MINUTES OF LAYTON CITY COUNCIL WORK MEETING — **APRIL 2, 2020; 5:33 P.M.**

MAYOR AND COUNCILMEMBERS PRESENT: **MAYOR JOY PETRO, ZACH BLOXHAM, TOM DAY, DAWN FITZPATRICK, CLINT MORRIS, AND DAVE THOMAS**

STAFF PRESENT: **ALEX JENSEN, GARY CRANE, STEPHEN JACKSON, TRACY PROBERT, ED FRAZIER, DAVID PRICE, AND KIM READ**

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

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

AGENDA:

COUNCIL MEMBER REPORT

Councilmember Thomas informed the Council the Parks Department had closed playgrounds, tennis courts, and pickleball courts within the City to eliminate close gatherings of individuals.

Councilmember Bloxham informed the Council the Davis Arts Council (DAC) Board had met regarding contingencies associated with its Budget. He indicated the concert schedule was also announced. He stated he had been impressed with the thoughtfulness of the Board and its leadership with Director, Tessa Vaschel.

Mayor Petro expressed appreciation to Councilmember Bloxham for representing the City. She mentioned the season concert schedule was announced online instead of its major announcement and celebration.

Councilmember Morris stated people had reached out to him regarding gatherings and events. He encouraged the Council to clarify that gatherings should be immediate family members only. He believed there was strict language in the Governor's Order and pointed out individuals could be asymptomatic. He suggested extreme caution should be taken out of respect to others.

Mayor Petro encouraged residents to stay informed regarding social distancing and mentioned information could be obtained from the City's website.

Councilmember Fitzpatrick pointed out many more health departments had issued similar orders to that of the Governor's.

Councilmember Bloxham believed the Council should be willing to share information it knew as he had received inquiries regarding specifics associated with the Order.

Mayor Petro added updates would continue to become available on the City's website as well as the County's website.

DISCUSSION – FISCAL YEAR 2020-2021 BUDGET

Tracy Probert, Finance Director, reminded the Council of previous discussions pertaining to next year's budget and pointed out the importance of continued discussions in order to maintain the identified timeline in order to be prepared for adoption. He explained the City would continue to operate, as normal in providing services, and a budget would need to be in place.

He reviewed the Pool Fund and indicated the figures presented would be impacted since closing of the pool due to the Coronavirus pandemic. He reminded the Council the budget could be amended anytime there was a need to do so. He reviewed the expenditures with the Council and pointed out the transfer of $550,000 from the General Fund. He asked if there were any questions and there were none.

He reviewed the Emergency Medical Fund and pointed out the anticipated increase in revenue based on a significant increase in medical calls during this past year. He reviewed the expenditures with the Council and briefly explained an ambulance and some heart monitor equipment/devices were responsible for the increase in Capital Projects. He pointed out a healthy fund balance was still projected even with more expenditures than revenue.

He directed the Council to the UIA (Utah Infrastructure Agency) Fund. He explained residents had the option to purchase the fiber when Utah Telecommunication Open Infrastructure Agency (UTOPIA) was first introduced and reported the City maintained these contracts. He indicated this fund was specific to the contract payments and the anchor connections throughout the City. Councilmember Day asked if fees recognized from the new users of UTOPIA would increase this fund. Mr. Probert explained any excess funds generated from the new agreement would be appropriated toward the debt service; any excess revenue beyond that would roll into this fund. Councilmember Thomas requested clarification between UIA and UTOPIA. Mr. Probert explained a UIA Layton bond was issued a few years prior to build out the entire City, ahead of UIA's timeline. He added the revenue generated from those connections would first be directed to UIA to cover the debt, and any income recognized beyond that would be directed to the City. Councilmember Thomas asked about the debt payment for the bond and Mr. Probert estimated it was over a million dollars; however, he wasn't sure. He indicated approximately 180 residents were still paying, via contract for the connection, which was accounted for in this fund. He emphasized the contracts were not part of the budget; that revenue was reflected on a balance sheet.

Mr. Probert reviewed the Secondary Water Fund and indicated the City had a contract with Weber Basin Water. He reviewed the expenditures. He stated funds had been identified to purchase a vehicle to be shared between Water and Secondary Water services.

Mayor Petro asked about the increase specific to operations and Mr. Probert explained the fund was established in FY19. He indicated once engineers assessed the system and identified needed repairs the budget had been increased and stated Weber Basin, via the contract, would pay the City for those costs and a discussion took place. Councilmember Day inquired if Mr. Probert was confident the City was being fully reimbursed by Weber Basin and Mr. Probert responded in the affirmative.

Mr. Probert directed the Council to the Victims Services Special Revenue Fund and pointed out the increase in the grant revenue was to cover an additional employee to provide services specific to emergency housing. He also reviewed the Alcohol Enforcement Fund.

He mentioned the Emergency 9-1-1 (E911) Fund, Special Revenue Fund, and pointed out the revenue was not keeping up with expenditures. He explained how these revenues had been recognized in the past and stated it had always been subsidized by the General Fund. He clarified the formula used to identify the General Fund subsidy and indicated it had been adjusted for FY20 and asked if the Council had any questions. There were no questions.

Mr. Probert referenced the Metro Strike Force, Special Revenue Fund, and announced Layton City was the sponsor of the Program. He identified the responsibilities of participating agencies and also those of Layton City's. He explained how revenue was recognized and reviewed expenditures. Councilmember Bloxham inquired about the decrease in revenue recognized by State and Federal grants and Mr. Probert explained the reasons for grant funding fluctuations.

Mr. Probert informed the Council revenue specific to the CDBG (Community Development Block Grant) Fund had decreased based on received applications for public assistance. Consequently some of the programs which benefitted from the grant funding would also receive less funding from the City. Councilmember Fitzpatrick asked if the $368,902, identified as revenue in the FY21 proposed budget was a confirmed amount. Mr. Probert responded this funding had been confirmed by Community Development Staff.

He reviewed the RDA (Redevelopment Agency) Fund with the Council pointing out the decrease in revenue was specific to the School District's participation decreasing from 100% to 50%. He also reviewed the fund balance identified in the RDA Fund. He also reviewed the EDA (Economic Development Agency) Special Revenue Fund with the Council. He pointed out the decrease specific to payback agreements and explained the City had originally loaned the EDA funds and those funds had not been repaid specific to the Kihomac Project Area. He also pointed out the healthy fund balance and indicated this would allow the City to participate in a future opportunity.

Mr. Probert reviewed the Impact Fee Fund with the Council and suggested the amount of funds estimated for Transportation might need to be decreased. He indicated the amount identified for Parks didn't fluctuate, even throughout the last recession, which allowed it to cover the outstanding bond payment on the west side of the City. He also reported funds from this balance would also be used to construct the new City park proposed in the Capital Facilities Plan. He stated there was a significant amount of funding identified for road projects. He emphasized all funds were healthy given the growth experienced over the previous ten years which should allow the City to easily continue with projects identified in FY21.

He reviewed the Class C Road Fund and believed the fund balance and allotment of revenue would cover proposed projects in FY21. He referred to the Prop 1 Transportation Fund and RAMP Fund and explained those funds had been set up almost one year in advance which allowed for expenditures. He proposed moving forward with projects identified in the FY21 budget and recommended by the Commission. He suggested adjustments might be needed in FY22 based on revenue.

Mr. Probert reviewed the Debt Service Fund highlighting the transfer from the UTOPIA Reserve Fund and Park Impact Fees. He also mentioned the Street Lighting Fund and reported Stephen Jackson, City Engineer, would lead a discussion specific to Street Lighting. He suggested this fund could then be discussed regarding any proposed increase.

Councilmember Fitzpatrick asked when the City would see Sales Tax figures to identify the impact of the pandemic and Mr. Probert stated the report received in May would include figures for March, other than Property Tax. He suggested the Council move forward with adoption of the Tentative Budget as it had been drafted by Staff and added this would allow the Staff to make adjustments before adopting the Final Budget in June. A discussion took place regarding the trends recognized during the Great Recession and Mr. Probert emphasized the City was in a good financial position and had significant reserves. He pointed out January revenues were up and far exceeded projections.

Councilmember Bloxham asked when the budget was last amended and Mr. Probert responded the City generally did that mid-year and indicated he could provide a list of items responsible for the budget amendment and reviewed the process and procedure with the Council.

Councilmember Fitzpatrick mentioned the merit increase for employees and its timing. She expressed concern in moving forward with the increase in July, then recognizing later on during the year funds weren't recognized as anticipated. She pointed out the budget could be amended; however, it would be difficult to eliminate the increase at that time. Mr. Probert suggested there was flexibility in other areas of the budget which could accommodate for that as well as a healthy Fund Balance.

Councilmember Bloxham pointed out this issue should be considered when so many people have lost employment within the past few weeks and expressed his opinion merit pay should definitely be a consideration this year. Councilmember Morris emphasized the City's responsibility was to provide services via Sales Tax revenue and believed the current conditions of a disrupted economy had the potential to heavily impact the City's budget.

Councilmember Day expressed agreement with what had been said regarding the economy and its impact to the budget and suggested the Council would need to consider every aspect of the budget to identify the effect of the pandemic. He also suggested the City consider maintaining the Certified Tax Rate for Property Tax and believed that should be a standard procedure in conjunction with adoption of the budget. Mr. Probert responded he didn't suggest that for this year due to the large tax increase implemented last year and suggested the City wait a few years. He added this hadn't been included in the budget; however, he was willing to provide some numbers for the Council to consider. He pointed out any change proposed for the Certified Tax Rate other than what was provided by the County would delay approval of the final budget until September. Councilmember Day inquired about the timeline required with the Truth in Taxation process and Mr. Probert responded the advertising and noticing requirements were specific so it would mirror last year's timeline. Councilmember Day requested Mr. Probert provide figures if the City desired to maintain the Certified Tax Rate.

Councilmember Thomas indicated the Council wanted to consider all options and didn't believe the budget, as proposed right now, was plausible. A discussion took place regarding the proposed budget and Mr. Probert explained how the Certified Tax Rate impacted Property Tax revenue for the City and stated he would provide options and figures specific to the Rate at the next meeting.

UPDATE – COTTAGES AT VALLEY VIEW

Chad Wilkinson, Community and Economic Development Director, informed the Council Staff had met with residents from the Council meeting on Thursday, January 16, 2020. He added a careful list had been compiled which identified the difference between code issues, workmanship issues, or issues which needed to be addressed by the developer. He reported Staff had then met with representatives from Ovation Homes and summarized the issues came down to two things, pertaining to code issues: grading, and land drain connections. He informed the Council the City identified some areas which needed to be further investigated to determine whether connections had been properly made or whether the connections had been damaged or installed incorrectly. He stated Staff met again with Ovation and explained the identified code issues which they needed to address with respective deadlines for them to be resolved. He reported over the previous week he had been reaching out to the property owners explaining to them the next steps which might involve revisiting the property with Ovation representatives. He reported some of the areas needing to be re-graded would require the removal of landscaping. He informed the Council of the deadlines and respective expectations designated by the City.

Councilmember Day requested clarification of items which would be the responsibility of Ovation Homes. Mr. Wilkinson continued to review those and stated the final deadline for everything to be completed was May 1, 2020, at which time the City would withhold building permits. He stated the only exception to this deadline would be if the City experienced a wet spring, at which time the City could agree to extend that date.

Councilmember Petro asked who would be responsible to maintain the SWPPP (Storm Water Pollution Prevention Plan) requirements regarding dirt on streets and Mr. Wilkinson responded Ovation would still be required to adhere to those requirements.

Councilmember Thomas requested clarification about the withholding of permits. Mr. Wilkinson responded the City would only withhold permits specific to the Cottages at Valley View development and not homes in other Ovation developments.

Mr. Wilkinson indicated Ovation had already been responsive in working with some of the homeowners specific to internal issues for some of the homes.

Councilmember Thomas inquired if televising land drains was something the City did on a regular basis and Mr. Wilkinson responded no.

Councilmember Day disclosed his brother owned one of the most impacted homes within the development. He was under the impression the City used cameras to verify land drains, storm drains and water lines as part of the inspection process. He suggested if the City was requiring land drains in a subdivision, they should be inspected. He would like to see the City's inspection process to ensure a similar experience didn't happen in the future.

Stephen Jackson, City Engineer, stated he would address the inspection requirements for the infrastructure. He reported the requirements for sewer, land drain, and storm drain were televised in the mains (in the street) prior to final approval. He continued to explain there would be laterals connected to the main lines and extended into the lots and emphasized the City didn't require a camera sent up into each lateral because homes had not yet been connected. He emphasized the City only verified there was a connection to the main and that it had been properly installed. He added the laterals were installed in conjunction with construction of the homes. Mr. Jackson reported every main in the subdivision was inspected and a report was provided to the Engineering Department; however, those reports were completed prior to any homes being constructed.

Councilmember Day asked about the responsibility of additional inspections after that time and Mr. Jackson responded his Staff watched everything to the back of the sidewalk. He continued, Community Development was responsible to inspect the laterals from the back of the sidewalk. Mr. Wilkinson added the additional review by the televised cameras down the laterals by the City, was something which normally didn't take place. He clarified inspectors from Community Development inspected footing drains as part of the foundation inspection.

Councilmember Day believed there was a flaw in the City's current system and Mr. Wilkinson responded there were other issues with some foundations being installed at different elevations than originally intended and others had plans to drain at the rear of the hill which the City didn't allow. He also reported the footing drains were not intended to provide surface drainage; but rather ground water. A discussion took place specific to issues experienced by Councilmember Day's brother's home.

Mr. Wilkinson informed the Council of changes being implemented by inspectors to ensure consistency among the different inspectors. He also indicated an education process with developers outlining the need for them to plan ahead in order for all inspections to be completed prior to final inspection. He emphasized this would require long range prior planning on behalf of the developer.

Councilmember Day expressed concern the side yards could be graded appropriately for one home then negatively impacted in conjunction with construction of a new home next door. Mr. Wilkinson responded the developer would need to plan ahead for such a scenario. A discussion took place regarding the importance of the City's role regarding the issuance of a final occupancy permit and Mr. Wilkinson explained the required balance on behalf of the City.

Mr. Wilkinson also reported on other code amendments which needed to be considered and shared the adjustments proposed by Staff to City Code and indicated the changes would come before the Council for approval during a future meeting.

Mayor Petro expressed appreciation to Staff and pointed out the identified processes would be applicable to any developer wanting to build within the City.

Councilmember Day reported the residents had concerns with the developer meeting identified deadlines and encouraged Staff to be firm with them. He also stated the residents were complimentary of Mr. Wilkinson with the way he had responded to their concerns.

The meeting adjourned at 6:56 p.m.
The meeting reconvened at 7:50 p.m.

DISCUSSION – STREET LIGHTING AND STREET MAINTENANCE/LOCAL TECHNICAL ASSISTANCE PROGRAM (LTAP)

Mr. Jackson informed the Council of the costs associated with the different street lights and identified the differences between each of them, pointing out the City was making a substantial investment in its street lighting system. He also explained the install costs associated between the two and stated more conduit was needed for installation on the collector streets. He also identified the specialty and arterial lighting costs.

Councilmember Day asked how the different lights were metered and Mr. Jackson stated a meter was installed on sections of lighting.

Councilmember Fitzpatrick inquired about the issues experienced on sections of lighting on Layton Parkway and whether they were related to the installation or the light fixtures and Mr. Jackson explained the challenges associated with the light connections.

Mr. Jackson shared a map illustration which identified the street lights owned by the City and those lights in subdivisions owned by private entities. He also shared a list of City funded light installations and reported 186 had been completed as part of the Master Plan. He also explained 126 residential installations had taken place which weren't originally identified in the City's Master Plan and reviewed those with the Council. He mentioned some of those were installed in conjunction with UDOT (Utah Department of Transportation) road projects.

He shared a list of the Residential Master Planned lights and pointed out only nine of those projects hadn't yet been completed and explained the reasons to the Council. He also stated there were quite a few projects identified on the list which the City was waiting for development to occur and indicated those lighting projects would be completed with the additional street improvements.

He asked for questions from the Council.

Councilmember Fitzpatrick asked if the 42 lights previously installed along the US-89 frontage road were in jeopardy in conjunction with construction on that road. Mr. Jackson responded a few might need to be moved at the Antelope Drive interchange. Councilmember Fitzpatrick asked how many lights had been installed by developers and Mr. Jackson estimated approximately 700-800.

Councilmember Day asked how the City planned for street lighting on streets like 2200 West in which more than one developer would be involved with development. Mr. Jackson responded the City did have a pattern it tried to follow to minimize costs by staggering lighting on both sides of the street. He explained challenges in accommodating overhead power lines and emphasized development paid for its portion of the lighting system. He pointed out that was the reason for using the Road Master Plan with its respective lighting plan and shared a visual illustration which identified proposed lighting within the City. Councilmember Day clarified the developer responsible for the future development would contribute the development's fair share toward street lighting.

Councilmember Day asked if the City would be required to install lights along the West Davis Corridor and Mr. Jackson indicated there wouldn't be many lights along that Corridor; however, the City would need to install lighting along the Layton Parkway and 2700 West. He pointed out UDOT had committed to certain lighting standards specific to the West Davis Corridor interchanges.

MAYOR'S REPORT

Mayor Petro announced she had requested Mr. Jackson share this presentation specific to City roads which had been shared with the previous Council.

Mr. Jackson reported the City had partnered with LTAP (Local Technical Assistance Program) through Utah State University in 2018, to assist local agencies regarding transportation needs He explained the program used to identify needs was called the Traffic Asset Management Software (TAMS). He stated the Pavement Management System provided a complete GIS based inventory of roads and a condition survey of the street network to identify pavement condition and how much life remained on respective roads. He added a needs assessment process was implemented and would identify the root cause of pavement deterioration. He emphasized this provided information specific to the structural integrity of the City's roads and not how they appeared to look. He stated it also provided recommended treatments to extend the surface life of City roads.

He identified the three functional classifications: arterial, collector, and local roads and stated the treatments for each of these was vastly different. He reported a brand new asphalt road would have a 20-year service life and identified the ratings for Remaining Service Life (RSL). He explained how the preventative maintenance and rehabilitative treatment could extend the life of the road. He shared illustrations of some roads within the City and their respective ratings and stated the need for preventative treatments was to extend the life of the road to avoid expensive reconstruction costs. He emphasized a responsible maintenance program would be built around trying to improve the service life of existing roads preventing reconstruction.

He identified the three categories associated with maintenance strategies:

- Preventative maintenance – slurry seals, chip seal, micro surfacing, crack seal
- Rehabilitation treatments – used to add structural capacity
- Reconstruction – the least desirable

He explained the preventative maintenance seals were more affordable, but didn't add any structural capacity to the roadway, although it prevented sun damage and water from damaging sub-surface components. He stated often times a 2" inch mill and overlay was used by the City for rehabilitation treatments. He added reconstruction of a roadway included replacement of the base and additional sub-grade in order to build the pavement structure that was required in order to provide 20-year surface life.

He reviewed the remaining service life chart with the Council used to identify the most effective treatment for the City's roads and provided definitions of different types of pavement distress with the Council. He reported the City had implemented a three-year moratorium regarding utility cuts on City streets in order to prolong the integrity and life of the road. He reviewed the process to identify the distress of a road within the City experience fatigue cracking and indicated this was the most common deficiency identified on the City's roads.

He reported the Study reflected the average RSL was 11 years, and shared a report which identified the RSL for the City's asphalt road network. He stated the City was very average on the average classification of its roads. He pointed out the results of the report indicated only .32% of City roads were in the failed position and announced the report also reflected the City met the criteria recommended in the Pavement Preservation Program.

He reported the City had invested significant funds for maintenance on its collector roads and stated the report reflected the City had done a good job on these streets.

He also identified preservation strategies and the recommended treatments to add surface life to the City's roads and shared the challenges in completing these improvements. He reported the City had recognized very little increase in B&C Road Funds yet the costs associated to maintain the roads had significantly increased. He reported the estimated cost identified by Staff for road improvements was approx. $2.4 million which would result with a reduction in RSL rating from 11 to 9.19; and roads identified in a failed state would increase from .32 up to 2.68. He reviewed the different budget options for increasing the RSL for City roads.

Councilmember Fitzpatrick asked if other utility infrastructure repairs were considered when a road was being reconstructed due to failure and Mr. Jackson responded in the affirmative and indicated those repairs were also included in the budget request.

Alex Jensen, City Manager, reminded the Council of a road discussion which had taken place during the all-day budget meeting which identified appropriation of Prop 1 funds for street maintenance. Staff was also recommending additional funds be appropriated in this year's budget toward road improvement projects.

Mayor Petro expressed appreciation to Staff for providing live streaming for tonight's meeting and suggested the next Planning Commission meeting and City Council meeting be virtual meetings to continue safety precautions related to the COVID-19, Coronavirus Pandemic.

The meeting adjourned at 8:40 p.m.

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Kimberly S Read, City Recorder