. Bill said there were geotechnical issues and fairly steep slopes on the property that had been reviewed for buildable area. He said a part of the Wasatch Fault had been identified as crossing this property, but did not cross any of the buildable areas. Bill said there would be setback requirements for any structures from the fault line.

Bill said the property was zoned R-S, and all of the lots met the minimum requirements in the R-S zone. He said there would be an HOA that would care for maintenance of the private drive and some of the utilities. Bill said one lot would take access from Fernwood Drive. He said the Planning Commission recommended approval of the final plat, and Staff supported that recommendation.

Councilmember Brown indicated that the applicant was Collin Brown, but she was not related to the

applicant.

FINAL PLAT APPROVAL – WEAVER MEADOWS SUBDIVISION, PHASE 4A – APPROXIMATELY 500 WEST 650 SOUTH

Bill Wright said this was final plat approval for seven lots in the Weaver Meadows Subdivison, Phase 4A, located on the south side of Layton Parkway at approximately 650 South. He said the applicant was Perry Homes. Bill said the subdivision was consistent with the zoning. He said the subdivision was providing for a stub-street access into property owned by Rulon Weaver, which would allow for future development. Bill said because of the length of the stub-street, the four homes on the stub-street would require a fire suppression system.

Bill said there were some restrictions on the lots to the south that fronted onto Kays Creek. He said the City was in the process of studying the flood plain designation for Kays Creek. Bill said FEMA did a flood plain study of Kays Creek and showed a fairly significant change in the flood plain width throughout that area and the City had countered with another study to make sure it was correct. He said because that study had not been finalized, those lots would not be issued a building permit until such time as the final designation relative to the flood plain had been made.

Bill said the study would show whether flood insurance would need to be provided for the owners of those lots and at what elevation the occupied floor level would need to be. He said the developer wanted to move forward with the subdivision because they needed lots. Bill said there would be additional phases to the subdivision to the south across Kays Creek. He said the Planning Commission recommended approval and Staff supported that recommendation.

PARCEL SPLIT REQUEST – JARED AND MATT YEATES – 2078 EAST CHERRY LANE

Bill Wright said this was a parcel split request submitted by Jared and Matt Yeates for property at 2078 East Cherry Lane. Bill said this was approximately two acres of property located directly east of the Foothills at Cherry Lane Subdivision. He said there was an existing home on the property; the proposal was to develop a flag lot for an additional home. Bill said all of the standards for a flag lot were being met, and a fire suppression system was being installed in the home on the flag lot. He said the Planning Commission recommended approval and Staff supported that recommendation.

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

The meeting adjourned at 7:42 p.m.

Thieda Wellman, City Recorder