



MEETING NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Council will hold a regular council meeting on Thursday, November 15, 2018, starting at 7:00 p.m. in the Council Room of the Kaysville City Municipal Center, 23 East Center Street, Kaysville, UT. A Public Hearing will be held prior to the council meeting at 6:45 p.m.

PUBLIC HEARING – 6:45 PM

1. Consideration for the consideration of amendments to Chapter 16-13, Retail Tobacco Specialty Business.

CITY COUNCIL MEETING – 7:00 PM

The agenda shall be as follows:

1. OPENING
 - a. Provided by Council Member DeCaire
2. RECOGNITIONS AND PRESENTATIONS
 - a. FY2018 Annual Audit Presentation – Hansen, Bradshaw, Malmrose and Erickson
3. DECLARATIONS OF CONFLICTS OF INTEREST
4. CONSENT ITEMS
 - a. Minutes from September 20, 2018
 - b. Minutes from November 1, 2018
 - c. Appointment of Community Development Director – Lyle Gibson
 - d. Sod Purchase for Pioneer Park – Parks Department
 - e. Okonite Material Purchase -Power Department
 - f. Decorative Light Purchase – Power Department
 - g. Acceptance of Improvements for Hill Farms Phase 5 Subdivision
 - h. Acceptance of Improvements for Bob Mason Subdivision
 - i. Acceptance of Cooperative Agreement with UDOT for Safe Routes to Schools funding for pedestrian activated crossings along the D&RGW rail trail.
5. ACTION ITEMS
 - a. Preliminary plat approval for South Angel Street Subdivision at approximately 1300 West Roueche Lane – J.D. Horne.
 - b. Request to rezone 3.92 acres of property from GC (General Commercial) to R-1-20 (Single Family Residential) and another 1.81 acres of property from GC (General Commercial) to the LI (Light Industrial) zoning district at approximately 2100 West 200 North – Terraventure Development.
 - c. Amendment of Chapter 16-13, Retail Tobacco Specialty Business (ORD 18-11-2)

6. WORK ITEMS
 - a. Architectural RFQ Discussion
 - b. Proposed City Engineer Ordinance Change
 - c. Discussion about Sidewalk Ranking and Payment – Josh Belnap
 - d. Amendment of Section 17-31-25, Telecommunication Towers, together with amendments to applicable zoning districts within Title 17, Planning and Zoning, to clarify where tower types may be located and by which process they may be considered.
7. CALL TO THE PUBLIC
8. COUNCIL MEMBER REPORTS
9. CITY MANAGER REPORT
10. ADJOURNMENT

Kaysville City is dedicated to a policy of non-discrimination in admission to, access to, or operations of its programs, services or activities. If you need special assistance due to a disability, please contact the Kaysville City Offices at (801) 546-1235.

I hereby certify that I posted a copy of the foregoing Notice and Agenda at City Hall and emailed copies to media representatives on November 12, 2018.

City Recorder/Maria Devereux

KAYSVILLE CITY PUBLIC HEARING NOTICE

Notice is hereby given that the Kaysville City Council will hold a public hearing on Thursday, November 15, 2018, at 6:45 p.m., in the Council Room of the Kaysville City Municipal Center, 23 East Center, Kaysville, for the consideration of amendments to Chapter 16-13, Retail Tobacco Specialty Business. (Ordinance 18-11-2).

The proposed amendments to Chapter 16-13 are primarily for the purpose of bringing Kaysville City's ordinances into conformity with recent changes in State Law as to what is or isn't a Retail Tobacco Specialty Business.

I hereby certify that I posted a copy of the foregoing Public Hearing notice on the municipality's official website by November 8, 2018.

Maria Devereux/City Recorder



KAYSVILLE CITY COUNCIL

Meeting Minutes

DRAFT

Sept 20, 2018

Meeting Minutes of the Sept 20, 2018 City Council Meeting.

Present: Mayor Witt, Council Member Barber, Council Member Page, Council Member DeCaire, Council Member Garn, and Council Member Adams.

Others present: City Manager Shayne Scott, City Engineer Andy Thompson, Chief Sol Oberg, Finance Director Dean Storey, City Recorder Maria Devereux, City Attorney Nicholas Mills, Karen Erickson, Racy Erickson, Dean Wall, Dena Eckardt, McKenzie Eckhardt, Ryan Eckardt, Cameron McKinnon, Kyla Essex, Mitchell Harding, Ally Jarmon, Tom Mi, Camille Jepsen, Oracle Rasmussen, Clayre Scott, Marcus Hayden , Anna Van Noy, Emily Alvord, Linda Francis, Steve Gunnell, Mike Blackham, Aaron Shupe, James Wade, Matt Robinson, Kayleen Campbell, Ryan Hatch, Curtis Torres.

CITY COUNCIL – 7:00PM

OPENING

Opening provided by Council Member Page.

RECOGNITION AND PRESENTATIONS

AWARD

Chief Erickson praised Captain Ryan Eckardt for his good work ethic and dedication to the City.

FIRE PREVENTION WEEK PROCLAMATION

Chief Erickson read the Fire Prevention Week Proclamation, signed and approved by Mayor Witt.

YOUTH CITY COUNCIL OATH OF OFFICE

Council Member Barber introduced the Youth City Council and the Advisor Linda Francis. Mayor Witt administered the Oath of Office and praised the youth for their interest in City government and the Community.

RULES OF PROCEDURES UPDATES

Nic Mills, City Attorney, gave an overview of the rules of procedure for City Council members.

DECLARATIONS OF CONFLICTS OF INTEREST

There were no conflicts disclosed.

CONSENT ITEMS

Mayor Witt asked for a motion of the Consent Items.

The Consent Items are as follows: Minutes from August 16, 2018, and Housing Gap Resolution 18-9-2.

Council Member Barber made a motion to approve the Consent Items, second by Council Member Garn.

A vote on the motion is as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Hansen, Yea

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The motion passed unanimously.

ACTION ITEMS

AGREEMENT WITH THE UTAH LOCAL GOVERNMENTS TRUST /RESOLUTION

Shayne Scott, City Manager, explained that in April of 2018, the City requested proposals for Property and Casualty Insurance and related risk management services. The RFP solicited information to explore all insurance options including traditional insurance, self-insurance retention programs and pooling options. The City received various proposals for insurance coverage including coverages through the broker model and the pooling model. City Staff with

Mayor Witt and Council Member Garn reviewed the proposals and then invited three of the respondents, Olympus, ULGT and URMMA to meet and review their proposals and discuss coverages and related insurance services. City staff continued to follow up with additional requests for information and met again to review the additional information and make a recommendation for insurance coverage and related risk management services.

Council Member DeCaire made a motion to adopt the resolution authorizing insurance through the ULGT, second by Council Member Garn.

A vote on the motion is as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member DeCaire, Yea

The motion passes unanimously.

PRELIMINARY PLAT APPROVAL FOR THE 40 EAST CRESTWOOD PUD SUBDIVISION

Lyle Gibson explained that in February 2017, this project was fully approved by the City. The developer was not able to build the project at that time and the approvals have all expired. The Developer is now ready to construct the project and must have it reapproved. The property is located on the south side of Crestwood Road between Main Street and Heritage Park. The property is roughly 0.44 acres or just over 19,000 sq. ft. in size. The property is zoned R-M and received the PRUD overlay zone last year. The plat consists of two three-unit buildings on pads with the remainder of the property as common area.

Council Member DeCaire made made a motion to approve the preliminary plat for the 40 East Crestwood PUD Subdivision, second by Council Member Garn.

A vote on the motion is as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Nay
Council Member Garn, Yea
Council Member DeCaire, Yea

The motion passes four to one.

ECONOMIC DEVELOPMENT INCENTIVES

Shayne Scott discussed the need for criteria when it comes to Economic Development Incentives in the city, as previously noted by the City Council. City Staff was asked to work on a document that the council could refine. He noted that the City Staff have been working on this document for several weeks. Refinement went further as the Kaysville ad hoc Economic Development Committee also discussed the plan and made valuable comments and suggestions for alterations.

Council Member Barber made a motion to accept Economic Development Incentive Plan, second by Council Member Page.

A vote on the motion is as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Nay
Council Member Garn, Yea
Council Member DeCaire, Yea

The motion passes four to one.

A RESOLUTION AMENDING THE KAYSVILLE CITY CONSOLIDATED FEE SCHEDULE RELATED TO APPLICATION FEES AND CREDITS APPLICABLE TO RENEWABLE ENERGY (SOLAR) GENERATION CUSTOMERS. (RES. 18-9-1)

Shayne Scott gave an overview of the energy projects. He explained that the Power Commission has made three recommendations for policy changes, two are Commercial Generation Agreements and one is a Resolution related to Application Fees for renewable energy projects.

The first is a Commercial Generation Agreement (solar, hydro, etc) for Commercial customers. This is a new agreement. At the time the City Council adopted a Residential Generation Agreement back in January, it was mentioned that Commercial was yet to come. After several months of work, the Kaysville City Power and Light Company in conjunction with the Power Commission is excited to present this new agreement to you for your ratification. This agreement will allow Commercial customers to have the opportunity to produce some of their own power.

Council Member DeCaire made a motion to adopt the resolution as presented, second by Council Member Garn.

A vote on the motion is as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member DeCaire, Yea

The motion passes unanimously.

The second agreement is a Commercial (summer season) Generation agreement. This agreement is at a different rate because these customers will be producing power during the summer peak when we need the power for high demand times. This agreement should allow us to shave our peak some and require less purchase of power during those expensive high demand times.

Council Member DeCaire made a motion to approve the Commercial Agreement (Summer Season), second by Council Member Barber.

A vote on the motion is as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member DeCaire, Yea

The motion passes unanimously.

The Resolution establishes Application Fees for renewable energy meters and solar credits. All three of these agreements encourage and allow Commercial customers to produce power at their own Facilities.

Council Member Barber made a motion to approve the Commercial Generation Agreement, second by Council member Page.

A vote on the motion is as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member DeCaire, Yea

The motion passes unanimously.

WORK ITEMS

ADMINISTRATIVE LAW JUDGE ORDINANCE CHANGE.

Lyle Gibson explained that there is a need for an improved means of handling appeals to land use decisions in Kaysville City. Currently the city's ordinances are not clear on who appeals many land use decisions. It has been clear and will remain that appeals to a land use decision made by staff are heard by the Planning Commission. However, when the Planning Commission or City Council are the decision making body the existing ordinance does not clearly address how that is handled.

The ordinance would create a process whereby a trained attorney would act as a hearing officer for appeals to land use decisions made by the Planning Commission or City Council. This route is desirable because of the nature of an appeal or variance. These decisions are quasi-judicial decisions which have a specific legal process that must be followed. Having an administrative law judge will better serve the city, applicants, and those filing an appeal to ensure they are given a fair and just process that follows appropriate procedure.

Council Member Garn made a motion to forward the Administrative Law Judge ordinance from a work item to an action item, second by Council Member Page.

A vote on the motion is as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member DeCaire, Yea

The motion passes unanimously.

Council Member Barber asked the process of a Law Judge and if the Council would have any input.

Nic Mills, Attorney, noted that it is likely to be an open hearing and the public invited.

CALL TO THE PUBLIC

Dean Wall stated that he appreciates the City Attorney and the benefits that come from having him on staff.

Randy von Bose noted her concern for the old library building and would like to know more about what is happening with it in the future.

COUNCIL MEMBER REPORTS

Council Member DeCaire noted that the Youth Court is back in session on Wednesday evenings and is a positive program.

Council Member Barber advised that the Youth City Council will be helping at future City events.

Council Member Garn praised the Public Works Dept. and the projects they are accomplishing throughout the city.

ADJOURNMENT

Council Member Adams made a motion to adjourn the meeting at 9:50pm, second by Council Member DeCaire. The motion passes unanimously.

Maria Devereux/City Recorder



KAYSVILLE CITY COUNCIL

DRAFT

Meeting Minutes

November 1, 2018

Meeting Minutes of the November 1, 2018 Kaysville City Council Meeting.

Present: Mayor Witt, Council Member Barber, Council Member Page, Council Member DeCaire, Council Member Garn, and Council Member Adams.

Others present: City Manager Shayne Scott, Chief Sol Oberg, City Recorder Maria Devereux, Chaleh Trujillo, Jaden Trujillo, Nephi Voge, Peter Matson, Brad Frost, Terry Dera, Carson Deru, Isaac Erickson, Susan Johnson, Corey Johnson, Ken Stettler, Sheila Stettler, Heidi Yeates, Joshua Moore, Chantell Moore.

CITY COUNCIL MEETING - 7:00 PM

NEWSIES WEEK PROCLAMATION

Dave McCowan, Marketing Coordinator for Davis High School, introduced the Davis High School Musical Theater and introduced the event. The students performed a number from Newsies.

RECOGNITION AND PRESENTATIONS

Gary Hatch, Power Department Director, gave an overview of the Power Department and updates of projects completed and currently being worked on throughout the City.

DECLARATION OF CONFLICTS OF INTEREST

No conflicts disclosed.

CONSENT ITEMS

Mayor Witt asked for a vote on the Consent Items,

Council Member DeCaire made a motion to accept the consent items, second by Council Member Barber.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member DeCaire, Yea

The motion passes unanimously.

ACTION ITEMS

CONSIDERATION OF AMENDED ANNEXATION AGREEMENT REGARDING PROPERTY AT APPROXIMATELY 1402 NORTH HIGHWAY 89.

Lyle Gibson explained that for the last several months Compass Holdings has been working toward having the property east of Highway 89 and north of the Wilderness Park annexed into Kaysville City so that it could be developed. Last spring, the City Council approved an annexation agreement that outlined the conditions upon which the City would annex this property and the developer has been working to meet those conditions. They now have solution for these issues and are asking to complete the annexation. Since the Annexation Agreement was approved last spring there has been a need for a couple of minor changes to the agreement. The significant change is that Compass Holdings and their associates have now closed on the property and therefore the agreement should be in their names. Under the approved agreement the City agreed that they would annex the property in Kaysville and allow for a subdivision meeting the R-1-8 zoning. The agreement also provides for the use of the PRUD overlay zone. The proposed preliminary plat meets these requirements and in fact, based on the average lot size and the amount of open space provided, the project meets the requirements for an open space subdivision in the R-1-10 zone.

The Annexation agreement allows for a maximum of 95 homes, the proposed preliminary plat contains 92 lots, including two existing homes. The preliminary plat proposes lots as small as 6,000 square feet with common open space and some private streets and does not include any attached housing units.

In addition to the standard items to be reviewed for a preliminary plat, the following items are being requested for this project, that while permissible under the PRUD overlay zone, should be given due consideration:

Sidewalk is shown on only one side of the public streets and no sidewalk is shown on most of the private streets. The cul-de-sac on the east exceeds the City's standard length of 600 feet. Future development to the south will shorten the length to around 800 feet and the top 600 feet is proposed as a private lane. In order to serve this project with culinary water, a water tank is proposed to be constructed on lot 86, the property for this tank will be deeded to the City.

After much discussion, Council Member DeCaire made a motion to approve the amended annexation agreement regarding property at 1402 N Highway 89, second by Council Member Garn.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Nay
Council Member Garn, Yea
Council Member DeCaire, Yea

The motion passes four to one.

ANNEXING 65.93 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 1402 NORTH HIGHWAY 89 (ORD 18-11-1).

Council Member Garn made a motion to approve annexing 65.93 Acres of property located at approximately 1402 N Highway 89 (Ord 18-11-1), second by Council Member DeCaire.

Council Member Garn explained that it is reasonable to be concerned when the project is adjacent to homes.

Council Member Barber noted that she appreciates the residents and their comments.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Nay
Council Member Garn, Yea
Council Member DeCaire, Yea

The motion passes four to one.

PRELIMINARY PLAT APPROVAL FOR THE ORCHARD RIDGE ESTATES SUBDIVISION AT 1402 NORTH HIGHWAY 89. – COMPASS HOLDINGS DEVELOPMENT.

Council Member DeCaire asked for more clarification concerning the development.

Council Member DeCaire made a motion to approve the preliminary plat for the Orchard Ridge Estates Subdivision at 1402 N Highway 89, second by Council Member Page.

Council Member Adams made a Substitute motion to table this item and allow for additional public comment, second by Council Member Barber.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Nay
Council Member Adams, Yea
Council Member Garn, Nay
Council Member DeCaire, Nay

The motion fails three to two.

The original motion; Council Member DeCaire made a motion to approve the preliminary plat for the Orchard Ridge Estates Subdivision at 1402 N Highway 89, second by Council Member Page.

The vote on the original motion is as follows:

Council Member Barber, Nay
Council Member Page, Yea
Council Member Adams, Nay
Council Member Garn, Yea
Council Member DeCaire, Yea

Motion passes three to two.

PUBLIC COMMENT

Chaleh Trujillo thanked the Council for their service for the community and thanked staff for their assistance. She explained the process of the project.

Brad Trujillo explained that homes are selling for a larger amount. He explained the demographic and discussed the types of buyers.

Allison Frost, with the Frost family, explained that clearly the family is in support of this annexation and looks forward to a myriad of opportunities associated with it.

Tasha O'grady noted her concern of a growing traffic issue from the road by her subdivision.

Ken Steadler, he noted that he and his family have no objection to the Frost family however, they are opposed to rezoning the area.

Josh Peterson explained that he is speaking on behalf of his family. He noted that his parents do not desire to be annexed into Kaysville City.

Jake Peterson advised that he is not in favor of the active development.

Marilyn McAllister stated that she is not opposed to development but had hoped that developer would take into consideration of other surrounding neighborhoods.

Fred Nichols stated that adding a water tank was not economically feasible.

Marlon Barrett explained that he is concerned about the density, such as traffic and additional cars.

Lance Munson thanked the council for their time. He discussed concerns of the new development.

Council Member Adams asked about a conflict of interest and disclosure with city staff that owns the property and is affected by the annexation.

Mayor Witt noted that the staff member has been honest and has not tried to influence the council.

Jeff Oyler, Davis County, noted that they received a protest just recently and are reviewing the paperwork.

ARCHITECT RFQ PROPOSAL

Shayne Scott explained that over the past three years there has been much discussion about the spatial needs of the City. In 2015 Kaysville City commissioned a “Spatial Needs Assessment” from an architectural firm, JRCA. This assessment was broad and took into account each department in the city and what their perceived needs might be from the present day until “build-out”. The purpose of this discussion item is to recommend an architect with whom we should work moving forward on meeting the needs of the city.

Mayor Witt explained that the city made a decision not to tear down the old library and explained the need for additional space. She stated that no decisions have been made as of yet.

Council Member Garn made a motion to send this to an action item, second by Council Member DeCaire.

Council Member Barber made a substitute motion to bring this item back to a work session, second by Council Member Adams.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Nay
Council Member Adams, Yea
Council Member Garn, Nay
Council Member DeCaire, Yea

The motion passes three to two.

CITY POLICY DISCUSSION - SIDEWALK PAYMENTS FROM RESIDENTS.

Josh Belnap, Public Works Director noted that the desire of Kaysville City Power is to see improvements on city streets. He gave an overview of grading and the process he would like to implement to improve sidewalks throughout the city. He explained that other cities have adopted a similar program.

Council Member Adams made a motion to extend the meeting, per just before the 10:00 pm deadline, second by Council Member Barber and passes unanimously.

The council consensus was to continue discussion on this matter.

AMENDMENT OF CHAPTER 16-13, RETAIL TOBACCO SPECIALTY BUSINESS (ORD 18-11-2).

Lyle explained that the proposed amendments to Chapter 16-13 are primarily for the purpose of bringing Kaysville City's ordinances into conformity with recent changes in State Law as to what is or isn't a Retail Tobacco Specialty Business. In addition to aligning Kaysville City's definitions and requirements with the State, the proposed ordinance removes the requirement for the city to review a background check before approving a business license for a Retail Tobacco Specialty Business. This is in part to keep our processes consistent with how the city reviews applications for other businesses who sell similar products, and in part because these businesses are already highly regulated by other agencies who are conducting these reviews.

Council Member Barber made a motion to move this to an action item, second by Council Member Adams.

The vote on the motion was as follows:

Council Member Barber, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member DeCaire, Yea

The motion passes unanimously.

CALL TO THE PUBLIC

No public comment.

Council Member DeCaire made a motion to move into Closed Session, second by Council Member Barber and passed unanimously.

CLOSED SESSION

The city council entered into Closed Session to discuss the character, professional competence, or physical or mental health of an individual, in conformance with Utah State Code §52-4-205.

Council Member DeCaire made a motion to adjourn the Closed Session, second by Council Member Adams

ADJOURNMENT

Council Member DeCaire made a motion to adjourn the meeting at 10:45pm, second by Council Member Garn.

STAFF REPORT



MEETING DATE: November 15, 2018

ITEM NUMBER:

TYPE OF ITEM: Action Item / Public Hearing

PRESENTED BY: Community Development Staff

SUBJECT/AGENDA TITLE: Amendments to Chapter 16-13, Retail Tobacco Specialty Business

EXECUTIVE SUMMARY:

The proposed amendments to Chapter 16-13 are primarily for the purpose of bringing Kaysville City's ordinances into conformity with recent changes in State Law as to what is or isn't a Retail Tobacco Specialty Business.

In addition to aligning Kaysville City's definitions and requirements with the State, the proposed ordinance removes the requirement for the city to review a background check before approving a business license for a Retail Tobacco Specialty Business. This is in part to keep our processes consistent with how the city reviews applications for other businesses who sell similar products, and in part because these businesses are already highly regulated by other agencies who are conducting these reviews.

COUNCIL OPTIONS: Approve, Deny, or table to give direction for additional changes.

RECOMMENDED OPTIONS: This item was reviewed during the November 1 work item agenda. Staff recommends that the City Council approve the ordinance as written.

FISCAL IMPACT & FUND SOURCE FOR RECOMMENDED ACTION: N/A

ATTACHMENTS: proposed ordinance.



ORDINANCE NO. 18-11-2

AN ORDINANCE AMENDING CHAPTER 16-13, RETAIL TOBACCO SPECIALTY BUSINESS, OF TITLE 16, LICENSING CONTROL AND REGULATION OF BUSINESS, OF THE REVISED ORDINANCES OF KAYSVILLE CITY PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Utah State Legislature passed Senate Bill 324 during the 2018 legislative session establishing new requirements for the licensing of a tobacco retailer; and

WHEREAS, Kaysville City has determined that the proposed changes are in the best interest of the City and its residents;

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

SECTION I: Repealer. If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION II: Enactment.

Chapter 16-13, RETAIL TOBACCO SPECIALTY BUSINESS, of Chapter 16, LICENSING CONTROL AND REGULATION OF BUSINESS, of the Revised Ordinances of Kaysville City, 1993, is amended as follows:

CHAPTER 13

RETAIL TOBACCO SPECIALTY BUSINESS

16-13-1 Purpose.

The purpose of this Chapter is to license and regulate the operation of Retail Tobacco Specialty Business within Kaysville City.

16-13-2 Definitions

As used in this Chapter:

~~BCI—Means Utah Bureau of Criminal Identification.~~

Community Location – Means:

- (a) A public or private kindergarten, elementary, middle, junior high or high school;
- (b) A licensed child-care facility or preschool;

- (c) A trade or technical school;
- (d) A church;
- (e) A public library;
- (f) A public playground;
- (g) A public park;
- (h) A youth center or other space used primarily for youth oriented activities;
- (i) A public recreational facility; or
- (j) A public arcade.

(k) For a new license issued on or after July 1, 2018, a homeless shelter.

Disqualifying Status — Means anything specifically defined in this Chapter as requiring the denial or suspension of a license and any of the following:

- ~~(a) — The Applicant has been criminally convicted of:

 - ~~(i) — felony homicide,~~
 - ~~(ii) — physically abusing, sexually abusing, or exploiting a minor,~~
 - ~~(iii) — the sale or distribution of controlled substances, or~~~~
- ~~(b) — sexual assault of any kind;~~
- ~~(c) — Criminal charges currently pending against the Applicant for:

 - ~~(i) — felony homicide,~~
 - ~~(ii) — physically abusing, sexually abusing, or exploiting a minor,~~
 - ~~(iii) — the sale or distribution of controlled substances, or~~
 - ~~(iv) — sexual assault of any kind;~~~~
- ~~(d) — The Applicant has been criminally convicted of a felony within the last ten (10) years;~~
- ~~(e) — The Applicant has been incarcerated in a Federal or State prison within the past five years;~~
- ~~(f) — The Applicant has been criminally convicted of a misdemeanor within the past five years involving a crime of:

 - ~~(i) — moral turpitude, or~~
 - ~~(ii) — violent or aggravated conduct involving persons or property;~~~~
- ~~(g) — A final civil judgment has been entered against the Applicant within the last five (5) years indicating that:

 - ~~(i) — the Applicant had either engaged in fraud, or intentional misrepresentation or~~
 - ~~(ii) — that a debt of the Applicant was non-dischargeable in bankruptcy pursuant to 11 U.S.C. §523(a)(2), (a)(4), (a)(6), or (a)(19);~~~~
- ~~(h) — The Applicant is currently on parole or probation to any court, penal institution, or governmental entity, including being under house arrest or subject to a tracking device;~~
- ~~(i) — The Applicant has an outstanding arrest warrant from any jurisdiction; or~~
- ~~(j) — The Applicant is currently subject to a protective order based on physical or sexual abuse issued by a court of competent jurisdiction.~~

Public Retail Floor Space – Means the total floor square feet of the business where a customer can see, retrieve, or purchase any item that is offered for sale by the general tobacco retailer, including all areas behind the purchase counter, and including appurtenant areas used for storage.

Retail Tobacco Specialty Business – Means a commercial establishment in which:

- (a) The sale of Tobacco Products accounts for more than 35% of the total quarterly annual gross receipts for the establishment;
- ~~(b) Food and beverage products, excluding gasoline sales, is less than 45% of the total annual gross receipts for the establishment; and~~
- ~~(c) The establishment is not licensed as a pharmacy under Title 58, Chapter 17b, Pharmacy Practice Act of the Utah Code.~~
- (b) 20% or more of the public retail floor space is allocated to the offer, display, or storage of tobacco products;
- (c) 20% or more of the total shelf space is allocated to the offer, display, or storage of tobacco products; or
- (d) The retail space features a self-service display for tobacco products.

Self-Service Display – means a display of a cigarette, tobacco, or an electronic cigarette to which the public has access without the intervention of a retailer or retailer's employee.

Tobacco Product – Means:

- (a) Any cigar, cigarette, or electronic cigarette as defined in Section 76-10-101 Utah Code;
- (b) A tobacco product as defined in Section 59-14-102 ~~59-17-102~~ Utah Code, including:
 - (i) chewing tobacco, or
 - (ii) any substitute for a tobacco product, including flavoring or additives to tobacco; and
- (c) Tobacco paraphernalia as defined in Section 76-10-104.1 Utah Code.

16-13-3 License

A business entity that conducts a retail tobacco specialty business shall be licensed in accordance with this Chapter and other licensing provisions of the Revised Ordinances of Kaysville City.

16-13-4 Location Restrictions

(1) The City will not issue a license to a Retail Tobacco Specialty Business if it is located within:

- (a) 1,000 feet of a Community Location;
- (b) 600 feet of another retail tobacco specialty business; or
- (c) 600 feet of property used or zoned for:
 - (i) agriculture use, or
 - (ii) residential use.

(2) For purposes of Subsection (1), the proximity requirements shall be measured in a straight line from the nearest entrance of the retail tobacco specialty business to the nearest property

boundary of a location described in Subsections (1)(a)(i) through (iii), without regard to intervening structures or zoning districts.

16-13-5 License Application

Application for a Retail Tobacco Specialty Business license shall include the following:

- (1) An affirmation that the Applicant has received and reviewed the provisions of this Chapter.
- (2) Contact Information:
 - (a) Applicant's true, correct and legal name, including any former names or aliases used during the last ten (10) years;
 - (b) Applicant's telephone number, home address and mailing address, if different;
 - (c) If different from the Applicant, the name, address, and telephone number of the responsible person or entity; and
 - (d) The address by which all notices to the Applicant required under this Chapter are to be sent.
- (3) An in-person verification by the License Officer of the Applicant's true identity by use of any of the following which bear a photograph of said Applicant:
 - (a) A valid driver's license issued by the State;
 - (b) A valid passport issued by the United States;
 - (c) A valid identification card issued by any State;
 - (d) A valid identification issued by a branch of the United States military.

Upon verification of identity, the original identification submitted to establish proof of identity shall be returned to the Applicant.

- (4) Proof that either the Applicant, or the responsible person or entity, has registered with the Utah State Department of Commerce.

- (5) A sales tax number for either the Applicant or for the responsible person or entity.

(6) Proof that the retailer holds a valid tobacco retail permit issued by the Davis County Health Department.

(7) Proof that the retailer holds a Cigarette, Tobacco, E-Cigarette License from the state Tax Commission.

~~(6) An original BCI background check (Utah Code, 53-10-108(1)(b)).~~

~~(7) Responses to the following questions:~~

- ~~(a) Has the Applicant been criminally convicted of:~~
 - ~~(i) felony homicide,~~
 - ~~(ii) physically abusing, sexually abusing, or exploiting a minor,~~
 - ~~(i) the sale or distribution of controlled substances, or~~
 - ~~(ii) sexual assault of any kind?~~
- ~~(b) Are any criminal charges currently pending against the Applicant for:~~
 - ~~(i) felony homicide,~~
 - ~~(ii) physically abusing, sexually abusing, or exploiting a minor,~~
 - ~~(iii) the sale or distribution of controlled substances, or~~
 - ~~(iv) sexual assault of any kind?~~

- ~~(c) — Has the Applicant been criminally convicted of a felony within the last ten (10) years?~~
 - ~~(d) — Has the Applicant been incarcerated in a Federal or State prison within the past five (5) years?~~
 - ~~(e) — Has the Applicant been criminally convicted of a misdemeanor within the past five (5) years involving a crime of:
 - ~~(i) — moral turpitude, or~~
 - ~~(ii) — violent or aggravated conduct involving persons or property?~~~~
 - ~~(f) — Has a final civil judgment been entered against the Applicant within the last five (5) years indicating that:
 - ~~(i) — the Applicant had either engaged in fraud, or intentional misrepresentation, or~~
 - ~~(ii) — that a debt of the Applicant was non-dischargeable in bankruptcy pursuant to 11 U.S.C. §523(a)(2), (a)(4), (a)(6), or (a)(19)?~~~~
 - ~~(g) — Is the Applicant currently on parole or probation to any court, penal institution, or governmental entity, including being under house arrest or subject to a tracking device?~~
 - ~~(h) — Does the Applicant have an outstanding arrest warrant from any jurisdiction?~~
 - ~~(i) — Is the Applicant currently subject to a protective order based on physical or sexual abuse issued by a court of competent jurisdiction?~~
- (8) Payment of such fees as determined applicable by the City, which shall not exceed the reasonable cost of processing the application and issuing the License.

16-13-6 Issuance of License

- (1) The Applicant's submission of the Application authorizes the City to verify information submitted with the completed Application including:
- (a) The Applicant's address;
 - (b) The Applicant's or Entity's state tax identifications numbers, if any;
 - (c) The validity of the Applicant's proof of identity.
- (2) The City may consult any publically available sources for information on the Applicant, including but not limited to, databases for any outstanding warrants, protective orders, or civil judgments.

16-13-7 Denial, Suspension or Revocation of a License

- (1) Upon review, the License Officer shall refuse to issue a License to an Applicant or revoke a license for any of the following reasons:
- (a) The Application is not complete;
 - (b) The Applicant fails to:
 - (i) establish proof of identity,
 - ~~(ii) — provide a BCI background check, or~~
 - ~~(iii) (ii)~~ pay the Fees.

- ~~(c) — The Completed Application or BCI background check indicates that the Applicant has a Disqualifying Status;~~
- ~~(d) — The Applicant has previously been denied a license by the City, or has had a license revoked for grounds that still constitute a Disqualifying Status under this Chapter;~~
- ~~(e) (c) The information submitted by the Applicant at the time of the granting of the license is found to be incomplete or incorrect;~~
- ~~(f) — Since the submission of the completed Application, the Applicant is subject to previously undisclosed or unknown Disqualifying Status;~~
- ~~(g) — Failure to complete payment of the fees;~~
- ~~(h) — Since the submission of the Application, the City has received a report regarding the past or present conduct of the Applicant which constitutes Disqualifying Status;~~
- ~~(i) — Since the submission of the Application, the City or other governmental entity has either criminally convicted or obtained a civil injunction against the Applicant for violating this Chapter or similar Federal, State, or municipal laws in a manner rising to the level of a Disqualifying Status; or~~
- ~~(j) — Since the submission of the Application, a final civil judgment has been entered against the Applicant indicating that:

 - ~~(i) — the Applicant had either engaged in fraud, or intentional misrepresentation, or~~
 - ~~(ii) — that a debt of the Applicant was non-dischargeable in bankruptcy pursuant to 11 U.S.C. §523(a)(2), (a)(4), (a)(6), or (a)(19).~~~~
- (d) The licensee engages in a pattern of unlawful activity under Utah Code Title 76, Chapter 10, Part 16, Pattern of Unlawful Activity Act;
- (e) The licensee violates the regulations restricting the sale and distribution of cigarettes and smokeless tobacco to protect children and adolescents issued by the United States Food and Drug Administration, 21 C.F.R. Part 1140.

(2) Upon determination of the License Officer to deny an Applicant's Application or revoke a license, the City shall cause written notice to be sent to the Applicant or Licensee by the method indicated in the Application. The Notice shall specify the grounds for the denial or suspension or revocation, the documentation or information the City relied on to make the decision, the availability of the documentation for review by Applicant upon one (1) business day notice to the City, and the date upon which the denial, suspension, or revocation of the license shall take effect. It shall further state that the Applicant or Licensee shall have ten (10) business days from the receipt of the notice of denial, suspension or revocation to appeal the same. The denial, suspension or revocation of the license shall be effective no sooner than two (2) calendar days from the date the notice is sent. The denial, suspension or revocation shall remain effective unless and until the order is rescinded, overturned on appeal, or determined by a court to be contrary to equity or law. Failure to appeal automatically results in revocation of the license.

16-13-8 Appeal

An Applicant whose license has been denied, suspended or revoked shall have the right to appeal to the City Council or its designee (Appeals Authority). Any appeal must be submitted by either

the Applicant or legal counsel. The procedures and requirements in Section 16-1-18, Appeal, of this Title shall apply.

16-13-9 Compliance with Other Laws

The owners, operators and employees of all retail tobacco specialty businesses shall comply with all Federal, State and local statutes, ordinances, rules and regulations applicable to such businesses.

16-13-10 Penalty

A violation of any provisions of this Chapter shall be a class B misdemeanor and shall be punished according to law.

SECTION III: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION IV: Effective Date. This ordinance shall take effect 20 days after being passed and adopted by the City Council.

PASSED AND ADOPTED by the City Council of Kaysville City, Utah this ____th day of _____, 2018.

Katie Witt
Mayor

ATTEST:

Maria T. Devereaux
City Recorder

STAFF REPORT



COUNCIL MEETING DATE: November 15, 2018
ITEM NO.:
TYPE OF ITEM: Presentation
PRESENTED BY: Independent Auditors: Hansen, Bradshaw, Malmrose and Erickson.
SUBJECT/AGENDA TITLE: Fiscal Year 2018 Audit Presentation

EXECUTIVE SUMMARY:

The *Utah State Uniform Fiscal Procedures Act* requires that at the completion of the fiscal year, the City's Financial Statements are audited by an Independent Auditor. The purpose of the audit is to ensure that Financial Statements are a fair and accurate presentation of the financial position and financial operations of the City and in accordance with generally accepted accounting principles.

The Audit also includes a report on Internal Control over Financial Reporting on Compliance in accordance with *Government Auditing Standards*.

The Audit requires a review and analysis of the Basic Financial Statements and related Notes to the Financial Statements. In addition to the Basic Financial Statements and Notes, the City prepares a Comprehensive Annual Financial Report (CAFR) to include additional disclosures and information to enable the reader to gain a proper understanding of the financial affairs of the City.

Recommendation: No Action Required.

Fiscal Impact & Fund Source for Recommended Action: None.

Attachments: The 2018 Comprehensive Annual Financial Report will be made available at the meeting.

STAFF REPORT



COUNCIL MEETING DATE: November 15, 2018

ITEM NO.:

TYPE OF ITEM: Consent

PRESENTED BY:

SUBJECT/AGENDA TITLE: Sod Purchase and Installation for Pioneer Park

EXECUTIVE SUMMARY:

Description:

80,000 sqft of sod to be installed at Pioneer Park

Council Options: Approve / Disapprove

Recommended Options: Approve

Fiscal Impact & Fund Source for Recommended Action: Submitted in FY 19 budget

Attachments: Quote from Bulldog Sod

PO BOX 606
LAYTON, UT 84041
801-525-1751
bulldogsodsales@gmail.com



ADDRESS

Justin Brimhall
Kaysville City

ESTIMATE # 1084

DATE 10/23/2018

ACTIVITY	DATE	QTY	RATE	AMOUNT
Sod Premium KGB Blend Big Rolls	10/23/2018	80,000	0.28	22,400.00
Install Install of Sod	10/23/2018	80,000	0.08	6,400.00

This Estimate is based on total footage given by Justin.

TOTAL

\$28,800.00

Accepted By

Accepted Date

All material and products provided by BullDog Sod Inc. remains the personal property of BullDog Sod Inc. until paid in full. Purchasing party personally guarantee's the invoice balance and related fee's. A 2% monthly service charge will be applied towards outstanding balances, 24% annually. Purchasing party agrees to pay all collection charges, attorney fee's related to collecting invoice balance.

Pioneer Park - Sod Project Bids		
Bidder	Discription	Bid Amount
Chaneshare Farms	80,000 sgft of sod \$21,600 Sod Installation \$7,200	\$28,800
Bull Dog Sod	80,000 sqft of sod \$22,400 Sod installation \$6,400	\$28,800
Bio Grass	80,000 sqft of sod \$24,525 Sod only	\$24,525
preferred bidder for this project is highlighted		

STAFF REPORT



COUNCIL MEETING DATE: November 15, 2018
ITEM NO.:

TYPE OF ITEM: Consent
PRESENTED BY:

SUBJECT/AGENDA TITLE: Material Purchase

EXECUTIVE SUMMARY:

Purchase of Okonite underground primary wire. This is a sole source purchase, Okonite has only one authorized utility distributor in Utah and that is Codale Electric.

Council Options: Approve / Disapprove

Recommended Options: Approve

Fiscal Impact & Fund Source for Recommended Action: Submitted in FY19 Budget

Attachments: Quote from Codale Electric Supply

Serviced By: 5225 WEST 2400 SOUTH
SALT LAKE CITY, UT 84120
Phone # : 801-975-7300

** Acknowledgement **
Order #: S6498902
P/O #: 4/0 OKONITE
Release#:4/0 OKONITE
Page #: 1

Bill To:
KAYSVILLE CITY CORPORATION
23 EAST CENTER STREET
KAYSVILLE, UT 84037

Ship To:
KAYSVILLE CITY COR/KAYSVIL CITY POW
721 WEST OLD MILL LANE
KAYSVILLE, UT 84037

Ord-Date	Ship-Date	Writer Terms	Ship Via	Ordered By
09/25/18	10/01/18	GRAJOH NET 25TH OF MONTH	CODALE TRUCK	BRETT THOMAS
	Ship Br:1	Slsman Phone		Freight
	Prc	Br:24ARNJOE 801-546-1235		Billable

Ord Qty	Product Description	Net Prc	Ext Prc
2740ft	OKONITE 162-23-3081 4/0 (19X) ALUMINUM 15KV URD EPR 1/3 NEUTRAL 220MIL 133% INSULATION CONCENTRIC JACKETED NEUTRAL FILLED STRAND URO-J	3040.000/M	8329.60
2750ft	OKONITE 162-23-3081 4/0 (19X) ALUMINUM 15KV URD EPR 1/3 NEUTRAL 220MIL 133% INSULATION CONCENTRIC JACKETED NEUTRAL FILLED STRAND URO-J	3040.000/M	8360.00
2736ft	OKONITE 162-23-3081 4/0 (19X) ALUMINUM 15KV URD EPR 1/3 NEUTRAL 220MIL 133% INSULATION CONCENTRIC JACKETED NEUTRAL FILLED STRAND URO-J	3040.000/M	8317.44

ORDER TOTAL	25007.04
Invoice Amount	25007.04

STAFF REPORT



COUNCIL MEETING DATE: November 15, 2018

ITEM NO.:

TYPE OF ITEM: Consent

PRESENTED BY:

SUBJECT/AGENDA TITLE: Material Purchase

EXECUTIVE SUMMARY:

Please note the date on the invoice 7/11/15. In 2015 the decision was made to install decorative street lights around the Smiths property, this includes 200 North and Flint Street. After receiving the invoice, we notified Mountain States Lighting that we have received some of the material/parts but not all and will not pay the invoice until all the material/parts are received. Throughout the years we have notified them multiple times of the remaining material/parts. It has taken some time but we have received all the material/parts ordered through Mountain States Lighting.

Council Options: Approve / Disapprove

Recommended Options: Approve

Fiscal Impact & Fund Source for Recommended Action: Submitted in FY19 Budget

Attachments: Invoice from Mountain States Lighting

2152

Invoice



DATE	INVOICE #
7/11/2015	6906

BILL TO
Kaysville City 23 East Center Kaysville, UT 84037

SHIP TO
Kaysville City Power & Light 721 West Old Mill Lane Kaysville, UT 84037

Job Name	P.O. NO.	TERMS	DUE DATE	SHIP DATE	SHIP VIA	FOB		
KAYSVILLE SMITHS	TJS2375	Net 30	8/10/2015	7/11/2015	Best Way	Factory		
QTY	DESCRIPTION			RATE	AMOUNT			
10	30/25TFSDB-8/3.5/16S-SA 4'EXT/SCR MSL-HORZ-PLUMB-BK (1) PLUG-IN RECEPT (20') 22" MAD (LOGO)-BLACK - LOGO TIPPED GOLD (2) SGL ADJUSTABLE BANNER ARMS (14'6" & 19'6") WITH HADCO C3883B-80LED 240V TXF9 TEARDROP FIXTURE TO INCLUDE SEASONAL BRACKETS			4,087.00	40,870.00			
Thank you, we really appreciate your business! Please send payment within 30 days of receiving invoice. There will be a 1.5% interest charge per month on late invoices.				Subtotal			\$40,870.00	
				Sales Tax (6.85%)			\$0.00	
				Total			\$40,870.00	

STAFF REPORT



COUNCIL MEETING DATE: 11/15/2018
ITEM NO.:

TYPE OF ITEM: Consent
PRESENTED BY: Lyle Gibson

SUBJECT/AGENDA TITLE:
Acceptance of Improvement for Hill Farms Phase 5

EXECUTIVE SUMMARY:

Phase 5 of the Hill Farms Subdivision consists of 34 lots east of Angel Street just North of 200 North Street. The required improvements have now been completed and inspected by City Staff and found to be acceptable

Council Options:

Recommended Options:

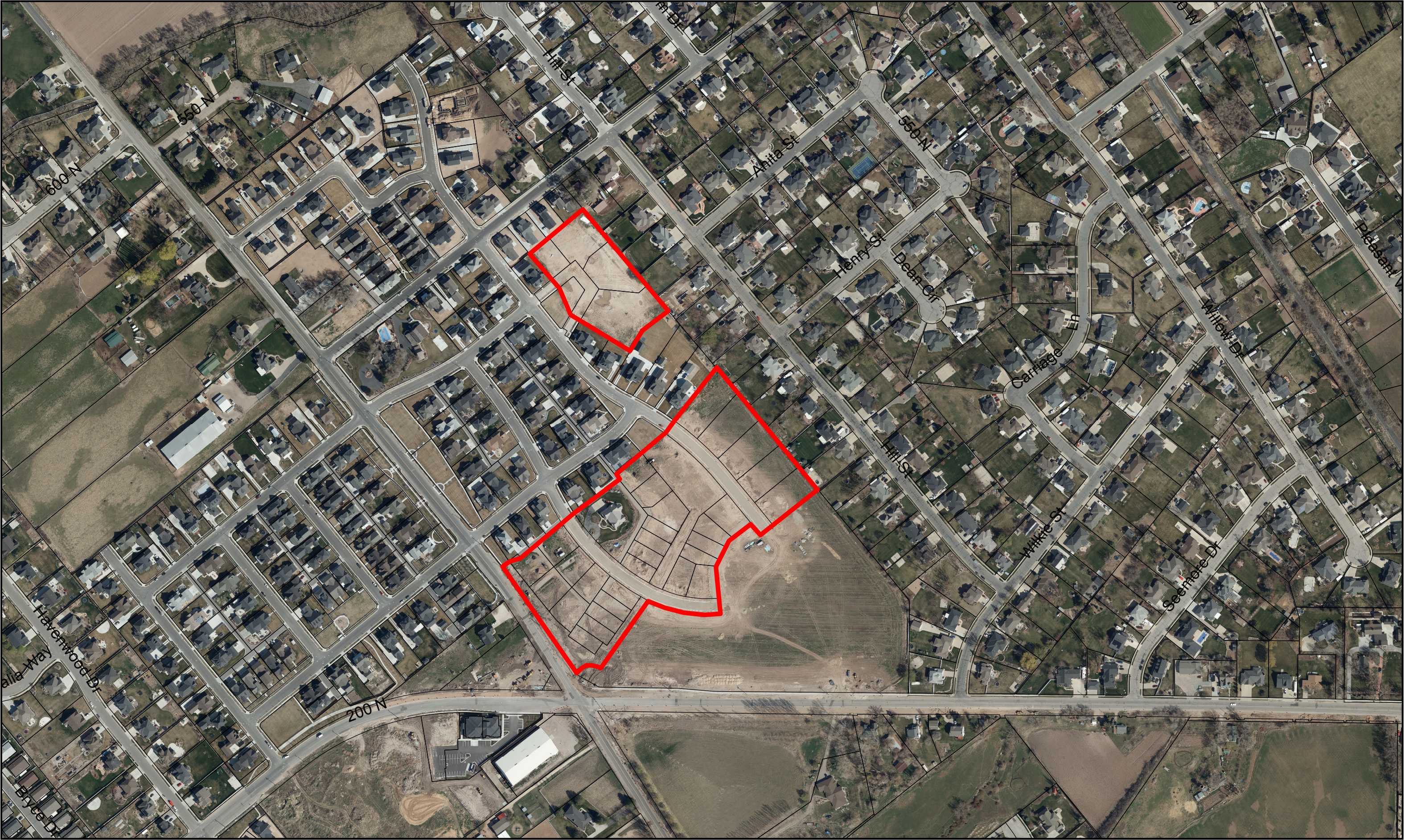
It is recommended that the improvements be accepted and that the standard requirement of a 10% warranty amount and one year warranty period be applied.

Fiscal Impact & Fund Source for Recommended Action: N/A

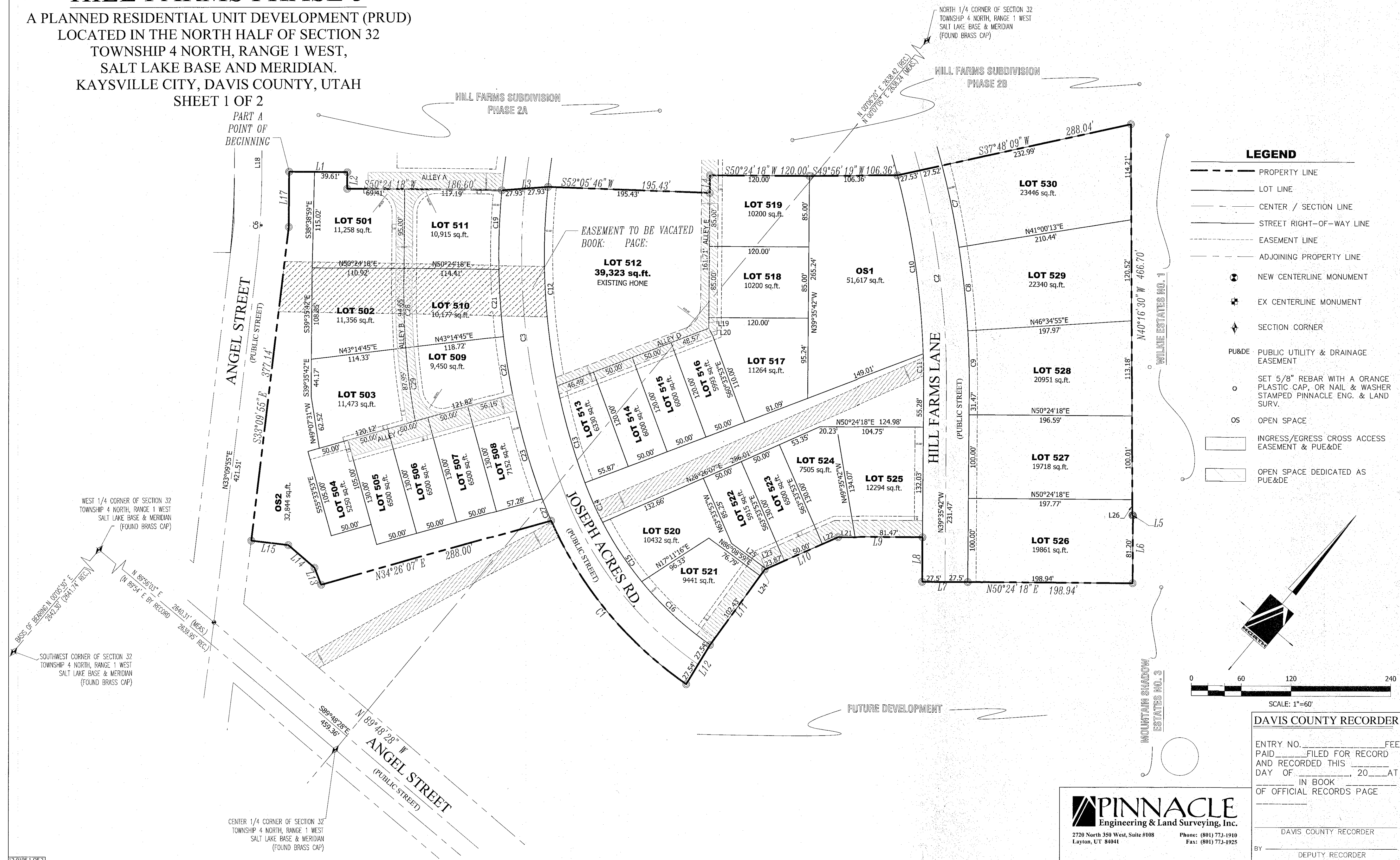
Attachments:

1. Location Map
2. Plat Maps

Hill Farm Phase 5

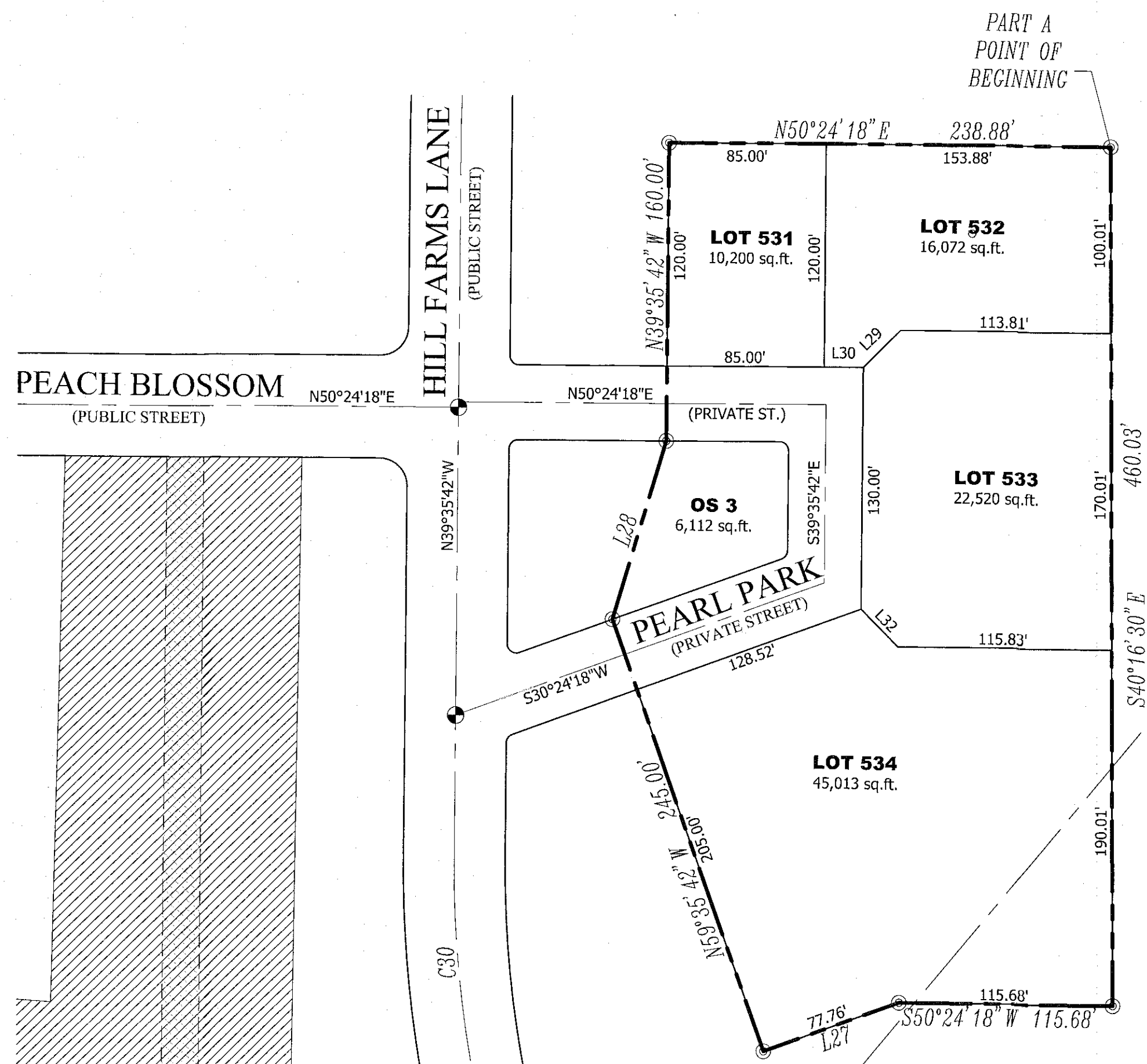


**A PLANNED RESIDENTIAL UNIT DEVELOPMENT (PRUD)
LOCATED IN THE NORTH HALF OF SECTION 32
TOWNSHIP 4 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN.
KAYSVILLE CITY, DAVIS COUNTY, UTAH
SHEET 1 OF 2**



HILL FARMS PHASE 5

A PLANNED RESIDENTIAL UNIT DEVELOPMENT (PRUD)
LOCATED IN THE NORTH HALF OF SECTION 32
TOWNSHIP 4 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN.
KAYSVILLE CITY, DAVIS COUNTY, UTAH
SHEET 2 OF 2



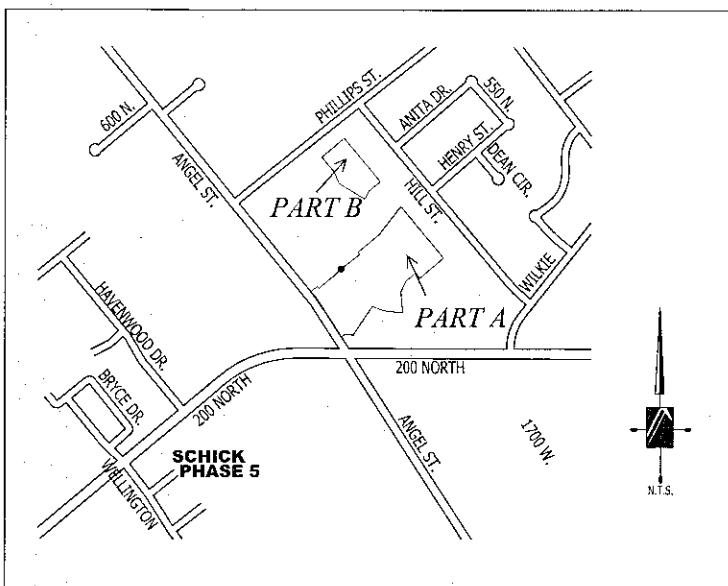
LEGEND

- PROPERTY LINE
- LOT LINE
- CENTER / SECTION LINE
- STREET RIGHT-OF-WAY LINE
- EASEMENT LINE
- ADJOINING PROPERTY LINE
- NEW CENTERLINE MONUMENT
- EX CENTERLINE MONUMENT
- SECTION CORNER
- PUE&DE PUBLIC UTILITY & DRAINAGE EASEMENT
- SET 5/8" REBAR WITH A ORANGE PLASTIC CAP, OR NAIL & WASHER STAMPED PINNACLE ENG. & LAND SURV.
- OS OPEN SPACE
- INGRESS/EGRESS CROSS ACCESS EASEMENT & PUE&DE
- OPEN SPACE DEDICATED AS PUE&DE

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CH. BEARING
C1	257.87	467.79	31°35'05"	S 79°49'41" E
C2	262.60	1000.00	15°02'44"	S 47°07'04" W
C3	376.89	800.00	26°59'33"	S 47°04'06" E
C5	268.01	440.29	34°52'36"	S 78°00'11" E
C7	100.04	1027.50	5°34'42"	N 51°47'08" W
C8	100.04	1027.50	5°34'42"	N 46°12'26" W
C9	68.56	1027.50	3°49'23"	N 41°30'24" W
C10	215.73	972.51	12°42'36"	N 48°21'16" W
C11	31.83	972.43	1°52'31"	N 41°03'43" W
C12	238.60	770.40	17°44'42"	S 42°46'48" E
C13	120.49	772.50	8°56'11"	S 56°05'47" E
C14	52.02	412.79	7°13'12"	S 64°10'29" E
C15	85.38	412.79	11°51'01"	S 73°42'35" E
C16	112.42	412.79	15°36'13"	S 87°26'12" E
C19	95.09	827.50	6°35'03"	S 37°55'12" E
C21	80.04	827.50	5°32'32"	S 43°58'59" E
C22	69.32	827.50	4°47'59"	S 49°09'15" E
C23	130.14	827.50	9°00'39"	S 56°03'33" E
C27	28.34	467.79	3°28'16"	S 62°18'01" E
C28	94.65	948.52	5°43'03"	S 41°15'20" E
C29	87.95	790.00	6°22'43"	S 47°33'33" E
C30	108.48	600.00	10°21'31"	S 44°46'28" E

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 50°24'18" E	70.13
L2	S 39°35'42" E	20.00
L3	N 45°41'58" E	55.85
L4	N 39°35'42" W	21.01
L5	N 51°47'08" E	0.63
L6	N 39°48'45" W	81.20
L7	S 50°24'18" W	55.00
L8	N 39°35'42" W	53.13
L9	S 50°24'18" W	101.96
L10	S 26°26'07" W	96.52
L11	S 03°51'01" E	111.78
L12	S 08°29'06" E	55.08
L13	N 61°46'26" W	21.80
L14	N 89°21'54" W	41.55
L15	S 56°50'05" W	45.05
L17	S 39°35'42" E	66.33
L19	S 39°35'42" E	12.72
L20	S 68°43'41" E	10.10
L21	S 50°24'18" W	20.48
L22	S 26°26'07" W	20.75
L23	S 26°26'07" W	1.90
L24	S 03°51'01" E	9.36
L25	N 86°08'59" E	51.82
L27	S 30°24'18" W	77.76
L28	N 23°16'56" W	100.41
L29	S 05°24'18" W	28.28
L30	S 50°24'18" W	21.25
L32	N 84°35'42" W	28.28

VICINITY MAP



ACKNOWLEDGMENT

STATE OF UTAH)
COUNTY OF DAVIS)
ON THE _____ DAY OF _____, A.D., 20____, PERSONALLY APPEARED BEFORE ME, THE
UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF DAVIS IN SAID STATE OF UTAH, THE
SIGNER () OF THE ABOVE OWNER'S DEDICATION, _____ IN NUMBER, WHO DULY ACKNOWLEDGED TO
ME THAT _____ SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND
PURPOSES THEREIN MENTIONED.
MY COMMISSION EXPIRES: _____ NOTARY PUBLIC
RESIDING IN DAVIS COUNTY

CITY ATTORNEY'S APPROVAL

APPROVED THIS _____ DAY OF _____, 20____,
BY THE KAYSVILLE CITY ATTORNEY.

KAYSVILLE CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, 20____,
BY THE KAYSVILLE CITY PLANNING COMMISSION.

KAYSVILLE CITY PLANNING COMMISSION

CITY ENGINEER'S APPROVAL

APPROVED THIS _____ DAY OF _____, 20____,
BY THE KAYSVILLE CITY ENGINEER.

KAYSVILLE CITY ENGINEER

CITY COUNCIL APPROVAL

APPROVED THIS _____ DAY OF _____, 20____,
BY THE KAYSVILLE CITY COUNCIL.

KAYSVILLE CITY RECORDER KAYSVILLE CITY MAYOR

SURVEYOR'S CERTIFICATE

I, STEPHEN J. FACKRELL DO HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR, AND THAT I HOLD
CERTIFICATE NO. 191517 AS PRESCRIBED UNDER LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY
AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND
DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREAFTER TO
BE KNOWN AS: HILL FARMS PHASE 5 AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON
THE GROUND AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT ALL LOTS MEET FRONTAGE WIDTH AND
AREA REQUIREMENTS OF THE APPLICABLE ZONING ORDINANCES.

BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE EASTERLY LINE OF ANGEL STREET, SAID POINT ALSO BEING THE
SOUTHWESTERLY CORNER OF HILL FARMS SUBDIVISION PHASE 2A, A PLAT RECORDED AT THE
DAVIS COUNTY RECORDERS OFFICE, SAID POINT BEING LOCATED SOUTH 89°56'03" WEST ALONG
QUARTER SECTION LINE 486.43 FEET AND NORTH 492.97 FEET FROM THE CENTER OF SECTION 32,
TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN (THE BASIS OF BEARING
FOR THIS DESCRIPTION IS NORTH 00°05'30" EAST 2642.30 FEET MEASURED BETWEEN THE
SOUTHWEST AND WEST QUARTER CORNERS OF SAID SECTION 32), AND RUNNING THENCE
NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID PHASE 2A THE FOLLOWING SIX
COURSES: (1) NORTH 50°24'18" EAST 70.13 FEET; (2) SOUTH 39°35'42" EAST 20.00 FEET; (3) NORTH
50°24'18" EAST 186.60 FEET; (4) NORTH 45°41'58" EAST 55.85 FEET; (5) NORTH 52°05'46" EAST 195.43
FEET; AND (6) NORTH 39°35'42" WEST 21.01 FEET TO THE SOUTHWESTERLY CORNER OF HILL FARMS
SUBDIVISION PHASE 2B, A PLAT RECORDED AT THE DAVIS COUNTY RECORDERS OFFICE; AND
RUNNING THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID PHASE 2B THE
FOLLOWING THREE COURSES: (1) NORTH 50°24'18" EAST 120.00 FEET; (2) NORTH 49°56'19" EAST 106.36
FEET; AND (3) NORTH 37°48'09" EAST 288.04 FEET TO THE WESTERLY LINE OF WILKIE ESTATES NO.1,
A PLAT RECORDED AT THE DAVIS COUNTY RECORDERS OFFICE; THENCE SOUTH 40°16'30" EAST
466.70 FEET ALONG THE WESTERLY LINE OF SAID SUBDIVISION; THENCE NORTH 51°47'08" EAST 0.63
FEET ALONG SAID SUBDIVISION TO THE NORTHWESTERLY CORNER OF MOUNTAIN SHADOW
ESTATES NO.3, A PLAT RECORDED AT THE DAVIS COUNTY RECORDERS OFFICE; THENCE SOUTH
39°48'45" EAST ALONG THE WESTERLY LINE OF SAID SUBDIVISION 81.20 FEET; THENCE SOUTH
50°24'18" WEST 198.94 FEET; THENCE SOUTH 50°24'18" WEST 55.00 FEET; THENCE NORTH 39°35'42"
WEST 53.13 FEET; THENCE SOUTH 50°24'18" WEST 101.96 FEET; THENCE SOUTH 26°26'07" WEST 96.52
FEET; THENCE SOUTH 03°51'01" EAST 111.78 FEET; THENCE SOUTH 08°29'06" EAST 55.08 FEET;
THENCE 257.87 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 467.79 FEET (CHORD
BEARS NORTH 79°49'41" WEST 254.62 FEET); THENCE SOUTH 34°26'07" WEST 288.00 FEET; THENCE
NORTH 61°46'26" WEST 21.80 FEET; THENCE NORTH 89°21'54" WEST 41.55 FEET; THENCE SOUTH
56°50'05" WEST 45.05 FEET TO THE NORTHEASTERLY LINE OF SAID STREET; THENCE NORTH 39°09'55"
WEST ALONG SAID STREET 377.14 FEET; AND THENCE NORTH 39°35'42" WEST ALONG SAID STREET
66.33 FEET TO THE POINT OF BEGINNING.
CONTAINING 496,797 SQ.FT. (11.40 ACRE).

ALSO, BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF WILKIE ESTATES NO.1, A PLAT
RECORDED AT THE DAVIS COUNTY RECORDERS OFFICE, SAID POINT ALSO BEING THE
SOUTHEASTERLY CORNER OF HILL FARMS SUBDIVISION PHASE 2C, A PLAT RECORDED AT THE
DAVIS COUNTY RECORDERS OFFICE, SAID POINT BEING LOCATED NORTH 00°07'05" EAST ALONG
QUARTER SECTION LINE 1740.04 FEET AND WEST 215.64 FEET FROM THE CENTER OF SECTION 32,
TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, (THE BASIS OF BEARING
FOR THIS DESCRIPTION IS NORTH 00°05'30" EAST 2642.30 FEET MEASURED BETWEEN THE
SOUTHWEST AND WEST QUARTER CORNERS OF SAID SECTION 32) RUNNING THENCE SOUTH
40°16'30" EAST ALONG THE SOUTHWESTERLY LINE OF SAID WILKIE ESTATES 460.03 FEET TO A
POINT ON THE NORTHEASTERLY LINE OF HILL FARMS SUBDIVISION PHASE 2B; THENCE
SOUTHWESTERLY AND NORTHWESTERLY ALONG THE BOUNDARY OF SAID PHASE 2B THE
FOLLOWING FIVE COURSES: (1) SOUTH 50°24'18" WEST 115.68 FEET; (2) SOUTH 30°24'18" WEST 77.76
FEET; (3) NORTH 59°55'42" WEST 24.5 FEET; (4) NORTH 23°16'56" WEST 100.41 FEET; AND (5) NORTH
39°35'42" WEST 160.00 FEET TO THE SOUTHERLY LINE OF SAID PHASE 2C; AND THENCE NORTH
50°24'18" EAST 238.88 FEET ALONG THE SOUTHERLY LINE OF SAID PHASE 2C TO THE POINT OF
BEGINNING.
CONTAINING 111795 SQ.FT. (2.57 ACRE).

STEPHEN J. FACKRELL
LICENSE NO. 191517

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER OF THE ABOVE DESCRIBED TRACT OF
LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS, STREETS, AND OPEN SPACE PARCELS AS SHOWN
ON THIS PLAT, HEREAFTER KNOWN AS HILL FARMS PHASE 5, DO HEREBY DEDICATE, GRANT AND CONVEY FOR
PERPETUAL USE OF THE PUBLIC ALL PUBLIC STREETS AND PUBLIC UTILITY AND DRAINAGE EASEMENTS AS
SHOWN HEREON, AND DO HEREBY DEDICATE, GRANT, AND CONVEY TO THE HILL FARMS HOMEOWNERS
ASSOCIATION ALL OPEN SPACE PARCELS AS SHOWN HEREON, AND DESIGNATE SAID PARCELS AS COMMON
AREA, THE SAME TO BE USED FOR THE COMMON USE AND ENJOYMENT OF THE LOT OWNERS, AND DO
DEDICATE SAID PARCELS AS PUBLIC UTILITY AND DRAINAGE EASEMENTS, AND DO DEDICATE THOSE ALLEY
EASEMENTS AS SHOWN HEREON AS COMMON DRIVEWAYS AND PUBLIC UTILITY AND DRAINAGE CORRIDORS.
PRIVATE STREETS ARE TO BE MAINTAINED BY THE HILL FARMS HOME OWNERS ASSOCIATION.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS _____ DAY OF _____, A.D. 20____.

KAMI MARRIOTT
PRESIDENT, GOLDEN LAND MANAGEMENT, INC.

PINNACLE
Engineering & Land Surveying, Inc.
Phone: (801) 773-1910
Fax: (801) 773-1925

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE
PAID _____ FILED FOR RECORD
AND RECORDED THIS _____
DAY OF _____, 20____ AT
_____ IN BOOK
OF OFFICIAL RECORDS PAGE

DAVIS COUNTY RECORDER
BY _____ DEPUTY RECORDER

STAFF REPORT



COUNCIL MEETING DATE: 11/15/2018

ITEM NO.:

TYPE OF ITEM: Consent

PRESENTED BY: Lyle Gibson

SUBJECT/AGENDA TITLE:

Acceptance of Improvement for Bob Mason Subdivision

EXECUTIVE SUMMARY:

The Bob Mason Subdivision near the corner of Roueche and Angel consists of 3 lots. The required improvements have now been completed and inspected by City Staff and found to be acceptable

Council Options:

Recommended Options:

It is recommended that the improvements be accepted and that the standard requirement of a 10% warranty amount and one year warranty period be applied.

Fiscal Impact & Fund Source for Recommended Action: N/A

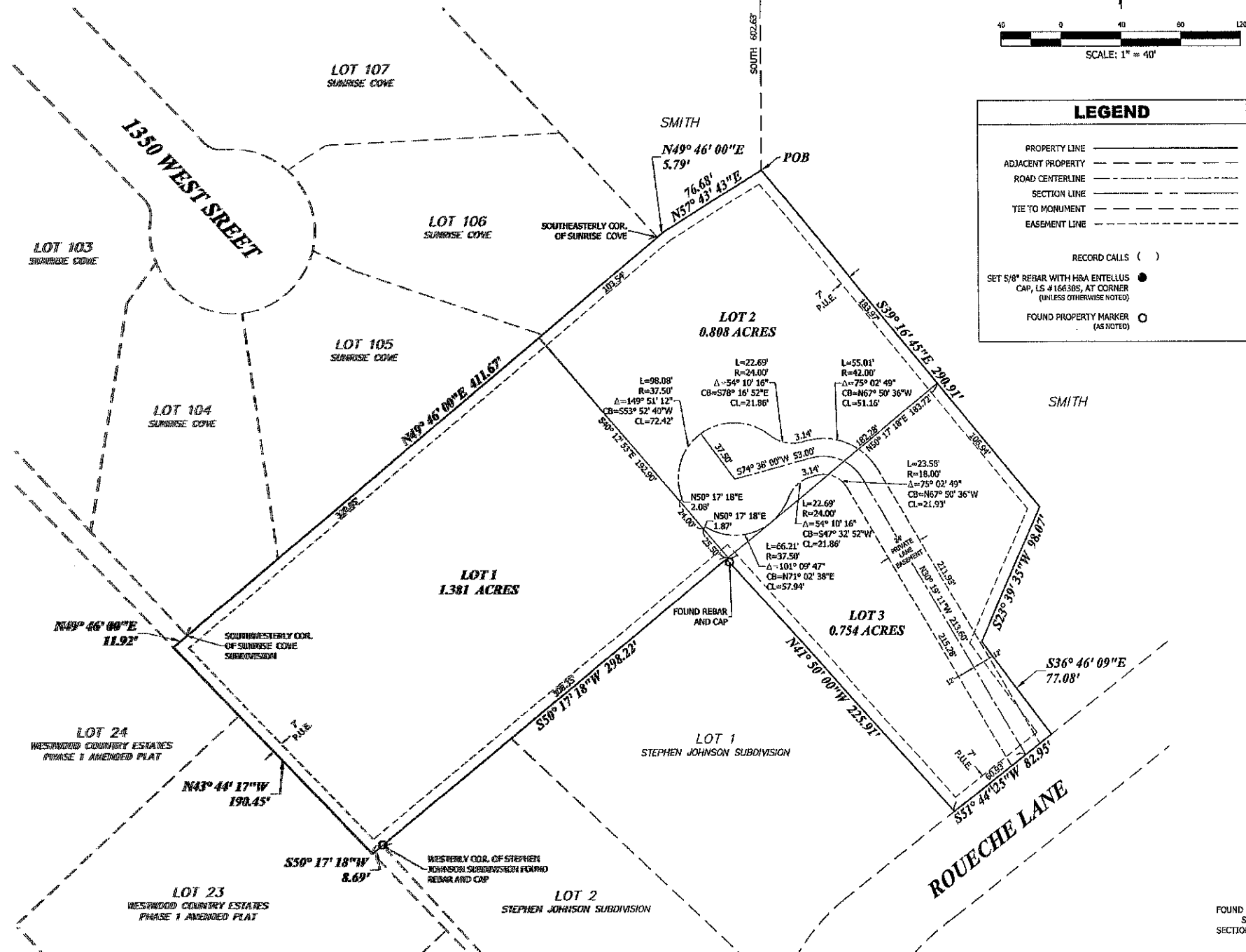
Attachments:

1. Location Map
2. Plat Map

860 South Roueche Lane



BOB MASON SUBDIVISION
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 4,
TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN
KAYSVILLE CITY, DAVIS COUNTY, UTAH
OCTOBER 2017



SURVEYOR'S CERTIFICATE

I, VON R. HILL, A PROFESSIONAL LAND SURVEYOR HOLDING CERTIFICATE NO. 166385 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT BY THE AUTHORITY OF THE OWNERS I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREWITH AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS BOB MASON SUBDIVISION AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN.



BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH IS NORTH 89°46'31\"W 1,055.25 FEET ALONG THE QUARTER SECTION LINE AND SOUTH 602.63 FEET FROM THE CENTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 39°16'45\"E 290.91 FEET TO A POINT ON THE BOUNDARY OF THE JAMES SMITH PROPERTY AS DESCRIBED IN ENTRY NUMBER 250384 OF DAVIS COUNTY RECORDS; THENCE ALONG THE BOUNDARY OF SAID DESCRIBED PROPERTY IN THE FOLLOWING TWO COURSES: SOUTH 23°39'35\"W 98.07 FEET AND SOUTH 36°48'09\"E 77.08 FEET TO A POINT ON THE NORTHWEST BOUNDARY OF ROUECHE LANE; THENCE SOUTH 15°44'25\"W 82.95 FEET ALONG SAID NORTHWEST BOUNDARY OF ROUECHE LANE TO THE BOUNDARY OF THE STEPHEN JOHNSON SUBDIVISION; THENCE ALONG SAID BOUNDARY THE FOLLOWING TWO COURSES: NORTH 15°50'00\"W 225.91 FEET; SOUTH 15°17'18\"W 298.22 FEET TO THE WESTERLY CORNER OF SAID SUBDIVISION; THENCE SOUTH 50°17'19\"W 8.69 FEET TO THE EASTERLY BOUNDARY OF WESTWOOD COUNTRY ESTATES, PHASE 1, AMENDED PLAT SUBDIVISION; THENCE ALONG SAID BOUNDARY NORTH 3°44'17\"W 190.45 FEET TO A POINT ON LINE EXTENSION OF THE SOUTHERLY BOUNDARY LINE OF SUNRISE COVE; THENCE NORTH 49°46'00\"E 41.67 FEET ALONG THE SOUTHERLY SUBDIVISION LINE TO THE SOUTHEAST CORNER OF SAID SUBDIVISION; THENCE NORTH 89°46'00\"E 5.79 FEET; THENCE NORTH 57°43'43\"E 76.68 FEET ALONG A EXISTING WIRE FENCE TO THE POINT OF BEGINNING.

CONTAINS, 2.921 ACRES

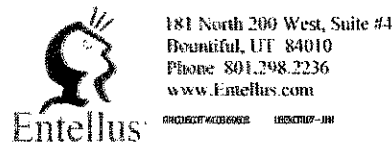
OWNER'S DEDICATION

THE UNDERSIGNED OWNERS OF THE HEREON DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AS SHOWN ON THIS PLAT, AND NAME SAID BOB MASON SUBDIVISION AND HEREBY DEDICATE GRANT AND CONVEY TO KAYSVILLE CITY, DAVIS COUNTY, UTAH ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS EASEMENT FOR PUBLIC UTILITY AND DRAINAGE PURPOSES AS SHOWN HEREON, THE SAME TO BE USED FOR THE INSTALLATION, AND OPERATION OF PUBLIC UTILITY SERVICE LINE AND DRAINAGE AS MAY BE AUTHORIZED BY KAYSVILLE CITY.

SIGNED THIS _____ DAY OF _____, 20____

GENERAL NOTES:

1. ALL EASEMENTS SHOWN ARE TYPICAL 7.0' WIDE PUBLIC UTILITY EASEMENTS (P.U.E.) UNLESS OTHERWISE NOTED.
2. P.U.E. DENOTES A PUBLIC UTILITY EASEMENT AND A DRAINAGE EASEMENT.



KAYSVILLE CITY COUNCIL
PRESENTED TO THE CITY COUNCIL OF KAYSVILLE, UTAH, ON THIS _____ DAY OF _____, 20____, AT _____, UTAH, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.
CITY RECORDER ATTEST:
RECORD:

CITY ENGINEER'S APPROVAL
I HEREBY CERTIFY THAT I HAVE CAREFULLY INVESTIGATED THE LINE OF SURVEY OF THE FOREGOING PLAT AND THE LEGAL DESCRIPTION OF THE LAND EMBRACED THEREIN AND FIND THEM TO BE CORRECT AND TO AGREE WITH THE LINE AND MONUMENTS ON RECORD IN THIS OFFICE.
SIGNED THIS _____ DAY OF _____, 20____
KAYSVILLE CITY ENGINEER

PLANNING COMMISSION APPROVAL
APPROVED THIS _____ DAY OF _____, 20____, BY THE PLANNING COMMISSION OF KAYSVILLE CITY,

CITY ATTORNEY'S APPROVAL
APPROVED ON THIS _____ DAY OF _____, 20____, KAYSVILLE CITY ATTORNEY

DAVIS COUNTY RECORDER
ENTRY NO. _____ FEE PAID _____
FILED FOR RECORD AND RECORDED THIS _____ DAY OF _____, 20____
AT _____ IN BOOK _____ OF _____
COUNTY RECORDER:
BY: _____
DEPUTY

STAFF REPORT



COUNCIL MEETING DATE: November 15, 2018
ITEM NO.:

TYPE OF ITEM: Consent Item
PRESENTED BY: Community Development Staff

SUBJECT/AGENDA TITLE: Acceptance of Cooperative Agreement with UDOT for Safe Routes to Schools funding for pedestrian activated crossings along the D&RGW rail trail.

EXECUTIVE SUMMARY:

Kaysville City has been awarded grant monies from UDOT through their Safe Routes to Schools program. With the support of Centennial Jr. High, the city applied for money to install pedestrian activated blinker signs along the D&RGW trail corridor at street crossing. The agreement states that the city would be reimbursed up to \$39,500. This reimbursement would cover enough Blinker Signs to signalize 6 different crossings from Shepard Lane to Webb Lane.

The signs are activated much like the overhead signals at 200 North and the rail trail and Center Street and Main. When approached, an individual pushes a button and the signs begin to flash to help warn auto traffic that someone is attempting to cross the street. This grant will cover the costs of the signs at every crossing along the rail trail in Kaysville City with the exception of Phillips Street. Staff recommends that the council agree to the purchase the extra signage in order to signalize Phillips Street as well at an estimated cost of \$6,538 for the remaining crossing.

Council Options:

Recommended Options:

Staff recommends that the city council approve the Cooperative Agreement with UDOT for Safe Routes to Schools funding. Staff also recommends that the purchase of additional signage for the Phillips Street crossing be approved.

Fiscal Impact & Fund Source for Recommended Action: approx. \$6,538 for purchase of extra signage.

Attachments:

Cooperative Agreement with UDOT for Safe Routes to Schools funding

COOPERATIVE AGREEMENT SAFE ROUTES TO SCHOOLS

This Cooperative Agreement, made and entered into this ____ day of _____, 20__, by and between the Utah Department of Transportation ("UDOT"), and Kaysville City, ("LOCAL AUTHORITY").

RECITALS

WHEREAS, in the interest of public safety, the LOCAL AUTHORITY desires to plan, design, construct, and maintain an infrastructure-related project that will improve safety for students to walk and bicycle to school at Centennial Jr. High & Endeavor Elementary; (the "Work"); and

WHEREAS, infrastructure projects using public funds shall be within public rights of way, either public property owned by a public entity and/or private lands that have public access easements; and

WHEREAS, the LOCAL AUTHORITY is agreeable to comply with the applicable UDOT Program Procedures and Standards for the Work described in this agreement; and

WHEREAS, State funds may not be expended for projects that do not specifically serve the stated purposes of the Safe Route to School program; and

THIS COOPERATIVE AGREEMENT is made to set out the terms and conditions where the Work shall be performed.

AGREEMENT

NOW, THEREFORE, the parties agree as follows:

1. **Description of Work:** The Work covered by this agreement is described in the LOCAL AUTHORITY application, attached as Exhibit A that is incorporated by reference.
2. **UDOT Responsibilities:**
 - a. Provide an oversight manager or consultant oversight manager to assist the LOCAL AUTHORITY with ongoing coordination related to scope, schedule, risks, mitigation, and closeout process for the Work.
 - b. Prepare and process a cooperative agreement before Work initiation.
 - c. Upon completion of the Work and final inspection and approval by UDOT, reimburse the LOCAL AUTHORITY, up to the maximum of the Grant amount of \$39,500.
3. **Local Authority Responsibilities:**
 - a. Provide an oversight manager or consultant oversight manager and oversee their performance related to the Work including approving consultant pay requests.
 - b. Construct the Work to UDOT standards or to LOCAL AUTHORITY's standards if it is equal to or greater than UDOT standards.
 - c. Manage Work scope, schedule, budget, risk, and quality.
 - d. Coordinate details, decisions and impacts with the local jurisdiction's community councils, commissions, legal counsel, department heads, political leads, engineering and public works departments, etc.
 - e. Coordinate with the assigned UDOT oversight manager.

Application Number: 08

Local Authority: Kaysville City

Trail Crossings at Burton Ln, Western Dr, Old Mill Ln, Shepard Ln, Webb Ln and Kay Circle

Project: S-ST99(550) PIN: 17013 CID: 73060

- f. Upon completion of the Work and final inspection and approval by UDOT, submit a request for reimbursement to UDOT, up to the maximum amount of this agreement \$39,500, including documentation of costs incurred and paid for by the LOCAL AUTHORITY. Project overages shall be the responsibility of the LOCAL AUTHORITY.
4. **Access:** The LOCAL AUTHORITY shall guarantee access to and make all provisions for UDOT, Consultant, and Contractor to enter upon all lands, both public and private which are necessary to carry out the Work.
5. **Construction.** If for any reason, the LOCAL AUTHORITY has not commenced construction of the Work within a 2 year period from the date of the notice of grant award, the LOCAL AUTHORITY will relinquish the grant allocation for the Work upon request from UDOT, and this agreement shall be terminated. Upon commencement of construction, the LOCAL AUTHORITY agrees to complete the construction in an expeditious manner and in a reasonable timeframe. Should UDOT determine the Work is not proceeding in an expeditious manner and upon 30 days written notice, it may withdraw the grant and require the LOCAL AUTHORITY to refund any portion of the grant funds not expended for approved items at the time of withdrawal and terminate this agreement.
6. **Liability:** UDOT and City are both governmental entities subject to the Governmental Immunity Act. Each party agrees to indemnify, defend and save harmless the other party from any and all damages, claims, suits, costs, attorney's fees and actions arising from or related to its actions or omissions or the acts or omissions of its officers, agents, or employees in connection with the performance and/or subject matter of this Agreement. The obligation to indemnify is limited to the dollar amounts set forth in the Governmental Immunity Act, provided said Act applies to the action or omission giving rise to the protections of this paragraph. This paragraph shall not be construed as a waiver of the protections of the Governmental Immunity Act. The indemnification in this paragraph shall survive the expiration or termination of this Agreement.
7. **Project Underruns:** Any funds remaining at the completion of the Work resulting in an underrun will revert back to the Safe Route to School Program for redistribution by UDOT.
8. **Accessible to Persons with Disabilities:** Infrastructure projects constructed with Safe Routes to School funds shall be accessible to persons with disabilities, per the Americans with Disabilities Act Accessibility Guidelines (ADAAG) at 28 CFR Part 36, Appendix A, as enforced by the U.S. Department of Justice and FHWA, and as required under section 504 of the Rehabilitation Act.
9. **Real Property Acquisition:** For real property acquisition and displacement activities, the LOCAL AUTHORITY shall comply with the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 in accordance with 49 CFR Part 24.
10. **Utility Relocations:** The LOCAL AUTHORITY is required to pay, as part of the total Work cost, 50% of the cost of any utility facility relocation required within the State highway right-of-way, and the utility company is required to pay the remainder of the cost of relocation. Utah Administrative Code 72-6-116. The design of the Work shall minimize any utility relocations. Should the LOCAL AUTHORITY's Work design require utility relocations, the LOCAL AUTHORITY shall coordinate with the affected utility owner to determine a relocation design and cost estimate. The LOCAL AUTHORITY shall execute a 50% reimbursement agreement with each utility company prior to commencement of the Work.
11. **Maintenance:** Upon completion of the Work covered by this agreement, the LOCAL AUTHORITY shall, either directly or by ordinance, cause any sidewalks covered by this cooperative agreement to be maintained, renewed and/or repaired to perpetuate a secure and non-hazardous pedestrian facility. The maintenance shall include snow removal.

Application Number: 08

Local Authority: Kaysville City

Trail Crossings at Burton Ln, Western Dr, Old Mill Ln, Shepard Ln, Webb Ln and Kay Circle

Project: S-ST99(550) PIN: 17013 CID: 73060

12. **Right of Way Disposal/Lease Proceeds:** For real property disposals the LOCAL AUTHORITY shall comply with 23 CFR 710.409 and 710.403. The LOCAL AUTHORITY should have property management records, which identify inventories of real property considered excess to the Work needs. If a LOCAL AUTHORITY determines that real property initially acquired as part of the Work is declared excess and disposed of the LOCAL AUTHORITY must comply with 23 CFR 710.409 and 710.403.

13. **Termination:** This Agreement may be terminated as follows:

- A. By mutual agreement of the parties, in writing.
- B. By either UDOT or the LOCAL AUTHORITY for failure of any of the parties to fulfill its obligations as set forth in the provisions of this agreement. Reasonable allowances will be made for circumstances beyond the control of the parties. Written notice of intent to terminate is required and shall specify the reasons for termination.
- C. By UDOT for the convenience of the State upon written notice to the LOCAL AUTHORITY.
- D. Upon satisfactory completion of the provisions of this agreement.
- E. By UDOT, in the event that construction of the project for which this design engineering is undertaken is not started by the close of the second fiscal year following the fiscal year in which this agreement is executed.

14. **Other Provisions:**

- A. Each party agrees to undertake and perform all further acts that are reasonably necessary to carry out the intent and purposes of the agreement at the request of the other party.
- B. The failure of either party to insist upon strict compliance of any of the terms and conditions, or failure or delay by either party to exercise any rights or remedies provided in this agreement, or by law, will not release either party from any obligations arising under this agreement.
- C. Neither Party to this Agreement shall make impacts to the systems describe herein, exceed the capacities described herein, or act outside of the terms of this agreement without an amendment to this agreement.
- D. This agreement contains the entire agreement between the parties with respect to the subject matter, and no statements, promises or inducements made by either party that are contained in this written agreement shall be binding or valid.
- E. This agreement does not create any type of agency relationship, joint venture, or partnership between the parties.
- F. Each party represents that it has the authority to enter into this agreement. The parties may execute this agreement in counterparts.

Application Number: 08

Local Authority: Kaysville City

Trail Crossings at Burton Ln, Western Dr, Old Mill Ln, Shepard Ln, Webb Ln and Kay Circle

Project: S-ST99(550) PIN: 17013 CID: 73060

IN WITNESS THEREOF, the parties hereto have caused these presents to be executed by their duly authorized officers as of the day, month, and year first above written.

<Name of City or County>

By: _____

Title: _____

Date: _____

Printed Name: _____

UTAH DEPARTMENT OF TRANSPORTATION

By: _____

Title: Project Manager

Date: _____

Printed Name: _____

By: _____

Title: Region Director

Date: _____

Printed Name: _____

By: _____

Title: Comptroller Office

Date: _____

Printed Name: _____

Application Number: 08

Local Authority: Kaysville City

Trail Crossings at Burton Ln, Western Dr, Old Mill Ln, Shepard Ln, Webb Ln and Kay Circle

Project: S-ST99(550) PIN: 17013 CID: 73060

Exhibit A

Local Authority Safe Routes Application

UDOT Safe Routes to School (SRTS)

Infrastructure Application - January 2018



Local agencies are encouraged to develop proposals and submit applications for infrastructure projects that they believe will help more school children walk and bike safely to school. UDOT requires infrastructure grant applicants to be submitted by the agency that owns the right-of-way where the project will be constructed. Priority will be given to applicants who have acquired ROW, do not have any utility issues at the proposed location, and who meet the basic goal of the program, which is to increase the number of children safely walking and biking to school.

Eligible infrastructure projects include: bike parking facilities, sign installments, on-street bike facilities, off-street bike/pedestrian facilities, crossing improvements, street striping, signals, signage, traffic calming devices, and sidewalk. The proposed improvements should fill in gaps currently identified as necessary updates on the school's Student Neighborhood Access Plan (SNAP) map. Project budgets typically range between \$50,000 and \$200,000.

State funds will now be utilized for Safe Route To School (SRTS) projects. This should allow for a greater number of SRTS projects, increased flexibility with the types of projects that can be funded, and maximize the amount of funding going directly to capital improvements. Local matching funds are no longer required.

The Local Government must enter into a cooperative agreement with UDOT and will be fully responsible for the design, cost estimate, and construction of the project. Local Governments will have two years to complete the project and may use their own staff/crews for design/construction or hire a consultant/contractor. Upon completion, the Local Government will be reimbursed up to the maximum amount designated in the cooperative agreement. Project overages will be the responsibility of the Local Government.

SRTS applications will be reviewed by a volunteer advisory committee comprised of (but not limited to) individual members from UDOT, the Utah Department of Health, and local law enforcement. The information provided in your application is important in helping the committee select the best projects. Please be complete, but also concise.

All sections of the application must be completed for the application to be considered for funding. Each section is designed to help us learn as much about your proposed project as possible. We want to learn about your current situation. What are the obstacles or critical gaps that prevent children from walking and/or bicycling to and from school? Who are your partners and what roles will they play in the project? The use of photographs and maps are strongly encouraged to help describe your project and should be included as part of your application. A SNAP map, or school routing map, identifying the safest walking routes to school, is also required.

Application Process Timetable

Our goal is to select projects in the most effective way possible, while still providing enough time to thoroughly review each application. The review schedule is listed here to help assist you in your planning. Please keep in mind that this is a guideline, and may be subject to change.

March 14, 2018	Applications due to UDOT by 5:00 PM.
March 28, 2018	UDOT review and selection of project "short list". Applicants notified.
April 6, 2018	Applications distributed to Advisory Committee for review and scoring.
April 20, 2018	Advisory Committee selects projects.
April 27, 2018	Applicants notified.

Project Title *

D&RGW Trail Crossings

Brief Description of the Project *

Pedestrian Activated Flashing Signs at Trail Crossings on School Route

Sponsor Information

Primary Sponsor Type - pick one (must own ROW and maintain facility before it is constructed) *

☐ School District

☒ City

☐ County

☐ Other: _____

Applicant (name of primary sponsor organization) *

Kaysville City

Primary Contact Information



Primary Contact (individual familiar with project that can answer questions)

*

First and last name

Lyle Gibson

Primary Contact Title *

Zoning Administrator

Street Address (of the Applicant) *

23 E. Center St.

City *

Kaysville

Zip Code *

84037

Daytime Phone Number (of the Primary Contact) *

8014977021

Email Address (of the Primary Contact) *

lgibson@kaysvillecity.com

School Information



School District Involved *

Davis School District

School(s) Involved *

Centennial Jr. High / Endeavour Elementary /

Signatures (typing of name will be considered e-signature)



Individual Submitting the Application *

Lyle Gibson

Title of Person Submitting the Application *

Zoning Administrator

Date *

3/8/2018

Other Information



*By adding your name as the individual submitting the application, you admit to being authorized to vouch for the sponsor and that all the information contained herein is true and correct to the best of your knowledge.

The applicant also confirms understanding the following project conditions.

Section 1: Sponsor Information and Certifications

A. Primary Sponsor Applicant



Individual or agency/ organization who owns the property on which the proposed infrastructure project is located. The following is a template that should be copied to agency letterhead and submitted separately from the online application, via email to marywatson@utah.gov

I [YOUR NAME] am an official for [name of organization] and certify that the above named sponsoring agency is aware of the proposed project and supports the request for infrastructure funding from UDOT's SRTS Program.

I certify that the above named organization is the owner of the property on which the proposed project is located and will maintain the infrastructure upon completion.

I understand that the above named organization must establish a scope, schedule, and budget for the project and will be fully responsible for the design, cost estimate, and construction.

In the event that budget overruns occur, my agency will be responsible for paying the overrun amount. I signify that the agency is aware of this financial responsibility.

B. Sub-Sponsor Applicant(s)

Parties endorsing this application for SRTS funds, such as authorized representatives of the applying school district, school, and political subdivision, must submit their contact information using the template below, which should be copied to agency letterhead and submitted separately from the online application, via email to marywatson@utah.gov.

Common sub-sponsor agencies include: school district, physical facility person if proposed project is located on school property, principal, and/or political subdivision official (mayor, city engineer, city or county representatives).

I [your name] am an official for [name of organization] and certify that the above named sponsoring agency is aware of the proposed project and supports the request for infrastructure funding from UDOT's SRTS Program. You may contact me at [insert email address, phone#, and address] if you have questions within my area of expertise and responsibility pertaining to this project.

Note: All endorsement letters must be submitted separately via email from the online application in order for it to be complete.

Section 2: Detailed Project Description

A. Current Conditions



Site #1 *

D&RGW Trail Crossings

Street Name: *

Burton Lane, Western Drive, Old Mill Lane

From: *

Trail Crossing

To: *

Trail Crossing

Maintaining Agency (Choose one) *

☐ School District

☒ City

☐ County

☐ Other:

Project begins how far from the school (entire project must be within 2 miles)? *

☒ 0.0 - 0.5 miles

☒ 0.5 - 1.0 miles

☒ 1.0 - 1.5 miles

☐ 1.5 - 2.0 miles

If the project is a sidewalk, please state the length (feet)

.....

If the project is a sidewalk, please state the side of the road affected (N, S, E, W)

.....

Site #2 (Optional)

Street Crossing along D&RGW Trail

.....

Street Name:

Shepard Lane, Kay Circle, Webb Lane

.....

From:

Trail Crossing

To:

Trail Crossing

Maintaining Agency (Choose one)

☐ School District

☒ City

☐ County

☐ Other:

Project begins how far from the school (entire project must be within 2 miles)?

☐ 0.0 - 0.5 miles

☒ 0.5 - 1.0 miles

☐ 1.0 - 1.5 miles

☒ 1.5 - 2.0 miles

If the project is a sidewalk, please state the length (feet)

If the project is a sidewalk, please state the side of the road affected (N, S, E, W)

What is the current status of the walking/biking surface where the project would be constructed? *

- ☐ No usable walking or biking surface
- ☐ Unpaved usable walking or biking surface
- ☒ Paved with gaps

Briefly describe the status of the current walking surface and/or other existing facilities, signs, and markings that affect this project and what improvements are needed at the proposed location(s) *

The trail itself is in good repair and condition. The cross streets vary in condition. Relative to the project there is a gate at each crossing along the trail that is in place about 9 months out of the year (warm weather) to slow pedestrians and bikers from entering the street before looking. There are signs near the trail on each cross street that indicate bikes may use the area, but they can be hard to see especially when dark out. Students regularly use this system to get to and from school during school hours as well as extra curricular events. It is also a popular path for other activities. For example, Endeavour elementary did a 5k event last year on this facility.

B. Provide the following documentation for the proposed location(s):

Please submit the following documents via email to marywatson@utah.gov:

1. Photographs of proposed location, clearly indicating existing conditions
2. SNAP map of each participating school, indicating the safe walking routes
3. Area map of proposed project

Section 3: School Travel Environment

A. Current Barriers to Walking and Bicycling

Describe why this project is needed, and what the current risks and/or obstacles (physical or perceived) to walking and/or bicycling to and from school are for this proposed location, including for children with disabilities.

★

This path is used by many school children, particularly for those attending Centennial Jr. High School. The path itself is a very safe and desirable route. For the children who use it there are safe crossings as they get close to the school with crossing guards. The flaw in the trail is the crossings at city streets before the turnoff to the school. There is some signage, but adding these pedestrian activated flashing signs will greatly improve the visibility of the crossings to drivers and make this route much safer.

How will the proposed project increase the number of children walking or biking to school? ★

Hopefully it will limit one of the few remaining factors for not walking or biking for those along this route. It is already popular so may factor more into making it safer for those currently using it, but the safer it is the more appealing it will be.

B. Existing programs at the affected schools that educate and/or encourage walking or bicycling to school

Is bike/ped safety curriculum taught inside/outside school? *

☐ Yes

☒ No

Do you hold walk/bike to school events? *

☐ Yes

☒ No

If yes, how often?

If yes, what grade levels?

If yes, what is the percentage of students that participate?

Which of the following organized SRTS related programs does your school participate in? (Mark all that apply)

- ☐ "Walking school bus" or "Bike trains"
- ☐ SNAP "Walk n' Roll" assembly
- ☐ SNAP "Walk More In 4" program
- ☐ Early dismissal for students walking or biking from school
- ☐ Pedestrian fairs/bike rodeos
- ☐ Other:

C. Student Travel Data

Complete the following information for all schools affected by your proposal.

You have the option to enter information for up to four separate schools

School #1

Name of School *

Centennial Jr. High

Total number of students *

1550

Grade Level (i.e. K-6) *

7-9

Number of students walking *

1000

Number of students biking *

100

Percentage of students within a 2 mile radius of the school *

1100

Number of students that could benefit from the proposed project, (i.e. that could use the proposed project, assuming all would walk or bike to school) *

1100

School #2 (Optional) 

Name of School

Total number of students

.....

Grade Level (i.e. K-6)

.....

Number of students walking

.....

Number of students biking

.....

Percentage of students within a 2 mile radius of the school

.....

Number of students that could benefit from the proposed project, (i.e. that could use the proposed project, assuming all would walk or bike to school)

.....

School #3 (Optional)



Name of School

.....

Total number of students

.....

Grade Level (i.e. K-6)

.....

Number of students walking

.....

Number of students biking

.....

Percentage of students within a 2 mile radius of the school

.....

Number of students that could benefit from the proposed project, (i.e. that could use the proposed project, assuming all would walk or bike to school)

School #4 (Optional) 

Name of School

Total number of students

Grade Level (i.e. K-6)

Number of students walking

Number of students biking

Percentage of students within a 2 mile radius of the school

Number of students that could benefit from the proposed project, (i.e. that could use the proposed project, assuming all would walk or bike to school)

D. Pre-and Post- Project Surveys



If the project is selected for funding, a Pre-Evaluation Parent Survey and Student Tally must be performed at the school(s) prior to the projects beginning. A Post-Evaluation must also be completed once the project is complete. Will the school administer the appropriate evaluations? *

☒ Yes

☐ No

Application Checklist and Attachments

Applicant Checklist *

- ✓ Application's cover page is the completed Applicant information sheet.
- ✓ Includes signatures of persons authorized to electronically sign for your organization.
- ✓ Sections 1 - 3 answered in complete, concise narratives or associated text box response.
- ✓ Project scope, schedule and budget (complete and accurate)
- ✓ All appropriate documents are attached (i.e. letters of support, photographs, area map identifying proposed project, and SNAP map, or other school routing map identifying safest walking routes to school).
- ✓ Online application and accompanying attachments must be submitted by 5 PM, Wednesday, March 14, 2018 to: marywatson@utah.gov

Attachments (submit separate from online application, via email) *

- ✓ Complete and accurate project scope, schedule and budget.
- ✓ Letters of recommendation (for both Primary and Sub-Sponsor(s)).
- ✓ Photographs of proposed location(s).
- ✓ SNAP map (for each school involved).
- ✓ Area map, identifying proposed project.

Online applications and accompanying attachments must be submitted by 5 pm, Wednesday, March 14, 2018.

For questions regarding the application, your project ideas, and to submit attachments, contact Mary Watson at marywatson@utah.gov or 801-965-4829.

REMINDER: Applicants will not be considered eligible if they do not meet the basic requirements of this checklist, or if they are received after the deadline. Furthermore, any documents received after the application is submitted will not be added to the application.

This form was created inside of State of Utah.

Google Forms



SETTLED IN 1850

3/8/2018

To: Utah Department of Transportation
Attn: Mary Watson / Safe Routes to School program
Sent via email: marywatson@utah.gov

Re: Primary Sponsor Information and Certification – D&RGW Flashing Signs

Dear Ms. Watson,

I, Katie Witt, am an official for Kaysville City and certify that the above named sponsoring agency is aware of the proposed project and supports the request for infrastructure funding from UDOT's SRTS Program.

I certify that the above named organization is the owner of the property on which the proposed project is located and will maintain the infrastructure upon completion.

I understand that the above named organization must establish a scope, schedule, and budget for the project and will be fully responsible for the design, cost estimate, and construction.

In the event that budget overruns occur, my agency will be responsible for paying the overrun amount. I signify that the agency is aware of this financial responsibility.

Sincerely,

Katie Witt
Mayor
801-546-1235
Mayor.Witt@kaysvillecity.com





Centennial Junior High School

740 South Sunset Drive

Kaysville, Utah 84037

(801) 402-0100 Fax (801) 402-0101

Aaron R. Hogge
Principal

Lorrie Barber
Assistant Principal

Martin Hardy
Assistant Principal

I Martin Hardy am an assistant principal for Centennial Junior High School and certify that the above named sponsoring agency is aware of the proposed project and supports the request for infrastructure funding from UDOT's SRTS Program. You may contact me at mhardy@dsdmail.net, 801-402-0103, 740 South Sunset Dr. Kaysville Utah 84037 if you have questions within my area of expertise and responsibility pertaining to this project.

.....



SETTLED IN 1850

Safe Routes to School – Kaysville City

Project:

Pedestrian Activated Flashing Signs (BlinkerSigns®) along D&RGW Trail.

Scope:

The scope of this project is to install improved signage along the D&RGW trail that is used as a safe route to school primarily for Centennial Jr. High but also as a route for Endeavour Elementary. The trail has 7 crossings within Kaysville city and a 2 mile radius of the school, one of which is already signalized for pedestrians at 200 North Street. The City desires to improve the safety for users along this route by adding pedestrian activated signage along the remaining crossings.

Schedule:

All sign locations are located within existing Kaysville City right-of-way, and in many instances the proposed signs will replace existing signage. Once awarded, this project can be completed on a very quick time frame as it is a matter of ordering materials and installing them. It is desired that the project be completed summer of 2018.

Cost:

The quote from the provider is \$7,438.22 per crossing. This includes \$900 worth of installation costs. Kaysville City Public Works will set up and Install the product so is seeking funding to purchase only the signs at an estimated cost of \$6,538.22 per crossing.

Requested Funding:

With a total of 6 crossings for which funding is being requested, Kaysville City is requesting SRTS grant monies in the amount of **\$39,500**. In addition to covering the set-up and installation the city recognizes that it will be responsible for the ongoing cost of maintenance with the proposed signs as well as the responsibility of covering any additional costs beyond the requested grant amount should it be awarded.

Thank you for your consideration of this request. This project will greatly improve the safety of this popular walking and biking route particularly for the school children who regularly use it.

Sincerely,

Lyle Gibson
Kaysville City Community Development
lgibson@kaysvillecity.com
801-546-1241

Enclosed: -Blinkersign® product detail
 -Quote for materials



Intermountain Traffic Safety, Inc.

2440 South 3270 West
Salt Lake City, UT 84119-1116

Quotation

Quote Number: 2837
Quote Date: Mar 5, 2018
Good Thru April 4, 2018
Page: 1

Voice: (801)972-6515
Fax: (801)972-6604

Quoted to:

KAYSVILLE CITY
23 EAST CENTER
KAYSVILLE, UT 84037

Ship to:

KAYSVILLE CITY
721 WEST OLDMILL RD.
ATTN: LYLE GIBSON
KAYSVILLE, UT 84037

Customer PO#	Ship Via	Payment Terms	Sales Rep
W11-15	FOB SHIPPING POINT	Net 30 Days	Ryan J. Curry

Quantity	Item	Description	Unit Price	Extension
2.00	BS-30BKRSTPSOL	30" X 30" BLINKERSIGN W11-15, SOLAR POWERED LED ENHANCED TRAFFIC SIGN, PRISMATIC SHTG, WILL RUN 24/7, 2003 MUTCD APPROVED	1,590.00	3,180.00
2.00		BLINKERBEAM UPGRADE: RADIO CONTROL CABINET FOR ACTIVATED SIGNS AND MULTIPLE LED OUTPUTS	1,100.00	2,200.00
2.00		PUSH BUTTON BULLDOG ADD-ON OPTION KIT YELLOW, WITH LED	195.00	390.00
2.00		24" X 12" W16-7P, DOWN/LEFT ARROW FOR CROSSWALK INDICATION, BLK/YEL	34.85	69.70
2.00		SIGN MOUNTING KIT, Z-BRACKET, 3", ANTI-VANDAL FOR MOUNTING ONE	42.90	85.80
2.00	POS-SBNP4010'-P4	BLINKER SIGN TO 3" OD POST, 10' x 2.875 NP40 Post (.160 wall) Galv., UDOT P4	77.76	155.52
4.00	HW-SCALG-GALV	Large Sign Clamp Assembly, 2.875, Galvanized, FOR MOUNTING W16-7P SIGN ONTO 3" POST,	7.33	29.32
2.00	ANC-SBASSY	Bolt Type Casting Assembly for Slip Base Ground Stub, B3	61.62	123.24
2.00	ANC-SBGRNDSTB	Slip Base Ground Stub, 36", B3	52.32	104.64
2.00	INST-INSTAL/LOC	SETUP OF BLINKER SIGN, BLINKERBEAM CABINET, AND PUSH BUTTON ONTO 3" X	200.00	400.00
			Subtotal	Continued
			Sales Tax	Continued
			Freight	Continued
			Total	Continued

Intermountain Traffic Safety, Inc.

2440 South 3270 West
Salt Lake City, UT 84119-1116

Quotation

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Ship to:

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721 WEST OLDMILL RD.
ATTN: LYLE GIBSON
KAYSVILLE, UT 84037

Customer PO#	Ship Via	Payment Terms	Sales Rep
W11-15	FOB SHIPPING POINT	Net 30 Days	Ryan J. Curry

Quantity	Item	Description	Unit Price	Extension
2.00	INST-SB	10' NP40 POST, AT ITS SHOP INSTALLATION OF SLIP BASE ANCHOR (UDOT SPEC.) IN KAYSVILLE *FREIGHT IS ESTIMATE ONLY*	250.00	500.00
			Subtotal	7,238.22
			Sales Tax	
			Freight	200.00
			Total	7,438.22

BLINKERSIGN® PEDESTRIAN CROSSWALK SYSTEMS

BlinkerSign® Pedestrian Crosswalk Systems provide drivers real-time warning when pedestrians are in or about to enter an approaching crosswalk. With a variety of activation options, this proven, MUTCD-compliant crosswalk safety enhancement protects vulnerable road users in a variety of applications.

- School zone crossings
- Multilane uncontrolled crossings
- High-speed pedestrian crossings

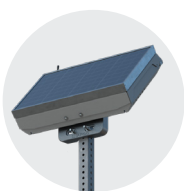


FEATURES

- MUTCD-compliant
- XAV2-LED push button activation provides voice message
- High-intensity Day-Viz® LEDs command driver attention day and night
- BlinkerBeam® wireless communication simultaneously activates all systems

TOP-OF-POLE SYSTEMS

Top-of-pole self-contained control cabinet houses power supply for quick installation and clean appearance.



System includes:

- 20 watt solar panel
- 44Ah battery
- Universal pole mounting hardware

Benefits:

- Supports XAV2-LED push button activation
- Compact design allows for easy assembly onto new or existing poles
- No trenching or in-ground wiring required

SIDE-OF-POLE SYSTEMS

Side-of-pole control cabinet for easy access and flexible system configuration. Solar and 120vac power options available.



Solar system includes:

- 55 watt solar panel
- 48Ah battery
- Stainless steel pole mounting hardware
- Additional solar panel, battery and mounting options available

Benefits:

- Mounts onto new or existing round, square or wood posts.
- Highly configurable for multiple applications
- Supports user-actuated and passive detection activation

**CAN'T FIND WHAT YOU'RE
LOOKING FOR? CALL (800) 236-0112
NOW TO DISCUSS CUSTOM OPTIONS**

W11-2 BLINKERSIGN®

SIGN	DIMENSIONS	PUSH BUTTON ACTIVATION	POWER	TOP-OF-POLE PART NUMBER	SIDE-OF-POLE PART NUMBER
 SINGLE SIDED	30"W x 30"H	Bulldog	Solar	600080	600008
			AC	—	600032
		XAV2-LED	Solar	600082	600010
			AC	—	600034
	36"W x 36"H	Bulldog	Solar	600084	600012
			AC	—	600036
		XAV2-LED	Solar	600086	600014
			AC	—	600038
 DOUBLE SIDED	30"W x 30"H	Bulldog	Solar	600081	600009
			AC	—	600033
		XAV2-LED	Solar	600083	600011
			AC	—	600035
	36"W x 36"H	Bulldog	Solar	600085	600013
			AC	—	600037
		XAV2-LED	Solar	600087	600015
			AC	—	600039

S1-1 BLINKERSIGN®

SIGN	DIMENSIONS	PUSH BUTTON ACTIVATION	POWER	TOP-OF-POLE PART NUMBER	SIDE-OF-POLE PART NUMBER
 SINGLE SIDED	30"W x 29.5"H	Bulldog	Solar	600088	600016
			AC	—	600040
		XAV2-LED	Solar	600090	600018
			AC	—	600042
	36"W x 35"H	Bulldog	Solar	600092	600020
			AC	—	600044
		XAV2-LED	Solar	600094	600022
			AC	—	600046
 DOUBLE SIDED	30"W x 29.5"H	Bulldog	Solar	600089	600017
			AC	—	600041
		XAV2-LED	Solar	600091	600019
			AC	—	600043
	36"W x 35"H	Bulldog	Solar	600093	600021
			AC	—	600045
		XAV2-LED	Solar	600095	600023
			AC	—	600047

W11-15 BLINKERSIGN®

SIGN	DIMENSIONS	PUSH BUTTON ACTIVATION	POWER	TOP-OF-POLE PART NUMBER	SIDE-OF-POLE PART NUMBER
 SINGLE SIDED	30"W x 30"H	Bulldog	Solar	600072	600000
			AC	—	600024
		XAV2-LED	Solar	600074	600002
			AC	—	600026
	36"W x 36"H	Bulldog	Solar	600076	600004
			AC	—	600028
		XAV2-LED	Solar	600078	600006
			AC	—	600030
 DOUBLE SIDED	30"W x 30"H	Bulldog	Solar	600073	600001
			AC	—	600025
		XAV2-LED	Solar	600075	600003
			AC	—	600027
	36"W x 36"H	Bulldog	Solar	600077	600005
			AC	—	600029
		XAV2-LED	Solar	600079	600007
			AC	—	600031

Yellow push button housing is standard. Black push button housing is available upon request.



**BULLDOG
PUSH BUTTON**



**XAV2-LED
PUSH BUTTON**



**WIRELESS
BOLLARD**



**BLINKERBEAM®
WIRELESS RADIO**

STANDARD ACTIVATION OPTIONS

BULLDOG PUSH BUTTON

Activated with less than two pounds of force, the Bulldog push button provides two-tone audible activation confirmation as well as visual confirmation. This popular activation options meets ADA, MUTCD and TAC requirements, and the housing components comply with NEMA specifications.

XAV2-LED PUSH BUTTON

The XAV2-LED push button provides an instructional sign, a push button with voice message and three yellow LEDs for visual activation confirmation. This full-featured push button has an optional locate tone that automatically adjusts to ambient sounds via a built-in microphone.

CUSTOM ACTIVATION OPTIONS

TIME CLOCK

Perfect for school zone crosswalks, Time Clock hardware allows users to pre-schedule BlinkerSign® Pedestrian Crosswalk System activation within specific time frames.

WIRELESS BOLLARD

Most commonly installed at wide or bicycle path crossings, vulnerable road users passively trigger BlinkerSign® Pedestrian Crosswalk System activation by passing through bollards placed outside of the crosswalk. The actuators are housed in anodized aluminum cabinets secured in concrete footings. The bollards are battery operated.

PRESENCE DETECTOR

Ideal for crosswalks where users aren't utilizing the available push button, the presence detector activates the BlinkerSign® Pedestrian Crosswalk System by using infrared and microwave technologies to provide precise presence and motion detection.

STANDARD COMMUNICATION OPTION

BLINKERBEAM® WIRELESS COMMUNICATION

Ideal for crosswalks fitted with multiple BlinkerSign® Pedestrian Crosswalk Systems, BlinkerBeam® controller radios synchronously activate all systems upon pedestrian actuation. These high-output, compact controller radios have a low power draw, easy-to-use interface and are strategically placed within each control cabinet for quick access.

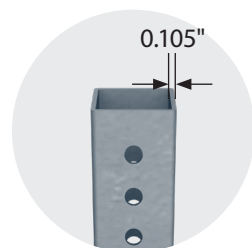
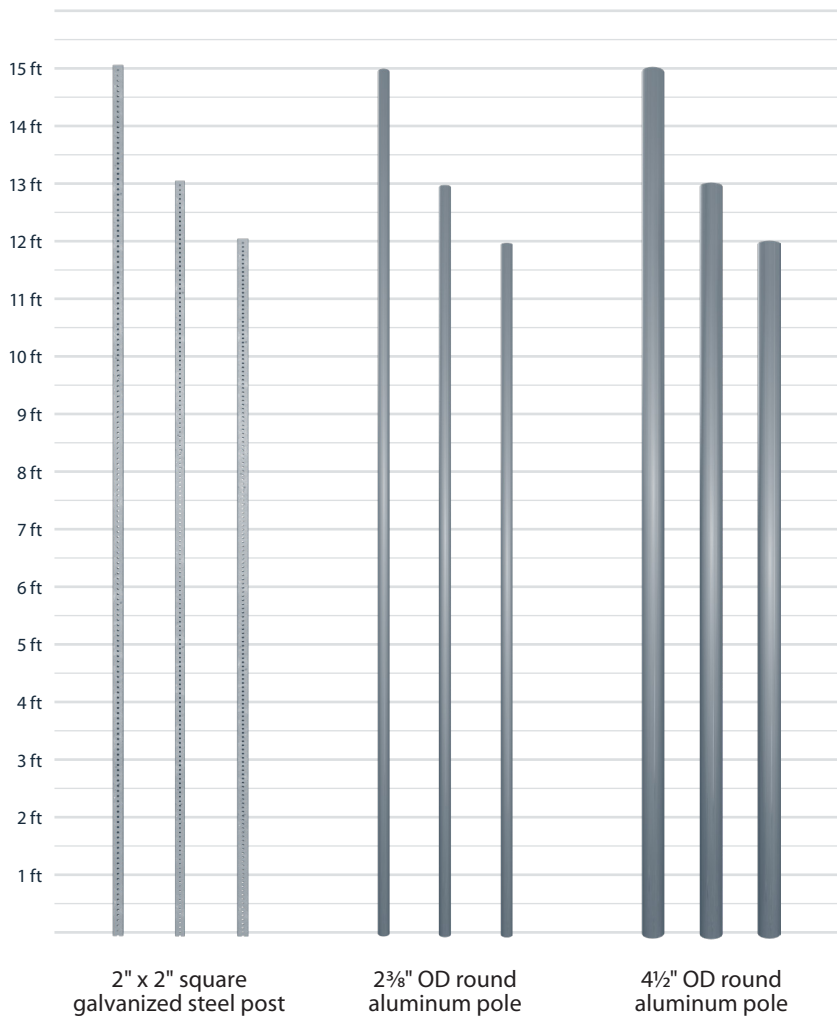
CUSTOM COMMUNICATION OPTION

BLINKLINK® CELLULAR MODEM

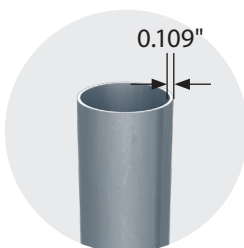
The BlinkLink® cellular modem connects BlinkerSign® Pedestrian Crosswalk Systems to BlinkLink® powered by TAPCO, an easy-to-use, cloud-based application cities utilize to remotely manage, schedule, control and monitor citywide time clocks.

BLINKERSIGN™ POLE SELECTION

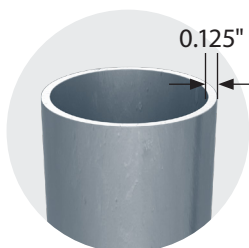
Pole configuration plays a crucial role in the design of your BlinkerBeacon™ Pedestrian Crosswalk System, below are some of the most popular options.



2" x 2"
7/16" diameter holes on 1" centers



2 3/8" OD



4 1/2" OD

CROSSWALK SIGN SELECTION

All signs are manufactured with diamond grade reflective sheeting to provide the highest level of visibility and retroreflectivity for maximum safety.

W16-7pL		
Legend and reflective sheeting color		
Dimensions	24"W x 12"H	24"W x 12"H
Part Number	373-01759	373-01757
Dimensions	30"W x 18"H	30"W x 18"H
Part Number	373-05066	373-05067



2

Triggered BlinkerSign®
LED signs warn drivers
in both directions of a
path crossing

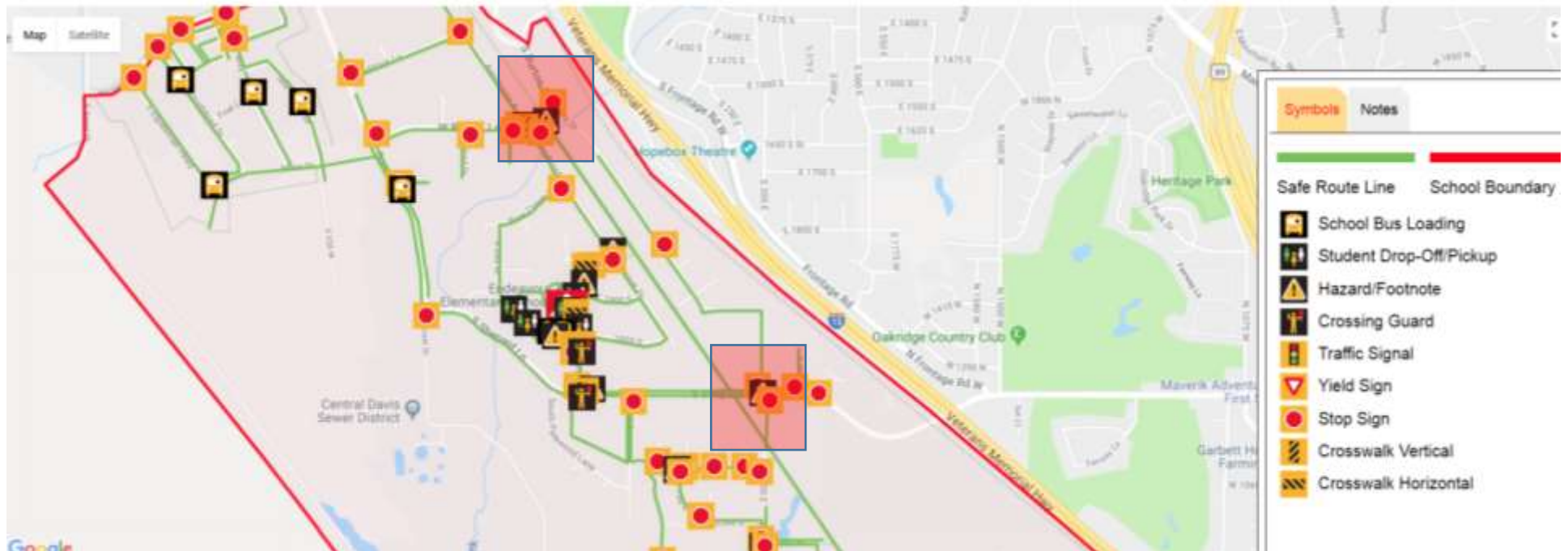
3

Path-facing Stop signs
warn the cyclist to stop
for cross traffic

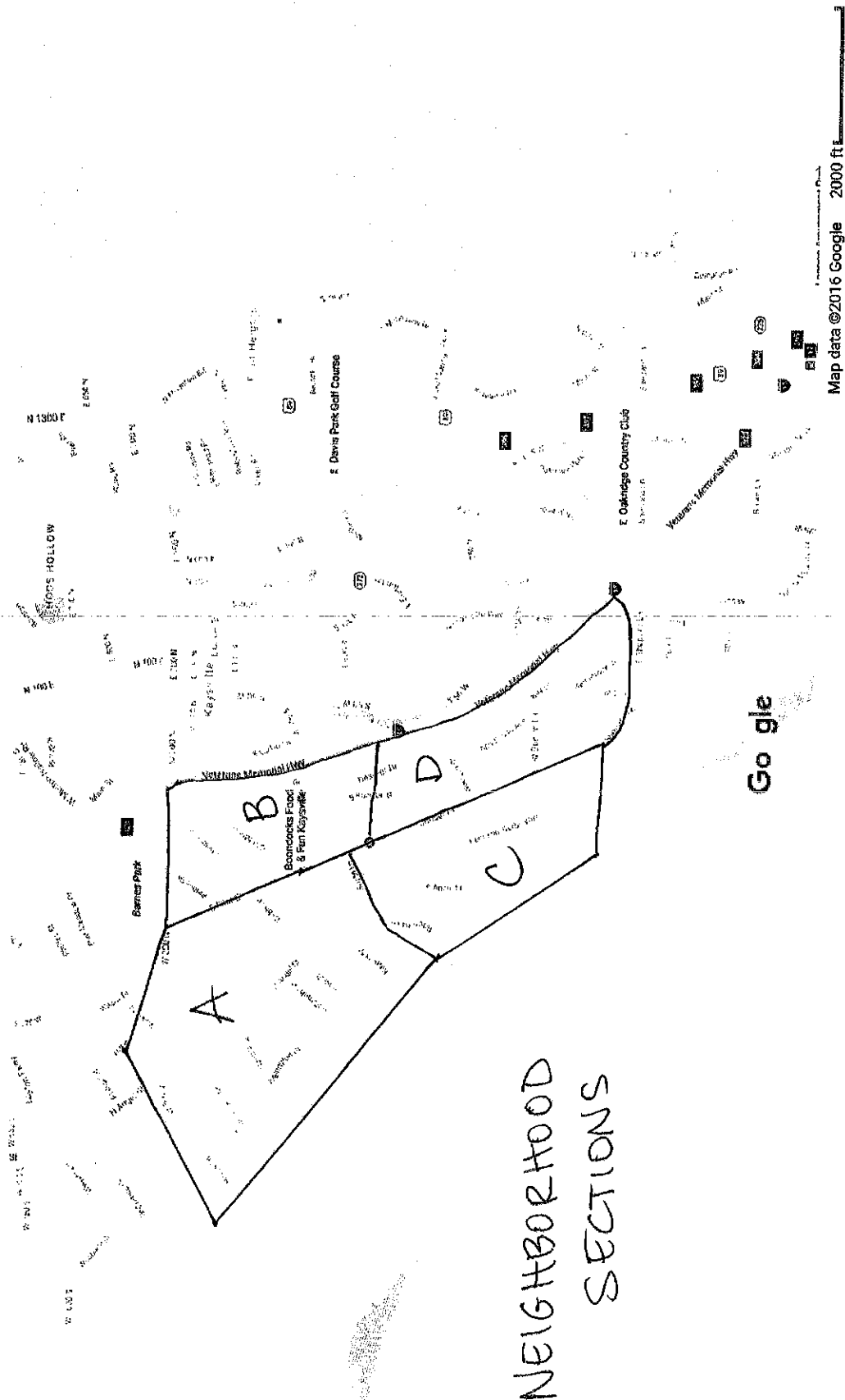


Endeavour Elementary Map

Contact: [Traci Robbins](#)



Endeavour Elementary School SNAP map. <https://www.snapforschools.com/map/school-maps/8cYhMvVRTrqoqKZiq1qUcw>



Centennial Junior High School
SNAP Plan
2017-2018

The **Centennial Junior High School SNAP Plan** provides students and parents with information to allow students to safely arrive to school.

The walking areas of Centennial Junior High School (<2 miles from the school) are divided into four geographic regions:

Section A: the northwest walking region – just north of 200 North – Flint Street – Smith Lane – furthest west homes

- A. **Safest Route:** students are expected to connect to the Denver and Rio Grande Trail (hereafter called the Rail Trail) and travel south to east/west section of the trail to the school.
- B. **Alternate Route:** students may travel south on Angel Street.
- C. **Safety Concerns:** intermittent sidewalks from 200 North to Gailbrath Lane.

Section B: the northeast walking region – 200 North - I15 Freeway – east/west section of the Rail Trail leading to the school – Flint Street

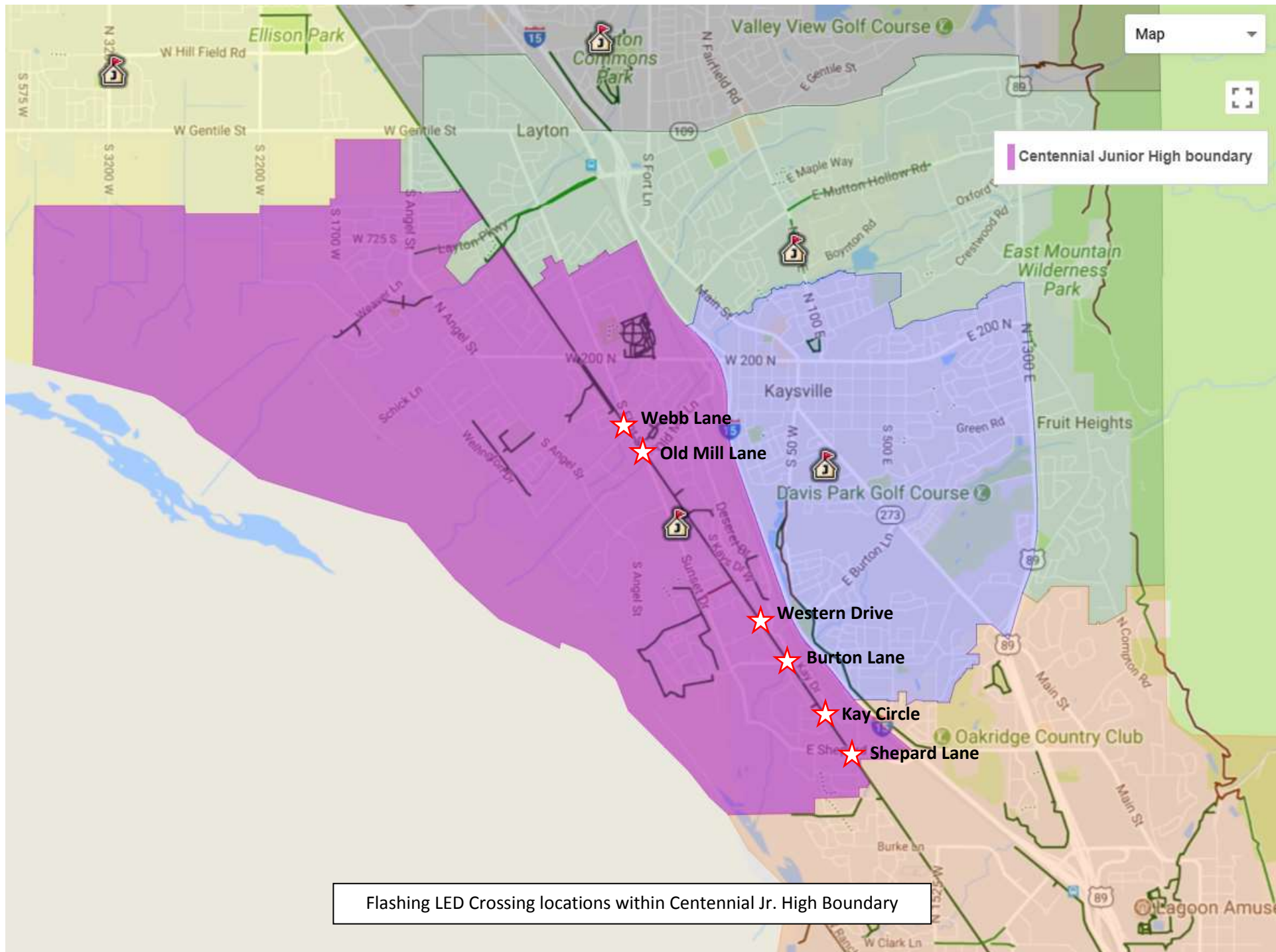
- A. **Safest Route:** students are expected to connect to the Rail Trail and travel south to east/west section of the trail to the school.
- B. **Alternate Route:** students may travel south on Flint Street connecting to Sunset Drive.
- C. **Safety Concerns:** intermittent sidewalks on 200 North to the school.

Section C: the southwest walking region – Smith Lane – Sunset Drive – just south of Burton Lane – furthest west homes

- A. **Safest Route:** travel north on Sunset Drive.
- B. **Safety Concerns:** intermittent sidewalks on Sunset Drive.

Section D: the southeast walking region – east/west section of the Rail Trail – I15 Freeway – just south of Burton Lane – Sunset Drive

- A. **Safest Route:** students are expected to connect to the Rail Trail and travel north to the east/west section of the Rail Trail to the school.
- B. **Alternate Route:** travel north on Sunset Drive.
- C. **Safety Concerns:** intermittent sidewalks on Sunset Drive.



D&RGW Trail Crossings
Photos
Locations for crossing improvements
Listed from north to south.

Webb Lane



Old Mill Lane



Burton Lane



Kay Circle
(Connection approved/ Design/ and schedule for construction Summer 2018)



Shepard Lane



Connection to Centennial Jr. High

(Not part of current project. Has existing flashing school zone signs and crossing guard.)



STAFF REPORT



COUNCIL MEETING DATE: November 15, 2018
ITEM NO.:

TYPE OF ITEM: Action Item
PRESENTED BY: Community Development Staff

SUBJECT/AGENDA TITLE: Preliminary plat approval for South Angel Street Subdivision at approximately 1300 West Roueche Lane – J.D. Horne

EXECUTIVE SUMMARY:

The owner of this property, Mr. Horne, would like split this property into two building lots. Mr. Horne owns additional property to the south and west of this parcel and would like to develop that property someday as well. The Property is currently zoned R-A, Agricultural Residential, which requires full half acre lots with 100 feet of frontage. The lots as shown are 104 feet wide and 210 feet deep, giving them the required 21,780 square feet

Council Options:

Recommended Options:

The Planning Commission voted unanimously to recommend approval of the proposed preliminary plat as it complies with applicable zoning regulations and other applicable requirements.

Fiscal Impact & Fund Source for Recommended Action: N/A

Attachments:

1. Location Map
2. Preliminary Plat

South Angel Street Subdivision



Preliminary Plan for
South Angel Street Subdivision
A part the Northwest Quarter of Section 9, T3N, R1W, SLB&M, U.S. Survey
Kaysville City, Davis County, Utah
October 2018

SURVEYOR'S CERTIFICATE

I, Andy Hubbard, a Professional Land Surveyor in the State of Utah, do hereby certify that this plat of South Angel Street Subdivision, in Kaysville City, Davis County, Utah has been correctly drawn to the designated scale and is a true and correct representation of the following description of lands included in said subdivision, based on data compiled from records in the Davis County Recorder's Office and of a survey made on the ground.
Signed this _____ day of _____, 20____.

6242920
License No.

Andy Hubbard

DESCRIPTION

A part of the Northwest Quarter of Section 9, Township 3 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey:

Beginning at point on the Southeast right of way line of Rouech Lane, said point being 1494.72 feet North 89°47'46" West; and 189.39 feet South 0°12'14" West from the North Quarter corner said Section and running thence South 39°27'44" East 208.09 feet; thence South 46°50'52" West 208.22 feet; thence North 39°27'44" West 210.15 feet to the Southeast right of way line of Rouech Lane; thence Northeastly along said Right-of-Way Line; thence North 47°24'50" East 208.10 feet to the point of beginning.

Contains 43,453 Sq. Ft. or 0.998 Acres

OWNER'S DEDICATION

We, the undersigned owners of the hereon described tract of land, hereby set apart and subdivide the same into lots as shown on this plat, and name said tract South Angel Street Subdivision, and hereby dedicate, grant and convey to Kaysville City, Davis County, Utah, those certain strips as non-exclusive public utility easements for public utility and drainage purposes as shown hereon, the same to be used for the installation, maintenance, and operation of public utility service lines and drainage, as may be authorized by Kaysville City, and dedicate to Kaysville City those certain strips as non-exclusive pedestrian access easements for public pedestrian access purposes as shown hereon, as may be authorized by Kaysville City, and also dedicate to Kaysville City those certain strips designated as culinary waterline easements for culinary water purposes as shown hereon, the same to be used for the installation, maintenance, and operation of culinary waterlines, as may be authorized by Kaysville City, and also dedicate to Weber Basin Water Conservancy District (WBWCD) those certain strips designated as Secondary Waterline Easements for secondary water purposes as shown hereon, the same to be used for the installation, maintenance, and operation of secondary waterlines, as may be authorized by Weber Basin Water Conservancy District.

Signed this _____ day of _____, 20____.

Name

Name

Name

Name

ACKNOWLEDGMENT

State of Utah } ss
County of _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by _____.

Residing At: _____ A Notary Public commissioned in Utah

Commission Number: _____

Commission Expires: _____ Print Name

Preliminary Plan for

South Angel Street Subdivision
A part the Northwest Quarter of Section 9, T3N, R1W, SLB&M, U.S. Survey
Kaysville City, Davis County, Utah
October 2018

DAVIS COUNTY PUBLIC WORKS
DIRECTOR APPROVAL

Approved by the Davis County Public Works
Department on this _____ day of _____, 20____.

Signature

KAYSVILLE CITY COUNCIL APPROVAL

This is to certify that this plat and dedication of this plat were duly approved and accepted by the City Council of Kaysville City, Utah this _____ day of _____, 20____.

DAVIS COUNTY RECORDER

BY: _____ DEPUTY

NARRATIVE

This Plat was completed at the request of Mr. Ed Green for the purpose of creating two (2) separate lots as shown hereon.

A line bearing N 87°52'51" W between Brass Cap Monuments found at the North Quarter corner and Northeast Corner of Section 9, T3N, R1W, SLB&M was used as the Basis of Bearings.

Property corners were monumented as depicted on this Plat.

NOTES

1. 10' wide Public Utility Easement as indicated by dashed lines, except as otherwise shown.

KAYSVILLE CITY ATTORNEY'S APPROVAL

Approved by the Kaysville City Attorney
on this _____ day of _____, 20____.

Signature

WEBER BASIN WATER
CONSERVANCY DISTRICT

Approved by the Weber Basin Water
Conservancy District on this _____ day
of _____, 20____.

Signature

CENTRAL DAVIS SEWER
DISTRICT APPROVAL

Approved by the Central Davis Sewer
District on this _____ day
of _____, 20____.

Signature

KAYSVILLE CITY
ENGINEER'S APPROVAL

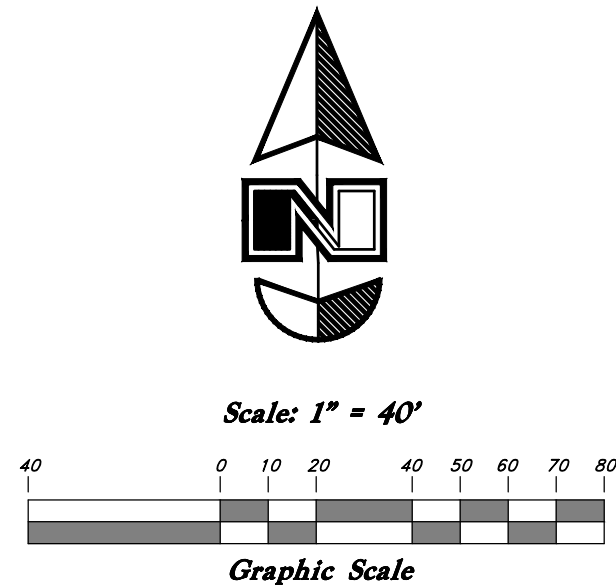
Approved by the Kaysville City Engineer
on this _____ day of _____, 20____.

Signature

KAYSVILLE CITY
PLANNING COMMISSION APPROVAL

Reviewed by the Kaysville City Planning
and Zoning Commission on the _____ day
of _____, 20____.

Chairperson



PRELIMINARY PLAN

STAFF REPORT



COUNCIL MEETING DATE: November 15, 2018
ITEM NO.:

TYPE OF ITEM: Action Item
PRESENTED BY: City Manager

SUBJECT/AGENDA TITLE: Request to rezone 3.92 acres of property from GC (General Commercial) to R-1-20 (Single Family Residential) and another 1.81 acres of property from GC (General Commercial) to the LI (Light Industrial) zoning district at approximately 2100 West 200 North – Terraventure Development.

Executive Summary:

The subject property is located west of Angel Street on the South side of 200 North Street. The property which is currently zoned General Commercial abuts more commercial zoning to the south and east. To the west and across the street to the north is the Hill Farms Subdivision zoned R-1-14 (Single Family Residential).

The applicant is requesting a rezone of a portion of their property from GC to R-1-20. This roughly 4 acres of property abuts housing to the west and would change the allowed uses from commercial office/retail to a single family district which most notably allows homes and public/quasi-public buildings. More specifically the LDS church is interested in this location for a meeting house should the zoning allow it.

The second part of the request is to rezone another 1.81 acres of property in the middle of the existing GC zoning district to the LI zone. The LI zoning district allows many of the same uses as the existing GC zoning district with some additional uses. The applicant desires to build storage units on this property which is the reason for requesting the rezone. The LI district is also not subject to the same building design standards as the GC zone. Under the proposed rezone request, the remaining frontage along 200 North Street would remain in the existing GC zone.

The uses allowed in the existing and requested zoning districts are as follows:

GC (existing) zoning district uses:

17-19-3 Permitted Uses

1. Offices.
2. Retail sales and services, not including storage services, sale of beer for consumption on the premises, sale of liquor for consumption on the premises and conditional uses in KCC 17-19-4.
3. Government offices and services.

17-19-4 Conditional Uses

Compliance with standards shall be determined by the Planning Commission by reference to KCC Chapter 17-30.

1. Single family dwellings which are an integral part of a commercial use and serves as housing for the proprietor or an employee.
2. Light industry/research uses subject to the provisions of KCC Chapter 17-23.
3. Buildings of height greater than thirty-five feet (35').
4. Recreational vehicle parks subject to the provisions of KCC 17-31-24.
5. Telecommunication towers and telecommunication towers of height greater than thirty-five feet (35') subject to the provisions of KCC 17-31-25.
6. Public utility substations.
7. Sale of beer for consumption on the premises of a full-service restaurant, limited service restaurant, beer-only restaurant, banquet or reception center.
8. Sale of liquor for consumption on the premises of a full-service restaurant, limited service restaurant, banquet or reception center.

R-1 (Requested) zoning district allowed uses:

17-12-3 Permitted Uses

1. Agriculture.
2. Single-family dwellings.
3. Public parks and playgrounds, and privately-owned parks, playgrounds, and recreational grounds not operated as a business in whole or part and to which no admission is charged.
4. Minor home occupations subject to the provisions of KCC Chapter 17-26.
5. Two household pets per dwelling unit.
6. Private swimming pools subject to the provisions of KCC 17-31-9.
7. Accessory uses and accessory buildings customarily appurtenant to a permitted use, subject to the provisions of KCC 17-31-2.
8. Fowl, rabbits, or similar animals subject to the provisions of KCC Chapter 17-24.

17-12-4 Conditional Uses

Compliance with standards shall be determined by the Planning Commission by reference to KCC Chapter 17-30.

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
2. Major home occupations A and B subject to the provisions of KCC Chapter 17-26.
3. Residential child care subject to the provisions of KCC Chapter 17-26.
4. Temporary buildings for uses incidental to construction work subject to the provisions of KCC 17-30-7, which buildings must be removed upon the completion or abandonment of the construction.
5. Temporary tract offices and development signs subject to the provisions of KCC 17-30-7 and KCC Chapter 17-33.
6. Public utility substations subject to the provisions of KCC 17-31-15.
7. Farm animals other than those allowed as a permitted use subject to the provisions of KCC Chapter 17-24.
8. Swimming clubs subject to the provisions of KCC 17-31-10.
9. Two-family dwellings. Not more than two duplexes (4 units) may be allowed within 500 feet of any duplex (2 units). The 500 feet shall be measured in a straight line from the center of a duplex site to the boundary of any other duplex or twin home property.
10. Twin homes subject to the provisions of KCC Chapter 17-28. Must also be permitted as two-family dwellings.

LI (Requested) zoning district allowed uses:

17-21-3 Permitted Uses

1. Experimental research and testing laboratories.
2. Utility substations and offices.
3. Manufacturing, compounding, processing, assembling, or packaging of articles or merchandise of the following products:

1. Cameras and photographic equipment.
2. Ceramics.
3. Electrical appliances and electronic instruments, devices, small objects, and handicrafts.
4. Jewelry, art objects, and handicrafts.
5. Medical and dental instruments.
6. Pens, pencils, and artists' materials.
7. Scientific instruments.
8. Small tools and light metal products.
9. Sporting and athletic goods.
10. Wearing apparel.
4. Offices.
5. Printing and publishing industries.
6. Warehousing and storage services.
7. Wholesale trade and distribution.
8. Resident quarters for a watchman or caretaker on the same premises on which employed.
9. Retail sales and services, not including sale of beer for consumption on the premises and sale of liquor for consumption on the premises.

17-21-4 Conditional Uses

Compliance with standards shall be determined by the Planning Commission by reference to KCC Chapter 17-30.

1. Food and kindred product manufacturing or processing.
2. Textile products manufacturing.
3. Furniture and fixtures manufacturing.
4. Stone, clay and glass products manufacturing.
5. Fabricated metal products industries (not to include primary metal industries).
6. Contract construction services.
7. Buildings of height greater than thirty-five feet (35') or less than ten feet (10').
8. Telecommunication towers and telecommunication towers of height greater than thirty-five feet (35') subject to the provisions of KCC 17-31-25.
9. Sale of beer for consumption on the premises of a full-service restaurant, limited-service restaurant, beer-only restaurant, banquet or reception center.
10. Sale of liquor for consumption on the premises of a full-service restaurant, limited-service restaurant, banquet or reception center.

The City's **General Plan** states, among other things:

GOALS AND POLICIES

I. Identity and Character

A. Kaysville should be primarily a residential community with a vision to promote business, industry and public use.

III. Growth and Development

A. Growth should mostly occur through development within the City. Development should improve public safety and sense of community. An adequate revenue base should be developed to fund City operations and infrastructure.

1. Refurbish or replace deteriorating structures so that land is used to its longterm potential.
2. Reserve land and promote development that is high quality, diversified and adaptable to changing conditions.
3. Encourage businesses and industries to locate and invest within the City.
4. Regulate the more intensive uses that create traffic and public service problems and costs.

LAND USE

Background Land use in Kaysville is mostly low density residential with agriculture and open space, businesses and industries. Housing will be the greatest use of land with business, industry, recreation, education, and other

uses to support that housing.

II. Business and Industry

A. Most sites used primarily for business or industry should be located on major streets. Mitigate impacts on adjacent residential uses through compliance with ordinances and regulations.

B. Home occupations should be located throughout the City, but not be allowed to change or interfere with the character of residential areas.

(Angel Street and 200 North Street are both classified as Major Streets per Kaysville City's Major Street Plan in Section 8-3-2.)

VI. Public Buildings and Grounds

A. Most public buildings should be located near Main Street.

B. Adequate Cemetery facilities should be developed and maintained.

C. Places of worship should be allowed to service the community.

1. Locate buildings for worship in residential areas.

2. Locate buildings for worship with dispersed congregations on a major street.

Council Options:

Recommended Options:

The Planning Commission held a public hearing and voted 3-2 to recommend denial of the requested rezone to the City Council. Ultimately the decision rests with the council based on its findings of compatibility with the General Plan and how well the proposal works at this specific location.

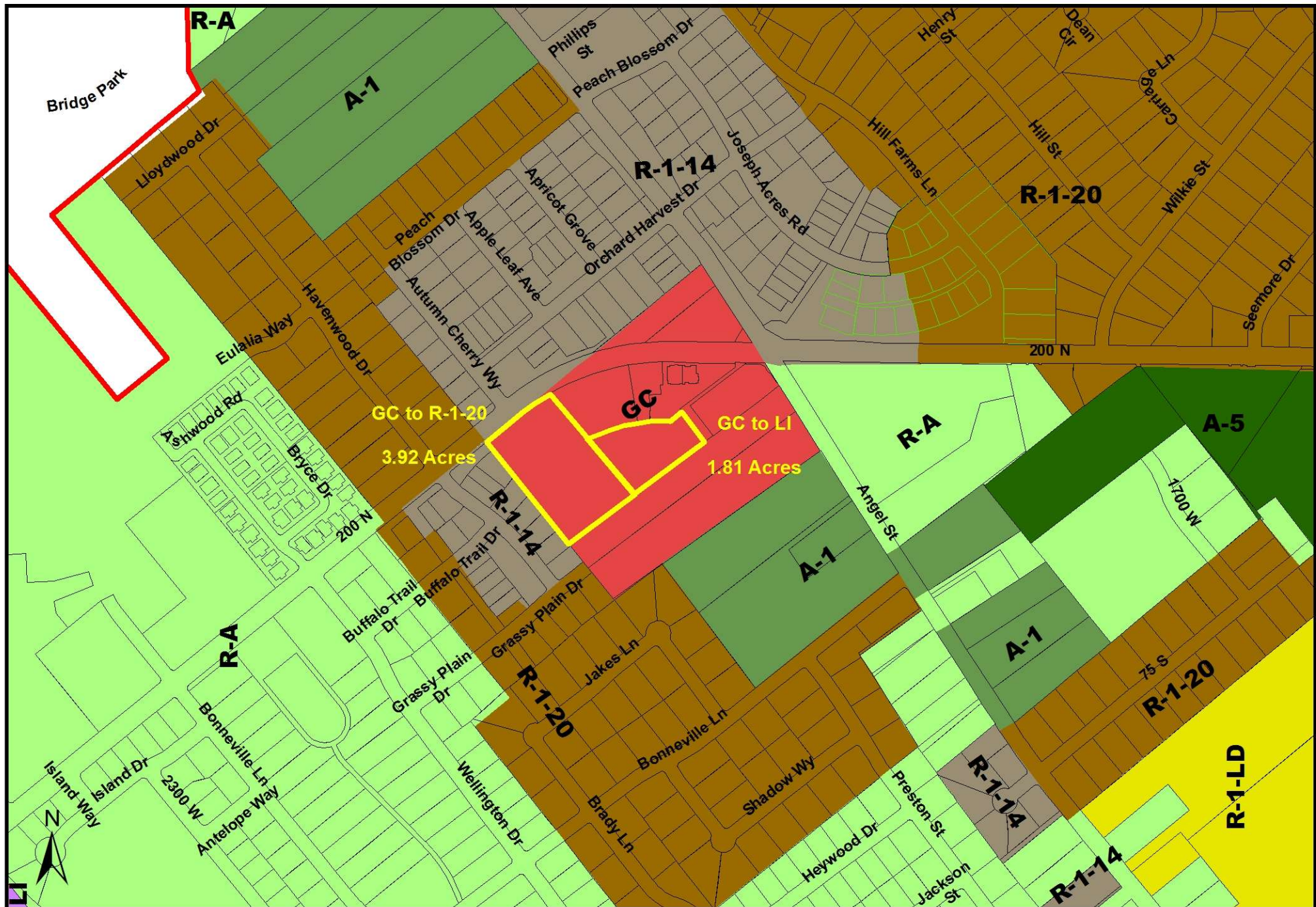
The prevailing opinion of the Planning Commission was based on the desire to keep the General Commercial zone in tact in order to accommodate a neighborhood center or more commercial amenities in this area over time. One of the descending votes expressed support of the proposal and another stated that the LI zone made some sense but felt that the R-1 designation for a church wasn't desirable.

Fiscal Impact & Fund Source for Recommended Action: N/A

Attachments:

1. Location Map
 2. Zoning Map
-

2100 West 200 North - Rezone from GC to R-1-20 and LI



2100 West 200 North - Rezone from GC to R-1-20 and LI



**DEVELOPMENT AGREEMENT
FOR 4 ACRES OF PROPERTY AT
292 BLOOMING GROVE CIRCLE.**

THIS AGREEMENT is made and entered into this _____ day of _____, 2018, by and between Kaysville City, a municipal corporation organized and existing under the laws of the State of Utah (hereinafter the “City”), and Terraventure Development LTD (hereinafter the “Owners;” “Owners” include successors and/or assigns of Terraventure Development LTD), as follows:

RECITALS

WHEREAS, Owners desire to rezone their property at 2097 West 200 North consisting to consist of 1.81 acres of property rezoned to the LI (Light Industrial) zoning district as identified in ‘Exhibit A’ and another 3.92 acres of property rezoned to the R-1-20 (Single Family) zoning district as identified in ‘Exhibit B’; and

WHEREAS, the purpose of this Agreement is to ensure development that is desirable to the City by placing limitations on the uses that will be permitted; and

WHEREAS, the City is willing to approve the rezone of the property based on an assurance that the property to be zoned R-1-20 will be occupied by a church meetinghouse and the property to be rezoned LI will be occupied by uses permitted in the General Commercial zoning district and/or neighborhood storage only;

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

AGREEMENT

1. PROPERTY DESCRIPTION

The property to which this Agreement applies (herein after referred to as the “Property”) consists of a portion of what is currently identified by the Davis County Recorder as Parcel ID 11-802-0304 described as: *ALL OF LOT 304, CHARLYS ACRES #2 THIRD AMENDED SUBDIVISION*. More specifically of that property, the rezone shall apply only as identified on Exhibits A and B.

2. LIMIT ON USES IN THE LI ZONING DISTRICT

Owners hereby agree to limit the uses permitted on the property to be rezoned to the LI zoning district to include only those uses already permitted in the GC zoning district with the addition of neighborhood storage. The inclusive list of uses that will be permitted on this property and by which process they may be approved is as follows:

Permitted Uses

1. Offices.
2. Retail sales and services, including neighborhood storage services.
3. Government offices and services.

Conditional Uses

Compliance with standards shall be determined by the Planning Commission by reference to Kaysville City Code (KCC) Chapter 17-30.

1. Single family dwellings which are an integral part of a commercial use and serves as housing for the proprietor or an employee.
2. Light industry/research uses subject to the provisions of KCC Chapter 17-23.
3. Buildings of height greater than thirty-five feet (35').
4. Recreational vehicle parks subject to the provisions of KCC 17-31-24.
5. Telecommunication towers and telecommunication towers of height greater than thirty-five feet (35') subject to the provisions of KCC 17-31-25.
6. Public utility substations.
7. Sale of beer for consumption on the premises of a full-service restaurant, limited service restaurant, beer-only restaurant, banquet or reception center.
8. Sale of liquor for consumption on the premises of a full-service restaurant, limited service restaurant, banquet or reception center.

3. LIMIT ON USES IN THE R-1-20 ZONING DISTRICT

Owners hereby agree that property being considered for the R-1-20 zoning designation shall be occupied solely by a church meetinghouse and any accessory uses or buildings, all other uses permitted in the R-1 zoning districts shall be prohibited. The church meeting house shall be permitted by conditional use approval subject to the review of the Kaysville City Planning Commission.

Owners intend to transfer ownership of the property to the Church of Jesus Christ of Latter-Day Saints by January 1, 2021. If the ownership has not transferred January 1, 2021, Owners agrees to apply for a rezone of the property intended to be zone R-1-20 back to the General Commercial zone. Owners shall pursue this rezone in good faith. The rezone application shall be filed by March 15, 2021.

4. CONSTRUCTED AS REPRESENTED

Owners hereby agree to construct and develop the property in a manner which substantially resembles the site layout identified in 'Exhibit C' and to utilize materials and details in the construction of neighborhood storage units which substantially resembles the provided examples in 'Exhibit D' wherein masonry and pitched roofs are utilized along the perimeter of the property.

5. ASSIGNMENT

Owners may assign this Agreement to any other third party provided that the City consents to such assignment, which consent shall not be unreasonably withheld.

6. BINDING EFFECT

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

7. ATTORNEYS' FEES

In the event that this Agreement or any provision hereof shall be enforced by an attorney retained by a party hereto, whether by suit or otherwise, the fees and costs of such attorney shall

be paid by the party who breaches or defaults hereunder, including fees and costs incurred upon appeal or in bankruptcy court.

8. SEVERABILITY

If any term or provision of this Agreement shall, to any extent, be determined by a court of competent jurisdiction to be void, voidable, or unenforceable, such void, voidable or unenforceable term or provision shall not affect the enforceability of any other term or provision of this Agreement.

9. CAPTIONS

The section and paragraph headings contained in this Agreement are for the purposes of reference only and shall not limit, expand or otherwise affect the construction of any provisions hereof.

10. GOVERNING LAW

This Agreement and all matters relating hereto, shall be governed by, construed and interpreted in accordance with the laws of the State of Utah.

11. ENTIRE AGREEMENT

This Agreement, together with the exhibits attached hereto, constitutes the entire understanding and agreement by and among the parties hereto, and supersedes all prior agreements, representations or understandings by and among them, whether written or oral, pertaining to the subject matter hereof.

12. CONSTRUCTION

As used herein, all words in any gender shall be deemed to include the masculine, feminine, or neuter gender, all singular words shall include the plural, and all plural words shall include the singular, as the context may require.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

OWNERS

Name (Print):

Title:

Name: (Print):

Title:

KAYSVILLE CITY

Katie Witt
Kaysville City Mayor

ATTEST:

By: _____
Maria Devereux
City Recorder

On the _____ day of _____, 2018, personally appeared before me Katie Witt, and Maria Devereux, who being by me duly sworn did say, each for himself and herself that he, the said Katie Witt, is the Mayor of Kaysville City, Davis County, State of Utah and that she, the said Maria Devereux, is the City Recorder of Kaysville City, and that the within and foregoing instrument was signed on behalf of the said Kaysville City by authority of the City Council of Kaysville City and said Katie Witt and Maria Devereux, each duly acknowledged to me that the said Kaysville City executed the same and that the seal affixed is the seal of the said Kaysville City.

STATE OF UTAH)
)
 : ss.
COUNTY OF DAVIS)

NOTARY PUBLIC

(SEAL)

On the _____ day of _____, 2018, personally appeared before me, _____, representing Terraventure Development LTD, the signer of the foregoing Development Agreement, who duly acknowledged to me that he executed the same.

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

NOTARY PUBLIC

(SEAL)

STAFF REPORT



COUNCIL MEETING DATE: November 15, 2018

ITEM NO.: 6a.

TYPE OF ITEM: Work

PRESENTED BY: Shayne Scott, City Manager

SUBJECT/AGENDA TITLE: Architectural RFQ

EXECUTIVE SUMMARY:

Over the past three years there has been much discussion about the spatial needs of the City. In 2015 Kaysville City commissioned a "Spatial Needs Assessment" from an architectural firm, JRCA. This assessment was broad and took into account each department in the city and what their perceived needs might be from the present day until "build-out".

The purpose of this discussion item is to continue to engage with MHTN, the recommended architect that came out of the RFQ process, on a timeline, process, and first a contract.

Council Options: Discuss this recommendation and decide if there is consensus from the Council to move this item to an Action item where a contract might be executed.

Recommendation: At this time Staff recommends moving this item to ACTION and instructing staff to pursue a contract to be tentatively adopted at the December 6 City Council Meeting.

Fiscal Impact & Fund Source for Recommended Action:

This contract will impact the city financially depending on the size and scope of the final project.

Attachments: None at this time.

[illegible]

The primary schedule consideration is to begin construction in earnest by June of 2019. Our schedule shows how this can be accomplished. It is patterned after a similar process we finished recently for the USU Research Foundation in Logan.

Kaysville City
Municipal Building Expansion

Preliminary Basic Fee Proposal

Assume

\$4,000,000 Construction Cost

DFCM Fee Structure

Sched B 6.30%

Remodel 0.65%

Total 6.95%

Total Preliminary Basic Fee

\$278,000

Additional Complexity

Audio / Visual \$12,500

Structured Cabling \$3,475

Furniture \$18,000

Main Street Vision \$11,250

Total Additional Complexity

\$45,225

Total Preliminary Basic Fee

\$323,225

Optional Additional Engineering Services

Survey \$2,100

Geotech Study \$4,200

SWPP \$1,300

Storm Water Mgt \$500

Wetland Delineation \$3,800

STAFF REPORT



COUNCIL MEETING DATE: November 15, 2018
ITEM NO.:

TYPE OF ITEM: Ordinance Amendment
PRESENTED BY:

SUBJECT/AGENDA TITLE: An Ordinance Amending Provisions of the Kaysville City Code regarding the City Engineer

EXECUTIVE SUMMARY: Currently, the City Code requires that the City Engineer also serve as the Department Director for the Community Development Department. This has worked well in the past, but with Mr. Thompson retiring, staff desires to have greater flexibility in how Departments are structured. When Staff recognized this requirement, we reviewed the municipal codes of Layton, Bountiful, Farmington, and Clearfield to see if this highly specific requirement was common. Staff found that none of the jurisdictions surveyed required that the City Engineer serve as a department director. Please note that this amendment would not prohibit the City Engineer from Serving as the Department Director of the Community Development Department, but would allow the City to structure its departments in the most efficient manner.

Council Options: 1) Approve the Ordinance amending provisions of 8-1-2 of the City code; 2) Approve the Ordinance with any modifications that the Council deems appropriate; 3) Decline to adopt the Ordinance and remand to staff with further direction.

Recommended Options: Staff recommends that the City Council approve the Ordinance amending provisions of 8-1-2 of the City Code.

Fiscal Impact & Fund Source for Recommended Action: Amending this statute will not result in any foreseeable fiscal impact.

Attachments:

ORDINANCE ~~XX-XX-XX~~

AMENDING TITLE 8, CHAPTER 1, SECTION 2 OF THE KAYSVILLE MUNICIPAL CODE, AMENDING PROVISIONS REGARDING THE CITY ENGINEER.

WHEREAS, Kaysville City has long employed a City Engineer who has also served as the Department Director for the Community Development Department; and

WHEREAS, the City would like to have the flexibility to structure the Community Development Department in a way that will optimize the human capital in the department; and

WHEREAS, the City Council of Kaysville City finds that this amendment to be in the best interests of the Citizens of Kaysville City and the health, safety, and welfare of the City.

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

SECTION I: Amendment. Title 8, Chapter 1, Section 2 of the Kaysville Municipal Code is hereby amended as follows:

8-1-2 City Engineer

There is hereby created the position of City Engineer ~~who shall be the Community Development Department supervisor~~ and shall have all the powers, rights, and duties conferred upon such municipal engineer by law. ~~(10-3-903 through 10-3-907 and 10-3-917 of the Utah Code.)~~

SECTION II: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION III: Effective Date. This Ordinance shall become effective the 20th day of November, 2018.

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this ____ day of _____, 2018.

Katie Witt, Mayor

ATTEST:

Maria Devereux, City Recorder

STAFF REPORT



COUNCIL MEETING DATE: November 15, 2018

ITEM NO.: 6d

TYPE OF ITEM: Work Item

PRESENTED BY: Josh Belnap, Public Works Director

SUBJECT/AGENDA TITLE: Discussion about City Policy on Sidewalk Ranking and Payments from Residents

EXECUTIVE SUMMARY:

Kaysville City Public Works would like to eventually see full improvements (curb, gutter and sidewalk generally) along all City streets, where practical. We would like to implement a uniform policy for determining the order of and approaching the projects in the areas where they are currently lacking, to help clarify and expedite this process.

Council Options: Discuss this recommendation and decide if there is consensus from the Council to move this item to an Action item

Recommended Options: Staff recommends moving this to an action item and instructing staff to implement a uniform policy at the November 29th City Council Meeting.

Fiscal Impact & Fund Source for Recommended Action: This policy will impact the City's general, road utility and storm water utility funds, depending on the final policy.

Attachments: NA

STAFF REPORT



COUNCIL MEETING DATE: November 15, 2018
ITEM NO.:

TYPE OF ITEM: Work Item
PRESENTED BY: Community Development Staff

SUBJECT/AGENDA TITLE: Amendment of Section 17-31-25, Telecommunication Towers, together with amendments to applicable zoning districts within Title 17, Planning and Zoning, to clarify where tower types may be located and by which process they may be considered.

Executive Summary:

In consideration of allowing and encouraging a broader range of telecommunication towers in Kaysville City staff has worked with the Planning Commission over multiple meetings to prepare an ordinance reflecting new tower types, where they are located, and standards by which they must be built.

Based on feedback from the Planning Commission during previous discussions, the proposed draft puts all cell tower approvals under the purview of Planning Commission. More specific definitions and standards have been added including more clearly specifying different tower types. A distance requirement has also been added in order to space out monopole towers.

Council Options:

Recommended Options:

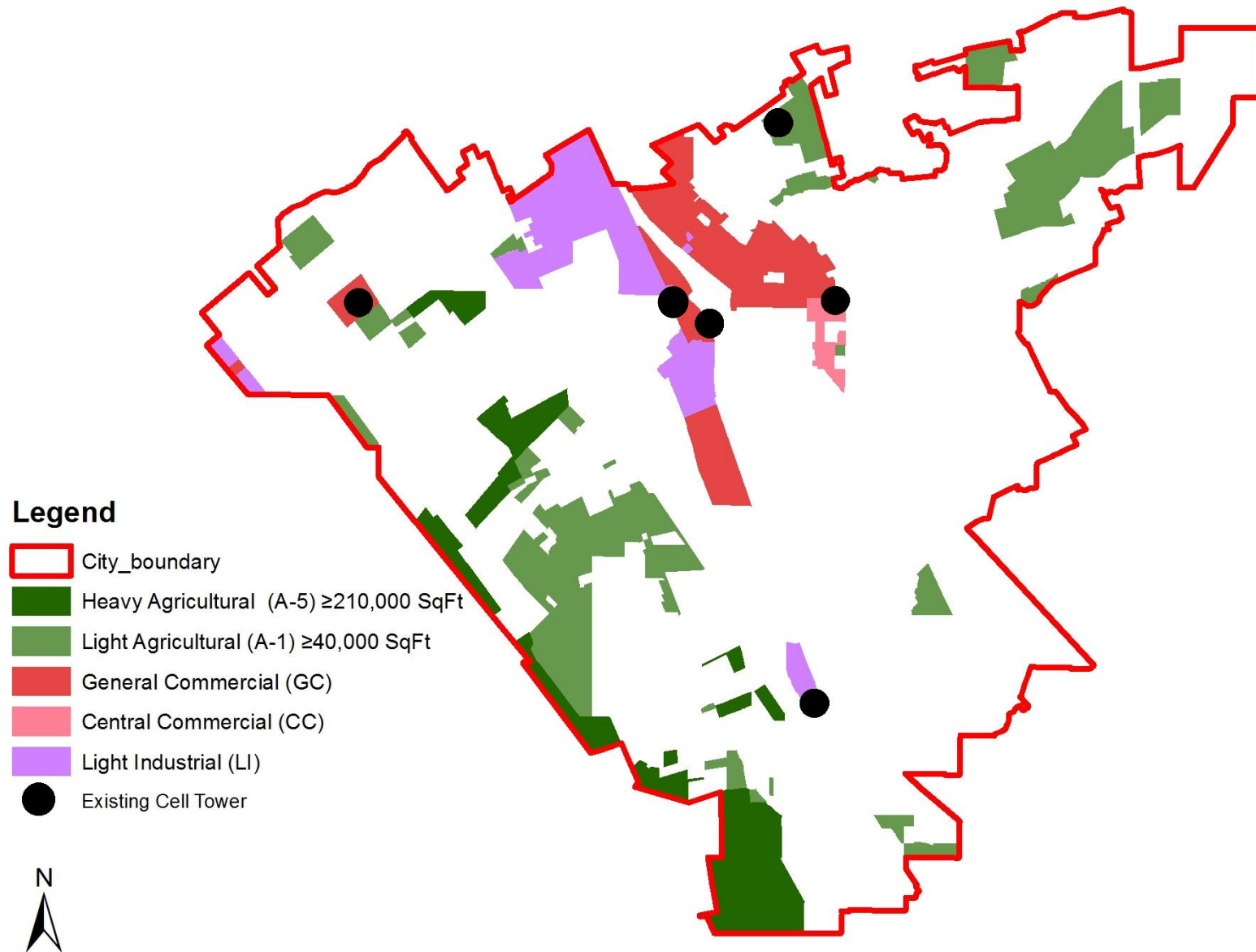
The Planning Commission voted unanimously to recommend approval of the ordinance as written. Based on a positive recommendation from the Planning Commission it is recommended that it be moved to an action item on the next City Council Agenda. Should the council have items that it would like to see changed or clarified this can return to a work or action item agenda.

Fiscal Impact & Fund Source for Recommended Action: N/A

Attachments:

1. Proposed Ordinance
2. Existing Cell Tower Map
3. Large properties in Kaysville Map

Current Telecommunication Tower Locations



Properties over 10 acres in size

