MINUTES OF LAYTON CITY COUNCIL WORK MEETING — **NOVEMBER 1, 2018; 5:30 P.M.**

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

STAFF PRESENT: **ALEX JENSEN, GARY CRANE, BILL WRIGHT, TIM WATKINS, LON CROWELL, DAVID PRICE, JOELLEN GRANDY 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:

PRESENTATION – DAVIS FORENSIC NURSE PROGRAM

Kristen Floyd, Executive Director with Safe Harbor, reported Safe Harbor had served over 500 individuals of sexual assaults from Davis County this last year and had received all types of services associated with sexual assault. She stated when a sexual assault occurred the victim usually required a physical exam to gather evidence for prosecution purposes and historically the County had utilized a program known as NUSANE, based out of Weber County. She reported representatives had developed a relationship with the new IHC Layton Hospital to develop an exam room specifically designed for these types of exams to take place outside of the typical emergency room. She added a new nurse examiner's group was recently established consisting of 12 nurse examiners to perform these exams.

Councilmember Day arrived at 5:32 p.m.

She informed the Council the nurse examiners would begin administering exams utilitizing a room at the new hospital once they have been appropriately trained so as to not re-traumatize the victims. She stated Davis Hospital and the University of Utah Hospital were also being considered as similar locations where these services could be provided.

She stated her purpose tonight was to inform the Council of the importance for these services to be offered in Davis County. She reported Davis County was ranked the highest in the State and the nation, with one of three, for victims of domestic violence and sexual assault. She stated this was a significant statistic.

Mayor Stevenson inquired about the costs to provide these services or if donations had resulted in the forensic nursing program. Ms. Floyd responded Intermountain Health Care had been very generous with its donation for the program and announced Safe Harbor had secured a three-year grant to fund the Sexual Assault Program. She added this was the first of its kind within the State of Utah in that it was explicitly designed to meet the needs of Davis County and the first to receive grant funding for its implementation.

Mayor Stevenson asked if there were specific reasons why Davis County was so high in comparison to other counties in the State or other areas within the nation. Ms. Floyd stated Davis County was densely populated compared to other counties in the state and she believed Davis County residents don't want to believe or talk about domestic violence or sexual assault. She suggested residents in Utah tend to "deal" with these types of issues privately at home. She indicated victims of sexual assault were perpetrated two or three times before asking for help and most sexual assaults were committed by known associates of the victim.

She explained the forensic nurse would complete the exam and gather all available evidence and the victim had the authority to determine if they want to have law enforcement notified for prosecution purposes. She indicated the facility would provide services to victims aged 14 and older; younger than that would be referred to the Children's Justice Center where those individuals were trained to deal with children. She stated parental consent would be needed to administer exams for those under the age of 18. She pointed out the exams were very thorough and could last up to five hours in length. She also pointed out the difficulties experienced in the past with having the exams take place behind a curtain in an emergency room as opposed to a private room in a hospital. She mentioned two other counties were closely following Davis County's success in implementing this type of program.

Ms. Floyd left the meeting.

KENLEY AMPHITHEATER PLAZA IMPROVEMENTS – PROJECT 18-4

Mayor Stevenson inquired about the status of the old bowery in Constitution Circle. David Price, Parks and Recreation Director reported a contractor had been identified to complete the demolition once the City received the proper permission from the State of Utah. He anticipated beginning the demolition process within the next two weeks.

Mr. Price announced the bid process for the Kenley Amphitheater Improvements had been completed with three construction companies submitting bids. He reported the lowest bid of $1,632,000 was submitted by Ascent Construction and commented how close the bids were. He recommended acceptance of the base bid which consisted of the restroom and the area closest to the amphitheater and he also recommended acceptance of alternate #1; the large pavilion and remainder of the plaza. He recommended not accepting alternate #2; the wood deck west of the pavilion due to the cost and suggested replacing it with a concrete pad. He recommended acceptance of Ascent's bid which was near the estimate originally provided to Council. He also reviewed the proposed funding sources to complete the project: the use of RAMP grant funding and General Funds,

He reported Staff was eager to begin the project and stated the Council would consider approval of the award of bid at its next available meeting. Councilmember Brown reported the RAMP Commission had been aware of the project and the need for grant funding during its last meeting and indicated it would receive more information at its next meeting. She informed the Council although there was concern with the large amount of RAMP funds needed for the project it believed the project was deserving because it was directly related to Recreation, Arts, Museum and Parks. She suggested funds be appropriately designated to each of the four areas. Mr. Price mentioned the Davis Arts Council had expressed a desire to be part of the RAMP grant application process. Councilmember Brown pointed out once the gymnasium at the junior high was completed; there would be significant available funds and Mr. Price spoke to the ability to continue funding other projects. He mentioned the need for pickleball equipment once the courts were constructed. A discussion took place regarding RAMP funds.

Councilmember Day asked about the timeframe associated with the plaza improvements and Mr. Price explained once the Council approved the bid the contractor would be notified to begin. Ms. Grandy added Phase I was estimated to be completed by May 24, 2019 and Phase II was estimated to be completed by June 15, 2019, which was a very aggressive schedule. Representatives from the Arts Council expressed its support of the improvements.

Mr. Price inquired if the Council had any questions or concerns regarding Resolution 18-71 which would be addressed in the City Council meeting. He explained this would be accepting Prop One 2017 grant funds for the Adams Canyon/Bonneville Shoreline Trailhead Improvements located east of the US 89/Oak Hills Drive Intersection. Councilmember Petro suggested including a small canine drinking fountain for visitors with dogs. She believed grant funds were available through one of the national pet stores for this purpose.

Councilmember Day asked who would be responsible for the construction of the project and Mr. Price explained the State of Utah would complete the improvements in conjunction with the Highway 89 project. He added this was considered a "betterment" and reported the City would have to pay any costs different than what would normally be completed with the project.

Mr. Price informed the Council where it was required to meet for the Veterans Day parade on Monday, November 10, 2018 and indicated more information would be provided.

BRIEFING ON GENERAL PLAN AMENDMENT AND REZONE REQUEST – 850 NORTH 2200 WEST

Tim Watkins, City Planner, shared a concept plan with the Council for the proposed development located at 850 North 2200 West, known as the Swan Lakes Golf Course. He shared a visual presentation of the proposed development. He stated the applicant has requested an amendment to the General Plan and reported the current land use recommendation was Parks/Open Space; however, the zoning was Business Research Park. He reported the Layton Forward General Plan update reflected this property as neighborhood residential with some transitional housing on the draft future Land Use Map.

Councilmember Day inquired why the golf course property had been rezoned Business Research Park. Mr. Watkins responded he had completed research and reported the area was envisioned as an employment center in the 90's consisting of industrial and professional office uses. He explained after the property was annexed into the City for the purpose of a golf course, it was rezoned to M-1, Light Industrial, which allowed for the use and was consistent with the General Plan at that time. Following that the City created the B-RP, Business Research Park zone and encouraged the applicant to rezone the property to that zone, as it would be a more appropriate land use given the R-1, Single Family Residential zones to the north and west. He summarized the golf course was constructed in 1993, B-RP zoning was established in 1994 and it was rezoned to B-RP in 1995. He emphasized the M-1 zone permitted the golf course.

Councilmember Petro inquired why a rezone would be requested once it was built. Bill Wright, Community and Economic Development Director, suggested the additional uses of the outdoor batting cages might have precipitated the need for a more appropriate zone based on the uses of the property.

Councilmember Day asked if the City had any development agreements for the golf course that identified what the City would allow at the property. Mr. Watkins responded the batting cages had been allowed as a conditional use and added minutes from the B-RP rezone indicated development for the property would have an office park environment rather than a light industrial should the golf course ever close and development take place.

He reviewed the proposed residential development concept consisting of single-family residential in the center and along the eastern edge of the development; condominium and townhomes would line Gordon Avenue and Ellison Park to the south. He indicated smaller lot, single family homes with rear loading garages would be in the western center portion, allowing the homes to front onto streets or green spaces of the development. He reported the open space consisted of 11.4 acres which met the standards for PRUD for single family and the open space standards for the C-TH and identified where those areas were proposed. He shared visual illustrations of proposed housing types, the shared entry/gateways to the development, and amenities.

DISCUSSION – ZONING TEXT AMENDING ON C-TH CONDO TOWNHOME ZONING DISTRICT

Mr. Watkins reported the Planning Commission had considered the zoning text amendment and stated it would soon come to the Council for approval.

He informed the Council of the different types of townhome styles for consideration and reviewed the variety of townhome features consisting of 2-story step downs and urban style with a unique façade, variety of building height, avoiding repetition and uniformity known as a “cookie cutter” style. He reported feedback from the community had preference to townhomes with the front porch orientation near streets and green space, with less preference for garages visible from the streets. He indicated height standards had been considered as well as setbacks. He shared an example of what had been proposed for the project on Gentile consisting of a 2-story mansion townhome project. He indicated the Planning Commission had recognized the townhome product could accommodate different housing styles while at the same time fit in comfortably as they transition to traditional existing neighborhoods.

Mayor Stevenson inquired when Staff believed the Text Amendment would come before the Council for approval and Mr. Watkins responded the public hearing for the Planning Commission was scheduled for Tuesday, November 13, 2018. Mr. Wright pointed out there was only one City Council meeting scheduled for December so he anticipated January.

Councilmember Freitag expressed his desire for information such as this to be included in the agenda packet so the Council could come to the meeting prepared with questions or speaking points. He asked where the City was in the process of Layton Forward and the General Plan because it’s often referred to during discussions and approvals of developments. He expressed concern decisions were made based on a reference to a draft document. Mayor Stevenson stated Staff wanted to make sure there wouldn’t be unforeseen circumstances or needed changes in the immediate future following the approval. He also pointed out the current demands of Staff with applicants and requests. Mr. Wright reviewed the proposed timeline associated with Layton Forward and the General Plan for the necessary meetings and public hearings required for approval and believed it would come to the Council for approval in March.

Mr. Wright informed the Council the development at the golf course was so significant that the rezone application from B-RP to Residential, also came forward with a formal request to amend the General Plan and stated Staff wasn’t relying on the draft document for this project. He emphasized the formal requests for the project was being analyzed by Staff following State Code allowing the City to first amend the General Plan and then apply the zoning. A discussion followed and Alex Jensen, City Manager, emphasized the City could consider requests once submitted and amend the General Plan piece by piece as needed for the development to move forward.

Councilmember Freitag clarified his concern was with Staff referring to the draft document when proposed developments were being brought before the Council for approval. He expressed concern the Council was being asked to make a decision for the development prior to updating the General Plan and a discussion took place. Councilmember Freitag further clarified some developments had been approved based upon phrasing that referenced something which the Council had not yet approved, to make the argument the development should be approved.

Mayor Stevenson asked if the focus should be on approving a new General Plan prior to requesting the Council to approve developments that didn’t comply with the current General Plan and Councilmember Freitag responded in the affirmative; that was his belief. A discussion took place about a previous time in which the City focused on updating the General Plan as opposed to approving multi-housing developments until research was completed to determine the direction of the City, the timeline associated with updating the General Plan and housing options in conjunction with land use.

The developer associated with the project reviewed his desired timeline which ended with the preliminary plat being approved toward the end of March. A discussion took place regarding the timeline associated with General Plan and Layton Forward. Mr. Wright pointed out the applicant had submitted an application to amend the General Plan outside of the Layton Forward process. He also pointed out property owners had certain rights when requesting General Plan amendment and rezones; and City Code identified specific timeframes in which it was required to respond to those requests. He clarified the City Council had more latitude in responding to the applicant’s request compared to the Planning Commission.

Mayor Stevenson suggested Staff put in place a plan associated with an approval process specific to the pending development. He also suggested Staff identify approval dates associated with the General Plan and mapping everything out and suggested a future joint meeting with the Planning Commission if needed.

Mr. Jensen requested clarification if the Council was requesting to hold off in approving all future developments based on this same philosophy in which the same principles were applied. He suggested when Staff was referring to the Layton Forward it was to remind the Council that these principles had been expressed during the public open houses. He indicated the principles had been applied to smaller developments ensuring a quality development. Mayor Stevenson pointed out the 44 acres was a large enough parcel in which several development options could be applied and suggested that had resulted in the additional analysis. He believed the developer could begin working within the current process until General Plan has been adopted. Mr. Wright reported there were similar proposed developments under similar zoning and circumstances coming before the Council and a discussion took place regarding other vacant properties within the City.

Councilmember Day asked about the joint meeting with the Planning Commission regarding the PRUD. Mr. Watkins stated he had suggested to the Planning Commission that the General Plan be the higher priority.

MAYOR’S REPORT

Mayor Stevenson announced a citizen would most likely be addressing the Council during Citizen Comments requesting the City amend the ordinance which addressed pets in backyards. He stated the request was to allow potbelly pigs in backyards and believed the resident would be attending the meeting on Thursday, November 15, 2018.

He announced the open house and ribbon cutting for Calvary Logistics as it was relocating from Farmington to Layton.

The meeting adjourned at 6:55 p.m.

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Kimberly S Read, City Recorder