



## MEETING NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Council will hold a regular council meeting on Thursday, September 17, 2020, starting at 7:00 P.M. in the **Business Resource Center of the Davis Technical College, 450 South Simmons Way, Kaysville, UT.**

In consideration of the COVID-19 pandemic, attendance will be monitored by the Kaysville City Police Department and will be limited to less than 50 individuals, including Council, Staff and Applicants. Because of the room occupancy limitation, it is encouraged that those wishing to watch the meeting do so by viewing the meeting online. The meeting will be streamed on YouTube, and the link to the meeting will be posted on [www.KaysvilleLive.com](http://www.KaysvilleLive.com). Masks are recommended, and all of those in attendance will be required to participate in a socially distant manner.

For those wishing to direct comments to the City Council regarding public hearings or items on the agenda can do so in-person, or email comments to [publiccomment@kaysvillecity.com](mailto:publiccomment@kaysvillecity.com). Emailed comments will NOT be read out-loud at the meeting. Members wishing to speak during an Action Items or during Call to the Public must sign-up in person before the meeting to speak.

### **PUBLIC HEARING REGARDING THE POTENTIAL ISSUANCE OF TELECOMMUNICATIONS BOND AND FIBER TELECOMMUNICATION PROJECT – 7:00 P.M.**

### **CITY COUNCIL MEETING – 7:15 P.M. or IMMEDIATELY FOLLOWING THE PUBLIC HEARING**

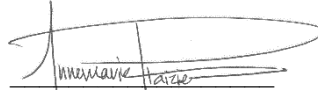
The agenda shall be as follows:

1. OPENING
  - a. Provided by Mayor Katie Witt.
2. RECOGNITIONS AND PRESENTATIONS
3. DECLARATION OF ANY CONFLICTS OF INTEREST
4. CONSENT
  - a. Approval of the minutes of August 20, 2020.
  - b. Approval of purchase for police vehicles – Police Department.
  - c. A Resolution approving the abandonment and relocation of a public utility easement in the Trailside Subdivision and authorizing the mayor to execute the same.
5. ACTION ITEMS
  - a. Carbon Free Power Project Participation.
  - b. An Ordinance amending Section 17-31-2, Accessory Structures, of Title 17, Planning and Zoning, of the Kaysville City Ordinances.
6. WORK ITEMS
  - a. Fiscal Year 2021 Budget Discussion.
  - b. Sidewalk Trip Hazard Repair Program.
7. CALL TO THE PUBLIC (3 MINUTE LIMIT, MUST SIGN-UP IN PERSON)
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 at least 24 hours in advance of the meeting to be held.

I hereby certify that I posted a copy of the foregoing Notice and Agenda and emailed copies to media representatives on September 11, 2020.

A handwritten signature in black ink, appearing to read "Annemarie Plaizier", written over a horizontal line.

Annemarie Plaizier  
City Recorder

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Utah Code, that on August 6, 2020, the City Council (the “Council”) of Kaysville City, Utah (the “City”), adopted a resolution (the “Resolution”) in which it authorized the calling of a special bond election (the “Special Election”) concerning the acquisition and construction, owning and operation by the City of a municipal fiber optic network, including the financing thereof (the “Undertaking”) and called a public hearing to receive input from the public with respect to a presentation of the arguments (a) in favor of the Undertaking, and (b) against the Undertaking.

### TIME, PLACE, AND LOCATION OF PUBLIC HEARING

The Council shall hold a public hearing on September 17, 2020, at the hour of 7:00 p.m. in the Business Resource Center of the Davis Technical College, located at 450 South Simmons Way, Kaysville, Utah. All members of the public are invited to attend and participate.

/s/ Annemarie Plaizier  
City Recorder

KAYSVILLE CITY COUNCIL  
August 20, 2020

Minutes of a regular Kaysville City Council meeting held on August 20, 2020 at 7:00 p.m. in the Business Resource Center of the Davis Technical College at 450 South Simmons Way, Kaysville, UT.

Council Members present: Mayor Pro Tem Michelle Barber, Council Member John Swan Adams, Council Member Andre Lortz, and Council Member Mike Blackham

Excused: Mayor Katie Witt, Council Member Tamara Tran

Others Present: City Manager Shayne Scott, City Attorney Nic Mills, Deputy City Recorder Maria Devereux, Information Technology Assistant Jordan Hansen, Community Development Director Lyle Gibson, T. Jay Frazier, Jerry Larsen, Travis Mitchell, Justin Stevenson, Annie Stevenson, Joyce Clarkson, Bruce Laser, Maureen Laser, Avery Peterson, Greg Peterson, Abigail Moody, Liz Moody, Cam Randall, Victoria Larkins, Frank Larkins, Heather Peel, Darren Peel, Julia Johnson, Ashley Johnson, Tyson Smith

### **OPENING**

T. Jay Frazier opened the meeting with a prayer.

### **RECOGNITIONS AND PRESENTATIONS**

Council Member Blackham said that recently one of the businesses within our city, Goodson Signs, had a very substantial structure fire. Both Farmington and Layton Fire Departments were dispatched to assist with the fire. The crews did a great job and nobody was hurt. Our fire department accomplishes a lot with few staff. The city's October newsletter will have an article discussing the need for more firefighters because our city has grown and it's become harder to provide the same level of service. Our public safety staff is committed to their jobs and serving the citizens of Kaysville. Council Member Blackham thanked our public safety officers.

Council Member Adams arrived.

### **DECLARATION OF ANY CONFLICTS OF INTEREST**

No conflicts were disclosed.

### **CONSENT ITEMS**

Council Member Adams made a motion to accept the following consent items:

- a. Approval of the Minutes of July 16, 2020.
- b. Approval of the Minutes of July 29, 2020.
- d. Approval of purchase for Ermco transformers – Power Department.
- e. Approval of purchase to replace tilt deck equipment trailer – Public Works.

f. Approval of purchase for road salt – Public Works.  
The motion was seconded by Council Member Blackham.

The vote on the motion was as follows:

Council Member Adams, yea  
Mayor Pro Tem Barber, yea  
Council Member Lortz, yea  
Council Member Tran, yea  
Council Member Blackham, yea

The motion passed unanimously.

#### C. APPROVAL OF PURCHASE FOR EMERGENCY MEDICAL EQUIPMENT – FIRE DEPARTMENT

Shayne Scott explained that the fire department is in need of 3 LifePaks as the current ones are outdated and parts for them are no longer available. Also needed are 2 autoloaders and cots, which allows a technician the ability to safely load patients into the ambulance. A LUCAS Device, which is an automatic CPR machine to limit patient contact, is also considered for purchase. All of these items will be purchased with CARES Act funding and will cost \$164,741.76.

Council Member Adams commented that he had a resident contact him about this item and would like a chance to be able to talk with the fire chief to give him a quote on similar products through his own business.

Shayne Scott responded that these items have already been purchased through CARES Act funds. However, the resident can meet with the fire chief to discuss future purchases.

Council Member Lortz made a motion to table the approval of purchase for emergency medical equipment for the fire department, seconded by Council Member Adams.

The vote on the motion was as follows:

Mayor Pro Tem Barber, yea  
Council Member Lortz, yea  
Council Member Tran, yea  
Council Member Blackham, yea  
Council Member Adams, yea

The motion passed unanimously.

#### G. AWARD OF BID FOR THE KAYSVILLE PEDESTRIAN BRIDGE IN THE EAST MOUNTAIN WILDERNESS PARK

Cole Stephens explained that Kaysville City received a Davis County Prop One Funding grant in the spring of 2019 for the Kaysville Wilderness Park, Bonneville Shoreline Bridge transportation project. The grant is a 70/30 matching grant; 70% Prop One funding and 30% City funding with

active transportation funds. The original grant was based on a \$120,000 total project estimate, with \$84,000 from Prop One and \$34,000 from Kaysville active transportation funds. We are currently working with Davis County to increase the total project amount of the grant to \$166,600 and keep the 70/30 match to the new amount. Davis County staff are working on this and we hope to hear back from them by August 20<sup>th</sup>. Kimley-Horn was awarded the design consulting contract at the March 5, 2020 City Council meeting. In June 2020 an RFB was solicited for the construction of the pedestrian bridge over Holmes Creek in the East Mountain Wilderness Park. Four bids were received by the July 29, 2020 bid due date, with Acme Construction being the low bidder at \$129,100 for the installation and construction of the trail bridge. Mr. Stephens added that the city feels that the County will be supportive of this new amount, but must receive approval through the Davis County Commission.

Lyle Gibson added that the county has been using tourism tax funds to help improve the trail up to this point. This trail benefits the whole county because it connects through all the cities in Davis County.

Council Member Blackham said that if this item is approved, it should be approved with the stipulation that it continue to be a 70/30 matching fund split with the county.

Cole Stephens said that the location of this bridge has very tricky access and there is no vehicular access to this location, which means that the bridge will have to be brought in by helicopter. There are some timing issues as the contractor hopes to have the bridge ordered by September 1<sup>st</sup> so that they'll have time to install it by November 14<sup>th</sup>. There are not many companies that provide a service to have the bridge lifted in.

Council Member Blackham made a motion to approve the award of bid for the Kaysville Pedestrian Bridge in the East Mountain Wilderness Park with the stipulation that with the increased project total that the county continue to agree to the 70/30 fund split, with 70% coming from the county, 30% from the city. Council Member Lortz seconded the motion.

The vote on the motion was as follows:

Council Member Lortz, yea  
Council Member Tran, yea  
Council Member Blackham, yea  
Council Member Adams, yea  
Mayor Pro Tem Barber, yea

The motion passed unanimously.

### **ACTION ITEMS**

CONSIDERATION OF DEVELOPMENT AGREEMENT AND REZONE OF APPROXIMATELY 0.425 ACRES OF PROPERTY AT 263 EAST 100 NORTH FROM THE R-D (RESIDENTIAL DIVERSE) TO THE R-M (MULTI-FAMILY RESIDENTIAL) ZONING DISTRICT TO INCLUDE THE PRUD (PLANNED RESIDENTIAL UNIT DEVELOPMENT) OVERLAY ZONE FOR COMMON OPEN SPACE SUBDIVISION WITH A PRIVATE DRIVE – JERRY AND MICHAEL LARSEN

PRELIMINARY PLAT FOR THE JERRY LARSEN SUBDIVISION AT 263 EAST 100 NORTH  
– JERRY AND MICHAEL LARSEN

Lyle Gibson explained that the property located at 263 East 100 North is under consideration for a rezone to accommodate a proposed common open space subdivision on a private street which includes 6 units in a townhome style configuration. The property is surrounded on all sides by the R-D district, which includes a variety of housing types historically, however the ordinance requires that new development under the R-D zone only be single family dwellings. While the zoning is consistent all the way around this property, the use of land is reflective of the districts history, including a variety of housing types. The development of new single family homes under the existing ordinance would be limited to lots of 8,000 square feet in size. However with the PRUD overlay, a common open space subdivision in the R-D district may have a density equal to that allowed in the R-M district. Because a request for the PRUD overlay was required, city staff felt the consideration of the R-M would be appropriate to clarify the different sections of the city ordinance as to what type of housing may be permitted. The project as proposed would include two-story townhomes with a footprint of about 900 square feet each. Based on the size of the units and the number of units, the number of units the project would require 5,800 square feet of open space. The current proposal includes 6,000 square feet of open space. The units would be accessed by a private street that forms a hammerhead turnaround for the shared driveway that the units front, with a zero lot line against the private street, 19 foot yards to the north and south of the units, and an 8-foot yard to the east. The amount of open space would meet the standard requirement of the common open space provisions. However the following would require approval through an acceptable development agreement: zero lot line, distance between buildings. The standard front yard setback for buildings on a private street is 20 feet. Detached homes have a standard side yard of 8 feet. The developer plans to install grass in the open space area and a masonry wall fence. The Planning Commission voted unanimously to recommend approval of the proposed rezone and development agreement. The Commission also recommended approval of the preliminary plat with the condition that the final plat have 1 guest parking stall for each unit.

Jerry Larsen commented that they want to be good neighbors and are willing to work with the neighbors to try to resolve concerns. Single family housing has become very expensive. These homes would be built to be sold for individual ownership. When this area was developed it was with the idea of having long and narrow lots so that backyards could be used agriculturally, but that isn't what people want anymore. Mr. Larsen read a comment by Lexi Ward who expressed her support for this development because it would be a good location for young adults or young families to be able to buy a home.

Mayor Pro Tem Barber asked for public comment on this item.

Joyce Clarkson commented that this old part of Kaysville needs to be preserved because of its history, older homes, mature trees, and big yards. The drawback to this area is there is more turnover because families outgrow these homes and the homes are less expensive. Developers and landlords will purchase these homes to turn into rental properties. Rentals have become more common in their neighborhood, and she has counted over 75 of them in this area. By approving this rezone it might open it up for other property owners to want to do the same. This development is proposing too many homes and isn't appropriate for this area. There are already too many of

these types of products in our neighborhood and it's becoming oversaturated. The Council needs to consider the neighbors who have vested in their properties and this area.

Bruce Laser said that years ago he had been asked to sit on a city committee to discuss flag lots within the city. Many concerns were expressed by citizens during these meetings. Mr. Laser said that during that time he felt he was being a voice for personal property rights. He also wanted proposed flag lots to have sufficient setbacks so the homes built on them were built too close to neighboring homes. The size of these proposed buildings and the setbacks on flag lots need to be considered very carefully. This development seems to run against the zoning of the area. After listening to what the Planning Commission had to say, it seems that the Commission is in favor of all flag lot developments and are in favor of approving whatever development that will bring in a maximum tax revenue. They have no concern for how the character of a neighborhood will be affected. The Commission is going against everything that the flag lot committee had discussed years ago in trying to protect this area from further development of flag lots and multi-family housing. This proposal in its present form might be more accepted if the setbacks and size of the homes were reconsidered.

Justin Stevenson said that he lives on the corner directly east of this lot and feels that the subject property is too small for 6 units to be built on it. There is no supporting evidence as to why this development would be good for the neighborhood. It will increase traffic congestion and create safety concerns for our children who live here. We need developments that will add to the city and to our culture. This will diminish the area and doesn't fit into the framework of the city. We need to protect our traditions and heritage, and what Kaysville stands for. This is just an opportunity for someone to make money. Allowing this is not worth the deterioration it will create.

T. Jay Frazier commented that he lives on the same block as this project and just sold his previous home located across the street from this property, and is very concerned with this project. They bought that home because they loved the area, and they took care of and improved the home. It is appropriate to have one single family dwelling on the subject property. This project is not for the good of the community and will not help with the current housing crisis. He supports real estate, but this is an opportunity for someone to make as much money as he can with the property. There needs to be consideration taken for the neighborhood. New developments should fit into the look and charm this area has. The traffic this subdivision could create would be devastating. The proposed complex will draw in families who will likely have at least two cars per unit. Where are these vehicles going to be parked? What happens when it snows? Where will the snow be plowed to? There are 20 children that live within this block. It is also on a major thoroughfare for Kaysville Elementary. Those who live here have chosen to live here for a reason and those reasons are put into jeopardy when a complex like this is being proposed to be built in our backyards. We don't want this in our neighborhood.

There were no further comments or questions from the public.

Council Member Lortz asked about the proposed setbacks for this development.

Lyle Gibson responded that currently they are proposing a 15 foot setback behind the units, on the north and south sides borders, and an 8 foot setback on the east side. The lane is 25 feet wide, and the setbacks from the units on the west side will be about 30 feet. There is no setback from the homes to the private street.

Council Member Lortz asked if there would be room for cars to park in front of their garages, in the lane.

Lyle Gibson said that there really isn't any room to park any vehicles on that private street.

Mayor Pro Tem Barber suggested requiring some kind of guest parking to be included in this plan.

Council Member Adams asked if the developer had heard any concerns from the neighbors about this project.

Jerry Larsen responded that he had only spoken with about 6 of the neighbors but hadn't received any negative feedback.

Council Member Adams commented that he felt that the developer should have spoken with all of the neighbors directly abutting this property because they will be the ones who will have to live next to the development once it's done.

Jerry Larsen commented that they had originally considered building 8 units, but felt that it would be better to request 6.

Council Member Lortz asked what would be allowed to be developed within the R-D zone.

Lyle Gibson explained that under the current zoning it would allow for a single family dwelling, with existing multiple family dwellings. The setbacks are very similar between the R-D and the R-M zones.

Council Member Lortz commented that they are asking to go from one single family home to six on the same property, which is a 600% growth in density. The developer has the burden of proof to show how this will fit within the neighborhood.

Council Member Adams asked about this area being rezoned to R-D 20 years ago.

Council Member Blackham explained that during that time there was a lot of development going on in the city. This particular area had the most diverse housing than anywhere else in the city, and developers continued to trying to develop multifamily housing here. After much feedback from the neighborhood, the city complied a committee to decide how to address this issue. It was decided to rezone the area to the R-D zone to try to protect the area from further higher density developments. Any existing duplexes were grandfathered into the zone. During this time they also changed the setbacks for flag lots to 20 foot front, back, and side setbacks, as well as adding a caveat that any future developments under the R-D zone would be for single family dwellings only.

Council Member Lortz commented that if people are looking for an apartment, Kaysville is not the place to look. Kaysville isn't known or designed to be a place with lots of apartment complexes or starter homes. The west side of the city is very different from the east side, but the concept is the same; people move here with an expectation and they don't want that to change. There is some diversity with our housing, but it's not common. Those who do want to bring in diverse housing

need to convince us why their idea will make our city better, and not just use the excuse of SB 34. None of the high density housing developments that have come before the Council in this last year will create affordable housing. They are high density housing with unaffordable homes.

Mayor Pro Tem Barber said that affordable housing is hard to find these days, especially in Kaysville. We talk a lot about creating affordable housing. But we also need to be very intentional with these proposals and make sure it would fit well within the area. It's a complex issue and we need to create situations where we can make affordable housing available and still preserve the area.

Council Member Lortz made a motion to deny the development agreement and rezone of approximately 0.425 acres of property at 263 East 100 North from R-D (Residential Diverse) to the R-M (Multi-Family Residential) zoning district to include the PRUD (Planned Residential Unit Development) overlay zone for a common open space subdivision with a private drive for Jerry and Michael Larsen. Council Member Blackham seconded the motion.

Council Member Lortz said that many have expressed interest in moving back to Kaysville or creating a place for their children to be able to live in Kaysville to buy their first home. However, sometimes it's best for people to live elsewhere and save their money in order to afford to live in Kaysville. We shouldn't change the character of Kaysville just to force affordable housing within the city.

Council Member Adams commented that he is tired of developers using SB 34 as an excuse to push high density housing on us at unaffordable prices. We have yet to see a high density housing development proposed to us that is affordable. Council Member Adams said that he hopes that something different will be proposed for this property which will better fit into the neighborhood. Having this number of units on this size of lot is asking for too much.

The vote on the motion was as follows:

Council Member Tran, yea  
Council Member Blackham, yea  
Council Member Adams, yea  
Mayor Pro Tem Barber, yea  
Council Member Lortz, yea

The motion passed unanimously.

#### FIBER BALLOT RESOLUTION CLARIFICATION CHANGES RECOMMENDED BY LT. GOVERNOR'S OFFICE

Mayor Pro Tem Barber commented that the municipal fiber project has been worked on and reviewed for over a couple of years now. We are now at the stage in this process of getting it on the ballot for this upcoming November. The fiber ballot resolution was recently approved by the City Council, and then forwarded on to the Lieutenant Governor's office. After review, the Lieutenant Governor's office asked for more clarification on what is being voted on. We want to make sure this proposition is as clearly identified as it can be on the ballot. No changes to the

project has changed. We are just proposing some small language adjustments to make the ballot language more clear.

Council Member Lortz added that one change to the language was to specify the reference the Utah code for this special election. They also asked that this election be called a “special bond election”, even though the proposition is for a project and a bond. The statements for and against have also been reworded to reflect this change.

Council Member Blackham stated he approves of these changes because it creates better clarity for residents.

Council Member Adams made a motion to approve a fiber ballot Resolution clarification as recommended by the Lieutenant Governor’s office, seconded by Council Member Lortz.

The vote on the motion was as follows:

Council Member Blackham, yea  
Council Member Adams, yea  
Mayor Pro Tem Barber, yea  
Council Member Lortz, yea  
Council Member Tran, yea

The motion passed unanimously.

## **WORK ITEMS**

### **INTRODUCTION TO MULTIPLE LAND USE ORDINANCES**

Lyle Gibson explained that the Planning Commission has been discussing a few different proposed ordinances over multiple meetings. They recently unanimously recommended approval for each of these proposed ordinances as written and the ordinances are being presented before the council tonight. Tonight the council will be given an introduction to what they are, discuss any concerns or questions, and then decide where to go from here. The first proposed ordinance is in regards to an ordinance amending Section 17-31-18 to refine the clear view requirements for corner lots which would prohibit the planting of trees within that clear vision triangle. This ordinance revision is being proposed as there have been concerns with the roots from trees damaging sidewalks, trees blocking pedestrian traffic on sidewalks and streets, and concerns with landscaping impeding the view of traffic at a corner lot. The amendment being proposed is to add the language to our clear view requirement order prohibiting the placement of new trees within this triangular area.

Mayor Pro Tem Barber asked about existing trees within that triangle.

Lyle Gibson responded that they would remain. This amendment would only apply to new plantings of trees.

Council Member Lortz said that suggested adding language that would allow law enforcement to have a tree removed if it’s causing a safety hazard.

Council Member Blackham responded that this is the code enforcement's jurisdiction and they would continue to address any issues. We have had this ordinance in place for many years and if the resident won't comply then the city will come in and have it cleaned up. If it's a safety issue we have always had the authority to step in and rectify the issue.

Lyle Gibson said that the second ordinance for the Council's review tonight is in regards to accessory building regulations. Over the years the city has found several accessory buildings out of compliance with city ordinances and residents have had to remove those buildings as a result. Many residents have asked the city to review our ordinances to see if anything differently could be done to allow for these accessory buildings to be allowed within more areas on their properties. Staff has reviewed this proposal for some time and discussed different options about this. The ordinance being proposed tonight continues to not allow accessory buildings within side yards, however smaller type sheds may be located in a rear or side yard abutting a public street as long as the side yard does not abut the front yard of an existing dwelling. An accessory building may be located in a side yard between the side property line and a portion of the main dwelling, which is open on 3 sides (such as a covered patio) as long as the accessory building is not further forward on the lot than any enclosed portion of the dwelling. An accessory building may also be located in the side yard between the dwelling and a side lot line where the footprint of a dwelling narrows by at least 15 feet a minimum of 30 feet from the front of the dwelling. Also being proposed within this ordinance is an amendment regarding the height of accessory buildings. The Planning Commission's recommendation is to amend the language so that if an accessory building is within 5 feet of the property line, the building shall not exceed 17 feet in height. Accessory buildings that are set back further than 5 feet maybe be 1 foot higher than 17 feet for each 2 feet beyond the 5 foot setback from property line, up to the maximum height allowed in the zone.

Council Member Blackham commented that the neighbors would likely rather see a hip roof rather than a gable roof built next to them. With the current order it is more restrictive so that someone couldn't build a 15 foot wall with a flat roof right next to the neighbor's property line. Depending on the layout, they could choose to build either a hip or gable roof. The proposed amendment will make this less restrictive and we might see more intrusive buildings erected. Council Member Blackham asked if there was a reason behind the proposed ordinance amendment to accessory building height limitations.

Lyle Gibson said that this amendment was requested by a Planning Commissioner who thought it was strange the city was forcing a hip roof and specific style of architecture because of how the ordinance was written.

Council Member Blackham said that with the current ordinance it guarantees that a neighbor can't build an accessory building with a wall higher than 12 feet right next to the property line, and that building has to have an angled roof at a 45 degree angle towards the interior of the property line. It gives more of a sight line for the neighbors and doesn't block out the sunlight.

Council Member Lortz commented that hip roofs are not uncommon in today's construction and will continue to be built no matter if the ordinance is changed or not. Why are we changing this ordinance just because someone doesn't like a specific type of architecture? Council Member Lortz added that he would like to see the building height restrictions not be amended.

Council Member Blackham said that he feels it a good idea to allow for, in specific cases, accessory dwellings within more areas of their yard because some yards are oddly shaped.

Lyle Gibson explained that the last ordinance being proposed tonight is in regard to accessory dwelling units. The main reason this is being considered is based on current issues with not enough modern income housing being available. It would also allow for a means for providing different housing options within the city. An accessory dwelling unit would not only serve as an option to provide more affordable housing options, but to accomplish the purposes of the Kaysville City Modern Income Housing element of the General Plan which was added into the General Plan by the City Council in 2019. During the process of reviewing the General Plan in 2019, a survey was done asking residents what housing types were the most needed in the city. Many expressed the interest in Kaysville exploring the idea of accessory dwelling units, rather than seeing more multi-family housing units being built. Statistics show that these accessory dwelling units are typically occupied by family or close friends of the homeowner. These units usually have less cars, and are smaller units for people who don't need as much living space. Currently our ordinances allow for mother-in-law apartments where family members would be allowed to co-exist with another family in a dwelling. We also allow for up to 5 non-related individuals to live within a single family dwelling. The difference with this proposed ordinance is that it would allow for people to have a separate structure on the property to be used as a dwelling. However, as the current proposal is written, if they are not a family relation then they would be limited to two occupants within that unit. The property would still stay under the same tax ID, there would not be any extra utility stubs or connections, and the unit would have to meet building code as a residential unit, including a separate HVAC system, having a separate fire egress.

Council Member Lortz said that these would double the density on a property. The city frequently hears concerns from our residents about our city having too many rental properties where there is not a landlord on the property. It's common for those properties to not be maintained, which is where the main concerns come from. Certainly an accessory dwelling unit would likely not have the same issues since it will be on the same property as the main dwelling and likely the property owner's home.

Council Member Adams said that if applicants went through a due process, this might be appropriate in specific areas.

Mayor Pro Tem Barber said that it was a year ago when the Council reviewed the General Plan and amended it as part of SB 34. Creating an avenue to allow for accessory dwelling units was one of the items the Council decided to add to the General Plan, which was picked out of the list provided by the state. The Council at that time felt this was something we need to consider, especially considering the feedback received by the public. It seems irresponsible to go from not allowing them at all, to approve an ordinance that would allow them practically everywhere in the city. There needs to be a place where accessory dwelling units are allowed. It was a commitment that was made by the Council and is worth considering.

Council Member Blackham commented that if you look at the ordinances for the R-1 zoning there are already provisions in place to allow for someone to have a two-family dwelling by conditional use permit. People can accommodate their needs within an existing family dwelling. Accessory dwelling units is really another single family dwelling. The definition of a dwelling is a living space with provisions for living, sleeping, eating, cooking and sanitation. Allowing for accessory

dwelling units is allowing people to have a second dwelling on a single family dwelling property. We need to know what kind of impacts these units would have on our utility systems before approving anything. Dwelling units are required to have a minimum of 100 amp power service and our city infrastructure has been designed for the existing homes. To go in and arbitrarily add another 100 amps to these service lines is going to take changes to our city infrastructure. Our transformers weren't design to have 300 amps on all of our houses. Also, a bare minimum accessory dwelling unit will require a minimum of 13 fixture units for sewer; a toilet, tub, washer, kitchen sink, etc. A dwelling equivalent has 20 fixture units. We have had many discussions recently about sewer issues as the city continues to grow and more people are wanting to develop their properties into more than two units per acre. These types of units would have a significant impact to the sewer lines and we don't know if we have a sewer system to handle this many units. New homes on a single lot have to pay over \$10,000 in impact fees. The impacts of these dwelling units would be the same as a single family dwelling unit and those impact fees should be charged to these units. We don't have the authority to not charge impact fees for the sewer district. Another thing to consider are property taxes and if the city would collect additional property taxes equivalent to a single family dwelling for each dwelling unit. Additional units will require additional city services, such as public safety, and we need to be able to cover those costs. The Council just reviewed some flag lot developments that had all of the neighbors involved who were very concerned about adding more density the negative impact it would have to their subdivisions. Some of the concerns expressed involved parking, noise, and traffic congestion. These accessory dwelling units have the potential to double the density in an area or zone without going through a rezone, other than a conditional use approval from the Planning Commission. Part of the concern with conditional uses is if an applicant meets the conditions of a conditional use, then the city is obligated to approve it. It is likely that there are many subdivisions within the city that have covenants stating that there shall only be one single family dwelling unit on a lot. While the city does not enforce subdivision covenants, why would the city approve the creation of an ordinance that is in direct conflict with the covenants of many of our subdivisions? Council Member Blackham stated that he hopes that any ordinance with this much of an impact on our citizens would be clearly defined on our agendas as a discussion to pass an ordinance allowing an additional dwelling unit on every owner-occupied piece of property in the city. As regards to SB 34, Kaysville is in compliance with it now, without the proposed accessory dwelling unit ordinance in place.

Council Member Adams said that oftentimes when people build a pool house, that pool house will become a separate dwelling.

Council Member Blackham responded that people can build another family room above their garage, or build a pool house with fixtures in it. It becomes a problem when homeowners change the use from a single family dwelling with an accessory building. For instance, when a pool house is built for that use, and then it becomes occupied as a dwelling then the use of the building has changed and that's when it is a violation. The city has ordinances against these situations and could potentially go after people for it.

Council Member Lortz said that this could have a very large impact to the city and needs to be considered cautiously.

Lyle Gibson said that the city has options to limit the number of units allowed, proximity of each unit, size of the unit, etc. When this ordinance was originally drafted it included a lot of restrictions

for the units. However, the Planning Commission felt removing those restrictions was the best route to make it easier for everyone.

Council Member Lortz commented that he sees a lot of concerns with proceeding forward with this.

Council Member Blackham agreed and added that he would not want to see this go any further.

Council Member Adams asked if the city would be in violation of SB 34 if we don't pass this.

Council Member Blackham said that he feels that the city has done what it needs to in order to be in compliance.

Council Member Lortz said that there is not a time frame for when the city has to implement these changes as a result of SB 34.

Lyle Gibson added that the city was required to implement at least 3 of the items from SB 34 within the General Plan. The City Council decided on 4 of the items to add to the General Plan. The Council could decide to move ahead with this, modify the General Plan or remove this item completely from the General Plan.

Mayor Pro Tem Barber commented that she is still open to considering accessory dwelling units. We need to look at them in a case by case manner. These are a need within our city and they could be accommodated better than a subdivision. Mayor Pro Tem Barber added that if we consider the units, impact fees are important to discuss.

Council Member Blackham said that we have plenty of apartments within our community to accommodate the need.

Council Member Adams said that if we were to consider these units, our ordinance would need to be very specific and strict in what would be allowed.

Nic Mills commented that the city has a lot of zoning laws that HOAs will chose to restrict and we shouldn't follow the lead of an HOA. If they are restricting something, it doesn't mean we should do the same. People could chose to buy within a neighborhood based on their covenant restrictions. Accessory dwelling units serve a unique purpose and if we limit them to specific circumstances they could serve as a good function within the community.

Mayor Pro Tem Barber said that as the legislative body, the Council could make this ordinance work the way we want it to.

The City Council agreed to move the ordinance amendments regarding the clear view requirements and accessory buildings to an action item, and to bring the discussion regarding an accessory dwelling units ordinance back sometime in the nearby future.

### **CALL TO THE PUBLIC**

Tyson Smith commented that he has been living in the city for many years and has a company

located within the city. He is an advocate of the city, but he also recognizes that something needs to be done to address affordable housing here. Their kids want to live in their own homes within Kaysville and there needs to be more affordable housing so they have a place to live. Mr. Smith said he supports accessory dwelling housing units and thinks that they should be allowed with restrictions in place so that the city will be able to help control the number of units allowed, the number of people within those units, as well as other things. This will allow property owners to utilize our land in a way we can help our families. We already know these units are within the city, so why not make it legal and set some regulations to keep them under control. The city needs to accommodate our current need. There are enough people who need and want this type of housing.

### **ADJOURNMENT**

Council Member Lortz made a motion to adjourn the City Council meeting at 9:13 p.m., seconded by Council Member Adams and passed unanimously.

# STAFF REPORT

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**MEETING DATE:**

**ITEM NUMBER:**

**TYPE OF ITEM:** Consent

**PRESENTED BY:** Chief Oberg

**SUBJECT/AGENDA TITLE:** Police vehicle purchases

**EXECUTIVE SUMMARY:**

This purchase request is for 4 patrol vehicles. The vehicles are police/pursuit rated 2020 Dodge Durangos that would be purchased through the State Bid process. These vehicle purchases were budgeted for and approved in the current budget year.

**COUNCIL OPTIONS:** approve or deny

**RECOMMENDED OPTIONS:** Approve vehicle purchases

**FISCAL IMPACT & FUND SOURCE FOR RECOMMENDED ACTION:** \$26,147

**ATTACHMENTS:** Invoices





# Purchase Requisition

Required over \$5,000

Number: Police 30419

Department: Police

Date: 3/4/2019

Vendor: LHM Chrysler Jeep Dodge Ram Bnt

Address: 755 N. 500 W.

City: West Bountiful State: Utah Zip: 84087

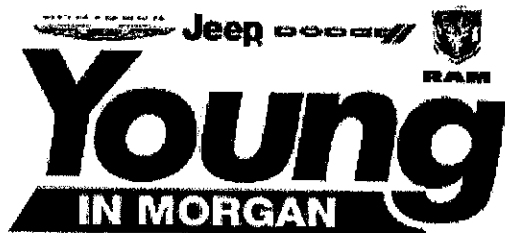
| Quantity | Description         | Unit Price   | Extension     |
|----------|---------------------|--------------|---------------|
| 4        | 2020 Dodge Durangos | \$ 28,965.00 | \$ 115,860.00 |
|          |                     |              | -             |
|          |                     |              | -             |
|          |                     |              | -             |
|          |                     |              | -             |
|          |                     |              | -             |
|          |                     |              | -             |
|          |                     |              | -             |
|          |                     |              | -             |
|          |                     |              | -             |
| Total    |                     |              | \$ 115,860.00 |

## Signatures:

Person Requesting: [Signature]

Department Head: [Signature]

If Over \$10,000  
City Manager Signature: [Signature]



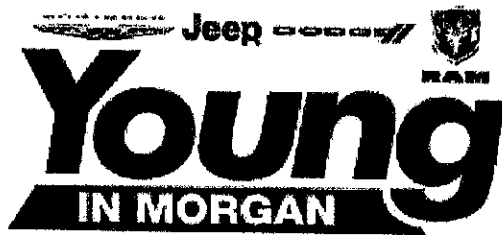
**YOUNG Chrysler Dodge Jeep Ram**  
 536 North 550 East  
 MORGAN, UT 84050  
 Phone (801) 829-3245  
 Fax (801) 928-2980

Invoice: 12S267  
 Date 9/3/2020

| Description                                                                                                                                                                       |  | Price                     | Quantity | Total        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------|----------|--------------|
| <b>PO# S562020</b><br><b>VIN 1C4RDJFG1LC440852</b><br><b>Stock 12S267</b><br><b>Year/Make 2020 DODGE</b><br><b>Model DURANGO</b><br><b>Color BLACK</b><br><b>Body PURSUIT AWD</b> |  | \$ 28,965.00              | 1        | \$ 28,965.00 |
| *Terms- Net 14 Days, Late payment Charge 15% APR                                                                                                                                  |  | <b>TOTAL \$ 28,965.00</b> |          |              |

Customer:

KAYSVILLE CITY  
 58 N 100 E  
 KAYSVILLE, UT 84037



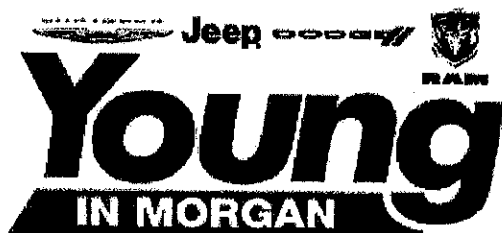
**YOUNG Chrysler Dodge Jeep Ram**  
 536 North 550 East  
 MORGAN, UT 84050  
 Phone (801) 829-3245  
 Fax (801) 928-2980

Invoice: 12S270  
 Date 9/3/2020

| Description                                                                                                                                                                       |  | Price                     | Quantity | Total        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------|----------|--------------|
| <b>PO# S562020</b><br><b>VIN 1C4RDJFG8LC440850</b><br><b>Stock 12S270</b><br><b>Year/Make 2020 DODGE</b><br><b>Model DURANGO</b><br><b>Color BLACK</b><br><b>Body PURSUIT AWD</b> |  | \$ 28,965.00              | 1        | \$ 28,965.00 |
| *Terms- Net 14 Days, Late payment Charge 15% APR                                                                                                                                  |  | <b>TOTAL \$ 28,965.00</b> |          |              |

Customer:

KAYSVILLE CITY  
 58 N 100 E  
 KAYSVILLE, UT 84037



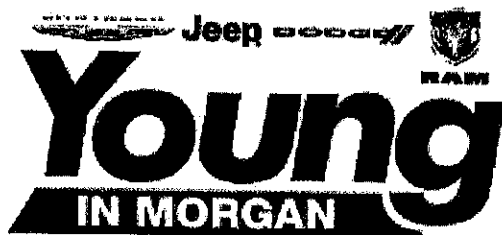
**YOUNG Chrysler Dodge Jeep Ram**  
 536 North 550 East  
 MORGAN, UT 84050  
 Phone (801) 829-3245  
 Fax (801) 928-2980

Invoice: 12S271  
 Date 9/3/2020

| Description                                                                                                                                                                       | Price        | Quantity | Total               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|----------|---------------------|
| <b>PO# S562020</b><br><b>VIN 1C4RDJFGXLC440851</b><br><b>Stock 12S271</b><br><b>Year/Make 2020 DODGE</b><br><b>Model DURANGO</b><br><b>Color BLACK</b><br><b>Body PURSUIT AWD</b> | \$ 28,965.00 | 1        | \$ 28,965.00        |
| *Terms- Net 14 Days, Late payment Charge 15% APR                                                                                                                                  |              |          |                     |
| <b>TOTAL</b>                                                                                                                                                                      |              |          | <b>\$ 28,965.00</b> |

Customer:

KAYSVILLE CITY  
 58 N 100 E  
 KAYSVILLE, UT 84037



**YOUNG Chrysler Dodge Jeep Ram**  
 536 North 550 East  
 MORGAN, UT 84050  
 Phone (801) 829-3245  
 Fax (801) 928-2980

Invoice: 12S301  
 Date 9/3/2020

| Description                                                                                                                                                                       | Price                     | Quantity | Total        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|----------|--------------|
| <b>PO#</b> S562020<br><b>VIN</b> 1C4RDJFG6LC442483<br><b>Stock</b> 12S301<br><b>Year/Make</b> 2020 DODGE<br><b>Model</b> DURANGO<br><b>Color</b> BLACK<br><b>Body</b> PURSUIT AWD | \$ 28,965.00              | 1        | \$ 28,965.00 |
| *Terms- Net 14 Days, Late payment Charge 15% APR                                                                                                                                  | <b>TOTAL</b> \$ 28,965.00 |          |              |

Customer:

KAYSVILLE CITY  
 58 N 100 E  
 KAYSVILLE, UT 84037

# **CITY COUNCIL STAFF REPORT**



**COUNCIL MEETING DATE: September 17, 2020**

**TYPE OF ITEM: CONSENT**

**PRESENTED BY: Community Development**

**SUBJECT/AGENDA TITLE: Release of Easement Resolution**

## **EXECUTIVE SUMMARY:**

In consideration of building a new home on a lot, the property owner has been working with easement holders on the property to account for their needs while limiting unnecessary encumbrances to the land. This action allows for the modification to some platted easements on lots 5 and 6 of the Trailside Subdivision to account for the needs of the utilities in the area while allowing the land owner more flexibility in how they use their lots.

While the document is called a release of Easement, for the city's interest it primarily accomplishes a relocation of an easement.

Often this is done with an amended subdivision plat. The Davis County Recorder's Office has indicated that a 'Release of Easement' document recorded on the properties would be sufficient to accomplish the same thing.

Council Options: Approve, Deny, Table for more information

Recommended Options: Staff recommends the adoption of the proposed resolution as the function and of the utility easement remains intact with the relocation of the easements.

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

Attachments: Resolution and Release of Easement document

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**RESOLUTION 20-\_\_-\_\_**

**A RESOLUTION APPROVING THE ABANDONMENT AND RELOCATION OF A  
PUBLIC UTILITY EASEMENT IN THE TRAILSIDE SUBDIVISION AND  
AUTHORIZING THE MAYOR TO EXECUTE THE SAME.**

**WHEREAS**, Kaysville City (the “city”) has a public utility easement platted along the eastern portion of lots 5 and 6 of the Trailside Subdivision; and

**WHEREAS**, it has been determined by an adjacent easement holder that their easement as currently indicated may be reduced; and

**WHEREAS**, City can have equal opportunity to serve the impacted properties and others in the area by way of relocating the public utility easement further east on lots 5 and 6 of the Trailside Subdivision;

**WHEREAS**, the attached Release of Easement allows the abandonment of the existing easement and relocates it to create better building area and usable space for the owners of lots affected.

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

1. That the City record the Release of Easement document with the Davis County Recorder’s office to accomplish the relocation of the existing public utility easement as described.
2. That the Mayor be authorized to sign the Release of Easement on behalf of the City.

**PASSED AND ADOPTED** by the City Council of Kaysville, Utah, this **17th day of September, 2020.**

ATTEST:

\_\_\_\_\_  
Katie Witt, Mayor

\_\_\_\_\_  
Annemarie Plaizier, City Recorder



## Release of Easement

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The following changes have been determined to be made by the Kaysville City Council to the following described property:

### Subject Properties

Parcel # 08-632-0005 and 08-632-0006

### Legal Description:

ALL OF LOT 5, TRAILSIDE SUBDIVISION CONT. 1.13 ACRES AND ALL OF LOT 6, TRAILSIDE SUBDIVISION CONT. 0.81 ACRES.

The Trailside Subdivision Plat recorded with the Davis County Recorder as entry # 3217389, included as Exhibit A, indicates a 50 ft. and 60 ft. easement along the eastern edge of lots 5 and 6. This easement was put in place in effort to protect the interest of the pipeline which is located in this area. The owner of the pipeline has indicated in the letter attached as Exhibit B that the easement which was platted is not necessary, therefore a release of a portion of that easement is appropriate.

Therefore Kaysville City requests that the existing 50 ft. and 60t. wide easement along the eastern edge of lots 5 and 6 as shown on the Trailside Subdivision Plat be released and the easement as described in Exhibit C remain effective for the purpose of protecting and providing access for maintenance of the utility infrastructure on these lots. Further, Kaysville City requests the existing 10' PUE & DE, on the western edge of the 60' easement as described above, be released and the easement as described in Exhibit D remain.

Further detail as to activities permitted within and near the corrected easement are provided within Exhibit B of this Release of Easement. As well as additional details to the location of the actual pipes and easements which is shown in Exhibit E.

In witness whereof, I swear that the above change(s) are correct and cause the same to be duly executed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Katie Witt  
Kaysville City Mayor

STATE OF UTAH     )  
                              : §  
COUNTY OF DAVIS )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2020 personally appeared before me, Katie Witt , the signer of the foregoing instrument who duly acknowledged to me that he executed the same.

\_\_\_\_\_  
Notary Public



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**Marathon Pipe Line LLC**

257 East 200 South Suite 500  
Salt Lake City, UT 84111  
Telephone: (801) 898-7816

August 31, 2020

Brad Frost  
832 West Trailside Lane  
Kaysville, UT 84037

RE: Marathon Pipeline – Right of Way Easement

Brad,

Thank you for reaching out to Marathon Pipeline (MPL) regarding development plans for lot 5 of Trailside Subdivision. I appreciate the concern you have for the pipeline and your desire to utilize your lot in a manner that will minimize pipeline damage and that will allow us expeditious access to the pipeline to make repairs should the need arise. The right-of-way that we have at this location is 16.5 feet and was granted in 1949 by Hamon and Lillian Barton. While the easement is 16.5 feet, we ask that you keep habitable structures at least 50' from the pipeline and non-habitable structures at least 25 feet away from the pipeline. If these distances can be maintained MPL does not object to the site development if the following conditions are followed:

1. Landscaping plans should be reviewed by MPL staff prior to installation.
2. Utility crossings should be planned and coordinated with MPL staff
3. All earth moving activities within 25 of pipeline shall be monitored by MPL's operations technician, Jason Button. Coordinate the work schedule with Jason to ensure his availability. Jason's contact number is 385-867-1821
4. construction equipment crossing pipeline shall be limited to 15,000 lbs/axle. If larger equipment is required, please provide equipment details prior to project so weight calculations can be run.
5. An 811 call must be placed at least 2 working days in advance of any digging activities.

MPL is committed to the safety and wellbeing of our staff, your personnel, the public, and the environment – and we need your help to ensure the above stipulations are followed. I would be happy to clarify or discuss any of the above stipulations pertaining to your activities near MPL's high pressure pipeline.

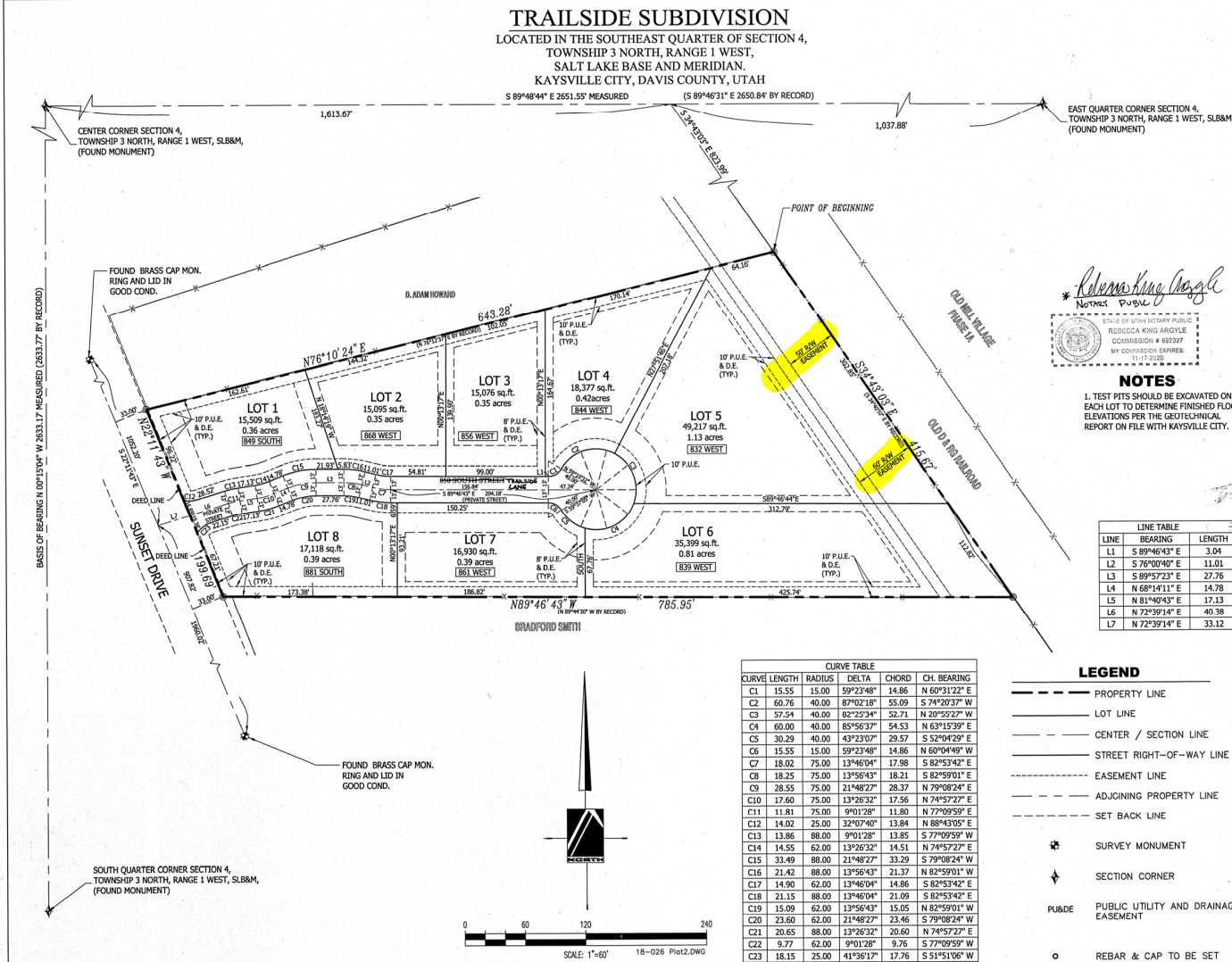
Best Regards,

Duran Lucas  
Right-of-Way Specialist  
Marathon Pipe Line LLC

cc: Jason Button

# Exhibit A

6165



## TRILSIDE SUBDIVISION

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4,  
TOWNSHIP 3 NORTH, RANGE 1 WEST,  
SALT LAKE BASE AND MERIDIAN,  
KAYSVILLE CITY, DAVIS COUNTY, UTAH

## SURVEYOR'S CERTIFICATE

I, STEPHEN J. FACKRELL DO HEREBY CERTIFY THAT I AM A PROFESSIONAL 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 IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH STATE CODE, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS: TRILSIDE SUBDIVISION, 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.

12-4-2019  
DATE

## BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE WEST LINE OF THE OLD D&RG RAILROAD RIGHT-OF-WAY SAID POINT BEING LOCATED NORTH 89°48'44" WEST ALONG THE QUARTER SECTION LINE 1037.88 FEET FROM THE EAST QUARTER CORNER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND SOUTH 34°45'07" EAST 823.99 FEET; AND RUNNING THENCE SOUTH 34°45'07" EAST 415.67 FEET; THENCE NORTH 89°46'43" WEST 785.95 FEET (784.56 FEET BY RECORD) TO THE EAST LINE OF SUNSET DRIVE; THENCE NORTH 22°11'43" WEST ALONG SAID EAST LINE 199.69 FEET (200.00 FEET BY RECORD); THENCE NORTH 76°10'24" EAST 643.28 FEET (641.78 FEET BY RECORD) TO THE POINT OF BEGINNING.

CONTAINS 197,451 SQ. FT. (4.53 ACRES) - (8 LOTS)

## ACKNOWLEDGMENT OF TRUST

STATE OF UTAH  
COUNTY OF DAVIS  
ON THIS 16 DAY OF DEC, 2019, PERSONALLY APPEARED BEFORE ME  
JAMES EDWIN BAGGS WHO BEING DULY SWORN DID SAY THAT HE/SHE IS THE TRUSTEE OF  
JAMES EDWIN BAGGS TRUST, AND THAT THIS PLAT WAS SIGNED WITH AUTHORITY IN OF SAID  
TRUST, AND HE/SHE ACKNOWLEDGED TO ME THAT SAID TRUST EXECUTED THE SAME.

## OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT JAMES EDWIN BAGGS, UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AS SHOWN ON THIS PLAT, HEREAFTER KNOWN AS TRILSIDE SUBDIVISION, DO HEREBY DEDICATE, GRANT AND CONVEY FOR PERPETUAL USE OF THE PUBLIC ALL PUBLIC STREETS AND PUBLIC UTILITY AND DRAINAGE EASEMENTS AS SHOWN HEREON.

IN WITNESS WHEREOF, I HAVE HERETO SET SIGNED, SUBSCRIBED AND AFFIXED MY SEAL AND HAND, THIS 5 DAY OF DEC, 2019.

James Edwin Baggs (Trustee)  
JAMES EDWIN BAGGS  
Elisha Peterson  
Elisha Peterson  
CHAD DAVID PETERSON

## ACKNOWLEDGMENT

STATE OF UTAH  
COUNTY OF DAVIS  
ON THE 5 DAY OF DEC, 2019, A.D., 2019, PERSONALLY APPEARED BEFORE ME, THE  
UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF DAVIS IN SAID STATE OF UTAH, THE SIGNER(S)  
OF THE ABOVE OWNER'S DEDICATION, 3 IN NUMBER, WHO DULY ACKNOWLEDGED TO ME  
THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES  
THEREIN MENTIONED.

MY COMMISSION EXPIRES: 11-17-2020  
Rebecca King Argyile  
RESIDING IN DAVIS COUNTY

STATE OF UTAH  
COUNTY OF DAVIS  
REBECCA KING ARGYLE  
COMMISSION # 693237  
MY COMMISSION EXPIRES: 11-17-2020

TRILSIDE SUBDIVISION  
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4,  
TOWNSHIP 3 NORTH, RANGE 1 WEST,  
SALT LAKE BASE AND MERIDIAN,  
KAYSVILLE CITY, DAVIS COUNTY, UTAH

DAVIS COUNTY RECORDER  
ENTRY NO. 3417389  
FEE PAID \$15.00 FILED FOR RECORD  
AND RECORDED THIS 18th DAY OF JANUARY, 2020 AT 10:44 AM IN BOOK 7426 OF OFFICIAL RECORDS PAGE 1183  
Richard Maughan  
DAVIS COUNTY RECORDER  
BY DEPUTY RECORDER

## CITY ATTORNEY'S APPROVAL

APPROVED THIS 17 DAY OF December 2019  
BY THE KAYSVILLE CITY ATTORNEY.

KAYSVILLE CITY ATTORNEY

## PLANNING COMMISSION APPROVAL

APPROVED THIS 11 DAY OF Nov. 2018  
BY THE KAYSVILLE CITY PLANNING COMMISSION.

KAYSVILLE CITY PLANNING COMMISSION

## CITY ENGINEER'S APPROVAL

APPROVED THIS 9th DAY OF December 2019

KAYSVILLE CITY ENGINEER

## CITY COUNCIL APPROVAL

APPROVED THIS 18 DAY OF JAN. 2018  
BY THE KAYSVILLE CITY COUNCIL.

KAYSVILLE CITY COUNCIL

# EXHIBIT C

By: TRW

Date: September 4, 2020

Project: 10149

## **16.5-foot Easement Description**

A strip of land 8.25 feet each side of the following described centerline:

Beginning at a point which is South 76°10'24" West 37.00 feet from the northerly corner of Lot 5, Trailside Subdivision, said point also being North 89°46'31" West 599.98 feet along the section line and South 0°13'29" West 685.03 feet from the East Quarter Corner of Section 4, Township 3 North, Range 1 West, Salt Lake Base and Meridian and running thence:

South 34°51'02" East 405.37 feet to the southerly line of Lot 6, Trailside Subdivision and terminating.

The sidelines of said strip of land to be shortened or extended as to intersection the property line at each end.

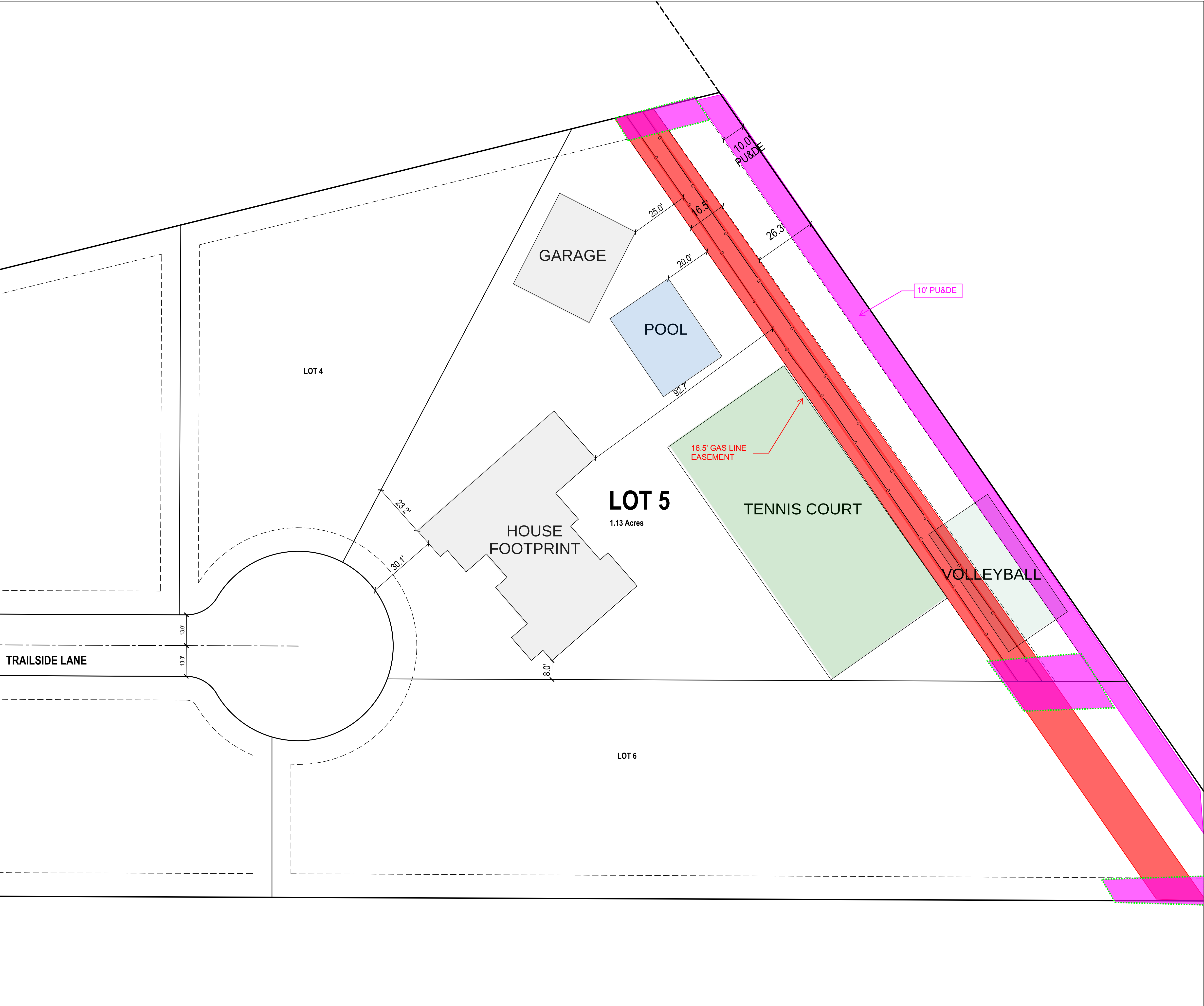
# EXHIBIT D

## **10' Public Utility & Drainage Easement Description**

The easterly 10.0 feet of Lots 5 and 6, Trailside Subdivision, as recorded in Book 7426 on Page 1128 of official records. Located in Kaysville City, Davis County, Utah.

10.0 feet along the most northern section of lot 5 running 64.16'. 10.0 feet along the southern portion of lot 5 and 10.0 feet along the northern portion of lot 6, and 10.0 feet along the southern portion of lot 6 running between the remaining public utility easement and the eastern property line of lots 5 and 6, Trailside Subdivision.

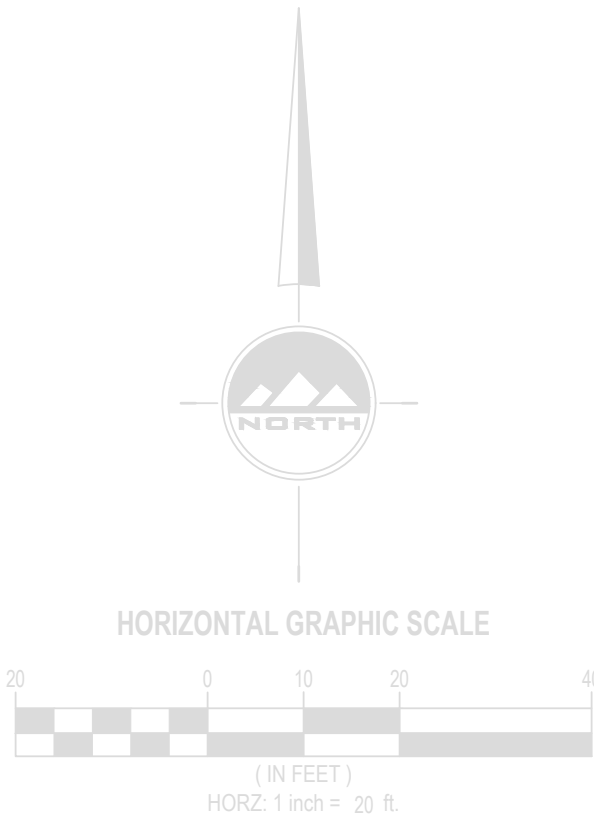
EXHIBIT E



**LEGEND**

|                          |                                                        |
|--------------------------|--------------------------------------------------------|
| SECTION CORNER           | ADJACENT RIGHT OF WAY                                  |
| MONUMENT                 | RIGHT OF WAY                                           |
| EXIST REBAR AND CAP      | CENTERLINE                                             |
| SET ENSIGN REBAR AND CAP | PROPERTY LINE                                          |
| WATER METER              | ADJACENT PROPERTY LINE                                 |
| WATER MANHOLE            | DEED LINE                                              |
| WATER VALVE              | TANGENT LINE                                           |
| FIRE HYDRANT             | EXIST DITCH FLOW LINE                                  |
| SECONDARY WATER VALVE    | LINE_TYPE FENCE                                        |
| IRRIGATION VALVE         | EDGE OF ASPHALT                                        |
| SANITARY SEWER MANHOLE   | LINE_TYPE-X2 SANITARY SEWER LINE                       |
| STORM DRAIN CLEAN OUT    | LINE_TYPE-X2 STORM DRAIN LINE                          |
| STORM DRAIN CATCH BASIN  | LINE_TYPE-X2 LAND DRAIN LINE                           |
| STORM DRAIN COMBO BOX    | LINE_TYPE-X2 CULINARY WATER LINE                       |
| STORM DRAIN CULVERT      | LINE_TYPE-X3 SECONDARY WATER LINE                      |
| SIGN                     | LINE_TYPE-X3 IRRIGATION LINE                           |
| ELECTRICAL BOX           | LINE_TYPE-X3 OVERHEAD POWER LINE                       |
| UTILITY MANHOLE          | LINE_TYPE-X3 ELECTRICAL LINE                           |
| UTILITY POLE             | LINE_TYPE-X3 GAS LINE                                  |
| LIGHT                    | EXISTING CONTOURS                                      |
| CABLE BOX                | CONCRETE                                               |
| TELEPHONE BOX            | BUILDING                                               |
| GAS METER                | PUBLIC DRAINAGE EASEMENT                               |
| TREE                     | DENSE VEGETATION PREVENTING ACCESS FOR ACCURATE SURVEY |
| SHRUB                    |                                                        |

NOTE: MAY CONTAIN SYMBOLS THAT ARE NOT USED IN THIS PLAN SET.



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**LOT 5 TRAILSIDE SUBDIVISION - FROST**

**KAYSVILLE, UTAH**

**DRAWING TITLE**

PROJECT NUMBER: ### PRINT DATE: 8/31/20

DRAWN BY: CHECKED BY:

PROJECT MANAGER:

**1 OF 1**

# STAFF REPORT

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**MEETING DATE:** September 17, 2020

**TYPE OF ITEM:** Action Item

**SUBJECT/AGENDA TITLE:** Carbon Free Power Project

## **EXECUTIVE SUMMARY:**

Over the past five plus years, Kaysville City in conjunction with UAMPS has been discussing a nuclear project in Idaho called the CFPP or Carbon Free Power Project. The intent of this project was to replace much of the city's carbon or coal based resources. Unfortunately, the project has had more than its share of hurdles and obstacles.

Kaysville City Staff is asking the City Council to make a decision before the September 30 deadline of to stay in the project, at what subscription level the city should stay, or to get completely out of the project. The Kaysville City Power Board made a recommendation to get completely out of the project at this time but to further investigate nuclear and SMR technology.

**COUNCIL OPTIONS:**

- Table the Item
- Motion to stay in the project at a specific subscription level
- Motion to leave the project

**RECOMMENDED OPTIONS:** It is recommended that Kaysville leave this project at this time.

**FISCAL IMPACT & FUND SOURCE FOR RECOMMENDED ACTION:** Staying in the project or removing ourselves has associated project costs/savings.

**ATTACHMENTS:** None



**KAYSVILLE CITY  
ORDINANCE 20-XXXXX**

**ACCESSORY BUILDING AMENDMENTS**

**AN ORDINANCE AMENDING SECTION 17-31-2 ACCESSORY STRUCTURES, OF  
TITLE 17 PLANNING AND ZONING, OF THE KAYSVILLE CITY ORDINANCES.**

**WHEREAS**, Kaysville City has determined some additional flexibility is warranted regarding the placement of accessory buildings; and

**WHEREAS**, The Kaysville City Planning Commission has made a recommendation in favor of the proposed changes.

**NOW THEREFORE**, be it ordained by the Council of Kaysville City, in the State of Utah, as follows:

**SECTION 1:**        **AMENDMENT** “17-2-2 Definitions” of the Kaysville City Code is hereby *amended* as follows:

**AMENDMENT**

**17-2-2 Definitions**

Accessory Use or Building - A use or building subordinate to the principal use of a building or principal use on the same lot, and serving a purpose customarily incidental to the use of the principal building or use. Garden sheds, greenhouses, storage shelters, and detached covered patios not equipped for use as living quarters are accessory buildings.

Agent or Owner - Any person who is legally authorized to act for the property owner.

Agriculture - The tilling of the soil, the raising of crops, horticulture and gardening, but not including the keeping or raising of farm animals and fowl, except household pets, and not including any agricultural industry or business, such as fruit packing plants, fur farms, animal hospitals, greenhouses, or similar uses.

Alley - A public right-of-way less than thirty feet (30') wide.

Amusement Arcade - A building or part of a building in which four (4) or more mechanical or electronic amusement devices are offered for use. Animal Hospital - A place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use.

Apartment, Efficiency - A dwelling unit in a multi-family building consisting of not more than one (1) habitable room, together with cooking and sanitary facilities.

Apartment Hotel - Any building which contains dwelling units and also satisfies the definition of a hotel.

Apartment House - See Dwelling, Multiple.

Assisted Living Facility

- a. Assisted Living Facility, Type I - A residential facility that provides assistance with activities of daily living and social care to two or more residents and which is licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act, of the Utah Code.
- b. Assisted Living Facility, Type II - A residential facility with a home-like setting that provides an array of coordinated supportive personal and health care services available 24 hours per day to residents and which is licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act, of the Utah Code.

Automobile or Trailer Sales Area - An open area used for display, sale or rental of new or used motor vehicles, trailers, or mobile homes in operable condition, and where no repair work is done.

Automobile Repair, Major - General repair, rebuilding or reconditioning of engines, motor vehicles or trailers, collision service, including body, frame, or fender repair, or over-all painting.

Automobile Repair, Minor - Upholstering, replacement of parts and motor service to passenger cars and trucks not exceeding one and one-half (1 1/2) tons capacity, but not including other operations, named under Automobile Repair Major, or similar thereto as determined by the Building Inspector.

Automobile Service Station - A place where gasoline or other major fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, and where services are performed to include tube and tire repair, battery charging, storage of merchandise, lubricating of automobiles, and automobile washing, and not to include repairs performed of a minor or major type, except replacement of plugs, lights, fan belts, and other small parts.

Basement - A story whose floor is more than twelve (12) inches below the average level of the adjoining ground, but where no more than one-half (1/2) of its floor-to-ceiling height is below the average contact level of the adjoining ground (as distinguished from a "cellar").

Beer - Any product defined as beer in Utah Code Section 32B-1-102.

Beginning of Construction - Demolition, elimination, and removal of an existing structure preparatory to new construction, or the incorporation of labor and materials in the foundation of a building or buildings.

Boarding or Lodging House - A dwelling or part thereof where meals and/or lodging are provided, for compensation, for three (3) or more non-transient persons, other than members of the resident family.

Breezeway - A building that is no less than three feet (3') and no greater than ten feet (10') in any horizontal dimension, is open on two sides and joins doorways of two separate buildings which are considered as one main building in any residential zone. The joined buildings shall comply with the setbacks and height requirements for the main building of the zone in which it is located. The combined area of the two buildings and breezeway shall not exceed forty percent (40%) of the lot area in which it is located.

Building - Any structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals, or property.

Building Height - The vertical distance from grade plane to the average height of the highest roof structure.

Building, Main - A building in which is conducted the principal use of the building site on which it is situated. In any R-District, any dwelling shall be deemed to be a main building on the building site on which it is located.

Carport - A roofed structure providing space for the parking or storage of motor vehicles and enclosed on not more than two (2) sides.

Cellar - A room or space wholly under the surface of the ground, or having more than fifty percent (50%) of its floor to ceiling height under the average level of the adjoining ground.

Child - The child of a person other than the provider of child care.

Child Care - Continuous care and supervision of five (5) or more children under 14 years of age, in lieu of care ordinarily provided by parents in their own home, for less than 24 hours a day, for direct or indirect compensation.

Conditional Use - A land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

Condominium - The ownership of a single unit in a multi-unit project or structure together with an undivided interest in common in the common areas and facilities of the property.

Court - An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings, and which is bounded on two or more sides by such building or buildings.

Coverage - The percent of the total site area covered by structures other than those excepted in this title.

Crop and Tree Farming - The raising for commercial purposes of any field crops or wholesale nursery or greenhouses including necessary buildings incidental to such crop, but not including a building for retail sales.

Dairy - A commercial establishment for the manufacture and packaging of dairy products.

Disability - A physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such an impairment or being regarded as having such an impairment. Disability does not include current illegal use of, or addiction to, any federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802.

Distance Between Residential Structures - The shortest distance between the vertical walls of two residential structures as herein defined.

District - A portion of the territory of Kaysville City within which certain uniform regulations and requirements of various combinations thereof apply under the provisions of this title. Includes "Zone" and "Zoning District."

Driveway - A private road, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel on which located.

Dwelling - Any building or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons, but not including a tent or trailer.

- a. Dwelling, Condominium - A dwelling whose ownership conforms with the definition of Condominium herein.
- b. Dwelling, Single-Family - A building designed for or used exclusively as a residence by one (1) family.
- c. Dwelling, Two-Family or Duplex - A building designed for or used exclusively as a residence by two (2) families, living independently of one another.
- d. Dwelling, Multiple - A building or portion thereof designed for or used exclusively as a residence by two (2) or more families, living independently of one another.
- e. Dwelling, Townhouse - An attached or semi-attached building containing a single dwelling unit and located on a parcel of land in one (1) ownership and having any yard or court in common.
- f. Dwelling, Twin Home - A building designed and used as a residency by two (2) families and for which each dwelling unit and its lot may be owned separately from the other dwelling unit and lot.

Dwelling Unit - One (1) room, or suite, or two (2) or more rooms, designed for or used by one (1) family for living and sleeping.

Family - An individual, or two (2) or more persons related by blood, marriage, adoption or guardianship, or a group of not more than five (5) persons who are not all so related, living in a dwelling unit as a single housekeeping unit and using common cooking facilities.

Flag Lot - A lot which meets the minimum area requirement, but not the lot width or yard requirements of the zone in which it is located and is mostly behind another lot and has access to a street by way of a projection or "staff."

Front Lot Line - The boundary of a lot that coincides with the right-of-way line of the street on which the lot has frontage.

Garage, Private - A detached accessory building, or a portion of a main building, used, or intended to be used, for the storage of vehicles of persons occupying the main building on the lot.

Garage, Public - A building or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, hiring, selling, or storing motor vehicles.

General Plan - A document that a municipality adopts that sets forth general guidelines for proposed future development of the land within the municipality.

Grade - All walls approximately parallel to and not more than five (5) feet from a street line are to be considered as adjoining a street.

- a. For building adjoining one (1) street only, the elevation of the sidewalk at the center of that wall adjoining the street.
- b. For building adjoining more than one (1) street, the average of the elevations of the sidewalk at the centers of all walls adjoining streets.
- c. For buildings having no walls adjoining the street, the average elevation of the ground (finished surface) adjacent to the exterior walls of the building.

Home Occupation - A commercial or industrial activity conducted on a dwelling site and incidental and secondary to the dwelling use.

Hospital - An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including, as an integral part of the institution, related facilities such as laboratories, outpatient facilities or training facilities.

Hotel - See Motor Hotel.

Household Pets - Two or fewer animals or fowl ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats, and canaries. More than a total of two such animals and fowl are not permitted as household pets.

Junk Yard - The use of any lot, portion of lot, or tract of land for the long-term storage, keeping, or abandonment of automobiles, other vehicles, or machinery or parts thereof; provided, that this definition shall not be deemed to include such uses that are clearly accessory and incidental to any agricultural use permitted in the district.

Kennel - Any lot or premise on which three (3) or more dogs (or similar household pets) at least four (4) months old are kept.

Liquor - Any liquid defined as liquor in Utah Code Section 32B-1-102. Lodging House - See Boarding or Lodging House.

Lot - A piece or parcel of land having frontage on a public street, or approved private street, which may be occupied by a principal building or a group of such buildings and accessory buildings, together with such open spaces as required by this title, intended to be held in separate ownership or leasehold.

Lot, Corner - A lot abutting on two or more intersecting or intercepting streets.

Manufactured Home - A transportable factory built housing unit constructed on or after June 15, 1976, according to the National Manufactured Housing Construction and Safety Standards Act of 1974, in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

Manufactured Home Park - A parcel of land under single ownership on which two or more manufactured homes are located.

Manufactured Home Subdivision - A subdivision designed and intended for sale of lots for siting manufactured homes.

Mobile Home - A transportable factory built housing unit built prior to June 15, 1976, in accordance with a state mobile home code which existed prior to the National Manufactured Housing Construction and Safety Standards Act of 1974.

Motor Hotel, Including Motel and Hotel - A building or group of buildings for the accommodation of transient guests, comprising individual sleeping or living units.

Natural Waterways - Those areas, varying in width, along streams, creeks, springs, gullies, or washes which are natural drainage channels as determined by the Building Inspector or City Engineer.

Non-Complying Structure - A structure that legally existed before its current land use designation; and because of one or more subsequent land use ordinance changes, does not conform to the setback, height restrictions, or other regulations excluding those regulations which govern the use of land.

Non-Conforming Use - A use of land that legally existed before its current land use designation; has been maintained continuously since the time the land use ordinance governing the land changed; and because of one or more subsequent land use ordinance changes, does not conform to the regulations that now govern the use of the land.

Nursing Care Facility - A health care facility, other than a general acute or specialty hospital, constructed, licensed, and operated to provide patient living accommodations, 24-hour staff availability, and at least two patient services and which is licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act, of the Utah Code.

- a. Office, Professional - A place intended for the conduct of a recognized learned profession in most cases requiring a license, such as physician, dentist, chiropractor, lawyer, engineer, architect, accountant.
- b. Office, Business - A place intended for the conduct of the administrative function of a business enterprise and in which no goods or merchandise are stored or sold.

Parking Area, Private - An open space for the same uses as a private garage.

Parking Area, Public - An open area used for the parking of automobiles and available to the public whether for a fee, free, or as an accommodation for clients or customers.

Parking Space - A permanently-surfaced area of not less than one hundred eighty (180) square feet in area, either within a structure or in the open, excluding paved areas necessary for access under the provisions of this title, for the parking of a motor vehicle. (See [KCC 17-32](#), Off-Street Parking.)

Planned Residential Unit Development (PRUD) - A subdivision of land guided by an integrated design in which residential lots may have areas less than the minimum lot area of the zone in which the subdivision is located, and other regulations, except use regulations, may be waived or varied to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed general requirements.

Public or Quasi-Public Use - An educational, recreational, religious, cultural, service, utility, or similar use primarily serving the public.

Public Utility - A public or quasi-public agency, or its structures and facilities, established to provide water, power, gas, sewer, storm drain, pressure irrigation, telecommunications and other public services, and who construct and maintain structures and facilities for their distribution, collection, transmission, storage or treatment.

Recreation, Commercial - Recreation facilities operated as a business and open to the general public for a fee.

Recreation, Private, Non-Commercial - Clubs or recreational facilities, operated by a non-profit organization and open only to bonafide members of such non-profit organization and their guests.

Recreation, Public - Publicly owned or operated recreation facilities.

Recreational Vehicle - A vehicular type portable structure without permanent foundation, which can be towed, hauled or driven and primarily designed as temporary living accommodation for recreational, camping and travel use and including but not limited to travel trailers, truck campers, camping trailers, and self-propelled motor homes.

Recreational Vehicle Park - Any lot of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

Residential Child Care - Child care provided in the home of a provider.

Residential Density - The average number of dwelling units on one (1) acre of land in a given area. Net residential density is determined by dividing the total number of dwelling units in a defined area by the total acreage of all parcels of land within the area that is used exclusively for residential and accessory purposes. Gross residential density is determined by dividing the total number of dwelling units in a defined area by the total acreage of all land within the area.

Residential Facility for Persons with a Disability - A dwelling in which more than one person with a disability resides and which is licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities, of the Utah Code or is licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act, of the Utah Code.

Retail Sales - Establishments engaged in the selling or rental of goods or merchandise and in rendering services incidental to the sale of such goods.

Retail Services - Establishments providing services or entertainment, as opposed to products, including eating and drinking places; hotels and motels; finance, real estate, and insurance offices; personal services; theaters; amusement and recreation services; health, educational, and social services; museums; and galleries.

Sign - Any writing, pictorial representation, symbol, banner, lighting fixture, or any other figure of similar character of whatever material which is used to identify, announce, direct attention to or advertise, which is placed on the ground, on any bush, tree, rock, wall, post, fence, building, structure, vehicle, or any place whatsoever and which is visible from outside a building. The term "placed" shall include constructed, erected, posted, painted, printed, tacked, nailed, glued, stuck, carved, strung, or otherwise fastened, affixed, or made visible in any manner whatsoever. (For further definitions, consult [KCC 17-33](#), Signs.)

Site Plan - A description of the proposed development within the boundaries of the development site consisting of plans, drawings, and information.

Stable - A detached building for the keeping of horses.

Story - That portion of a building included between the surface of any floor and the floor or ceiling next above it.

- a. Story, Half-A partial story under a gable, hip, or gambrel, roof, the wall plates of which on at least two (2) opposite exterior walls are not more than four (4) feet above the floor of such story; provided, however, that any partial story used for one (1) or more dwelling units shall be deemed a full story.
- b. Story, First - The lowest story or the ground story of any building, the floor of which is not more than twelve (12) inches below the finished grade level at the exterior walls of the building, except that any basement or cellar used for residential purposes shall be deemed the first story.

Street - Public rights-of-way, including highways, avenues, boulevards, parkways, roads, lanes, walks, alleys, viaducts, subways, tunnels, bridges, public easements and other ways.

Street, Private - A right-of-way or easement in private ownership, not dedicated or maintained as a public street, which affords the principal means of access to two (2) or more sites.

Structural Alterations - Any change in the supporting members of a building, such as bearing walls, columns, beams, or girders.

Structure - Anything constructed, the use of which requires fixed location on the ground, or which is attached to something having a fixed location upon the ground, and which imposes an impervious material upon or above the ground.

Swimming Pool - A structure, whether indoors or outdoors, or whether above or below the ground, intended to be used to contain water, and which is of sufficient size, capacity, and depth for swimming.

Tank - A structure, whether indoors or outdoors, or whether above or below the ground, intended to be used to contain liquid, and which is of sufficient size, capacity, or depth for bathing, therapy, or other such use by one or more persons. Such definition shall include, but not be limited to, hot tubs, therapy tanks or pools, and similar structures.

Telecommunications Service - The providing or offering for rent, sale or lease, or in exchange for other value received, of the transmittal of voice, data, image, graphic and video programming information between or among points by wire, cable, fiber optics, laser, microwave, radio, satellite or similar facilities, with or without benefit of any closed transmission medium.

Telecommunication Tower - A structure that holds transmitting or receiving devices used for telecommunications service, with any associated buildings, site improvements, and property.

Unified Control - A parcel of land under one ownership, or a group of parcels, the owners of which have agreed in writing to subject the development of their properties to a single control.

Yard, Front - An open space extending the full width of the lot measured between the front lot line and the closest main building, which open space is unoccupied and unobstructed from the ground upward except as specified elsewhere in this title.

Yard, Front, Depth - The shortest distance, measured horizontally, between any part of the main building, other than parts herein excepted, and the front lot line. Such depth shall be measured from the front lot line, provided, however, that if the proposed location of the right-of-way line of such street as adopted by Kaysville City in the Major Street Plan differs from that of the existing street, then the required front yard depth shall be measured from the right-of-way line of such street as adopted; or said building shall comply with official setback lines as adopted by the City.

Yard, Rear - An open space between a building and the rear lot line, unoccupied and unobstructed from the ground upward and extending across the full width of the lot, except as specified elsewhere in the title.

Yard, Rear, Depth - The shortest distance, measured horizontally, between any part of a main building, other than parts hereinafter excepted, and the rear lot line.

Yard, Side - An open space extending from the front yard to the rear yard between a building and the nearest side lot line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this title. A side yard on the street side of a corner lot shall be known as an "exterior side yard."

Yard, Side, Width - The shortest distance, measured horizontally, between any part of a building, other than parts herein excepted, and the nearest side lot line. Such width shall be measured from the nearest side lot line and, in the case where the nearest side lot line is a side street lot line, from the right-of-way line of the existing street; provided, however, that if the proposed location of such street as adopted by Kaysville City in the Major Street Plan differs from that of the existing street, then the required side yard width shall be measured from the right-of-way of such street as adopted, or said building shall comply with any applicable official setback lines.

Zoning Map - The Zoning Map or Maps of Kaysville City, Utah, together with all amendments subsequently adopted.

**SECTION 2:**            **AMENDMENT** "17-31-2 Accessory Buildings" of the Kaysville City Code is hereby *amended* as follows:

## AMENDMENT

### 17-31-2 Accessory Buildings

1. All accessory buildings shall comply with the provisions of this Title. No accessory building shall be located in any front yard, ~~or~~ required side yard, or yard abutting a street.
  - a. Exceptions:
    - i. On multiple frontage lots, the rear yard abutting a street may allow accessory buildings such as a garden or tool shed which is under 200

- sq. ft. and less than 10 feet in height.
  - ii. On a corner lot, an accessory structure such as a garden or tool shed under 200 sq. ft. and less than 10 feet in height may be located in a corner side yard abutting a street so long as the side yard does not abut the front yard of an existing dwelling.
  - iii. An accessory building may be located in a side yard between the side property line and a portion of the main building where the footprint of a dwelling narrows by at least 20 feet a minimum of 30 feet from the front of the dwelling.
2. A property owner must obtain written permission from an easement holder in order to locate an accessory structure on any recorded easement. Structures located in an easement such as a Public Utility Easement (P.U.E.) are placed at the property owner's risk and the structure may be required to be removed at the property owner's personal expense should an entity with rights to the easement require access to that easement at any time.
  3. Any accessory building attached to the main building shall be made structurally a part of the main building and shall comply in all respects with the requirements of this Title applicable to the main building.
  4. One story detached accessory buildings smaller than 200 square feet shall not be located so that they cause storm water runoff onto the adjacent property. Accessory buildings 200 square feet or larger shall have the required permits and be located not closer than one foot (1') to the adjacent property line and so that storm water does not run off onto the adjacent property.
  5. Accessory buildings in any zone shall occupy no more than twenty percent (20%) of the lot area less the footprint area of the main building. An accessory building shall not exceed ten percent (10%) of the lot area. ~~or three thousand (3,000) square feet, whichever is more restrictive. Accessory buildings may exceed three thousand (3,000) square feet in area by conditional use in the zones where allowed by conditional use.~~
  6. Accessory building shall not exceed in height the line created by a point twelve feet (12') above ground at the property line and extending upwards from that point at a 45 degree angle towards the interior of the property, up to the maximum building height allowed in the zone.
  7. Buildings housing farm animals shall comply with [KCC 17-24-3](#).

**SECTION 3:            AMENDMENT** “17-8-6 Area, Lot Width, And Yard Requirements” of the Kaysville City Code is hereby *amended* as follows:

#### A M E N D M E N T

##### 17-8-6 Area, Lot Width, And Yard Requirements

The following minimum requirements shall be observed except where increased for conditional uses.

1. The lot area shall not be less than two hundred and ten thousand (210,000) square feet.
2. The lot width shall not be less than two hundred feet (200'), measured at a distance eighty feet (80') back from the front lot line.
3. The front yard for any building shall be at least thirty feet (30').
4. The side yard for any dwelling shall be not less than ten feet (10') and the total width of the two (2) required side yards shall not be less than twenty feet (20').
5. Other main buildings shall have a side yard of not less than twenty feet (20') and the total width of the two (2) required side yards shall be not less than forty feet (40').
6. On corner and multiple frontage lots, the yards which abut a street shall be not less than twenty feet (20') from the street for both main and accessory buildings. \*see exception: 17-31-2
7. The minimum rear yard for any main building shall be thirty feet (30').
8. Where approved by the Planning Commission, the street right-of-way may be increased twenty feet (20') and the area contained in the additional right-of-way abutting lots deducted from the lot size requirement. The additional right-of-way shall be used as parkways (area between right-of-way or private property line and curb line) abutting lots.

**SECTION 4:            AMENDMENT** “17-9-6 Area, Lot Width, And Yard Requirements” of the Kaysville City Code is hereby *amended* as follows:

#### A M E N D M E N T

##### 17-9-6 Area, Lot Width, And Yard Requirements

The following minimum requirements shall be observed except where increased for conditional uses.

1. The lot area shall not be less than forty thousand (40,000) square feet.
2. The lot width shall not be less than one hundred feet (100') at a distance eighty feet (80') back from the front lot line.
3. The front yard for any building shall be at least thirty feet (30').
4. The side yard for any dwelling shall be not less than ten feet (10') and the total width of the two (2) required side yards shall be not less than twenty feet (20').
5. Other main buildings shall have a side yard of not less than twenty feet (20') and the total width of the two (2) required side yards shall be not less than twenty feet (20').
6. On corner and multiple frontage lots, the yards which abut a street shall be not less than twenty feet (20') from the street for both main and accessory buildings. \*see exception 17-31-2
7. The minimum rear yard for any main building shall be thirty feet (30').
8. Where approved by the Planning Commission, the street right-of-way may be increased twenty feet (20') and the area contained in the additional right-of-way abutting lots

deducted from the lot size requirement. The additional right-of-way shall be used as parkways (area between right-of-way or private property line and curb line) abutting lots.

**SECTION 5:**        **AMENDMENT** “17-10-6 Area, Lot Width, And Yard Requirements” of the Kaysville City Code is hereby *amended* as follows:

#### AMENDMENT

##### 17-10-6 Area, Lot Width, And Yard Requirements

The following minimum requirements shall be observed except where increased for conditional uses.

1. The lot area shall not be less than 21,780 square feet.
2. The lot width shall not be less than one hundred feet (100') at a distance fifty feet (50') back from the front lot line.
3. The front yard for any building shall be at least thirty feet (30').
4. The side yard for any dwelling shall be not less than eight feet (8') and the total width of the two (2) required side yards shall be not less than sixteen feet (16').
5. Other main buildings shall have a side yard of not less than twenty feet (20') and the total width of the two (2) required side yards shall be not less than forty feet (40').
6. On corner and multiple frontage lots, the yards which abut a street shall be not less than twenty feet (20') from the street for both main and accessory buildings. \*see exception: 17-31-2
7. The minimum rear yard for any main building shall be thirty feet (30').
8. Where approved by the Planning Commission, the street right-of-way may be increased twenty feet (20') and the area contained in the additional right-of-way abutting lots deducted from the lot size requirement. The additional right-of-way shall be used as parkways (area between right-of-way or private property line and curb line) abutting lots.

**SECTION 6:**        **AMENDMENT** “17-11-6 Area, Lot Width, And Yard Requirements” of the Kaysville City Code is hereby *amended* as follows:

#### AMENDMENT

##### 17-11-6 Area, Lot Width, And Yard Requirements

The following minimum requirements shall be observed except where increased for conditional uses.

1. The lot area shall be not less than eight thousand (8,000) square feet.
2. The width of any lot shall be not less than sixty feet (60') measured at a distance thirty feet (30') back from the front lot line.
3. The front yard for any building shall be not less than twenty-five feet (25').
4. The side yard for any dwelling shall be no less than eight feet (8') and the total width of the two (2) required side yards shall be not less than sixteen feet (16').
5. Other main buildings shall have a side yard of not less than twenty feet (20') and the total width of two (2) required side yards shall be not less than forty feet (40').
6. On corner and multiple frontage lots, the yards which abut a street shall be not less than twenty feet (20') from the street for both main and accessory buildings. \*see exception: 17-31-2
7. The minimum rear yard for any main building shall be fifteen feet (15').

**SECTION 7:            AMENDMENT** “17-12-6 Area, Lot Width, And Yard Requirements” of the Kaysville City Code is hereby *amended* as follows:

#### AMENDMENT

##### 17-12-6 Area, Lot Width, And Yard Requirements

The following minimum requirements shall be observed except where increased for conditional uses.

1. The lot area shall not be less than that indicated below for the sub-zone district in which the lot is situated:

|        |                    |
|--------|--------------------|
| R-1-20 | 20,000 square feet |
| R-1-14 | 14,000 square feet |
| R-1-LD | 12,000 square feet |
| R-1-10 | 10,000 square feet |
| R-1-8  | 8,000 square feet  |
| R-1-6  | 6,000 square feet  |

2. The minimum width of any lot for a main building, measured at a distance thirty feet (30') back from the front lot line, shall be that indicated below for the sub-zone district in which the lot is situated:

|        |         |
|--------|---------|
| R-1-20 | 90 feet |
| R-1-14 | 90 feet |
| R-1-LD | 90 feet |
| R-1-10 | 80 feet |
| R-1-8  | 60 feet |
| R-1-6  | 55 feet |

3. The front yard for any building shall be at least that indicated below for the sub-zone district in which the lot is situated:

|        |         |
|--------|---------|
| R-1-20 | 30 feet |
| R-1-14 | 30 feet |
| R-1-LD | 30 feet |
| R-1-10 | 30 feet |
| R-1-8  | 25 feet |
| R-1-6  | 25 feet |

4. The side yard for any dwelling in the R-1-20, R-1-14, R-1-LD, R-1-10, R-1-8 districts shall be not less than eight feet (8') and the total width of the two (2) required side yards shall be not less than sixteen feet (16'). The side yard for any dwelling in the R-1-6 district shall be not less than five feet (5') and the total width of the two (2) required side yards shall be not less than ten feet (10').
5. Other main buildings shall have a side yard of not less than twenty feet (20') and the total width of the two (2) required side yards shall be not less than forty feet (40').
6. On corner and multiple frontage lots, the yards which abut a street shall be not less than twenty feet (20') from the street for both main and accessory buildings. \*see exception: 17-31-2
7. The minimum rear yard for any main building shall be fifteen feet (15').
8. In the R-1-LD sub-zone district, the total number of residential units within the subdivision shall not exceed two (2) per acre within the subdivision. The number of units allowed is determined by multiplying the area in acres of all the land within the subdivision by two (2). The resulting whole number is the number of units allowed.

**SECTION 8:            AMENDMENT “17-13-6 Area, Lot Width, And Yard Requirements”** of the Kaysville City Code is hereby *amended* as follows:

#### AMENDMENT

### 17-13-6 Area, Lot Width, And Yard Requirements

The following minimum requirement shall be observed except where increased for conditional uses.

1. The lot area shall be not less than eight thousand (8,000) square feet.
2. The minimum width of any lot for a main building shall be sixty-four feet (64') measured at a distance thirty feet (30') back from the front lot line.
3. The front yard for any building shall be at least twenty-five feet (25').
4. The side yard for any dwelling shall be not less than eight feet (8') and the total width of the two (2) required side yards shall be not less than sixteen feet (16').
5. Other main buildings shall have a side yard of not less than twenty feet (20') and the total width of the two (2) required side yards shall be not less than forty feet (40').
6. On corner and multiple frontage lots, the yards which abut a street shall be not less than twenty feet (20') from the street for both main and accessory buildings. \*see exception: 17-31-2
7. The minimum rear yard for any main building shall be fifteen feet (15').

**SECTION 9:**            **AMENDMENT** “17-14-6 Area, Lot Width, And Yard Requirements” of the Kaysville City Code is hereby *amended* as follows:

### AMENDMENT

### 17-14-6 Area, Lot Width, And Yard Requirements

The following minimum requirements shall be observed except where increased for conditional uses.

1. The lot area shall be not less than eight thousand (8,000) square feet.
2. The minimum width of any lot for a main building shall be seventy feet (70') at a distance thirty feet (30') back from the front lot line.
3. The front yard for any building shall be at least twenty-five feet (25').
4. The side yard for any dwelling shall be not less than eight feet (8') and the total width of the two (2) required side yards shall be not less than sixteen feet (16').
5. Other main buildings shall have a side yard of not less than twenty feet (20') and the total width of the two (2) required side yards shall be not less than forty feet (40').
6. On corner and multiple frontage lots, the yards which abut a street shall be not less than twenty feet (20') from the street for both main and accessory buildings. \*see exception: 17-31-2
7. The minimum rear yard for any main building shall be fifteen feet (15').

**SECTION 10:**        **AMENDMENT** “17-15-7 Area, Lot Width, And Yard Requirements” of the Kaysville City Code is hereby *amended* as follows:

#### AMENDMENT

##### 17-15-7 Area, Lot Width, And Yard Requirements

The following minimum requirements shall be observed except where increased for conditional uses.

1. The lot area shall be not less than eight thousand (8,000) square feet for a one or two-family dwelling, ten thousand (10,000) square feet for a three-family dwelling, and twelve thousand (12,000) square feet for a four-family dwelling.
2. The minimum width of any lot for a main building shall be seventy feet (70') at a distance thirty feet (30') back from the front lot line.
3. The front yard for any building shall be at least twenty-five feet (25').
4. The side yard for any dwelling shall be not less than eight feet (8') and the total width of the two (2) required side yards shall be not less than sixteen feet (16').
5. Other main buildings shall have a side yard of not less than twenty feet (20') and the total width of the two (2) required side yards shall be not less than forty feet (40').
6. On corner and multiple frontage lots, the yards which abut a street shall be not less than twenty feet (20') from the street for both main and accessory buildings. \*see exception: 17-31-2
7. The minimum rear yard for any main building shall be fifteen feet (15').

**SECTION 11:**        **AMENDMENT** “17-16-7 Area, Lot Width, And Yard Requirements” of the Kaysville City Code is hereby *amended* as follows:

#### AMENDMENT

##### 17-16-7 Area, Lot Width, And Yard Requirements

The following minimum requirements shall be observed, except where increased for conditional uses.

1. The lot area shall be not less than eight thousand (8,000) square feet for a one or two-family dwelling, ten thousand (10,000) square feet for a three-family dwelling, twelve thousand (12,000) square feet for a four-family dwelling, fourteen thousand (14,000) square feet for a five-family dwelling, sixteen thousand, eight hundred (16,800) square feet for a six-family dwelling, and not less than two thousand, eight hundred (2,800) square feet per dwelling unit.
2. The minimum width of any lot for a main building shall be seventy feet (70') at a

- distance thirty feet (30') back from the front lot line.
3. The front yard for any building shall be at least twenty-five feet (25').
  4. The side yard for any dwelling shall be not less than eight feet (8') and the total width of the two (2) required side yards shall be not less than sixteen feet (16'). For each additional dwelling unit above two (2) units in a building, each side yard shall be increased by two (2) additional feet.
  5. Other main buildings shall have a side yard of not less than twenty feet (20') and the total width of the two (2) required side yards shall be not less than forty feet (40').
  6. On corner and multiple frontage lots, the yards which abut a street shall be not less than twenty feet (20') for both main and accessory buildings. \*see exception: 17-31-2
  7. The minimum rear yard for any main building shall be fifteen feet (15').

**SECTION 12:            REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

**SECTION 13:            SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**SECTION 14:            EFFECTIVE DATE** This Ordinance shall be in full force and effect 20 days after passage of this ordinance by the Kaysville City Council.

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL

|                         |            |            |               |                |
|-------------------------|------------|------------|---------------|----------------|
|                         | <b>AYE</b> | <b>NAY</b> | <b>ABSENT</b> | <b>ABSTAIN</b> |
| Council Member Adams    | _____      | _____      | _____         | _____          |
| Council Member Barber   | _____      | _____      | _____         | _____          |
| Council Member Blackham | _____      | _____      | _____         | _____          |
| Council Member Lortz    | _____      | _____      | _____         | _____          |
| Council Member Tran     | _____      | _____      | _____         | _____          |
| Presiding Officer       | Attest     |            |               |                |

\_\_\_\_\_  
Katie Witt, Mayor, Kaysville City

\_\_\_\_\_  
Annemarie Plaizier, City Recorder  
Kaysville City

# **CITY COUNCIL STAFF REPORT**



**COUNCIL MEETING DATE:** September 17, 2020

**TYPE OF ITEM:** Work

**PRESENTED BY:** Community Development

**SUBJECT/AGENDA TITLE:** Sidewalk Trip Hazard Repair Proposal

## **EXECUTIVE SUMMARY:**

The City's ordinance require that property owners take care of the sidewalk adjacent to their homes and businesses within the city right of way. Unless a business owner or resident is simply willing to take care of an issue as they see a need, most sidewalk problems are managed by complaints received. Someone will come across a section of sidewalk in poor condition and notify city staff. A staff member then verifies the issue and if it is deemed a problem sends the landowner adjacent to the sidewalk a notice to have it replaced. The city's participation has been to help have the problem section of walk removed, then the owner must have it re-poured in a timely manner. This method will continue to exist for particularly bad sections of sidewalk, but the proposal allows for an additional option to make more cost effective repairs and will put the city in a more proactive position in keeping our sidewalks clear of tripping hazards.

Rather than always having walks torn out and replaced, the city has worked with a local contractor to consider a program where uneven surfaces along the sidewalk may be saw cut to remove tripping hazards. Precision Concrete has completed a survey of a test neighborhood where staff is aware of multiple concerns with sidewalk condition. This neighborhood data showed some 380 trip hazards along roughly  $\frac{1}{4}$  mile of sidewalk. While some of these hazards will still require full removal and replacement of sections of sidewalk, many can be resolved with a saw cut.

It is anticipated that this program would be something the city can use each year to improve safety on our sidewalks in different neighborhoods. 2 cost scenarios have been presented. It is the opinion of staff that spending the extra to remove all the hazards and not just those at  $\frac{3}{4}$  in. or greater is the appropriate option to make the walks as safe as possible and reduce liability potential to the city. The cost of this program for this first neighborhood is \$25,107.74 and a contract has been prepared for the council's consideration of this program. If the results are positive a similar amount would be anticipated for other sections of town each budget year. These funds would come from money in the general fund. There is currently \$30,000 that has already been allocated for sidewalk repairs.

**Council Options:** Determine if ready to move to Action item agenda at next meeting.

**Recommended Options:** Staff recommends approval of the option for \$25,107.74 in sidewalk repairs

**Fiscal impact & Fund Source for Recommended Action:** - \$25,107.74 from general fund allocated to sidewalk repair.

**Attachments:** - Project proposal, cost breakdown, and contract.



CONTACT: Jarett Pulsipher / MOBILE: (801) 209-2687

# SIDEWALK TRIP HAZARD REPAIR PROPOSAL: -Kaysville City

Presented to: Lyle Gibson  
JULY 2020

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# WHAT WE HEARD

- The City is interested in implementing a sidewalk trip hazard removal program
- The City is concerned with the safety and walkability of its sidewalks
- Kaysville City is interested in seeing a survey of the neighborhood NE of Crestwood Road and 100 East
- The City would like to see the cost savings of saw cutting as opposed to removal and replacement



# COMMITMENT SUMMARY



## COST SAVINGS

We'll repair your sidewalks for 70-90% less than sidewalk replacement, which means you can do more for your community for less.



## A.D.A. SPECIFICATIONS

Patented technology that helps bring sidewalks into ADA compliance



## CLEAN

Our patented containment system captures dust and debris to bring you the cleanest process available.



## SAFE

Decrease liability on your pedestrian walkways



## DETAILED REPORTING

We track our jobs with honesty and integrity. Invoices show measurements, locations and cost for each hazard.



## LOW IMPACT

Efficient systems with an average removal time of 20 minutes, no sidewalk closures.



## FULL SERVICE CONTRACTOR

Complete GIS integration, mapping, etc.



**ENVIRONMENTAL IMPACT EXAMPLE:** As a member of the U.S. Green Building Council (USGBC) we are proud of the fact that we reduce the impact to landfills and the environment as a result of our service. Removing and replacing 100 panels would result in approximately 118,500 pounds or 59 tons of concrete being removed (average panel weight of 1185 pounds) Using Precision Concrete Cutting for 100 trip hazards results in 0.3 tons of concrete removed and recycled, approximately 141 gallons of gasoline saved, and a reduction of 1.3 metric tons of Co2.



# SURVEY AREA



This proposed project includes removing trip hazards for the City of Kaysville. The map shows the location of where the trip hazards were surveyed. These areas were designated by Crystal Peterson.

**Total Trip Hazards - 376**

The map in this proposal shows the approximate locations of trip hazards on the surveyed property. The accuracy of these maps is dependent on the technology available on smart phones and should be relied upon as approximations only.

## SURVEY AREA



**PRECISION  
CONCRETE CUTTING**  
Trip Hazard Removal Specialists

# PROGRAM OPTIONS

## ALL HAZARDS

- ✓ 1:12 Slope Ratio
- ✓ Dust Abatement Used
- ✓ ADA Specifications
- ✓ 100% Clean-up / Waste Removal
- ✓ 376 Trip Hazards Repaired

**\$25,107.74**

## ALL HAZARDS – 3/4” AND ABOVE OPTION

- ✓ 1:12 Slope Ratio
- ✓ Dust Abatement Used
- ✓ ADA Specifications
- ✓ 100% Clean-up / Waste Removal
- ✓ 150 Trip Hazards Repaired

**\$15,568.98**

# STREETS BREAKDOWN

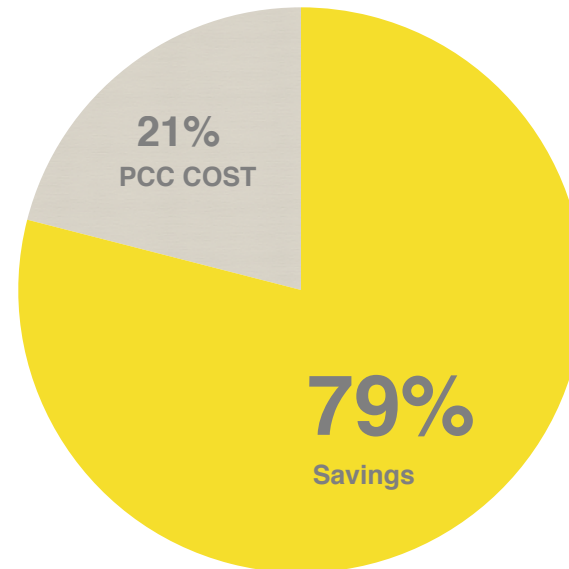
| Location       | # of Trip Hazards | Lineal Feet   | Inch Feet     | Cost               |
|----------------|-------------------|---------------|---------------|--------------------|
| Crestwood Road | 70                | 254.5         | 134.89        | \$5,125.82         |
| N 400 E        | 54                | 180.5         | 102.15        | \$3,881.70         |
| N 350 E        | 55                | 182.0         | 87.49         | \$3,324.62         |
| N 300 E        | 44                | 141.0         | 69.44         | \$2,638.72         |
| N 250 E        | 36                | 102.5         | 57.32         | \$2,178.16         |
| N 200 E        | 60                | 197.0         | 111.35        | \$4,231.30         |
| N 150 E        | 33                | 111.0         | 59.59         | \$2,264.42         |
| N 100 E        | 24                | 64.0          | 38.50         | \$1,463.00         |
|                |                   |               |               |                    |
|                |                   |               |               |                    |
| <b>TOTALS:</b> | <b>376</b>        | <b>1232.5</b> | <b>660.73</b> | <b>\$25,107.74</b> |

# COST SAVINGS

Based on an average panel size and an estimated replacement cost, we estimate the cost to remove and replace **376** trip hazards (approx. **12,032** square feet) is **\$120,320**.

Total cost using Precision Concrete Cutting is **\$25,107.74**, an estimated savings of **\$95,212.26**.

|                                  |                     |
|----------------------------------|---------------------|
| <b>Total Trip Hazard Repairs</b> | <b>376</b>          |
| Cost Using D&R                   | \$120,320.00        |
| <b>Cost Savings with PCC</b>     | <b>-\$95,212.26</b> |
| <hr/>                            |                     |
| Cost Using PCC                   | <b>\$25,107.74</b>  |



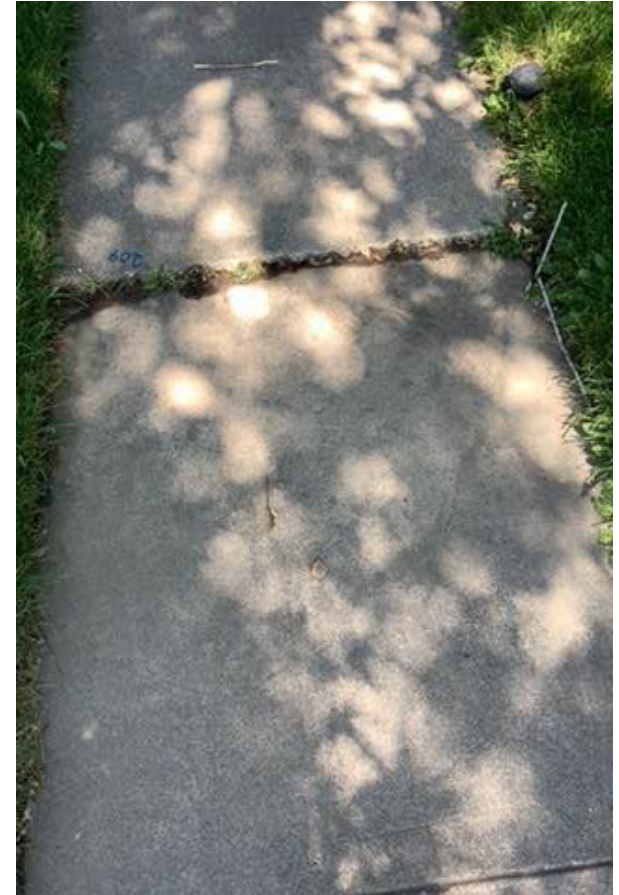
# HAZARDS ON YOUR PROPERTY



#5 East corner of Crestwood & 400 E



#76 East side of 350 E



#204 478 N 250 E

# HAZARDS SUGGESTED FOR REPLACEMENT



#30 491 N 400 E  
Spalling



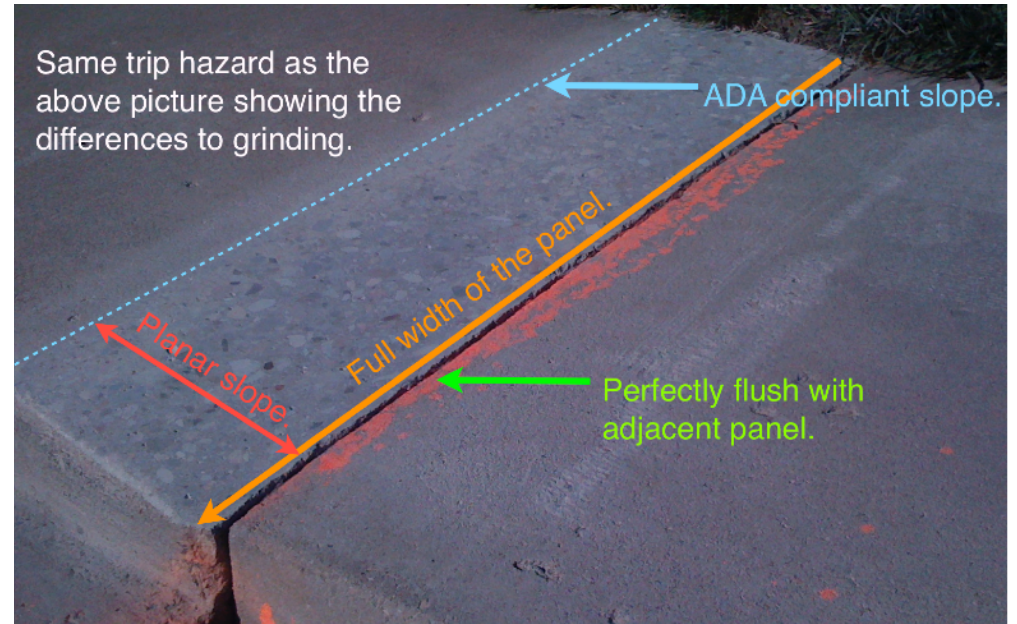
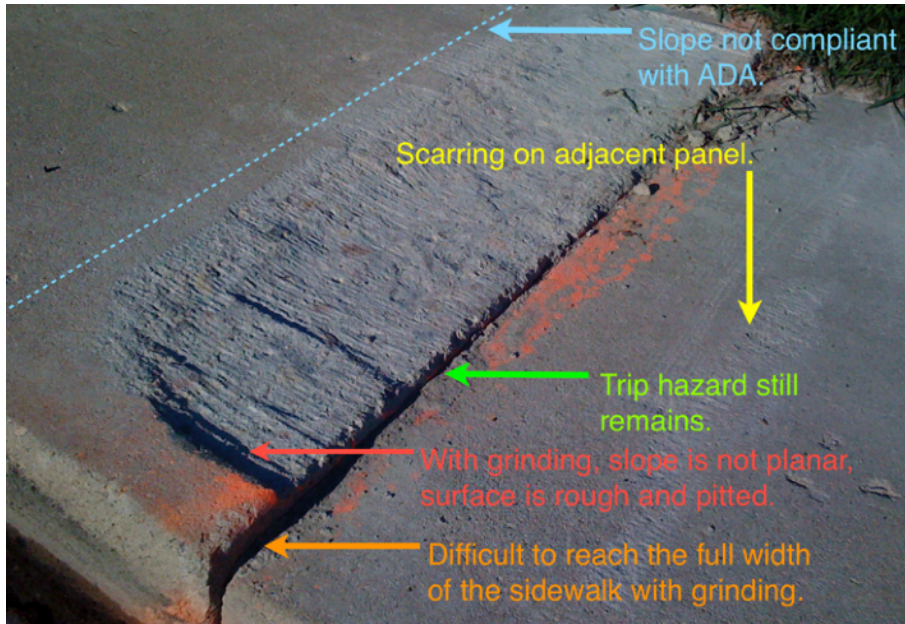
#92 476 N 350 E  
Out of Specs



#198 442 N 250 E  
Cracked Panel

# THE PRECISION CONCRETE CUTTING DIFFERENCE

Our patented technology and innovative sidewalk repairs process leaves you with a beautiful, smooth surface following ADA guidelines — a result you can't get with grinding. Plus, our method saves you money!



# PRECISION CONCRETE CUTTING REPAIRS



# PRECISION CONCRETE CUTTING REPAIRS



# PRECISION CONCRETE CUTTING • AUTHORIZATION TO PROCEED

## Billing Information:

Business/Client Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone # \_\_\_\_\_ Email: \_\_\_\_\_

Bid #: \_\_\_\_\_ PO # (if applicable): \_\_\_\_\_

Option Approved: \_\_\_\_\_ Amount: \_\_\_\_\_

Start Date: \_\_\_\_\_

Credit Card Information (if applicable):

CC#: \_\_\_\_\_ Ex. \_\_\_\_\_ Code: \_\_\_\_\_

Name on Card: \_\_\_\_\_

Billing Address (if different): \_\_\_\_\_

\_\_\_\_\_

\*3% Convenience fee for credit card payment

Signature of Authorized Purchaser:

\_\_\_\_\_ Date: \_\_\_\_\_

Project Details: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please fax to #801-855-7150 or email to your sales representative.

Precision Concrete Cutting (PCC) repairs only those uneven sidewalks specifically requested by the client as defined in the Option Approved and Project Details above and therefore makes no guarantee that the property is free of uneven sidewalk hazards (trip hazards). Additionally, after the project is completed, trip hazards will occur due to tree roots, water, settling, and other natural and man-made causes outside of PCC's control.

Upon completion of the project PCC is not liable for any related claims, losses, or damages. Upon completion you agree to inspect the work, payment of your invoice is indication that you have inspected the property and the work has been done to your satisfaction.

If any repair locations are inaccessible during our repair process, and an additional trip is needed, a \$100 mobilization fee will be added to the invoice. Invoice is due upon receipt, if not paid in full within 30 days of the invoice date a 5% late fee will be assessed every 15 days until it is paid





Kaysville City  
 Attn. Crystal Peterson  
 23 East Center Street  
 Kaysville, UT 84037  
 (801) 497.7126 - phone  
 cpeterson@kaysvillecity.com

Date: July 22, 2020  
 Bid #: UT48432JP

**Full Risk Assessment**

Precision Concrete Cutting  
 3191 North Canyon Road  
 Provo, Utah 84604  
 (801) 224-0025 - phone  
 (801) 224-0062 - fax  
 Federal ID #: 04-3800739  
**Jarett Pulsipher**  
 (801) 209.2687 - cell

| Location       | # of Trip Hazards | Lineal Feet   | Inch Feet     | Cost               |
|----------------|-------------------|---------------|---------------|--------------------|
| Crestwood Road | 70                | 254.5         | 134.89        | \$5,125.82         |
| N 400 E        | 54                | 180.5         | 102.15        | \$3,881.70         |
| N 350 E        | 55                | 182.0         | 87.49         | \$3,324.62         |
| N 300 E        | 44                | 141.0         | 69.44         | \$2,638.72         |
| N 250 E        | 36                | 102.5         | 57.32         | \$2,178.16         |
| N 200 E        | 60                | 197.0         | 111.35        | \$4,231.30         |
| N 150 E        | 33                | 111.0         | 59.59         | \$2,264.42         |
| N 100 E        | 24                | 64.0          | 38.50         | \$1,463.00         |
|                |                   |               |               |                    |
|                |                   |               |               |                    |
| <b>TOTALS:</b> | <b>376</b>        | <b>1232.5</b> | <b>660.73</b> | <b>\$25,107.74</b> |

*\*All Bids and Proposals from Precision Concrete Cutting are valid for 1 year from the date the bid was performed. After 1 year please contact your sales rep for a new bid with current pricing.*

*Precision Concrete Cutting has a minimum mobilization fee of \$1,000.00*



Kaysville City  
Attn. Crystal Peterson  
23 East Center Street  
Kaysville, UT 84037  
(801) 497.7126 - phone  
cpeterson@kaysvillecity.com

Date: July 22, 2020

Bid #: UT48432JP

**Full Risk Assessment**

Precision Concrete Cutting

3191 North Canyon Rd

Provo, Utah 84604

(801) 224-0025 - phone

(801) 855-7150 - fax

Federal ID #: 04-3800739

Jarett Pulsipher

(801) 209.2687 - cell

**Total Ln. Ft.**

1,232.5

**Total In. Ft.**

660.73

| PRECISION CONCRETE CUTTING |                            |       |             |                                             |           |           |
|----------------------------|----------------------------|-------|-------------|---------------------------------------------|-----------|-----------|
| No.                        | Size                       | Size  | Lineal Feet | Location                                    | Map Pin   | Inch Feet |
| 1                          | 1.000                      | 0.000 | 4           | North side Crestwood Rd                     | Cross cut | 2.00      |
| 2                          | 1.000                      | 0.000 | 4           | North side Crestwood Rd                     | Cross cut | 2.00      |
| 3                          | 1.125                      | 0.625 | 4           | North side Crestwood Rd                     |           | 3.50      |
| 4                          | 0.500                      | 0.125 | 4           | North side Crestwood Rd                     |           | 1.25      |
| 5                          | 0.875                      | 0.000 | 4           | East corner of Crestwood Rd and 400 east    | Corner    | 1.75      |
| 6                          | 0.625                      | 0.375 | 4           | East side 400 East house number 430         |           | 2.00      |
| 7                          | 0.500                      | 0.250 | 4           | East side 400 East house number 430         |           | 1.50      |
| 8                          | 0.500                      | 0.250 | 4           | East side 400 East house number 430         |           | 1.50      |
| 9                          | 0.500                      | 0.250 | 4           | East side 400 East house number 430         |           | 1.50      |
| 10                         | 0.500                      | 0.000 | 3.5         | East side 400 East house number 430         |           | 0.88      |
| 11                         | 1.000                      | 0.875 | 4           | East side in front of house 448             |           | 3.75      |
| 12                         | 0.875                      | 0.625 | 4           | East side in front of house 448             |           | 3.00      |
| 13                         | 1.500                      | 1.000 | 4           | East side in front of house 448             |           | 5.00      |
| 14                         | 0.500                      | 0.375 | 4           | East side in front of house 448             |           | 1.75      |
| 15                         | 0.625                      | 0.500 | 4           | East side in front of house 462             |           | 2.25      |
| 16                         | 0.625                      | 0.000 | 3.5         | East side in front of house 476             |           | 1.09      |
| 17                         | 0.500                      | 0.000 | 3           | East side in front of house 476             |           | 0.75      |
| 18                         | 1.000                      | 0.750 | 4           | East side in front of house 476             |           | 3.50      |
| 19                         | 1.250                      | 1.250 | 4           | East side in front of house 476             |           | 5.00      |
| 20                         | 0.500                      | 0.250 | 4           | East side in front of house 476             |           | 1.50      |
| 21                         | 0.750                      | 0.125 | 4           | East side in front of house 490             |           | 1.75      |
| 22                         | 1.375                      | 1.250 | 4           | East side in front of house 490             |           | 5.25      |
| 23                         | 0.625                      | 0.625 | 4           | East side in front of house 490             |           | 2.50      |
| 24                         | 0.625                      | 0.500 | 4           | East side in front of house 490             |           | 2.25      |
| 25                         | 0.875                      | 0.000 | 4           | East side in front of house 490             |           | 1.75      |
| 26                         | 0.500                      | 0.000 | 3           | Corner of 500 n 400 e in front of house 490 |           | 0.75      |
| 27                         | 1.500                      | 0.875 | 4.5         | Base of 500 n 400 e sign in front of 491    |           | 5.34      |
| 28                         | 0.500                      | 0.000 | 2.5         | Base of 500 n 400 e sign in front of 491    |           | 0.63      |
| 29                         | 0.500                      | 0.000 | 4           | Base of 500 n 400 e sign in front of 491    | Cross cut | 1.00      |
| 30                         | *Suggested for Replacement |       |             | Driveway in front of 491                    | Spalling  | -         |
| 31                         | *Suggested for Replacement |       |             | West side 400 east in front of 475          | Crack     | -         |
| 32                         | 1.125                      | 0.875 | 4           | West side 400 east in front of 475          |           | 4.00      |
| 33                         | 0.625                      | 0.500 | 4           | West side 400 east                          |           | 2.25      |
| 34                         | 0.500                      | 0.375 | 4           | West side 400 east                          |           | 1.75      |

|    |                                    |       |     |                                            |             |      |
|----|------------------------------------|-------|-----|--------------------------------------------|-------------|------|
| 35 | 0.500                              | 0.000 | 4   | West side 400 east in front of 463         | Cross cut   | 1.00 |
| 36 | 1.125                              | 0.375 | 4   | West side 400 east in front of 463         |             | 3.00 |
| 37 | 0.625                              | 0.000 | 3   | West side 400 east in front of 463         |             | 0.94 |
| 38 | 0.625                              | 0.000 | 4   | West side 400 east in front of 449         | Cross cut   | 1.25 |
| 39 | 0.500                              | 0.125 | 4   | West side 400 east in front of 449         |             | 1.25 |
| 40 | 0.875                              | 0.500 | 4   | West side 400 east in front of 449         |             | 2.75 |
| 41 | 0.750                              | 0.000 | 2.5 | West side 400 east in front of 449         |             | 0.94 |
| 42 | 0.500                              | 0.250 | 4   | West side 400 east in front of 449         |             | 1.50 |
| 43 | 0.750                              | 0.375 | 4   | West side 400 east in front of 449         |             | 2.25 |
| 44 | 1.375                              | 0.000 | 4   | West side 400 east                         | Cross cut   | 2.75 |
| 45 | 1.125                              | 0.250 | 4   | West side 400 east next to tree            |             | 2.75 |
| 46 | 1.000                              | 0.000 | 2   | West side 400 east driveway of house 437   | Cross cut   | 1.00 |
| 47 | 0.625                              | 0.000 | 2   | West side 400 east driveway of house 437   |             | 0.63 |
| 48 | 1.250                              | 1.000 | 4   | West side 400 east driveway of house 437   |             | 4.50 |
| 49 | 1.125                              | 0.000 | 2   | West side 400 east driveway of house 437   | Cross cut   | 1.13 |
| 50 | 0.625                              | 0.000 | 2   | West side 400 east driveway of house 437   |             | 0.63 |
| 51 | 0.875                              | 0.000 | 4   | West side 400 east in front of house 437   |             | 1.75 |
| 52 | 1.000                              | 0.125 | 4   | West side 400 east in front of house 437   |             | 2.25 |
| 53 | 0.625                              | 0.000 | 4   | West side 400 East in front of house 425   |             | 1.25 |
| 54 | 0.625                              | 0.000 | 3   | West side 400 East in front of house 425   |             | 0.94 |
| 55 | 0.875                              | 0.250 | 4   | West side 400 East in front of house 425   |             | 2.25 |
| 56 | <b>**Suggested for Replacement</b> |       |     | West side 400 East in front of house 425   | Spalling    | -    |
| 57 | <b>**Suggested for Replacement</b> |       |     | West side 400 East in front of house 425   |             | -    |
| 58 | 0.750                              | 0.000 | 2   | West side 400 East in front of house 425   |             | 0.75 |
| 59 | 0.500                              | 0.000 | 2   | West side 400 East in front of house 425   |             | 0.50 |
| 60 | 0.500                              | 0.000 | 3   | SW corner of 400 east next to house 425    |             | 0.75 |
| 61 | 1.000                              | 0.375 | 4   | SW corner of 400 east next to house 425    |             | 2.75 |
| 62 | 2.000                              | 1.750 | 4   | Crestwood Rd, between house 400 e & 350 e  |             | 7.50 |
| 63 | 0.500                              | 0.375 | 4   | Crestwood Rd, between house 400 e & 350 e  |             | 1.75 |
| 64 | 0.875                              | 0.000 | 2   | Crestwood Rd walk in front of house 375    |             | 0.88 |
| 65 | 0.750                              | 0.000 | 2   | Crestwood Rd walk in front of house 375    |             | 0.75 |
| 66 | <b>**Suggested for Replacement</b> |       |     | Crestwood Rd walk in front of house 375    | Out of spec | -    |
| 67 | 0.625                              | 0.000 | 4   | Crestwood Rd walk left corner of house 375 | Cross cut   | 1.25 |
| 68 | 0.500                              | 0.500 | 4   | Crestwood Rd in front of 363 walkway       |             | 2.00 |
| 69 | 0.750                              | 0.500 | 4   | North side Crestwood Rd in front of 363    |             | 2.50 |
| 70 | 0.500                              | 0.250 | 6   | Corner of 350 e & Crestwood under sign     |             | 2.25 |
| 71 | 0.500                              | 0.000 | 3   | Corner of 350 e & Crestwood under sign     |             | 0.75 |
| 72 | 0.625                              | 0.125 | 4   | East side of 350 next to 363 driveway      |             | 1.50 |
| 73 | 0.750                              | 0.000 | 4   | East side of 350                           | Cross cut   | 1.50 |
| 74 | 0.500                              | 0.000 | 3   | East side of 350                           |             | 0.75 |
| 75 | 0.875                              | 0.000 | 2   | East side of 350                           |             | 0.88 |
| 76 | 1.250                              | 0.000 | 2   | East side of 350                           |             | 1.25 |
| 77 | <b>**Suggested for Replacement</b> |       |     | East side of 350                           | Out of spec | -    |
| 78 | 0.625                              | 0.250 | 4   | East side of 350                           |             | 1.75 |
| 79 | 1.000                              | 0.250 | 4   | East side of 350 in front of house 436     |             | 2.50 |
| 80 | 0.750                              | 0.000 | 3.5 | East side of 350 in front of house 436     |             | 1.31 |
| 81 | 0.500                              | 0.250 | 4   | East side of 350 in front of house 448     |             | 1.50 |
| 82 | 0.500                              | 0.375 | 4   | East side of 350 in front of house 448     |             | 1.75 |
| 83 | 0.500                              | 0.000 | 3   | East side of 350 in front of house 462     |             | 0.75 |
| 84 | 0.625                              | 0.500 | 4   | East side of 350 in front of house 462     |             | 2.25 |
| 85 | 1.875                              | 0.250 | 4   | East side of 350 in front of house 462     |             | 4.25 |
| 86 | 1.000                              | 0.500 | 4   | East side of 350 between houses 462 & 476  |             | 3.00 |

|     |                                   |       |     |                                               |             |      |
|-----|-----------------------------------|-------|-----|-----------------------------------------------|-------------|------|
| 87  | 0.625                             | 0.000 | 4   | East side of 350 in front of 476              | Cross cut   | 1.25 |
| 88  | 0.625                             | 0.500 | 4   | East side of 350 in front of 476              |             | 2.25 |
| 89  | 0.500                             | 0.250 | 4   | East side of 350 in front of 476              |             | 1.50 |
| 90  | 0.625                             | 0.375 | 4   | East side of 350 in front of 476              |             | 2.00 |
| 91  | 0.750                             | 0.125 | 4   | East side of 350 in front of 476              |             | 1.75 |
| 92  | <b>*Suggested for Replacement</b> |       |     | East side of 350 in front of 476              | Out of spec | -    |
| 93  | 1.625                             | 0.000 | 2   | East side of 350 right side of house 364      |             | 1.63 |
| 94  | 1.625                             | 0.000 | 2   | East side of 350 right side of house 364      |             | 1.63 |
| 95  | <b>*Suggested for Replacement</b> |       |     | Corner of 500 n and 350 e under sign          | Crack       | -    |
| 96  | 0.750                             | 0.000 | 3   | Corner of 500 n and 350 e next to street sign |             | 1.13 |
| 97  | 0.750                             | 0.000 | 4   | West side of 350 east in front of 491         | Cross cut   | 1.50 |
| 98  | 0.625                             | 0.250 | 4   | West side of 350 east in front of 491         |             | 1.75 |
| 99  | 1.125                             | 0.000 | 4   | West side of 350 east in front of 491         |             | 2.25 |
| 100 | 0.625                             | 0.000 | 4   | West side of 350 east in front of 491         | Cross cut   | 1.25 |
| 101 | <b>*Suggested for Replacement</b> |       |     | West side 350 E driveway of 475               | Spalling    | -    |
| 102 | 0.625                             | 0.500 | 2   | West side 350 E in front of 475               |             | 1.13 |
| 103 | 0.750                             | 0.125 | 4   | West side 350 E in front of 475               |             | 1.75 |
| 104 | 0.500                             | 0.000 | 4   | West side 350 E in front of 475               | Cross cut   | 1.00 |
| 105 | 0.625                             | 0.000 | 4   | West side 350 E in front of 461               | Cross cut   | 1.25 |
| 106 | 1.875                             | 1.625 | 4   | West side 350 E in front of 461               |             | 7.00 |
| 107 | 0.500                             | 0.000 | 4   | West side 350 E in front of 461               | Cross cut   | 1.00 |
| 108 | <b>*Suggested for Replacement</b> |       |     | West side 350 E in front of 461               | Crack       | -    |
| 109 | <b>*Suggested for Replacement</b> |       |     | West side 350 E in front of 445               | Spalling    | -    |
| 110 | 0.500                             | 0.000 | 3   | West side 350 E in front of 445               |             | 0.75 |
| 111 | 0.750                             | 0.250 | 4   | West side 350 E in front of 445               |             | 2.00 |
| 112 | 0.625                             | 0.000 | 4   | West side 350 E in front of 429               | Cross cut   | 1.25 |
| 113 | 1.500                             | 0.250 | 4   | West side 350 E in front of 429               |             | 3.50 |
| 114 | 1.000                             | 0.000 | 4   | West side 350 E in front of 429               | Cross cut   | 2.00 |
| 115 | 0.500                             | 0.000 | 4   | West side 350 E in front of 429               | Cross cut   | 1.00 |
| 116 | 0.500                             | 0.250 | 4   | West side 350 E in front of 429               |             | 1.50 |
| 117 | 0.875                             | 0.000 | 3.5 | West side 350 E in front of 429               |             | 1.53 |
| 118 | 0.750                             | 0.375 | 4   | West side 350 E in front of 429               |             | 2.25 |
| 119 | 0.500                             | 0.250 | 4   | West side 350 E in front of 417               |             | 1.50 |
| 120 | 0.500                             | 0.000 | 4   | West side 350 E in front of 417               | Cross cut   | 1.00 |
| 121 | 0.500                             | 0.000 | 4   | West side 350 E in front of 417               |             | 1.00 |
| 122 | 0.500                             | 0.000 | 4   | West side 350 E in front of 417               | Cross cut   | 1.00 |
| 123 | 0.750                             | 0.500 | 4   | West side 350 E in front of 417               |             | 2.50 |
| 124 | 1.000                             | 0.875 | 4   | West side 350 E next to yeild sign            |             | 3.75 |
| 125 | 0.500                             | 0.375 | 4   | SW corner of Crestwood Rd                     |             | 1.75 |
| 126 | 0.625                             | 0.500 | 4   | SW corner of Crestwood Rd                     |             | 2.25 |
| 127 | 0.500                             | 0.000 | 4.5 | South crestwood walk                          |             | 1.13 |
| 128 | 0.500                             | 0.375 | 4   | South crestwood walk                          |             | 1.75 |
| 129 | 0.500                             | 0.375 | 4   | South crestwood walk                          |             | 1.75 |
| 130 | 0.500                             | 0.375 | 4   | South crestwood walk                          |             | 1.75 |
| 131 | 0.625                             | 0.375 | 4   | South crestwood walk in front of 325          |             | 2.00 |
| 132 | 0.625                             | 0.000 | 4   | South crestwood walk in front of 325          | Cross cut   | 1.25 |
| 133 | 1.750                             | 1.375 | 4   | South crestwood walk in front of 325          |             | 6.25 |
| 134 | 1.000                             | 0.750 | 4   | South crestwood walk in front of 325          |             | 3.50 |
| 135 | 1.250                             | 0.750 | 4   | South crestwood walk in front of 313          |             | 4.00 |
| 136 | 1.125                             | 0.875 | 4   | South crestwood walk in front of 313          |             | 4.00 |
| 137 | 0.625                             | 0.000 | 4   | South crestwood walk in front of 313          | Cross cut   | 1.25 |
| 138 | 0.500                             | 0.250 | 4   | East side of 300 e in front of house 313      |             | 1.50 |

|     |                                   |       |     |                                          |             |      |
|-----|-----------------------------------|-------|-----|------------------------------------------|-------------|------|
| 139 | 0.500                             | 0.125 | 4   | East side of 300 e in front of house 313 |             | 1.25 |
| 140 | 0.500                             | 0.000 | 4   | East side of 300 e in front of house 313 |             | 1.00 |
| 141 | 0.625                             | 0.500 | 4   | East side of 300 e in front of house 313 |             | 2.25 |
| 142 | <b>*Suggested for Replacement</b> |       |     | East side of 300 e in front of house 428 | Crack       | -    |
| 143 | <b>*Suggested for Replacement</b> |       |     | East side of 300 e in front of house 428 | Crack       | -    |
| 144 | 0.500                             | 0.375 | 4   | East side of 300 e in front of house 428 |             | 1.75 |
| 145 | 0.500                             | 0.000 | 4   | East side of 300 e in front of house 444 | Cross cut   | 1.00 |
| 146 | 0.625                             | 0.000 | 3.5 | East side of 300 e in front of house 444 |             | 1.09 |
| 147 | 1.375                             | 0.000 | 3   | East side of 300 e in front of house 444 |             | 2.06 |
| 148 | 0.625                             | 0.000 | 1   | East side of 300 e in front of house 444 |             | 0.31 |
| 149 | 1.000                             | 0.000 | 4   | East side of 300 e in front of house 444 | Cross cut   | 2.00 |
| 150 | 0.625                             | 0.250 | 4   | East side of 300 e in front of house 444 |             | 1.75 |
| 151 | 0.625                             | 0.000 | 2   | East side of 300 e in front of house 460 |             | 0.63 |
| 152 | 0.500                             | 0.375 | 4   | East side of 300 e in front of house 460 |             | 1.75 |
| 153 | 0.625                             | 0.375 | 4   | East side of 300 e in front of house 460 |             | 2.00 |
| 154 | <b>*Suggested for Replacement</b> |       |     | East side of 300 e in front of house 476 | Crack       | -    |
| 155 | <b>*Suggested for Replacement</b> |       |     | East side of 300 e in front of house 476 | Out of spec | -    |
| 156 | 0.625                             | 0.000 | 4   | East side of 300 e in front of house 476 | Cross cut   | 1.25 |
| 157 | 1.000                             | 0.000 | 2   | East side of 300 e in front of house 476 |             | 1.00 |
| 158 | 1.000                             | 0.000 | 2   | East side of 300 e in front of house 476 |             | 1.00 |
| 159 | 1.500                             | 0.000 | 2.5 | East side of 300 e in front of house 476 |             | 1.88 |
| 160 | 1.125                             | 0.000 | 1.5 | East side of 300 e in front of house 476 |             | 0.84 |
| 161 | 0.625                             | 0.000 | 4   | East side of 300 e in front of house 490 |             | 1.25 |
| 162 | 1.125                             | 1.000 | 4   | East side of 300 e in front of house 490 |             | 4.25 |
| 163 | 0.500                             | 0.500 | 4   | East side of 300 e next to yield sign    |             | 2.00 |
| 164 | 1.000                             | 0.625 | 4   | East side of 300 e next to yield sign    |             | 3.25 |
| 165 | 0.500                             | 0.375 | 4   | West side of 300 e in front of 491       |             | 1.75 |
| 166 | 0.625                             | 0.125 | 4   | West side of 300 e in front of 491       |             | 1.50 |
| 167 | 0.500                             | 0.000 | 3.5 | West side of 300 e in front of 491       | Cross cut   | 0.88 |
| 168 | 0.625                             | 0.125 | 4   | West side of 300 e in front of 491       |             | 1.50 |
| 169 | 0.750                             | 0.750 | 4   | West side of 300 e in front of 479       |             | 3.00 |
| 170 | 1.625                             | 0.375 | 4   | West side of 300 e in front of 479       |             | 4.00 |
| 171 | 0.750                             | 0.625 | 4   | West side of 300 e in front of 479       |             | 2.75 |
| 172 | 0.875                             | 0.000 | 4   | West side of 300 e in front of 469       |             | 1.75 |
| 173 | 0.625                             | 0.000 | 4   | West side of 300 e in front of 469       | Cross cut   | 1.25 |
| 174 | 1.125                             | 0.375 | 4   | West side of 300 e in front of 469       |             | 3.00 |
| 175 | 0.625                             | 0.375 | 4   | West side of 300 e in front of 459       |             | 2.00 |
| 176 | 0.625                             | 0.500 | 4   | West side of 300 e in front of 433       |             | 2.25 |
| 177 | <b>*Suggested for Replacement</b> |       |     | West side of 300 e in front of 433       | Crack       | -    |
| 178 | 0.750                             | 0.000 | 4   | West side of 300 e in front of 433       | Cross cut   | 1.50 |
| 179 | 0.625                             | 0.250 | 4   | West side of 300 e in front of 433       |             | 1.75 |
| 180 | 0.500                             | 0.375 | 4   | West side of 300 e in front of 411       |             | 1.75 |
| 181 | 0.500                             | 0.375 | 4   | West side of 300 e in front of 411       |             | 1.75 |
| 182 | 0.875                             | 0.000 | 4   | SW corner of Crestwood Rd at 300 e       |             | 1.75 |
| 183 | 0.500                             | 0.375 | 4   | Crestwood Rd in between 411 and 287      |             | 1.75 |
| 184 | 0.625                             | 0.250 | 4   | South Crestwood Rd in front of 287       |             | 1.75 |
| 185 | 0.625                             | 0.125 | 4   | South Crestwood Rd in front of 287       |             | 1.50 |
| 186 | 0.625                             | 0.375 | 4   | South Crestwood Rd in front of 275       |             | 2.00 |
| 187 | 0.625                             | 0.000 | 2   | South Crestwood Rd in front of 275       |             | 0.63 |
| 188 | 1.000                             | 0.000 | 3   | South Crestwood Rd in front of 275       |             | 1.50 |
| 189 | 1.000                             | 0.000 | 3   | South Crestwood Rd in front of 275       |             | 1.50 |
| 190 | 0.750                             | 0.125 | 4   | South Crestwood Rd in front of 275       |             | 1.75 |

|     |                                    |       |     |                                       |             |      |
|-----|------------------------------------|-------|-----|---------------------------------------|-------------|------|
| 191 | 0.625                              | 0.375 | 4   | South Crestwood Rd in front of 275    |             | 2.00 |
| 192 | 0.625                              | 0.250 | 4   | East side 250 e in front of 412       |             | 1.75 |
| 193 | 0.625                              | 0.250 | 4   | East side 250 e in front of 412       |             | 1.75 |
| 194 | 0.750                              | 0.500 | 4   | East side 250 e in front of 412       |             | 2.50 |
| 195 | 0.500                              | 0.000 | 3.5 | East side 250 e in front of 430       |             | 0.88 |
| 196 | 0.500                              | 0.125 | 4   | East side 250 e in front of 442       |             | 1.25 |
| 197 | 0.750                              | 0.250 | 4   | East side 250 e in front of 442       |             | 2.00 |
| 198 | <b>**Suggested for Replacement</b> |       |     | East side 250 e in front of 442       | Crack       | -    |
| 199 | <b>**Suggested for Replacement</b> |       |     | East side 250 e in front of 456       | Crack       | -    |
| 200 | 0.625                              | 0.000 | 3   | East side 250 e in front of 468       |             | 0.94 |
| 201 | 1.000                              | 0.250 | 4   | East side 250 e in front of 468       |             | 2.50 |
| 202 | <b>**Suggested for Replacement</b> |       |     | East side 250 e in front of 468       | Crack       | -    |
| 203 | <b>**Suggested for Replacement</b> |       |     | East side 250 e in front of 478       | Spalling    | -    |
| 204 | 1.125                              | 0.875 | 4   | East side 250 e in front of 478       |             | 4.00 |
| 205 | <b>**Suggested for Replacement</b> |       |     | East side 250 e in front of 478       | Crack       | -    |
| 206 | 0.750                              | 0.750 | 4   | East side of 250 e                    |             | 3.00 |
| 207 | 0.625                              | 0.000 | 4   | East side of 250 e next to yield sign |             | 1.25 |
| 208 | <b>**Suggested for Replacement</b> |       |     | West side of 250 E in front of 485    | Spalling    | -    |
| 209 | 0.750                              | 0.000 | 4   | West side of 250 E in front of 485    | Cross cut   | 1.50 |
| 210 | 0.500                              | 0.250 | 4   | West side of 250 E in front of 485    |             | 1.50 |
| 211 | 2.000                              | 1.625 | 4   | West side of 250 E in front of 475    |             | 7.25 |
| 212 | 1.125                              | 0.250 | 4   | West side of 250 E in front of 475    |             | 2.75 |
| 213 | 0.625                              | 0.500 | 4   | West side of 250 E in front of 475    |             | 2.25 |
| 214 | 0.750                              | 0.250 | 4   | West side of 250 E in front of 475    |             | 2.00 |
| 215 | 0.625                              | 0.125 | 4   | West side of 250 E in front of 467    |             | 1.50 |
| 216 | <b>**Suggested for Replacement</b> |       |     | West side of 250 E in front of 467    | Crack       | -    |
| 217 | 0.750                              | 0.000 | 4   | West side of 250 E in front of 467    | Cross cut   | 1.50 |
| 218 | 0.500                              | 0.500 | 4   | West side of 250 E in front of 459    |             | 2.00 |
| 219 | 0.875                              | 0.125 | 4   | West side of 250 E in front of 459    |             | 2.00 |
| 220 | 0.500                              | 0.000 | 4   | West side of 250 E in front of 459    |             | 1.00 |
| 221 | 1.500                              | 0.750 | 4   | West side of 250 E in front of 459    |             | 4.50 |
| 222 | <b>**Suggested for Replacement</b> |       |     | West side of 250 E in front of 451    | Crack       | -    |
| 223 | <b>**Suggested for Replacement</b> |       |     | West side of 250 E in front of 451    | Spalling    | -    |
| 224 | 0.500                              | 0.000 | 4   | West side of 250 E                    |             | 1.00 |
| 225 | <b>**Suggested for Replacement</b> |       |     | West side of 250 E                    | Out of spec | -    |
| 226 | 1.250                              | 0.250 | 4   | West side of 250 E                    |             | 3.00 |
| 227 | 0.750                              | 0.125 | 4   | West side of 250 E right side of 243  |             | 1.75 |
| 228 | 0.500                              | 0.250 | 4   | South Crestwood Rd in front of 243    |             | 1.50 |
| 229 | <b>**Suggested for Replacement</b> |       |     | South Crestwood Rd in front of 243    | Out of spec | -    |
| 230 | 0.875                              | 0.375 | 4   | South Crestwood Rd in front of 219    |             | 2.50 |
| 231 | 0.500                              | 0.250 | 4   | South Crestwood Rd in front of 219    |             | 1.50 |
| 232 | 0.500                              | 0.000 | 4   | South Crestwood Rd in front of 219    |             | 1.00 |
| 233 | 0.750                              | 0.000 | 4   | South Crestwood Rd in front of 207    |             | 1.50 |
| 234 | 0.500                              | 0.000 | 4   | South Crestwood Rd in front of 207    |             | 1.00 |
| 235 | 1.000                              | 0.250 | 4   | South Crestwood Rd in front of 207    |             | 2.50 |
| 236 | 1.250                              | 0.500 | 4   | South Crestwood Rd in front of 207    |             | 3.50 |
| 237 | <b>**Suggested for Replacement</b> |       |     | South Crestwood Rd in front of 207    | Out of spec | -    |
| 238 | 0.500                              | 0.250 | 4   | East side of 200 E in front of 207    |             | 1.50 |
| 239 | 0.750                              | 0.000 | 4   | East side of 200 E in front of 430    |             | 1.50 |
| 240 | 0.500                              | 0.125 | 4   | East side of 200 E in front of 430    |             | 1.25 |
| 241 | 1.000                              | 0.500 | 4   | East side of 200 E in front of 430    |             | 3.00 |
| 242 | 0.750                              | 0.000 | 4   | East side of 200 E in front of 430    | Cross cut   | 1.50 |

|     |                                    |       |     |                                    |             |      |
|-----|------------------------------------|-------|-----|------------------------------------|-------------|------|
| 243 | 0.625                              | 0.125 | 4   | East side of 200 E in front of 440 |             | 1.50 |
| 244 | <b>**Suggested for Replacement</b> |       |     | East side of 200 E in front of 440 | Crack       | -    |
| 245 | 1.500                              | 1.250 | 4   | East side of 200 E in front of 450 |             | 5.50 |
| 246 | 0.500                              | 0.250 | 4   | East side of 200 E in front of 450 |             | 1.50 |
| 247 | 0.500                              | 0.375 | 4   | East side of 200 E in front of 460 |             | 1.75 |
| 248 | <b>**Suggested for Replacement</b> |       |     | East side of 200 E in front of 460 | Out of spec | -    |
| 249 | 1.750                              | 0.625 | 4   | East side of 200 E in front of 460 |             | 4.75 |
| 250 | 1.625                              | 0.000 | 4   | East side of 200 E in front of 460 | Cross cut   | 3.25 |
| 251 | 1.375                              | 0.375 | 4   | East side of 200 E in front of 460 |             | 3.50 |
| 252 | 0.500                              | 0.000 | 4   | East side of 200 E in front of 460 |             | 1.00 |
| 253 | 0.500                              | 0.250 | 4   | East side of 200 E in front of 470 |             | 1.50 |
| 254 | 0.625                              | 0.375 | 4   | East side of 200 E in front of 470 |             | 2.00 |
| 255 | 0.500                              | 0.000 | 4.5 | East side of 200 E in front of 470 |             | 1.13 |
| 256 | 1.000                              | 0.875 | 4   | East side of 200 E in front of 470 |             | 3.75 |
| 257 | 0.625                              | 0.000 | 4   | East side of 200 E in front of 470 |             | 1.25 |
| 258 | <b>**Suggested for Replacement</b> |       |     | East side of 200 E in front of 470 | Crack       | -    |
| 259 | <b>**Suggested for Replacement</b> |       |     | East side of 200 E in front of 480 | Crack       | -    |
| 260 | 0.500                              | 0.000 | 4   | East side of 200 E in front of 480 | Cross cut   | 1.00 |
| 261 | 0.750                              | 0.000 | 4   | East side of 200 E in front of 480 | Cross cut   | 1.50 |
| 262 | 0.500                              | 0.500 | 4   | East side of 200 E                 |             | 2.00 |
| 263 | 1.250                              | 0.875 | 4   | East side of 200 E                 |             | 4.25 |
| 264 | 1.500                              | 0.750 | 4   | West side 200 E                    |             | 4.50 |
| 265 | 0.875                              | 0.125 | 4   | West side 200 E in front of 291    |             | 2.00 |
| 266 | 1.000                              | 0.625 | 4   | West side 200 E in front of 291    |             | 3.25 |
| 267 | <b>**Suggested for Replacement</b> |       |     | West side 200 E in front of 481    | Crack       | -    |
| 268 | <b>**Suggested for Replacement</b> |       |     | West side 200 E in front of 481    | Out of spec | -    |
| 269 | 1.125                              | 1.125 | 4   | West side 200 E in front of 481    |             | 4.50 |
| 270 | 0.500                              | 0.000 | 4   | West side 200 E in front of 471    | Cross cut   | 1.00 |
| 271 | 0.750                              | 0.125 | 4   | West side 200 E in front of 471    |             | 1.75 |
| 272 | 1.125                              | 0.875 | 4   | West side 200 E in front of 471    |             | 4.00 |
| 273 | 0.500                              | 0.000 | 4   | West side 200 E in front of 461    |             | 1.00 |
| 274 | 0.500                              | 0.000 | 4   | West side 200 E in front of 461    |             | 1.00 |
| 275 | 0.625                              | 0.125 | 4   | West side 200 E in front of 461    |             | 1.50 |
| 276 | 1.000                              | 0.125 | 4   | West side 200 E in front of 451    |             | 2.25 |
| 277 | 1.000                              | 0.000 | 5   | West side 200 E in front of 451    |             | 2.50 |
| 278 | <b>**Suggested for Replacement</b> |       |     | West side 200 E in front of 451    | Crack       | -    |
| 279 | <b>**Suggested for Replacement</b> |       |     | West side 200 E in front of 451    | Crack       | -    |
| 280 | 0.625                              | 0.000 | 4   | West side 200 E in front of 441    | Cross cut   | 1.25 |
| 281 | 1.000                              | 0.750 | 4   | West side 200 E in front of 441    |             | 3.50 |
| 282 | 1.125                              | 0.000 | 4   | West side 200 E in front of 441    | Cross cut   | 2.25 |
| 283 | 0.625                              | 0.000 | 3.5 | West side 200 E in front of 441    |             | 1.09 |
| 284 | 0.625                              | 0.500 | 4   | West side 200 E in front of 441    |             | 2.25 |
| 285 | 0.750                              | 0.250 | 4   | West side 200 E in front of 431    |             | 2.00 |
| 286 | 1.625                              | 0.500 | 4   | West side 200 E in front of 431    |             | 4.25 |
| 287 | 0.875                              | 0.000 | 4   | West side 200 E in front of 431    | Cross cut   | 1.75 |
| 288 | 0.750                              | 0.000 | 2   | West side 200 E in front of 431    |             | 0.75 |
| 289 | 1.375                              | 0.000 | 2   | West side 200 E in front of 431    |             | 1.38 |
| 290 | 1.500                              | 0.500 | 4   | West side 200 E in front of 431    |             | 4.00 |
| 291 | 0.500                              | 0.125 | 4   | West side 200 E in front of 431    |             | 1.25 |
| 292 | 0.500                              | 0.375 | 4   | West side 200 E in front of 421    |             | 1.75 |
| 293 | 0.500                              | 0.250 | 4   | West side 200 E in front of 421    |             | 1.50 |
| 294 | 0.500                              | 0.250 | 4   | West side 200 E in front of 421    |             | 1.50 |

|     |                                    |       |     |                                               |           |      |
|-----|------------------------------------|-------|-----|-----------------------------------------------|-----------|------|
| 295 | <b>**Suggested for Replacement</b> |       |     | West side 200 E in front of 407               | Crack     | -    |
| 296 | <b>**Suggested for Replacement</b> |       |     | West side 200 E in front of 407               | Crack     | -    |
| 297 | 0.875                              | 0.000 | 4   | West side 200 E in front of 407               | Cross cut | 1.75 |
| 298 | 0.500                              | 0.250 | 4   | Crestwood Rd next to house 407                |           | 1.50 |
| 299 | 0.500                              | 0.500 | 4   | South side Crestwood Rd next to house 407     |           | 2.00 |
| 300 | 0.500                              | 0.000 | 4   | South side Crestwood Rd next to house 407     | Cross cut | 1.00 |
| 301 | 0.625                              | 0.625 | 4   | South side Crestwood Rd next to house 181     |           | 2.50 |
| 302 | 0.500                              | 0.125 | 4   | South side Crestwood Rd next to house 181     |           | 1.25 |
| 303 | 0.625                              | 0.250 | 4   | South side Crestwood Rd next to house 169     |           | 1.75 |
| 304 | 0.875                              | 0.875 | 4   | South side Crestwood Rd next to house 169     |           | 3.50 |
| 305 | 0.500                              | 0.000 | 3   | South side Crestwood Rd next to house 169     |           | 0.75 |
| 306 | 0.625                              | 0.250 | 4   | South side Crestwood Rd next to house 157     |           | 1.75 |
| 307 | 0.500                              | 0.250 | 4   | South side Crestwood Rd next to house 157     |           | 1.50 |
| 308 | 0.875                              | 0.750 | 4   | South side Crestwood Rd next to house 157     |           | 3.25 |
| 309 | 0.500                              | 0.250 | 4   | corner of Crestwood & 150 E next to house 157 |           | 1.50 |
| 310 | 1.000                              | 0.875 | 4   | East side of 150 E next to house 157          |           | 3.75 |
| 311 | 0.500                              | 0.000 | 4   | East side of 150 E next to house 157          | Cross cut | 1.00 |
| 312 | 0.500                              | 0.250 | 4   | East side of 150 E next to house 420          |           | 1.50 |
| 313 | <b>**Suggested for Replacement</b> |       |     | East side of 150 E next to house 420          | Crack     | -    |
| 314 | 0.750                              | 0.625 | 4   | East side of 150 E next to house 430          |           | 2.75 |
| 315 | 1.125                              | 0.375 | 4   | East side of 150 E next to house 430          |           | 3.00 |
| 316 | <b>**Suggested for Replacement</b> |       |     | East side of 150 E next to house 454          | Crack     | -    |
| 317 | 0.625                              | 0.375 | 4   | East side of 150 E next to house 466          |           | 2.00 |
| 318 | 0.625                              | 0.375 | 4   | East side of 150 E next to house 490          |           | 2.00 |
| 319 | 0.625                              | 0.000 | 3   | East side of 150 E next to house 490          |           | 0.94 |
| 320 | 1.000                              | 0.250 | 4   | East side of 150 E next to house 490          |           | 2.50 |
| 321 | 0.625                              | 0.000 | 4   | 150 E next to house 490 next to yield sign    |           | 1.25 |
| 322 | 1.125                              | 0.125 | 2.5 | West side of 150 E next to house 491          |           | 1.56 |
| 323 | 1.125                              | 0.000 | 1.5 | West side of 150 E next to house 491          |           | 0.84 |
| 324 | 0.500                              | 0.000 | 4   | West side of 150 E next to house 481          | Cross cut | 1.00 |
| 325 | 1.000                              | 0.625 | 4   | West side of 150 E next to house 481          |           | 3.25 |
| 326 | <b>**Suggested for Replacement</b> |       |     | West side of 150 E next to house 481          | Crack     | -    |
| 327 | 0.500                              | 0.250 | 4   | West side of 150 E next to house 469          |           | 1.50 |
| 328 | 0.625                              | 0.375 | 4   | West side of 150 E next to house 469          |           | 2.00 |
| 329 | 0.750                              | 0.250 | 4   | West side of 150 E next to house 469          |           | 2.00 |
| 330 | 1.375                              | 0.500 | 4   | West side of 150 E next to house 469          |           | 3.75 |
| 331 | 0.500                              | 0.125 | 4   | West side of 150 E next to house 469          |           | 1.25 |
| 332 | 0.500                              | 0.375 | 4   | West side of 150 E next to house 457          |           | 1.75 |
| 333 | 0.875                              | 0.375 | 4   | West side of 150 E next to house 445          |           | 2.50 |
| 334 | <b>**Suggested for Replacement</b> |       |     | West side of 150 E next to house 445          | Crack     | -    |
| 335 | 0.625                              | 0.250 | 4   | West side of 150 E next to house 433          |           | 1.75 |
| 336 | 0.625                              | 0.000 | 4   | West side of 150 E next to house 421          |           | 1.25 |
| 337 | 1.000                              | 0.125 | 4   | West side of 150 E next to house 421          |           | 2.25 |
| 338 | 0.500                              | 0.125 | 4   | West side of 150 E next to house 421          |           | 1.25 |
| 339 | 0.750                              | 0.375 | 4   | West side of 150 E next to house 409          |           | 2.25 |
| 340 | 0.875                              | 0.875 | 4   | West side of 150 E next to house 409          |           | 3.50 |
| 341 | 0.500                              | 0.375 | 4   | West side of 150 E next to house 409          |           | 1.75 |
| 342 | 1.000                              | 0.750 | 4   | West side of 150 E next to house 409          |           | 3.50 |
| 343 | 0.750                              | 0.500 | 4   | SW walk of Crestwood Rd next to yield signs   |           | 2.50 |
| 344 | 0.500                              | 0.250 | 4   | SW walk of Crestwood Rd next to yield signs   |           | 1.50 |
| 345 | 1.000                              | 0.000 | 4   | South side Crestwood Rd house 143             | Cross cut | 2.00 |
| 346 | 0.500                              | 0.250 | 4   | South side Crestwood Rd house 143             |           | 1.50 |

|                                           |                                    |                |                |                                                                                 |             |                    |
|-------------------------------------------|------------------------------------|----------------|----------------|---------------------------------------------------------------------------------|-------------|--------------------|
| 347                                       | 0.625                              | 0.250          | 4              | South side Crestwood Rd house 143                                               |             | 1.75               |
| 348                                       | 1.125                              | 0.875          | 4              | South side Crestwood Rd                                                         |             | 4.00               |
| 349                                       | 0.500                              | 0.000          | 4              | South side Crestwood Rd                                                         |             | 1.00               |
| 350                                       | <b>**Suggested for Replacement</b> |                |                | South side Crestwood Rd next to house 119                                       | Spalling    | -                  |
| 351                                       | 0.625                              | 0.250          | 4              | South side Crestwood Rd next to house 107                                       |             | 1.75               |
| 352                                       | 0.750                              | 0.375          | 4              | South side Crestwood Rd next to house 107 *no number because sprinklers were on |             | 2.25               |
| 353                                       | 0.875                              | 0.000          | 4              | East side of 100 E next to house 107                                            |             | 1.75               |
| 354                                       | <b>**Suggested for Replacement</b> |                |                | East side of 100 E next to house 107                                            | Crack       | -                  |
| 355                                       | 1.250                              | 0.500          | 4              | East side of 100 E next to house 400                                            |             | 3.50               |
| 356                                       | 1.250                              | 0.000          | 4              | East side of 100 E next to house 400                                            |             | 2.50               |
| 357                                       | <b>**Suggested for Replacement</b> |                |                | East side of 100 E next to house 400                                            | Out of spec | -                  |
| 358                                       | <b>**Suggested for Replacement</b> |                |                | East side of 100 E next to house 410                                            | Crack       | -                  |
| 359                                       | 1.375                              | 0.500          | 4              | East side of 100 E next to house 410                                            |             | 3.75               |
| 360                                       | 1.750                              | 1.000          | 4              | East side of 100 E next to house 410                                            |             | 5.50               |
| 361                                       | <b>**Suggested for Replacement</b> |                |                | East side of 100 E next to house 410                                            | Out of spec | -                  |
| 362                                       | <b>**Suggested for Replacement</b> |                |                | East side of 100 E next to house 410                                            | Out of spec | -                  |
| 363                                       | 0.625                              | 0.000          | 4              | East side of 100 E next to house 422                                            |             | 1.25               |
| 364                                       | <b>**Suggested for Replacement</b> |                |                | East side of 100 E next to house 434                                            | Crack       | -                  |
| 365                                       | 0.625                              | 0.250          | 4              | East side of 100 E next to house 446                                            |             | 1.75               |
| 366                                       | 0.875                              | 0.000          | 4              | East side of 100 E next to house 446                                            | Cross cut   | 1.75               |
| 367                                       | 0.625                              | 0.375          | 4              | East side of 100 E next to house 458                                            |             | 2.00               |
| 368                                       | <b>**Suggested for Replacement</b> |                |                | East side of 100 E next to house 458                                            | Out of spec | -                  |
| 369                                       | 0.625                              | 0.000          | 4              | East side of 100 E next to house 458                                            |             | 1.25               |
| 370                                       | 0.625                              | 0.250          | 4              | East side of 100 E next to house 470                                            |             | 1.75               |
| 371                                       | 0.625                              | 0.000          | 4              | East side of 100 E next to house 470                                            |             | 1.25               |
| 372                                       | <b>**Suggested for Replacement</b> |                |                | East side of 100 E next to house 470                                            | Out of spec | -                  |
| 373                                       | 0.500                              | 0.000          | 4              | East side of 100 E next to house 490                                            | Cross cut   | 1.00               |
| 374                                       | 1.500                              | 0.375          | 4              | East side of 100 E next to house 490                                            |             | 3.75               |
| 375                                       | 1.500                              | 0.000          | 4              | East side of 100 E next to house 490                                            | Cross cut   | 3.00               |
| 376                                       | 1.125                              | 0.250          | 4              | East side of 100 E next to house 490                                            |             | 2.75               |
|                                           |                                    |                |                |                                                                                 |             |                    |
|                                           |                                    | <b>Totals:</b> | <b>1,232.5</b> |                                                                                 |             | <b>660.73</b>      |
|                                           |                                    |                |                |                                                                                 |             |                    |
| <b>Total Cost for Trip Hazard Repair:</b> |                                    |                |                |                                                                                 |             | <b>\$25,107.74</b> |

*\*All Bids and Proposals from Precision Concrete Cutting are valid for 1 year from the date the bid was performed. After 1 year please contact your sales rep for a new bid with current pricing.*

*Precision Concrete Cutting has a minimum mobilization fee of \$1,000.00*



## INDEPENDENT CONTRACTOR AGREEMENT

**THIS INDEPENDENT CONTRACTOR AGREEMENT** (this “**Agreement**”) is effective September 1, 2020, by and between \_\_\_\_\_, a Utah municipality (“**City Name**”) and **PRECISION CONCRETE CUTTING, INC.**, an independent contractor (“**Precision**”).

### **RECITALS:**

- A. Precision has significant experience in removing trip hazards from sidewalks.
- B. \_\_\_\_\_ is in need of such services.
- C. \_\_\_\_\_ desires to enter into an independent contractor agreement with Precision for the removal of trip hazards from sidewalks within \_\_\_\_\_.
- D. The parties have determined that it is mutually advantageous to enter into this Agreement.

### **AGREEMENT:**

**NOW, THEREFORE**, in consideration of the premises, mutual covenants and undertakings, the parties hereby agree as follows:

1. **Employment of Precision.** \_\_\_\_\_ agrees to engage Precision and Precision agrees to furnish all services necessary or desirable up to the maximum contract amount as set forth in paragraph 3 below, to remove trip hazards from sidewalks within \_\_\_\_\_. Precision shall only remove such trip hazards from sidewalks as directed in writing by \_\_\_\_\_. (All such services are collectively referred to herein as the (“**Services**”).

2. **Detailed Description of the Services.** Precision shall do, perform, and carry out in a good, professional manner, the following Services:

(a) **Eliminate Trip Hazards.** Precision shall eliminate all trip hazards designated by \_\_\_\_\_ from 1/2” up to a maximum height of 2”. Precision shall saw cut all such trip hazards in accordance with the Americans with Disabilities Act requirements. Each offset will be tapered at a 1:12 slope and shall have a smooth, uniform appearance and texture.

(b) **Saw Cut.** All saw cutting shall be taken to the zero point of differential settlement and to the edges of the sidewalk to eliminate trip hazards the full width of the sidewalk.

(c) **Cleaning.** All debris and concrete dust shall be cleaned from the sidewalk surface as well as surrounding areas, sidewalks, driveway, landscaping or other objects in vicinity of work. Any damage to adjacent landscaping, sprinklers, grass, etc. shall be returned to

as good a condition as existed prior to such work. Dust shall be collected using a high powered vacuum dust control system, eliminating the dust from entering into the atmosphere. The system requires multiple heads for the high capacity vacuum, and a controlled filtration system that will eliminate dust from entering the atmosphere. The suction device shall be attached to the electrical cutting equipment to assure a maximum amount of dust will be collected before it can be released into the atmosphere.

3. **Fees for Services.** \_\_\_\_\_ shall pay Precision for Services actually performed. Provided, however, the maximum amount to be paid to Precision for all Services shall not exceed \$ \_\_\_\_\_.

4. **Method of Payment.** Precision shall submit monthly to \_\_\_\_\_ a detailed invoice setting forth the information for saw cutting as set forth on exhibit "A" attached hereto and made a part hereof by reference. Provided that the aggregate amount of all previous detailed invoices and the current invoice does not exceed the total compensation provided for in section 3 hereof, then \_\_\_\_\_ shall pay the amount set forth in the current invoice within thirty (30) days of its receipt.

5. **Services Performed in a Professional, Reasonable Manner.** The Services shall be provided by Precision in a professional manner in compliance with all laws and applicable standards of performance. Subject to the foregoing, the exact nature of how the Services are to be performed and other matters incidental to providing the Services shall remain with Precision.

6. **Equipment and Facilities.** For purposes of performing the Services, Precision shall furnish and supply at its sole cost all necessary labor, supervision, equipment, and supplies necessary and incident to performing the Services.

7. **Indemnity.** Precision shall defend, indemnify, save and hold harmless \_\_\_\_\_, including its elected and appointed officials, employees, agents and contractors from and against any and all demands, liabilities, claims, damages, actions, or proceedings, in law or in equity, including reasonable attorneys' fees and costs of suits, relating to or arising from Precision providing the Services to \_\_\_\_\_. Nothing herein shall be construed to require the Precision to indemnify ~~Cottonwood Heights~~ Kaysville City against \_\_\_\_\_ sole negligence.

8. **Term.** This Agreement shall be effective as of the date hereof and shall terminate at 11:59:59 p.m. on June 30, 2021, with options to renew, at the City's sole discretion, for up to four additional one-year periods.

9. **Assignment and Delegation.** Precision will not assign or delegate the performance of its duties under this Agreement without the prior written approval of \_\_\_\_\_

10. **Employment Status.**

a. Official Status. Precision shall have complete control and discretion over all personnel providing Services hereunder. All such personnel shall be and remain employees of Precision and shall be considered to be independent contractors.

b. Salary and Wages. \_\_\_\_\_ shall not have any obligation or liability for the payment of and salary or other compensation to personnel providing Services hereunder.

c. Employment Benefits. All personnel providing Services hereunder are and shall remain employees of Precision. All personnel providing Services shall have no right to any \_\_\_\_\_ pension, civil service or any other \_\_\_\_\_ benefits pursuant to this Agreement or otherwise.

11. Termination. Either party may terminate this Agreement upon 30 days prior written notice to the other party.

12. Insurance. Precision shall obtain insurance as set forth below:

Worker's Compensation Insurance  
And Employer's liability

Statutory amount

Commercial general liability  
(Claims occur basis)

General aggregate \$1,000,000 with a deductible not to exceed \$5,000  
Each occurrence \$500,000  
with a deductible not to exceed \$5,000  
Personal injury \$500,000  
with a deductible not to exceed \$5,000

Precision shall furnish \_\_\_\_\_ certificates of insurance evidencing the insurance requirements herein before the end of each calendar quarter. The certificate of insurance shall name \_\_\_\_\_ as an additional insured or certificate holder.

13. Notice. Any notice required or permitted to be given hereunder shall be deemed sufficient if given by a communication in writing and shall be deemed to have been received (a) upon personal delivery or actual receipt thereof, or (b) within three days after such notice is deposited in the United States Mail, postage prepaid, and certified and addressed to the parties as set forth below:

City Contact Information:

with a copy to: City Attorney

Precision: Precision Concrete Cutting  
3191 North Canyon Rd.

14. **Claims and Disputes.** Claims, disputes and other issues between the parties arising out of or related to this Agreement, shall be decided by litigation in the ~~Third-Second~~ Judicial District Court in and for ~~Salt Lake~~Davis County, Utah. Unless terminated pursuant to provisions hereof or otherwise agreed in writing, Precision shall continue to perform the Services during any such litigation and \_\_\_\_\_ shall continue to make payments to Precision in accordance with the terms of this Agreement.

15. **Counterparts.** This Agreement may be executed in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

16. **Titles and Captions.** All section or subsection titles or captions herein are for convenience only. Such titles and captions shall not be deemed part of this Agreement and shall in no way define, limit, augment, extend, or describe the scope, content or intent of any part or parts hereof.

17. **Pronouns and Plurals.** Whenever the context may require, any pronoun used herein shall include the corresponding masculine, feminine, or neuter forms, and the singular form of nouns, pronouns and verbs shall include the plurals and vice versa.

18. **Applicable Law.** The provisions hereof shall be governed by and construed in accordance with the laws of the state of Utah.

19. **Integration.** This Agreement constitutes the entire agreement between the parties pertaining to the subject matter hereof, and supersedes all prior agreements and understandings pertaining thereto.

20. **Time.** Time is the essence hereof.

21. **Survival.** All agreements, covenants, representations and warranties contained herein shall survive the execution of this Agreement and shall continue in full force and effect throughout the term of this Agreement.

22. **Waiver.** No failure by any party to insist upon the strict performance of any covenant, duty, agreement or condition of this Agreement or to exercise any right or remedy consequent upon a breach thereof shall constitute a waiver of any such breach or of such or any other covenant, agreement, term or condition. Any party may, by notice delivered ~~in~~ the manner provided in this Agreement, but shall be under no obligation to, waive any of its rights or any conditions to its obligations hereunder, or any duty, obligation or covenant of any other party. No waiver shall affect or alter the remainder of this Agreement but each and every other covenant, agreement, term and condition hereof shall continue in full force and effect with respect to any other then existing or subsequently occurring breach.

23. **Rights and Remedies.** The rights and remedies of the parties hereto shall not be mutually exclusive, and the exercise of one or more of the provisions of this Agreement shall not preclude the exercise -of any other provisions hereof.

24. **Severability.** In the event that any condition, covenant or other provision hereof is held to be invalid or void, the same shall be deemed severable from the remainder of this Agreement and shall in no way affect any other covenant or condition herein contained. If such condition, covenant, or other provision shall be deemed invalid due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.

**IN WITNESS WHEREOF,** \_\_\_\_\_ caused this Agreement to be signed by its mayor and attested by its city recorder and delivered; and Precision has caused the same to be signed and delivered.

**CITY OF** \_\_\_\_\_

By: \_\_\_\_\_  
\_\_\_\_\_, Public Works Director  
Date signed: \_\_\_\_\_

**ATTEST**

\_\_\_\_\_  
City Recorder  
Date signed: \_\_\_\_\_

**PRECISION CONCRETE CUTTING**

By: \_\_\_\_\_  
Jared Taylor; Its: \_\_\_\_\_  
Date signed: \_\_\_\_\_

**APPROVED AS TO FORM:**

## Exhibit “A”

Inch-feet shall be calculated by multiplying the average depth of the cut by the width of the cut. Example: If a joint is cut 1” on one side and tapered to 0” on the other a full 4-foot width of the sidewalk, it shall be calculated as follows:

$$\frac{1'' + 0''}{2} \times 4' = 2 \text{ inch-feet}$$

All invoices must show the cut depth, size, length, width, address and inch-feet calculations.

Precision Concrete Cutting removal of trip hazards to the specifications of this contract are protected by the patent numbers listed below by the US Patent and Trademark office. Precision Concrete Cutting is the sole-sourced provider of this type of work.

U.S. Pat. No. 6,827,074

U.S. Pat. No. 6,896,604

U.S. Pat. No. 7,000,606

U.S. Pat. No. 7,143,760

U.S. Pat. No. 7,201,644

U.S. Pat. No. 7,402,095