MINUTES OF LAYTON CITY COUNCIL WORK MEETING — **NOVEMBER 15, 2018; 5:30 P.M.**

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

EXCUSED: — **BRUCE DAVIS**

STAFF PRESENT: — **ALEX JENSEN, GARY CRANE, BILL WRIGHT, TIM WATKINS, LON CROWELL, TRACY PROBERT 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:

AUDIT REPORTS AND COMPREHENSIVE ANNUAL FINANCIAL REPORT – FOR FISCAL YEAR ENDED JUNE 30, 2018

Tracy Probert, Finance Director, announced he would be reviewing the Comprehensive Annual Financial Report (CAFR) for Fiscal Year ending June 30, 2018 and shared a visual presentation highlighting aspects of the Report:

- He reviewed the General Fund Revenues and Expenditures. He explained what was included in the adjustments. He directed the Council to the Unassigned Fund Balance figures for the previous three years. He directed the Council to the comparison of the 2018 budget figures compared to the actual figures and pointed out the figures weren't much different from that of 2017.
- He mentioned the decrease in the 2018 actual figure was because of the large influx of these funds from the State withholding the funds for a time.
- He directed the Council to the Expenditures and stated he wouldn't review each line item and requested the Council contact him with any questions. He pointed out the comparison from the Budget to Actual which reflected almost every line item was under budget.
- He explained the process to determine the Unassigned Fund Balance of 24.5% which had been estimated to be 14.52%. He pointed out $2.3 million had been appropriated for use in the FY2019 Budget decreasing that to 16.34% and emphasized the figures were in line with what Staff had projected and planned for.
- He reviewed the Enterprise Funds and pointed out a transfer would be needed to cover operation costs associated with the pool. He also explained how the Emergency Medical operations fund would be reimbursed by Davis County. He continued to review the other Enterprise Funds pointing out some of them are significantly growing such as the Water Fund, funds would be needed in the future to complete buildout of the system and to also maintain the older portions of the system. He also reviewed other Governmental Funds and mentioned RAMP revenues came in higher than anticipated allowing more projects to be funded. He mentioned Prop 1/Transit also was higher than projected.

Mr. Probert introduced Robert Wood, Audit Partner with HBME, to the Council and directed each one to the Audit Report. He directed the Council to the Audit Report and announced it was a clean opinion and indicated there were no findings and expressed his opinion the City did an excellent job in correctly reporting the financials.

He directed the Council toward the back of the report where it addressed internal control over financial reporting which addressed compliance with laws and regulations pertaining to contracts and grants. He reported the firm hadn't identified any deficiencies or material weaknesses within the organization.

He directed the Council to the Final Report, required by the State Auditor's Office, and stated there were no areas that the firm tested which needed to be corrected. He added some minor recommendations had been suggested for management to consider, emphasizing nothing significant would need to be identified in writing to the City. He then asked if there were any questions from the Council and there were none.

Councilmember Brown inquired about the Light Fund and asked about the City's responsibility to pay for the electricity. She surmised that cost was increasing as more lights were being installed. Mr. Probert responded the electricity wasn't expensive once the City owned the light fixtures compared to the City leasing the light poles from Rocky Mountain Power.

Mr. Wood reported all City funds were in a healthy state and were not over budget. He pointed out expenditures came in less than what had been expected during the budget process. He stated the City's unrestricted fund balance associated with the General Fund was within an acceptable range allowed by the State of Utah. He invited the Council to contact him with any questions.

Mayor Stevenson asked if the State had withheld funds to specifically fund the Homeless and Mr. Probert indicated the City had been assessed approximately $150,000 for that use.

Mr. Probert directed the Council to the Sales Tax review and reviewed it with the Council referring to graphs identifying the direction of the revenues and a discussion followed regarding the different retailers/categories of Sales Tax. He informed the Council it could contact Mr. Wood at any time with any questions or concerns regarding the City's finances.

LAYTON FORWARD GENERAL PLAN TIMELINE DISCUSSION AND GENERAL PLAN AMENDMENT/REZONE REQUESTS AT 850 NORTH AND 2200 WEST TIMELINE DISCUSSION

Bill Wright, Community & Economic Development Director, announced Staff was prepared to update the Council regarding the property located at 850 N 2200 W. He reminded the Council the City had received application in September to amend the General Plan from Open Space to Residential and rezone from "B-RP" (Business Research Park) to "R-1-8 PRUD" (Residential) and "C-TH" (Condominium/Townhouse). He shared a visual illustration identifying timelines association with the process and reviewed it with the Council. He reported a briefing had been shared with the Planning Commission in October and it held an "issues only" public hearing during its meeting on Tuesday, November 13, 2018. He announced the Planning Commission would take action on the item during its meeting on Tuesday, November 27, 2018. He reminded the Council of the legal requirement of 30 days for the Planning Commission to make a recommendation to the City Council. He stated the time limit for a decision would be Tuesday, December 11, 2018, and pointed out the Planning Commission could make a decision at either the meeting on Tuesday, November 27, 2018 or Tuesday, December 11, 2018. He continued to review the timeline.

Councilmember Freitag requested an update from the Planning Commission's meeting be shared with the Council at its meeting on Thursday, December 6, 2018. He indicated that would allow the Council to make a decision during its meeting on Thursday, January 3, 2018.

A discussion took place regarding the makeup of the City Council and Councilmember Brown suggested the City Council schedule the Public Hearing to take place during its meeting on Thursday, January 3, 2018, for comment/discussion only; yet not taking action on the item. Mayor Stevenson pointed out the Council could hold a Special Meeting if needed sometime between Tuesday, December 11 and Thursday, January 3, 2019, or the Council could meet on Thursday, December 20, 2018. Mr. Wright stated Community Development Staff would be prepared to update the Council during its meeting on Thursday, December 6, 2018.

Councilmember Freitag asked about the possibility of the Council being asked to amend the General Plan specific to this specific development only, not in its entirety as part of Layton Forward. Mr. Wright responded that was exactly what was being requested emphasizing the developer was requesting an amendment to the current General Plan based on the development's merits. He suggested approval of the Layton Forward General Plan could still be a few years out in the future. He emphasized the City was trying to be responsive to a property owner and applicant in a way that was fair and legal.

Tim Watkins, City Planner, informed the Council discussions specific to "town centers" would begin taking place in January which he believed would include conversations regarding the General Plan. Councilmember Freitag reminded Mr. Wright that both the Council and Planning Commission had requested a joint meeting in which the General Plan could be discussed. Mr. Wright also mentioned the Planning Commission wanted to also discuss potential changes to the PRUD and believed the conversation should be based on the Layton Forward process. He didn't believe the joint meeting could be accommodated between now and the end of the calendar year.

Mayor Stevenson suggested this issue and the joint meeting should take place in January and Councilmember Freitag asked about the time constraints associated with the project. Mr. Wright informed the Council he had forwarded a letter to them he received from the property owner regarding any possible delay.

Mayor Stevenson requested Sheryl Starkey, Property Owner, address the Council regarding the project and the presented timeline. She indicated prolonging the process would be a hardship to her and explained the financial costs associated with the golf course. She pointed out she had been working with the City on redeveloping the property for over a year. She expressed her opinion it would be unfair and unjust to require them to wait until the City adopted a new General Plan before it comes to the Council for consideration. She believed the proposed project would be an appealing housing product which would be well received by those desiring to live within the City. She expressed concern that projects similar to what was being proposed for the golf course property might be approved because it would take place on a smaller parcel of property and a discussion followed.

Mayor Stevenson asked where the proposed development fit within the City's current General Plan and Mr. Wright responded the current General Plan identified the property by its use as privately owned open space operating as a golf course. He added the zoning placed on the property was identified as B-RP (Business Research Park) and stated it was incongruent with the non-residential zoning and the General Plan land use designation of open space. He stated in order to rezone the property to the proposed residential zoning district the General Plan land use recommendation should be consistent with the zoning requests.

Councilmember Davis arrived at 6:36 p.m.

Mr. Wright continued to explain parks were allowed to be located within different zones because they were allowed within the "Use". He also explained how the different proposed housing components could be accommodated under the current General Plan. He mentioned the proposed future General Plan would allow for less open space than what was currently required.

Councilmember Freitag expressed concern with recent development requests coming before the Council that needed some type of exception and had been justified and approved based on the reference to the new Layton Forward General Plan. Therefore, he suggested the new General Plan should be adopted or reference to the new Plan should not be made when approving development requests. He referred to the proposed timeline identified by Staff regarding the proposed approval of the project and didn't believe the Council could wisely make a decision at its meeting scheduled for Thursday, January 3, 2019. Councilmember Brown suggested a Special Meeting could be scheduled sometime in December following the Planning Commission's meeting on Tuesday, December 11, 2018 for Council's consideration.

Mayor Stevenson addressed Ms. Starkey and explained the Council was obligated to make decisions on what would be in the best interest of the City. He pointed out the variables and suggested she and the developer be prepared for some requested changes on behalf of the City. Councilmember Petro emphasized the Council would only be considering the rezone on the property and Mayor Stevenson added the rezone was based on a concept plan. Mr. Wright spoke to the timing associated with approval of the Preliminary Plat and emphasized it was a very aggressive timeline and reviewed it with the Council. Mayor Stevenson emphasized the aggressive timeline would be applicable to whatever size the property parcel was.

Councilmember Brown requested clarification with how the proposed project would be impacted by adoption of a new General Plan and Mr. Wright responded if changes were made specific to PRUD the development would need to comply with what was approved in the new General Plan approved by the Council. He stated the City couldn't prohibit the applicant from submitting an application in the future.
Mayor Stevenson stated future progress would hinge on what decision was made by the Planning Commission at its meeting on Tuesday, November 27, 2018.

Ms. Starkey stated it had been an honor and privilege to operate the Golf Course and be a part of Layton City for a number of years.

Mr. Wright reviewed the timeline associated with the Final Plat which would allow the developer to begin infrastructure improvements associated with the proposed development.

Councilmember Petro asked how the Administrative decisions would take place compared to Legislative and Mr. Wright stated the Final Plat would be Administrative which would be around March 26, 2019. He referred to the proposed timeline specific to possible approval of the Layton Forward General Plan update with the Council.

OPEN AND PUBLIC MEETINGS ACT TRAINING

This item was not addressed by the Council.

CONFLICT OF INTEREST TRAINING

This item was not addressed by the Council.

SEXUAL HARASSMENT TRAINING

This item was not addressed by the Council.

MAYOR'S REPORT

Mayor Stevenson suggested if the City Council meeting was short, the Council could reconvene in a work session at its conclusion to complete the training.

The meeting adjourned at 6:59 p.m.
The Council did not reconvene in a work session following the policy session.

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Kimberly S Read, City Recorder