

**MINUTES OF LAYTON CITY
COUNCIL WORK MEETING**

JUNE 6, 2019; 5:37 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

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

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, STEVE GARSIDE,
KAREN ARROYO, KILEY DAY, KAYLIE AUSTIN,
TERRY COBURN, CHAD WILKINSON, TIM
WATKINS, TRACY PROBERT, KEVIN WARD,
AND KIM READ**

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

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

AGENDA:

VICTIM SERVICES PRESENTATION

Gary Crane, City Attorney, complimented Karen Arroyo for her professionalism in working with victims of crime within the City.

Karen Arroyo, Victim Services Coordinator, distributed a handout to the Council and explained she provided services to victims of crime that either live in Layton City or crime that occurred in Layton City. She stated she provided support throughout the criminal justice system process by the following:

- Referring victims placed in treatment programs
- Assist with getting reparations
- Ensure the victim has a voice during courtroom proceedings
- Sit with people in court
- Assist with protective orders and stalking injunctions
- Assist in applying for restitution
- Many other things helping victims through the legal process

She reported during the 2018 calendar year they assisted 1,158 new victims and 828 of those were stalking or domestic violence victims. She stated her office assisted victims of all types of crime; however, domestic violence and personal crimes were a large problem within the community and reported 71% of all victims served were related to domestic violence. She added the office also assisted victims of financial crime and those victims generally request restitution.

She informed the Council the City received funding from a VOCA (Victims of Crime Act) grant and announced she would be applying for a new grant which would enable the City to provide additional services, such as housing, to victims and shared some examples of how the grant funding could be used. Mr. Crane explained Safe Harbor had provided call out services or dispatched assistance for needs after regular business hours. He shared some other scenarios in which this grant funding could be used to assist victims. Ms. Arroyo indicated this new housing program would also provide an advocate that would be on call after hours and Mr. Crane added there was flexibility associated with the new grant.

Mr. Crane stated there was a match associated with the grant; however, he believed the City would be able to easily provide the required match and Ms. Arroyo reviewed the grant request with the Council. She also reviewed statistics associated with crime and victims for the previous 10 years.

Mr. Crane informed the Council Ms. Arroyo was part of the committee which reviewed grant requests from other jurisdictions and pointed out this illustrated she was highly respected within her profession. She shared some examples of how the advocacy program had benefitted victims within the community.

Ms. Arroyo expressed appreciation to the Council.

APPROVE THE POLLING LOCATION AND VOTE CENTERS FOR THE 2019 MUNICIPAL ELECTION – RESOLUTION 19-38

Kimberly Read, City Recorder, informed the Council Davis County was requesting its approval of the identified Polling Locations and Vote Centers within the county for the 2019 Municipal Election. Councilmember Brown pointed out the only Vote Center located within Layton City would be the Davis Conference Center and clarified registered voters were allowed to vote at any of the identified Vote Centers. Ms. Read indicated that was correct and explained what voters could expect if they chose to vote at one of the Vote Centers.

REZONE REQUEST – TAYLOR/SESSIONS REZONE – A (AGRICULTURE) TO R-1-6 (SINGLE FAMILY RESIDENTIAL) – ORDINANCE 19-13 – 1971 NORTH CHURCH STREET AND 1098 EAST ANTELOPE DRIVE

Tim Watkins, City Planner, identified the location of the parcel and reviewed the rezone request with the Council. He explained R-1-6 (Single Family Residential) was proposed at this location as identified in the City's current General Plan, based on the intensive arterial streets of Antelope and Church. He explained this rezone would allow for a single family residential development and indicated based on the close proximity to the APZ (Accident Potential Zone), Staff was recommending a low density product. He asked if there any questions from the council.

Councilmember Brown pointed out the location where development was not allowed on the map illustration and Mr. Watkins responded that was correct.

Mr. Watkins also shared a concept plan illustrating the building lots.

Councilmember Day arrived at 5:53 p.m.

REZONE REQUEST – HILL FARMS REZONE – A (AGRICULTURE) TO R-1-10 (PRUD) (SINGLE FAMILY RESIDENTIAL, PLANNED RESIDENTIAL UNIT DEVELOPMENT) – ORDINANCE 19-12 – APPROXIMATELY 1073 SOUTH ANGEL STREET

Mr. Watkins identified the parcel on a map and oriented the Council with its location. He shared the concept plan for the development which identified the different types of housing and the frontage of each. He pointed out the open space met the City's criteria and pointed out the proposed trail amenity would become part of the City's trail system. He indicated the proposed zoning change would establish a single family residential development and shared some illustrations of the proposed housing styles.

Councilmember Petro referred to the map and requested clarification there was no access to the development from the east. Mr. Watkins responded a discussion specific to that had taken place between the applicant and Staff during which careful consideration was given to the issue. He stated a stub street would have been critical to the connectivity for vehicular traffic if Weaver Lane had been an arterial road. Councilmember Petro expressed concern if the agriculture property to the east was to be developed in the future, the ingress and egress could only be provided on Weaver Lane and Mr. Watkins responded in the affirmative and mentioned there would also be some vehicular access to the existing subdivision to the east.

Mr. Watkins spoke to the storm water draining to Kays Creek and the sewer to NDSD (North Davis

Sewer District) at Angel Street.

Councilmember Carter believed the Roberts property to the east was within an Agricultural Preservation Area.

Mr. Watkins added a density bonus request had not been submitted by the developer and request for the PRUD was relative to the flexibility, setbacks, lot size, and configuration of homes.

Mayor Freitag asked what would be needed to complete the small section of the trail system adjacent to the development. Councilmember Carter indicated discussions had taken place with Davis County regarding this issue and Tyson Roberts had committed at one time to allow the City access to complete that portion of the trail. He indicated final discussions would need to take place with Mr. Roberts regarding completion of the trail system.

PRELIMINARY PLAT APPROVAL – THE PARK PLANNED RESIDENTIAL UNIT DEVELOPMENT (PRUD) SUBDIVISION AND PRELIMINARY PLAN APPROVAL – THE PARK MANSION HOMES – 850 NORTH 2200 WEST

Mr. Watkins reviewed the proposed concept plan with the Council and reminded them of the development proposal which consisted of different housing styles, lot sizes, and zoning on 44 acres of property known as Swan Lakes golf course. He shared the Preliminary Plat pointing out the streets and lot sizes. He shared an illustration of the ceremonial landscaped entry to the development and pointed out the amenities such as the pool, club house, park space, gathering areas, landscaping, and courtyards in front of the mansion homes. He reviewed the sizes of the different lots within the development and reviewed them with the Council. He identified the open space within the development and shared elevations and renderings of the proposed housing concepts with the Council.

Councilmember Brown asked how many mansion homes were being proposed and Ed Grampp, developer, responded approximately five or six.

Councilmember Day asked how the cuts and fills would take place and Mr. Grampp responded a geotechnical firm had been hired and was working on that very issue. He assured the Council the issue was being taken very seriously.

Councilmember Petro also expressed concern regarding the compaction of fill dirt for the homes as well as the City streets and a discussion followed. Mr. Jensen believed this issue would be addressed during the engineering process. Terry Coburn, Public Works Director, indicated inspections would be required during the development process to ensure proper compaction took place.

Councilmember Day requested clarification the private alleys within the development would be the responsibility of the property owners and not the City. Mr. Watkins responded in the affirmative.

MAYOR'S REPORT

Mayor Freitag requested Tracy Probert, Finance Director, regarding a possible schedule for a Truth in Taxation process over the next few months in conjunction with adopting a final budget.

Mr. Jensen reminded the Council the City had provided excellent public safety services and had been proactive in funding operations and construction of public safety facilities. He reported the last several years the City had been setting aside funds in anticipation of constructing a fourth fire station east of Highway 89. He pointed out the important reasons for a fire station to be located in that area and Staff believed now was the time to begin that process and it began identifying funding sources which should be considered by the Council.

Mr. Probert informed the Council that following discussions he had with the County about a possible tax

increase considering property assessments had suggested an increase of just over six percent.

He reviewed the proposed costs specific to Fire Station #4 and reviewed the 2018 Property Tax total rate and indicated Layton City was one of the lower taxes. He explained how the State's property tax structure was based in that as property values increased, tax rates decreased, and clarified the City was only allowed to collect the same revenue it budgeted in the prior year, plus new growth. He shared some property tax adjustment scenarios with the Council based on a residential property value at \$350,000. He reported the City would need \$1.2 million for Fire Station #4 and reviewed different property tax scenarios with the Council and a discussion followed.

He shared 2019 property tax rates, reflecting a 22% rate adjustment for Layton City, comparing the City's rate to cities of similar size providing similar services and a discussion followed. He pointed out the tax rate proposed by the County this year was 0.1424 which would be lower than all of these cities of similar size. He also shared a comparison of property tax rates for Davis County entities and believed the only other entity contemplating a tax increase this year was the school district. He mentioned Bountiful, Kaysville, Syracuse, West Point and Ogden cities all had property tax rate increases last year. He shared an illustration which reflected whether the entities' increase was to maintain the Certified Tax Rate or whether it was an actual rate increase and a discussion followed.

Mr. Probert reviewed the inflation adjusted tax value and summarized the City had never recognized an increase in tax revenue for the previous 32 years and suggested the City had never completed a revenue increase to its residents. He reviewed historical information specific to municipalities raising property taxes.

Mr. Probert identified personnel and operating cost coverage associated with Fire Station #4 and also reviewed how the funding, with a 22% property tax increase, for the station could be recognized. He suggested construction could begin summer 2020.

Mr. Probert stated the numbers had changed since previously discussed and requested direction from the Council in moving forward and a discussion took place. Mr. Probert emphasized the property tax increase would pay for this priority. Mr. Jensen pointed out operation and personnel costs would only last for approximately three years and spoke to the costs associated with software programs.

A discussion took place regarding equipment and apparatus that would be housed at that location and Mr. Ward explained how that would be accommodated.

Mr. Probert reviewed the philosophy of maintaining the Certified Tax Rate. Councilmember Brown clarified the notice was only announcing the Council would be holding a public hearing to consider whether or not it would maintain the Certified Tax Rate and suggested the notice would allow that option to the Council.

Mr. Probert requested direction from the Council if it wanted to proceed with the public hearing notice and stated the notice would need to identify the percentage of the proposed increase and a discussion followed.

Councilmember Petro asked if it would be in the best interest of the Council to consider a higher increase than the 22%, which would only cover costs associated with the new fire station. Mayor Freitag stated Staff had identified figures associated with funding both the construction of the new station and the remodel of the existing station and the discussion continued.

Mr. Probert shared information identifying the proposed property tax increase and revenue bond and the costs associated with the construction of a new fire station and relocation of the additional fire station and a discussion took place.

Mayor Freitag clarified if after all public hearings took place regarding a proposed 22% tax increase, the

Council determined a 20% tax increase would be more appropriate, it would be allowed to proceed with that figure and Mr. Probert responded in the affirmative.

A discussion took place regarding response times and emergency services coverage within the City.

Mayor Freitag suggested the Council determine the figure for the proposed rate increase for the public hearing notice and a discussion followed. Mr. Jensen pointed out the 22% rate increase on a \$350,000 home would result in a \$5.03 increase per month and the discussion continued.

The Council directed Mr. Probert to advertise a proposed property tax increase of 25%. Councilmember Brown suggested using the video put together by the Utah League explaining how the City's utilized property tax revenue. Councilmember Day asked why the City had never increased property taxes for the purpose of maintaining the rate in the past. Mr. Jensen responded the City had been frugal and based on the philosophy; if the revenue wasn't needed it shouldn't be requested. Councilmember Day inquired about the City's bonding capacity and Mr. Probert believed it would be significant. Councilmember Davis stated the City would receive a good interest rate because of its excellent bond rating. Mr. Jensen pointed out the future projects which the City would consider incurring debt to accomplish.

MEDIA DISCUSSION

Mr. Crane pointed out it was as much the Council's responsibility, as well as Staff's, in educating the residents regarding the proposed tax increase.

Steve Garside, Assistant City Attorney, stated a marketing plan and informational pamphlet had been put together to be used in educating the public.

Kaylie Astin, Communications Coordinator, indicated the marketing plan had been prepared with the intention to educate citizens with information on the proposed tax increase with a positive emphasis on the benefits of a new fire station. She shared the proposed logo which would be used in the campaign and identified the other tools which would be utilized in the campaign highlighting the following:

- Social media posts
- Hashtags
- Retractable banners
- Utility bill inserts/mailers
- Videos
- Town hall meetings

Councilmember Davis stated he appreciated the FAQ's identified in the handout and believed it would be helpful if residents could express concerns or ask questions in an online format. Mr. Garside indicated that feature was already in place on the City's website.

Kiley Day, Human Resource Officer, distributed a packet of information which would be placed on the City's website to answer questions regarding "Time 4 for Station 4". The information was reviewed and discussed by the Council. Ms. Day requested any suggestions or feedback from the Council.

MAYOR'S REPORT

Mayor Freitag mentioned the Planning Commission had advertised for an issues only public hearing related to the General Plan on Tuesday, June 11, 2019 at 8:00 p.m. He asked if members of the Council would be available to meet at 7:00 p.m. in a Closed Meeting to discuss the City Manager's annual review. The Council responded in the affirmative.

The meeting adjourned at 7:04 p.m.

Kimberly S Read, City Recorder