

**MINUTES OF LAYTON CITY
COUNCIL MEETING**

NOVEMBER 7, 2013; 7:04 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**MAYOR J. STEPHEN CURTIS, JOYCE BROWN,
BARRY FLITTON, JORY FRANCIS AND SCOTT
FREITAG**

ABSENT:

MICHAEL BOUWHUIS

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, BILL WRIGHT,
PETER MATSON AND THIEDA WELLMAN**

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

Mayor Curtis opened the meeting and excused Councilmember Bouwhuis. Boy Scout Jackson Sevalero with Troop 203 led the Pledge of Allegiance. Councilmember Freitag gave the invocation. Scouts from Troops 203, 458, 746, 530, 845 and 463 were welcomed. Students from Weber State University were recognized.

MINUTES:

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

**Layton City Council Work and Joint Strategic Planning Meeting – September 19, 2013;
Layton City Council Meeting – September 19, 2013;
Layton City Council Work Meeting – October 3, 2013; and
Layton City Council Meeting – October 3, 2013.**

The vote was unanimous to approve the minutes as written.

MUNICIPAL EVENT ANNOUNCEMENTS:

Councilmember Brown indicated that the Veterans Day Program would be held next Monday at 11:00 a.m. at Central Davis Jr. High. She said this was a very nice program recognizing local veterans and there would be a light lunch served.

Councilmember Brown said on November 23rd the Family Recreation Program would hold their annual Turkey Bowl at Davis Lanes. She said residents should contact the Parks and Recreation Department by November 18th to register and pay for their lanes.

Councilmember Brown said the annual Christmas lighting ceremony would be held November 25th and would begin with a concert at Layton High. She said more information was available on the City's website.

Councilmember Brown said the Davis Arts Council would hold their annual Christmas Concert at Layton High on November 30th. She said Peter Brienholt and Mindy Gledhill would be performing.

CONSENT AGENDA:

**INTERLOCAL AGREEMENT BETWEEN BOUNTIFUL, CLEARFIELD, LAYTON AND ROY
FOR THE UTILIZATION OF A MUNICIPAL ETHICS COMMISSION – RESOLUTION 13-57**

Gary Crane, City Attorney, said Resolution 13-57 authorized an interlocal agreement between Bountiful, Clearfield, Roy and Layton for the establishment of an ethics commission. He said a couple of years ago the

State Legislature passed legislation that required the establishment of a municipal ethics commission. Gary said the ethics commission would review complaints that may be received concerning elected officials and the City Manager. He said it did not cover department heads or regular employees of the City.

Gary said the ethics commission that was established by the State was a fairly encumbering commission and was very formalized. He said cities had the option of getting together and putting their own ethics commission together. Gary said these four cities had elected to do that. He said the city attorneys for each of the cities that were not involved in an investigation would become the ethics commission that would review the complaints.

Gary said this was a model for how cities across the State were working to establish these commissions. He said most ethics complaints would involve conflicts of interest for the councils, and were often more of an education process than a punitive process. Gary said Staff recommended approval.

Councilmember Brown asked Gary to explain what the Council was held to and what conflict of interest involved.

Gary explained the review process of the commission relative to ethics violations concerning conflicts of interest.

FINAL PLAT APPROVAL – ELLISON PARK ESTATES SUBDIVISION, PHASE 1 – APPROXIMATELY 1850 WEST GORDON AVENUE

Bill Wright, Community and Economic Development Director, said this was final plat approval for the Ellison Park Estates Subdivision, Phase 1, located on 1850 West, which was also known as Cold Creek Way. He said it was located south of Gordon Avenue and to the east of Swan Lakes Golf Course. Bill said vacant land to the east would be developed as Phase 2 of the subdivision.

Bill said Ellison Park Estates received preliminary plat approval in June 2007 and was done at a time when the Davis School District was in the planning and construction phase of Ellison Park Elementary School. He said this was excess land that was not needed for the school. Bill said all of the improvements for this phase were installed as part of the development of Ellison Park Elementary.

Bill said Henry Walker Homes would be developing 13 single family homes along Cold Creek Way. He said the Planning Commission recommended final plat approval and Staff supported that recommendation.

Councilmember Flitton asked what the size of the lots would be.

Bill said they would be about 11,000 square feet, which was bigger than what was required in the zone.

STREET DEDICATION PLAT APPROVAL – LEGACY COTTAGES – APPROXIMATELY 250 NORTH ADAMSWOOD ROAD

Bill Wright said this was a street dedication plat approval for Legacy Cottages located at 250 North Adamswood Road. He said this was a one lot subdivision and the primary purpose of this approval was for property to be dedicated for the widening of Adamswood Road. Bill said there would be approximately a 30 foot width of property dedicated for the road right of way.

Bill said a senior housing project would be developed on the property. He said they were getting through the design and engineering phases and were almost ready for final approvals. Bill said as part of the development agreement, there would be some reviews by the Design Review Committee. He said Staff anticipated this coming back to the Council sometime in December for final approval. Bill said it was an exciting project for the City. He said the Planning Commission recommended approval of the street dedication plat and Staff supported that recommendation.

CONDOMINIUM PLAT APPROVAL – ROSEWOOD PROFESSIONAL CONDOMINIUMS – 1147 AND 1151 EAST ROSEWOOD LANE

Bill Wright said this was a condominium plat approval for Rosewood Professional Condominiums located at 1147 and 1151 East Rosewood Lane. He said the building was located south of the Cal Ranch Store along Rosewood Lane. Bill said the applicant was requesting a change to the existing building from a single owner to a condominium to allow for separate ownership of the two offices. He said nothing on the building or with the landscape would change. Bill said the Planning Commission recommended approval and Staff supported that recommendation.

Councilmember Freitag said for clarification, a condominium approval was moving the use to residential.

Bill said no. The condominium only meant that there would be separate ownership of the units in a building.

Councilmember Flitton said currently there was a dental office in the building. He asked if they would remain in the building.

Bill said his understanding was that all of the existing tenants would remain in place.

Mr. Dennis Poole with Poole and Associates said he represented RMW Enterprises LLC, or Robert Winegar, who was the current owner of the property. He said two spaces were leased to dentists that had expressed an interest in purchasing their individual suites. Mr. Poole said from the street, no one would know that there was any difference in ownership; the two suites were simply being divided into two separate units of ownership.

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

CITIZEN COMMENTS:

Sheri Tatton, 1032 West 500 South expressed concerns about the street in front of her business being closed during the Halloween rental season.

Mayor Curtis said the road was closed to allow the railroad to make repairs at the track crossing.

Cole Jensen, 367 North Canyon Creek Circle, asked about the progress of building a park on the east side of Highway 89 near the coffee shop.

Mayor Curtis said a park was in the long term plans of the City and would be built as part of a fire station in that area.

Ryan Wilco, 1531 West 600 South, expressed appreciation to the Mayor and Council for their service to the citizens of Layton.

The meeting adjourned at 7:37 p.m.

Thieda Wellman, City Recorder