

**MINUTES OF LAYTON CITY
COUNCIL WORK MEETING**

JUNE 21, 2018; 5:41 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**MAYOR BOB STEVENSON, JOYCE BROWN,
BRUCE DAVIS, TOM DAY, SCOTT FREITAG
AND JOY PETRO**

STAFF PRESENT:

**ALEX JENSEN, STEVE GARSIDE, TERRY
COBURN, STEVE JACKSON, TIM WATKINS,
LON CROWELL, TRACY PROBERT, VICKI
WETZEL, KEVIN WARD, DOUG BITTON, DAVID
PRICE, MICHELLE HOWARD AND KIM READ**

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

Mayor Stevenson opened the meeting and turned the time over to Staff.

AGENDA:

DISCUSSION – PARKS AND RECREATION FEES

David Price, Parks and Recreation Director, introduced Michelle Howard, Recreation Supervisor, to the Council and announced she was present to discuss the non-resident fee for Parks and Recreation Programs which would be effective beginning July 1, 2018. She pointed out recreation programs received General Fund dollars which were received through Layton City taxes. She announced a proposed fee of \$15 for a non-resident participating in a program with a team component such as baseball, basketball, flag football, and softball. She also indicated a \$5 non-resident fee for individual classes and sports in which the registration was by an individual such as arts/crafts classes, babysitting training, cross country, fishing club, skate camp, tennis, track and field, youth volleyball, and wrestling. She stated no fees changes were proposed for competitive sports and adult programming as those fees were comparable to surrounding cities.

Mr. Price asked if there were any questions.

Councilmember Brown stated she was in agreement with the proposed fee increase and asked how Staff would verify whether the participants were Layton residents. Mr. Price responded Staff would trust the information provided on the registration form as correct. He indicated the department had a system which was used for the competitive football league to verify residency if it became problematic.

Councilmember Petro asked if the City was aware of how many participants weren't Layton City residents. Ms. Howard responded the total figure of non-residents from the 2016-2017 year for recreation programs and swimming lessons combined was twenty-two percent and a discussion took place.

Mr. Price reported one of the biggest complaints was that residents couldn't get their children registered for swim lessons. He informed the Council one of the Parks and Recreation Commission members had proposed a change to registration process specific to swim lessons. He suggested Layton City residents would be allowed to register for swimming lessons 1 or 2 days prior to the general public. He suggested this would allow residents the opportunity to get into a facility they were already paying for.

Councilmember Day asked if the non-resident figures were specific to swim lessons. Ms. Howard reported for the past two years approximately 44% of those registered for swim lessons weren't Layton City residents. Mr. Price reported participants for swimming lessons came from all over northern Utah

and indicated the classes offered to the youngest abilities would fill up within 5-10 minutes once registration was opened. He explained how the recently funded swimming platforms would allow more participants in swimming lessons in the deeper areas of the pool and reported the lack of instructors prohibited the number of classes offered.

Councilmember Freitag clarified these fees weren't included in the Consolidated Fee Schedule and Mr. Price responded these were Administrative Fees but wanted the Council's opinion and direction regarding the proposed increase.

Councilmember Day reported he had received complaints about baseball beginning during the school year and being over before summer really started. Ms. Howard responded the recreation office received complaints from parents why the baseball season extended into June. She indicated recreation baseball generally played 8-10 games a season and games were scheduled twice a week. Mr. Price stated the All-Star games were played on the 4th of July. Councilmember Day stated he remembered playing baseball all summer long with the All-Star Game also taking place on the 4th of July. Mayor Stevenson shared his familiarity with recreation baseball with the season consisting of two halves with the All-Star Game taking place following the first half on the 4th of July, after which the second half of the season would begin and end right before football season began the next week.

Councilmember Day expressed his opinion the City should be providing recreation programs to what the residents of Layton desired. Mr. Price responded this schedule had been in place for the previous 16 years that all baseball games ended by 4th of July. Mayor Stevenson suggested completing a survey of participants to determine if there was a desire for a longer season. Councilmember Brown pointed out the difficulty in finding coaches during the summer months. Councilmember Day asked about ball diamond availability in the summer months and Mr. Price responded some were rented out to competition leagues but a longer baseball season could be accommodated if that was desired.

Councilmember Day pointed out the conflict with the All-Star baseball game beginning at 9:00 a.m. and inquired about the Ellison Park location. Mr. Price explained this year's game was moved to Ellison Park because of construction for the replica of the Vietnam Memorial Wall in Commons Park near the ball diamond. Ms. Howard also pointed out the early start time avoided the participants from playing during the heat of the day and a discussion followed. Mr. Price indicated he would report on survey results regarding the length of the season.

Councilmember Day clarified the proposed fee increases were specific to non-residents and the resident fee would remain the same.

PRESENTATION – 2018 FIREWORKS RESTRICTIONS

Kevin Ward, Fire Chief, shared a presentation regarding fireworks and announced the Legislature had modified the discharge dates. He pointed out the discharge dates were July 2, 2018 through July 5, 2018; two days before the holiday and one day following the holiday. He announced the Fire Department had reviewed areas of the City and shared a map which identified the areas where fireworks would be restricted. He stated the map on the City's website was interactive; residents could input the home address and the interactive would reflect if there were firework restrictions in place. He announced Sandridge and Andy Adams Parks had been designated as safe areas for the discharging of fireworks and indicated the opening of the parks for this purpose had been a benefit to the City. He stated the biggest complaint was that fireworks were allowed until midnight. A discussion took place.

Mayor Stevenson inquired about the City's fireworks display. Chief Ward indicated it would be an amazing display which included a double finale. Mr. Price reported the City would be "tarping" to the 50 yard line to protect the new artificial turf on the high school field and Chief Ward added fire personnel with water apparatus would be located at the football field. Councilmember Brown pointed out there would no longer be access to the football field to view the fireworks.

CERTIFICATION OF INDIVIDUALS AUTHORIZED TO MAKE CHANGES TO THE PUBLIC TREASURERS INVESTMENT FUND (PTIF) ACCOUNTS – RESOLUTION 18-41

Tracy Probert, Finance Director, explained the Utah State Treasurer required the City to approve the Resolution which identified the City Manager, City Treasurer and Finance Director to access funds from the Public Treasurers Investment Fund (PTIF). Councilmember Freitag inquired if two of the three were required for access at any given time and Mr. Probert indicated that wasn't required. He added notification would take place whenever one of those authorized accessed the account.

AMENDING TITLE 3 (REVENUE AND FINANCE), CHAPTER 3.15 (CONSOLIDATED FEE SCHEDULE), SECTION 3.15.010 (CONSOLIDATED FEE SCHEDULE OF LAYTON CITY CORPORATION) OF THE LAYTON MUNICIPAL CODE – AMENDING FEES OF THE CONSOLIDATED FEE SCHEDULE – ORDINANCE 18-26

Mr. Probert announced there were six areas in the Consolidated Fee Schedule proposed to be amended and reviewed those with the Council:

- Parks & Recreation – proposing changes in the fee structure for use of the Ed Kenley Amphitheater.
- Water Rates – he reminded the Council of previous work session discussions related to the proposed fee structure. He pointed out the new rates wouldn't be implemented until October 1 and emphasized there were different rates for those with access to secondary water and those without.
- Utility Billing – proposal to eliminate the \$45 security deposit and implement a “new account” fee of \$50. He mentioned language would be included allowing the City to charge a security deposit for a new account for a resident with a bad payment history.
- Meter fee increases effective July 1.
- Second increase of the three-year plan increase for storm sewer.
- Street lighting installation fee increases to cover City's costs.
- Changes to water impact fees no longer delineating between “indoor” and “outdoor” water.

Councilmember Freitag asked about the decrease in revenue associated with the closing of a large pavilion in Constitution Circle. Mr. Price indicated those figures could be calculated and mentioned it was the most popular pavilion to be rented. Councilmember Freitag requested a discussion relative to the pavilion be placed on a future agenda.

AMENDING TITLE 13 (WATER AND SEWERS), CHAPTER 13.08 (CULINARY WATER SYSTEM) OF THE LAYTON MUNICIPAL CODE – ORDINANCE 18-27

Mr. Probert informed the Council the proposed amendments would align practices and procedure with City Code and reviewed the proposed changes with the Council:

- The City would no longer require contractors to sign up for a culinary water utility account at the time the building permit was issued. He stated the account would be established upon occupancy.
- Eliminating the fixed rate residential security deposit which was reviewed with changes in the Consolidated Fee Schedule.
- Eliminating the language which allowed the resident to request a hearing with the Finance Director upon receiving a shut-off notice or termination of services notice. He clarified water service could be terminated for non-payment at 15 days following the due date on the notice.
- Payment with a check would not be accepted for accounts in which termination of service had taken place or those accounts with a bad payment history or those which experienced returned checks.
- Language defining the process related to use of a “Collection Agency” allowing the City to pass on the collection services fee to the resident.

Mayor Stevenson asked when the monthly bills would begin and Mr. Probert responded they would begin in November.

Councilmember Brown suggested Staff identify trash collection schedule for holidays and place it on the front page of the City's website making it easily identifiable to residents. Mayor Stevenson shared a suggestion for the City's front page for trash collection and a discussion took place.

AMENDING THE ADOPTED BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2017, ENDING JUNE 30, 2018 – ORDINANCE 18-24

Mr. Probert reviewed the proposed amendments included on the summary sheet with the Council. He pointed out the language identifying snow removal in the appropriation of fund balance had been included in error and highlighted the following:

- Impact Fees previously identified to cover gymnasium costs at the new Jr. High, was not allowed and reported those costs had to be appropriated to the General Fund.
- Costs associated with hiring a new city attorney partway through the year was also included.
- Increases associated with how the Court handled public defenders.
- Appropriation of funds for the Davis Clipper Layton publication.

He explained the \$438,437.23 revenue source was mostly related to police and fire special services, DATC equipment rental, class fees, insurance proceeds, developer payments and forfeitures, donations, State grant for the replica of the Vietnam Wall. He also pointed out the City had received grant revenue.

He reviewed amendments to the other funds identified on the Amendment Summary page and asked if there were questions from the Council. There were none.

REZONE REQUEST – DERU REZONE – A (AGRICULTURE) TO R-1-10 (SINGLE FAMILY RESIDENTIAL), AND A AND R-1-10 TO R-1-10 PRUD (SINGLE FAMILY RESIDENTIAL, PLANNED RESIDENTIAL UNIT DEVELOPMENT) – ORDINANCE 18-19 – APPROXIMATELY 2387 EAST CHERRY LANE

Tim Watkins, City Planner, shared a visual presentation with the Council and identified the location of the property and explained the rezone proposal. He explained the property proposed for rezone contained 4.11 acres; of that 3.23 acres was proposed to be rezoned from A and R-1-10 to R-1-10 (PRUD) and 0.970 acres containing an existing home was proposed to be rezoned from A to R-1-10. He indicated the rezone would allow a residential development comprised of ten single family homes and two twin homes with a common open space area and identified the property on the illustration which would be used for the required open space component. Councilmember Petro clarified the sloped, non-buildable area was included as functional open space. Councilmember Day clarified everything identified in green on the map; front yards, backyards, and side-yards was included in the open space component. Mr. Watkins responded both of those inquiries were correct and Councilmember Day expressed his opinion side-yards weren't usable open space. Councilmember Day pointed out the useable space area discussion had surfaced many times during Planning Commission meetings and suggested the Council review the entire ordinance pertaining to PRUD's.

Mr. Watkins responded the proposal met the City's standards. Councilmember Brown pointed out the open space requirement was 36% and the proposed open space was 63% and suggested it clearly exceeded what was required by a significant amount and a discussion followed.

Councilmember Davis requested further clarification on discussion from the Planning Commission and Mr. Watkins reported one commissioner believed the proposed subdivision wasn't fitting for the area; however, the remainder of the Planning Commission believed the diversity would be appropriate for the area.

Mr. Watkins pointed out the lots were a "patio home" style lot and stated the proposal met the open space requirement and the applicant explained specifics associated with the proposed development. Mr. Watkins emphasized the patio home development contributed to the inclusion of the entire green space to meet the open space requirement. He continued to explain if they were individual lots the green space wouldn't be

met.

A discussion took place regarding the applicant's proposal to demolish his current residential home and build a new home in the development. Steve Jackson, City Engineer, believed if two of the proposed homes were eliminated and replaced with one residential home, as the developer's own home, it would contribute to more additional open space.

Mr. Watkins shared some examples of homes which wouldn't be used in the proposed development. He also shared concerns expressed by residents during the Planning Commission meeting which concluded the value per square foot could contribute to the value of the development.

The Council adjourned to the regular meeting at 6:54 p.m. and would reconvene in the work meeting following the council regular meeting.

The meeting reconvened at 9:39 p.m.

MAYOR'S REPORT

Mayor Stevenson informed the Council the opening of the pet hospital located in the former McGrath's building was scheduled within the week and announced the entire Council had been invited to attend the grand opening. He would forward the invitation announcing the date and time.

He announced the soft opening of the flyover/overpass. He stated it would be open for the Air Show this coming weekend and requested nothing be placed on Facebook. He indicated the "Grand Opening" event was scheduled for Monday morning, June 25, 2018. Councilmember Davis stated he wouldn't be able to attend.

Councilmember Petro suggested the Council ride over the new road in something unique such as convertibles, mopeds or UTV and offered to organize the event.

Councilmember Freitag suggested requesting the flagpole at the old Executive Auto location be donated by UDOT to the City to be placed at the amphitheater.

Councilmember Brown informed the Council several nominations had been received for Hometown Heroes to be honored in conjunction with the City's Fourth of July celebration. She announced the recipients and when each would be notified they had been chosen to be honored. She read the list of nominees.

She informed the Council information had already been sent out reflecting popsicles would be distributed at 10:00 a.m. during the parade. She stated the Council would leave at 10:00 a.m. to deliver popsicles and the cart of popsicles would move ahead of the parade. Mayor Stevenson announced the shirts and hats have been ordered. A discussion took place regarding where the honor guard and flag would appear in the parade and Councilmember Brown stated she would ask if flags could precede the Council and the parade. Councilmember Freitag indicated he would look into whether two flags could be used during the parade.

Alex Jensen, City Manager, reported the set up for breakfast on the Fourth would take place under large tents near the center of the circle. Councilmember Freitag also mentioned the tents would also be used for the replica of the Vietnam Wall dedication.

A discussion took place regarding the Layton newspaper.

The meeting adjourned at 10:04 p.m.

Kimberly S Read, City Recorder