

**MINUTES OF LAYTON CITY  
COUNCIL WORK MEETING**

**JANUARY 21, 2021; 5:35 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, TERRY COBURN,  
STEPHEN JACKSON, PAUL APPLONIE, TRACY  
PROBERT, AND KIM READ**

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

Mayor Petro opened the meeting.

**AGENDA:**

**COUNCIL MEMBER REPORT**

Councilmember Morris announced the Legislative Session began this week. He explained his role with ULCT (Utah League of Cities and Towns) was to be aware of proposed bills which could have negative consequences to cities and to allow the local elected officials to establish ordinances which they determined were best as opposed to State mandates. Mayor Petro added Councilmember Bloxham also served on that same committee.

Councilmember Bloxham requested Gary Crane's, City Attorney, opinion regarding the outcome of the work meeting of Thursday, January 14, 2021, with the elected delegation representing Layton City. Mr. Crane responded he had been invited to discuss the planning bill with the Legislative Leadership, which he believed came as a result of the City's meeting with the delegation.

**MAYOR'S REPORT**

Mayor Petro announced the Training Moment agenda item inadvertently was left off of the agenda and requested Mr. Crane to proceed with his prepared training to the Council.

Mr. Crane announced the Land Use Academy of Utah was established to provide land use training for appointed and elected officials. He expressed his opinion the training was a great resource and very beneficial. He shared the online training specific to Conditional Use with the Council and encouraged the Councilmembers to watch other available videos.

Councilmember Day asked if there were some jurisdictions which didn't allow for any conditional uses and Mr. Crane responded there were zones in which only permitted uses were allowed and shared an example. He cautioned the Council to look carefully at each conditional use in each zone. Ask the question of whether that use was something the Council would approve, with some mitigating requirements, in a worst scenario in that zone. If not, it was likely that it should not be allowed as a conditional use in that zone. He informed the Council, Chad Wilkinson, Community and Economic Development Director, was currently reviewing the City's ordinances ensuring some mitigating factors could be applied, regardless of the circumstance, for conditional uses. A discussion followed. He added the Planning Commission approved all conditional uses and emphasized the Council's responsibility was to ensure conditional uses were in appropriate zones.

**AMEND TITLE 3, CHAPTER 3.15, OF THE LAYTON MUNICIPAL CODE – CONSOLIDATED FEE SCHEDULE – ORDINANCE 21-03**

Mayor Petro mentioned the water rates were included as part of the Consolidated Fee Schedule. She announced the presentation specific to the water rates and water study would be shared during the regular City Council Meeting immediately following this work meeting.

Tracy Probert, Finance Director, reviewed the proposed minor changes, with the exception of the water rates, proposed for the Consolidated Fee Schedule:

- Costs for color copies
- Costs for expedited shipping for a passport
- Identify the costs for Fire Incident Reports

He asked if there were any questions.

Councilmember Fitzpatrick inquired about funds the City received from the federal government identified as CARES funding and Mr. Probert responded he would address that with the next agenda item; budget amendments.

**AMEND THE LAYTON CITY BUDGET FOR FISCAL YEAR 2020-2021 – ORDINANCE 21-04**

Mr. Probert stated the City had not amended the budget for the entire amount of CARES Act funding; rather, the City was submitting to the State Transparency Commission the use of Public Safety wages and benefits, as allowed by the Treasury Department. He indicated this would consume the \$6.6 million. He pointed out the City wasn't required to amend the budget for that purpose; rather, that was how the City determined it would report that revenue to the state. He clarified the City had identified direct expenses and reported those figures had been included in the budget amendments.

Mr. Probert reviewed the following specific to the General Fund:

- \$119,000 of expenditures related to CARES Act expenditures for multiple departments for multiple purposes
- Expenditures and revenues specific to various grants which were awarded last fiscal year, prior to June 30, 2020, related to the CARES Act, which were department specific – Fire, Police, Dispatch, and CDBG (Community Development Block Grant) program

Mr. Probert continued to review the amendments; expenditures, and revenue, applicable to the following funds:

- Davis Metro Narcotic Strike Force – grant revenue and expenditures
- Emergency Dispatch – UCA (Utah Communications Authority) COVID-19 grant
- Victims Services - CARES Act grant funding
- CDBG – HUD (Housing and Urban Development) COVID-19 grant funding and down payment assistance program funding
- Impact Fee Fund – appropriating park impact fee funds for pickleball complex at Ellison Park
- Capital Projects Fund – re-appropriation of Wildland Fire funds, design of pickleball complex, CARES Act for glass partitions in offices and hands free faucets, county tourism tax for amphitheater plaza improvements, Harmony Park development fees paid by developer
- EMS (Emergency Medical Services-paramedics) – CARES Act and COVID-19 grants
- Swimming Pool – CARES Act funding for PPE (Personal Protective Equipment)
- Water fund – proposed rate increase from February through of current year

He asked if there were any questions from the Council and Councilmember Day inquired how much the City contributed toward the downtown trolley. Mr. Probert reminded the Council the City had entered into an agreement between UDOT (Utah Department of Transportation) and multiple entities to fund the downtown trolley. He explained the City had previously appropriated CDBG funds for its share toward

the trolley since it provided transportation to low income residents. He emphasized this proposal had originally been included in the City's Annual Action Plan, and was approved for this purpose, however, a new Director and/or Auditor with the CDBG Program denied this use, which in turn required the City to payback expended funds for this purpose.

Councilmember Day asked about the other entities which contributed toward the trolley. Mr. Probert believed some of the hotels had declined to participate from the original agreement. Alex Jensen, City Manager, informed the Council HUD only required the City to payback one year's worth of the CDBG contribution and not for multiple years. He added a majority of businesses, which originally funded the trolley, were no longer participating. He clarified UTA (Utah Transit Authority), the City, and Davis County were largely funding the trolley and believed it experienced a high ridership and was hopeful as others recognized the benefit they would again contribute. He believed the City's contribution was approximately \$60,000. A discussion followed regarding the trolley and its funding.

Councilmember Bloxham asked if the City had ever been required to payback other federal funding in the past and Mr. Crane responded this was an anomaly. He stated he had never seen this happen before in which a request approved in the past had been eliminated and the City was required to pay back the funds.

Councilmember Day requested documentation identifying the ridership of the trolley and Mr. Jensen responded Staff would work on that.

Mayor Petro informed the Council she requested UTA modify the route to allow the trolley to come through Constitution Circle to allow visitors and/or patrons to visit the Memorial Wall and announced UTA only made changes to its stops and schedule once per year. She continued to express her desire it be considered in the future.

Mayor Petro announced the agenda for the regular City Council meeting included a public hearing to allow for public comment specific to the Consolidated Fee Schedule, which included the proposed water rates increase. She indicated a formal presentation would take place in conjunction with that agenda item.

## **MAYOR'S REPORT**

Mayor Petro informed the Council during the most recent COG (Council of Government) Meeting a discussion took place regarding the proposed consolidation of the paramedic system throughout Davis County and it appeared the issue was gaining progress with other cities. Councilmember Day asked if there were any major concerns with the proposal and she reported the main concern was that the entire county would continue with paramedic services. She mentioned three separate geographical areas would be designated and the coverage would need to coincide with each other. She stated Layton's geographical area and subsequent participating cities would encompass South Weber and Hill Air Force Base. She mentioned the City currently operated two units with a proposed third unit to accommodate the additional cities. She believed this would be a benefit to the entire county in the long term and provided a transition date of January 2023.

Councilmember Morris asked how this would be approved by each separate city and Mayor Petro indicated it would come before the Council since there would be funding commitments on behalf of the cities.

Councilmember Fitzpatrick asked if the transition was applicable to EMS only or if it included dispatch services.

Mr. Jensen indicated the two were very closely related but were tracked in two separate phases. He explained EMS were provided by Fire Departments and Dispatch services were provided through the Police Department. He continued to explain great progress was taking place on both fronts and indicated the consolidation of dispatch would also be needed in order to make the consolidation of paramedic services happen. He indicated future meetings would be taking place regarding both of those and an

interlocal agreement for all cities was being proposed. He mentioned due to Layton's forward thinking its current model was more feasible given the current population of the county. He stated since Layton City already provided this service, and a revenue source had already been established, no financial impact would be recognized by residents; however, most of these cities should be prepared to fund the ambulance service since the mill levy implemented during the 1970's was insufficient to cover those costs.

Councilmember Morris expressed concern that consolidation of ambulance service could result in a reduced level of service in Layton City. He mentioned Layton City Fire Department provided a high level of professional medical care and continued to express concern regarding the use of City assets, purchased with City revenue, benefitting residents of other cities, as well as with using the City's assets which would benefit residents in other cities. He stated he would not want to compromise the level of service to Layton residents and suggested the county should also have done a better job in managing its system over the years.

Mr. Jensen responded the comments expressed by Councilmember Morris were legitimate; however, he didn't believe them to be legitimate concerns because of the commitment on behalf of the affected cities to the proposed plan to increase the level of service to an acceptable level by either being willing to pay for the service or begin its own paramedic service. He continued to reassure the Council a decrease in the level of service would not be recognized or that Layton City would subsidize another entity for these types of services. He explained one of the benefits would be that a premier level of service was available and could be provided regardless of where the Davis County resident was when an emergency was experienced. He shared an example to illustrate his point. A discussion took place regarding the levy and Mr. Jensen explained how the levy would be transferred to Layton City and explained how that would benefit the City compared to other entities.

He pointed out the City's paramedic program was so highly respected and stated it had greatly contributed to this process and again expressed his belief the City would have a great influence and ability to provide exceptional service.

Councilmember Bloxham suggested moving the public hearing for the water rate increase at the beginning of the Council Meeting prior to consideration of the consent item.

**The meeting adjourned at 6:40 p.m.**

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Kimberly S Read, City Recorder