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Minutes  
Regular Meeting  
November 13, 2013

Present: Mayor Kenneth F. Neilson, Councilmen Bill Hudson, Thad Seegmiller, Kress Staheli, Ronald Truman, Jeff Turek, City Attorney Jeff Starkey, City Manager Roger Carter, City Recorder Danice Bulloch, Deputy Recorder Tara Pentz, Community Development Director Drew Ellerman, Public Works Director Mike Shaw, Police Chief Jim Keith, Audience: Garth Nisson, Annette Jackson, Austin Jackson, Brett Giles, Alan Beaumont, Jim Turner, Carol Turner, Randy Wride, Sharlotte Wride, Ty Stucki, Preston Whiting, A.J. Gali, Matt Burgoyne, Ricky Prisbrey, Luke Udy

Meeting commenced at 6:00 P.M.

**Invocation:** Councilman Turek

**Pledge of Allegiance:** Boy Scout Brett Giles

Mayor Neilson welcomed the Boy Scouts in attendance.

**1. APPROVAL OF THE AGENDA**

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

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

**2. ANNOUNCEMENTS**

**A. Presentation to Washington City an Eagle Scout Project by Austin Delbert Jackson**

Austin Jackson presented his Eagle Scout Project to the City Council and Staff. His project was to collect all of the Veterans information from the Washington City Cemetery. He has located all of

the headstones in the cemetery that are available, taken pictures of the markers, and noted the branch of Military along with the war they served in.

Mayor and Council thanked Mr. Jackson for his great project. This information will be very beneficial to the City.

**B. Recognition of Utah Governor's Business Friendly Community to Washington City.**

Mayor Neilson explained Washington City was recognised for being a Business Friendly Community by the Governor's Office, which is a great honor for the City.

Councilman Turek thanked all of those who participated in the Veterans Day Celebration. The Celebration was extremely successful with many citizens in attendance.

**3. DECLARATION OF ABSTENTIONS & CONFLICTS**

*None*

**4. CONSENT AGENDA**

**APPROVAL OF MINUTES: Consideration to approve the minutes from the City Council Meetings of 10/22/13 and 10/23/13.**

**BOARD AUDIT REPORT: Consideration to approve the Board Audit Report for October.**

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

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

**5. FINAL PLATS**

**A. Consideration to approve the Final Plat for Westgate Hills Phase 2B, located at approximately 200 North along Westgate Hills Drive. Applicant: Richard Rogers**

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval of a final plat for Westgate Hills, Phase 2B subdivision, located at approximately 200 North along Westgate Hills Drive. This particular phase of the subdivision is proposing 7 lots on an area covering 9.02 acres. The specific location of this subdivision is zoned Planned Unit Development (PUD). The original Preliminary Plat was

approved back on June 13, 2007.

Staff has reviewed the requested proposal, and the proposed final plat, phase 2B, conforms to the approved preliminary plat.

The Planning Commission unanimously recommended approval of the Final plat for the Westgate Hills, Phase 2B subdivision to the City Council, based on the following findings and subject to the following conditions:

#### Findings

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

#### Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. Where applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a post maintenance agreement be recorded prior to the recording of the final plat.

City Manager Carter asked if the Cove Drive entrance was completely open.

Public Works Director Mike Shaw stated the road is open.

Councilman Hudson asked if the roads in the development are private.

Mr. Ellerman confirmed the roads are private.

Councilman Truman asked about the post-maintenance agreement.

Mr. Shaw explained the post-maintenance agreement states the developer has to maintain all of the runoff on the lot, until the lot is sold. At that time the new owner is responsible for the drainage until all of the landscaping is completed at which point the agreement goes away.

Councilman Staheli asked if the developer is doing anything to minimize the impact on the hillside.

Mr. Ellerman stated the main thing they are doing is to build the home so the cut is hidden by the

homes. The developer will be working with the homeowners.

*Councilman Staheli made a motion to approve the Final Plat for Westgate Hills Phase 2B, located at approximately 200 North along Westgate Hills Drive with the findings and conditions of Staff and as recommended by the Planning Commission. Councilman Hudson seconded the motion; which passed with the following role call vote:*

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

**B. Consideration to approve the Final Plat for Brookhaven Fields Phase 2, located at approximately 3200 South 20 East. Applicant: Robert Smith**

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval of a final plat for Brookhaven Fields, Phase 2 subdivision, located at approximately 3200 South 20 East. This particular phase of the subdivision is proposing 19 lots on an area covering 7.60 acres. The specific location of this subdivision is zoned RA-1 (Residential Agricultural - one acre min.), in conjunction with the Bonus Density Program. The original Preliminary Plat was approved back on November 22, 2011.

Staff has reviewed the requested proposal, and the proposed final plat, phase 2, conforms to the approved preliminary plat.

The Planning Commission unanimously recommended approval of the Final plat for the Brookhaven Fields, Phase 2 subdivision to the City Council, based on the following findings and subject to the following conditions:

**Findings**

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

**Conditions**

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. Where applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and/or Home Owners Association".

5. That a post maintenance agreement be recorded prior to the recording of the final plat.

Councilman Hudson asked if Moorfield Way ties into the adjacent development.

Mr. Ellerman confirmed Moorfield Way was stubbing to the adjacent property.

Councilman Staheli asked for clarification of the entrance to the development.

Mr. Ellerman reviewed the subdivision map with Council.

*Councilman Hudson made a motion to approve the Final Plat for Brookhaven Fields Phase 2, located at approximately 3200 South 20 East with the findings and conditions of Staff and as recommended by the Planning Commission. Councilman Turek seconded the motion; which passed with the following roll call vote:*

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

## 6. SUBDIVISION NAME CHANGE

**A. Consideration to change a subdivision name from Westlands at Stucki Farms to “The Homesteads at Stucki Farms”, located at approximately 4800 S. Washington Fields Road. Applicant: Karl Larson**

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval of a name change to an approved preliminary plat for the Westlands at Stucki Farms. They are wishing to change the name to The Homesteads at Stucki Farms, located at approximately 4800 East Washington Fields Road. The applicant is wishing to simply change the name of the subdivision.

The original preliminary plat was approved back on March 27, 2013. If approved, the preliminary plat will have the same conditions of approval from the original (Westlands at Stucki Farms) subdivision attached to it, as well as the time limit from the March approval date.

The Planning Commission unanimously recommended approval of the Name Change for the Preliminary plat of The Homesteads at Stucki Farms 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 for the proposed area.
2. That the preliminary plat conforms to the Zoning and the Subdivision Ordinances as conditioned.

## Conditions

1. A preliminary and 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. The two access roads, closest to the intersection of Washington Fields Road and Stucki Farms Parkway, will have to be right in and right out turns only. A raised median will be required on both Washington Fields Road and Stucki Farms Parkway due to access management guidelines and the road size(s) of both these roads (106' plus).

Councilman Seegmiller clarified the subdivision name means nothing other than the naming of their community.

Mr. Ellerman confirmed he was correct.

*Councilman Seegmiller made a motion to approve the change of a subdivision name from Westlands at Stucki Farms to "The Homesteads at Stucki Farms", located at approximately 4800 S. Washington Fields Road. with the findings and conditions of Staff and as recommended by the Planning Commission. Councilman Hudson seconded the motion; which passed with the following role call vote:*

*Councilman Hudson*            *Aye*  
*Councilman Seegmiller*      *Aye*  
*Councilman Staheli*          *Aye*  
*Councilman Truman*          *Aye*  
*Councilman Turek*            *Aye*

**7.     SPECIAL EVENT PERMIT**

**A.     Consideration to approve a Special Event Application to use the Treasure Valley Park for “Fight Like A Girl 5K” in support of Ryan Talbot, November 23. Applicant: Heather Kearl**

Police Chief Keith stated Ms. Heather Kearl has completed all of the paperwork for the Special Event Permit from the Council, to hold a 5K fundraiser for Ryan Talbot. This is for one of the Washington City Police Officers sisters.

*Councilman Turek made a motion to approve a Special Event Application to use the Treasure Valley Park for “Fight Like a Girl 5K” in support of Ryan Talbot on November 23, 2013. Councilman Hudson seconded the motion; which passed with the following role call vote:*

*Councilman Hudson*            *Aye*  
*Councilman Seegmiller*      *Aye*  
*Councilman Staheli*          *Aye*  
*Councilman Truman*          *Aye*  
*Councilman Turek*            *Aye*

**8.     AWARD OF BID & RFP**

**A.     Consideration to award the bid for the Telegraph Road Repairs and Drainage Ditch Improvements to JP Excavating Inc. Public Works Director Mike Shaw**

Public Works Director Mike Shaw reviewed:

Movement has been occurring on this segment along the westerly side of the ridge for some time. Staff feared the movement may have been due to a landslide effect. Upon drilling of the problem area, it has been determined by the geotechnical engineer that it is not a landslide. The movement is being caused by a combination of expansive soils in some areas and soil settlement in other areas. With the drainage improvements this project provides the surface flow infiltration will be dramatically reduced therefore minimizing future movement. This project will also restore the roadways vertical profile and improve the ride of the roadway in this area.

Washington City received a total of 4 bids for this project, with the lowest bid being received by JP Excavating, Inc. in the amount of \$112,428.00. It is the recommendation of Staff to award to JP Excavating, Inc.

*Councilman Staheli made a motion to award the bid for the Telegraph Road Repairs and Drainage*

*Ditch Improvements to JP Excavating, Inc. in the amount of \$112,428.00. Councilman Turek seconded the motion; which passed with the following role call vote:*

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

**9. AGREEMENTS**

**A. Consideration to approve a "Cost Sharing Agreement for Storm Drainage" between Washington City and the Developer/Owner for Steeplechase at Washington Fields Subdivision. Public Works Director Mike Shaw**

Public Works Director Mike Shaw reviewed:

Washington City, Steeplechase Development and Washington County School District have been working together to fund this project, which will tie in to the existing storm drain system and bring storm drainage to the southeast part of Washington Fields where none exist. The storm drain line will run from 240 West and 3930 South through Treasure Valley Development to Steeplechase Development and then the Washington County School Site. In the future, the storm drain line will extend to the west and south.

Councilman Turek commented it is commendable we are working with the developers to complete the project.

Councilman Truman asked if the agreement had been reviewed by our City Attorney.

City Attorney Starkey confirmed he has reviewed the agreement.

*Councilman Seegmiller made a motion to approve a "Cost Sharing Agreement for Storm Drainage" between Washington City and the Developer/Owner for Steeplechase at Washington Fields Subdivision. Councilman Truman seconded the motion; which passed with the following role call vote:*

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

**10. CANVASSING**

**A. Consideration to approve the Canvassing of the November 5, 2013 General Municipal Election Results. City Recorder Danice Bulloch**

City Recorder Danice Bulloch reviewed the November 5, 2013 General Election results. We had 171 provisional ballots, which were not included in the initial results. We had a 75% turnout for the absentee votes and only 28% turnout for the actual election day. We have been investigating the possibility of doing mailed ballots.

City Manager Carter stated quite frankly it is not only the voter turnout, but the wear and tear for the actual elections. We are going to look into what percentage was received by other Cities of our size received for all mailed ballots.

Councilman Truman thanked the Recorder's Office for all of their hard work.

*Councilman Hudson made a motion to approve the Canvassing of the November 5, 2013 General Municipal Election Results. Councilman Seegmiller seconded the motion; which passed with the following role call vote:*

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

#### **11. REPORT OF OFFICERS FROM ASSIGNED COMMITTEE**

Councilman Staheli stated he was on the Community Activities Committee, and he would like to thank all of those who participated.

Councilman Turek stated the Investment Committee met this past week. The investments are doing very well, and our City Treasurer will be in front of Council very soon to review those accounts.

#### **12. CITY MANAGER REPORT**

City Manager Carter updated Council on the Southern Parkway from Stucki farms, which will be opening this next week. We are anticipating a December 1st opening on the Southern Parkway to the airport. The portion going up to Sandhollow is anticipated for a December 1st opening as well. We are working on design and grading packages for the remainder of the Southern Parkway. The Sewer Maintenance Building blocks will begin getting set on the 18th of this month.

Councilman Hudson asked the status of Seminole Way.

City Manager Carter stated the developer has indicated the curb, gutter and sidewalk is scheduled to be completed by next Friday. If this is not completed we will be cashing the bond. We are still waiting for the letter from the Fish and Wildlife for the permission on the Virgin River Trailhead. The Seimens Project is moving forward, however, he did want to note, the street lighting project

is for the Washington City Power Department area, and does not include the area South of the river.

City Manager Carter presented a video about nuclear plants. He visited a similar site when he was in Corvallis, OR which is something we have an interest in for our long range planning. UAMPS is very interested in placing one of the small modular nuclear plants in Idaho, and they have some great advantages. There are some very different functions between the large nuclear plants and these small modular facilities. He will be coming to Council in the future to give additional information on these types of plants.

Councilman Seegmiller asked if the concept would be for Washington City to have a stake in one of these modular plants.

City Manager Carter stated he would like to move toward it. It is a type of plant would be in the future, because the permitting is lengthy. However, he would like the Council to be educated in order to be able to make a decision when and if the time comes. This is just one of the many energy sources we are reviewing

**13. ADJOURNMENT**

*Councilman Hudson made a motion to adjourn the Regular Meeting. Councilman Seegmiller seconded the motion; which passed with the following roll call vote:*

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

Meeting adjourned at 7:00 P.M.

Passed and approved this 26th day of November 2013.

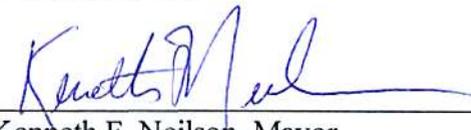
Attest by:



Danice B. Bulloch, CMC  
City Recorder



Washington City

  
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Kenneth F. Neilson, Mayor

