MINUTES OF LAYTON CITY COUNCIL WORK MEETING **DECEMBER 5, 2019; 6:13 P.M.**

MAYOR AND COUNCILMEMBERS PRESENT: **MAYOR SCOTT FREITAG, JOYCE BROWN, SCOTT CARTER, TOM DAY, AND JOY PETRO**

EXCUSED: **BRUCE DAVIS**

STAFF PRESENT: **ALEX JENSEN, GARY CRANE, CHAD WILKINSON, TIM WATKINS, LON CROWELL, DAVID PRICE, MICHELLE HOWARD, 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:

DISCUSSION – LIBERTY DAYS 2020

David Price, Parks and Recreation Director, reminded the Council of last evening's Family Recreation Activity, Hayride in the Park. He announced 50 gallons of hot cocoa was made, approximately 2,000 cups of hot cocoa was handed out, 1,000 candy canes were distributed. He explained this was a fun event for families and announced Santa had been attending the event for several years.

He informed the Council the City had issued a substantial completion for the plaza and reported the last few items couldn't be completed until Spring. He expressed his opinion it had been a good project resulting in a nice facility which would complement the amphitheater.

He also informed the Council the City would be forwarding its payment for the Shoreline Jr. High gymnasium, along with an agreement for the use of the facility. He indicated the agreement was similar to what was in place with the other facilities. He reported the gym had been well-received and stated the City was using it six nights a week for its programs. He encouraged the Council to make a visit to witness the participation at the facility. He also indicated the City would be partnering with the school district in purchasing additional gym equipment for the facility.

Councilmember Petro inquired about the usage fee for residents at the Jr. High. Michelle Howard, Recreation Supervisor, responded a drop-in fee of $2 per resident had been implemented and a punch pass could be purchased through Parks and Recreation for $1per entry.

Ms. Howard distributed a copy of the proposed parade rules. She explained Staff had completed a survey from neighboring cities which didn't prohibit political entries and stated it would be Staff's recommendation that there be no restrictions on political parade entries. She referred to the parade rules and handout and reviewed the proposed changes with the Council.

She explained how Parks and Recreation Staff would address parade spectator seating and announced no areas of seating could be reserved prior to July 2 (48 hours).

Ms. Howard stated Staff was proposing moving away from the traditional symphony and Cannoneers for the evening concert of the 4th of July, as attendance had experienced a steady decline in the past four years. She reported the Parks & Recreation Commission was in favor of selecting new entertainment and solicited direction from the Council. She emphasized it would still be a free, family friendly concert. She added it was proposed to begin at 8:00 p.m. for a 90 minute performance, allowing for a 15 minute break prior to the fireworks. She indicated patriotic music could be piped throughout the park during that 15 minute break. No concerns were expressed with the proposed changes.

Mayor Freitag asked if the City could restrict "shouting" from a parade participant, as identified in the new parade entry rules and regulations. Gary Crane, City Attorney, responded explained the City couldn't restrict content and believed it could be in the rules; how the City intended to enforce that, he wasn't sure. Mr. Price explained the intent was to eliminate chanting which would affect other entries or to discourage a "mob" type mentality which would inhibit other parade entries. Mayor Freitag suggested those specifics should be clearly stated and a discussion followed. Mr. Price stated Staff would work with Mr. Crane to identify clear language for parade entries.

AMEND TITLE 2, CHAPTER 2.36, SECTION 2.36.010 OF THE LAYTON MUNICIPAL CODE CREATING THE POSITION OF ALTERNATE MEMBER ON THE LAYTON PARKS AND RECREATION COMMISSION – ORDINANCE 19-42

Mr. Price informed the Council Staff would like to amend the ordinance to allow an alternate member to the Commission. There was no expressed concern from the Council. Mr. Price proposed Scott Quinney as the selected individual for that appointment. Mayor Freitag stated the appointment would be made during the City Council meeting following the work session.

APPROVE THE MASTER LICENSE AGREEMENT FOR WIRELESS FACILITIES IN THE PUBLIC RIGHT-OF-WAY – RESOLUTION 19-59

Mr. Crane, City Attorney, explained Verizon was the first 5G company to make application to the City for wireless facilities within the public Right-of-Way. He stated although 5G doesn't currently exist in Layton City, 4G would be available on the City's towers. He reminded the Council it recently passed the Franchise Agreement for these types of licenses and indicated this was a more specific document. He stated Verizon had identified six locations for its equipment to be placed on the poles currently located in the Right-of-Way and identified them to the Council.

He reported once the agreement was signed by Verizon, the permitting process would begin. He stated the City's engineers had adopted standards, which could be found on the City's webpage, regulating what they looked like. He reported the City had temporarily adopted Salt Lake's regulations until Layton implemented its own. He emphasized the agreement sets forth what was in the ordinance and Verizon would agree to abide by the specific language.

He reported the City would be paid a fee for each pole that was installed within the City, in addition to receiving a telecommunications fee of revenue from each pole. He stated he wasn't sure how the City would regulate this, and indicated the City would need to keep track of the number of installed poles.

Mayor Freitag reported there were organized groups expressing concern regarding adverse health effects from the radiation from 5G towers. He suggested the City place FAQ on its website reflecting the City isn't promoting 5G towers; rather it had been legislated, and believed the City would want to be proactive on this issue. Mr. Crane responded the City would be encouraging the use of the poles already installed as opposed to installing a new tower or pole. A discussion took place and Mr. Crane indicated Staff would look into the issue.

AUTHORIZE AN AGREEMENT BETWEEN LAYTON CITY AND MATRIX DESIGN GROUP FOR THE PREPARATION, FACILITATION, AND PRODUCTION OF THE HILL AIR FORCE BASE COMPATIBLE USE PLAN (FORMERLY JOINT LAND USE STUDY) – RESOLUTION 19-56

Lon Crowell, Economic Development Manager, reminded the Council the City had been asked if it would sponsor a grant for the completion of a Compatible Use Plan for Hill Air Force Base (HAFB) and surrounding entities. He stated the Council approved the Resolution in 2018 to proceed. He reported the process had taken significant time as it involved 11 cities, three counties, utility companies, and many others. He explained the grant would allow the hiring of a consultant to produce the Plan. He announced the Grant was awarded in the amount of $384,641 in July 2019 which allowed the City to complete the RFP (Request for Proposal) process to select the consultant. He stated a Policy Committee, comprised of Mayors, Commissioners, or their designees, met in November to review the submitted proposals and it unanimously recommended Matrix Design Group as the consultant for the Plan. He added since the City was sponsoring and administering the grant funds, the City Council would need to authorize approval of the agreement. He emphasized the Plan would be applicable to all surrounding areas of HAFB and its testing range.

Mayor Freitag complimented Mr. Crowell and other Staff for shouldering the responsibility associated with leading and moving forward.

MAYOR'S REPORT

Alex Jensen, City Manager, stated Kevin Ward, Fire Chief, would later explain the grant process associated with obtaining new equipment for the Fire Department. He explained the air packs used by firemen needed to be replaced on a regular bases and in the past the City had been the recipient of a federal grant. He reported the City didn't receive grant funding this year, which had been reflected in the budget. He informed the Council, Staff was proposing to use $160,000 of fund balance for this purpose. He further explained matching grant funds, existing funds identified for items of a lower priority, and wildland fire funds would be used towards the purchase, which still left the shortage of approximately $160,000. He pointed out this would eliminate it being appropriated during the budget process in June, allowing the City to take advantage of this year's pricing prior to a price increase for the equipment.

Chief Ward explained the grant process with the Council and the need for replacing the equipment. He indicated Staff had re-prioritized budget items in order to recognize funds for this purpose and reviewed those with the Council. He clarified the replacement would be for all new equipment and pointed out the old equipment would be incompatible with new equipment/systems and explained how they would be utilized by Staff. He indicated more equipment would need to be purchased for staffing at Station 4.

Chief Ward reported on the experiences gained by fire personnel which assisted with fighting the wild fires in California. He expressed appreciation to the Council for its support.

Mr. Jensen reminded the Council of the presentation previously shared by Rocky Mountain Power and Representative Steve Handy regarding power incentive programs specific to efficiency and reported the City had received a reimbursement check from Rocky Mountain Power of approximately $33,600 for the power efficiency program the City was currently participating in. A discussion followed regarding the information provided by Mr. Handy and Rocky Mountain during the previous presentation.

The Council adjourned the work meeting and convened in a regular meeting at 7:06 p.m.
The work meeting reconvened at 7:42 p.m.

Mayor Freitag stated questions had been expressed regarding the proposed Council vacancy created by Councilmember Petro's successful campaign for Mayor.

Mr. Crane reminded the Council of the appointment process previously used. He stated the key date would be when the vacancy occurred and announced the Council seat would be considered vacant on January 1, 2020. He stated the appointment could be made any time after that date.

Mr. Crane explained the Council could begin accepting and reviewing applications. He also indicated Councilmember Petro could submit a letter of resignation earlier than January 1, thus allowing the current Council to appoint a new Councilmember. He continued to identify other options the Council could consider and emphasized applications had to be collected at least 14 days before the meeting to make the decision.

Mr. Jensen inquired if the Code prohibited both the existing and newly elected Council to accept and review submitted applications. Mr. Crane responded nothing prohibited that from happening and clarified Councilmember Petro would no longer be a Councilmember after January 1; although she wouldn't be the new Mayor until taking the Oath of Office, the Mayor Pro Tem would be the acting Mayor. Mr. Crane provided a possible timeline and the Council discussed their options and available dates specific to noticing and when the meeting could take place for appointing the new Councilmember and a discussion followed.

The Council directed Staff to proceed with publishing the Notice of Vacancy, reflecting Wednesday, January 8, 2020, 5:00 p.m., as the meeting date for the selection, with applications due December 23, 2019, 5:00 p.m. The Council also requested the use of social media in disseminating the same information.

The meeting adjourned at 8:34 p.m.

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Kimberly S Read, City Recorder