

**MINUTES OF LAYTON CITY
COUNCIL WORK MEETING**

JULY 15, 2021; 5:31 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, CHAD
WILKINSON, TERRY COBURN, PAUL
APPLONIE, WES ADAMS, MASON KJAR,
STEPHEN JACKSON, DAVID PRICE, RYAN
PICKUP, ED FRAZIER, AND KIM READ**

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

Mayor Petro opened the meeting.

AGENDA:

COUNCIL MEMBER REPORT

Councilmember Thomas reminded the Council of the activities planned for July 24: Riders in the Sky concert in the Kenley Amphitheater, food trucks in Constitution Circle (in lieu of Taste of the Town), and light parade following the concert.

Councilmember Bloxham reported the Davis Arts Council Board had received a significant federal grant.

Councilmember Fitzpatrick informed the Council, Communities That Care would be hosting a booth on Friday, August 13, 2021, during Layton FEST as part of its anti-vaping campaign. She mentioned the organizations at both Layton High and Northridge High had identified this issue as the focus for the year. She also mentioned possible grant opportunities. She indicated the Youth Council was organizing Meet the Candidates event for Tuesday, July 20, 2021, at the OPPA (On Pitch Performing Arts) Theater. She reminded the Council, the City had participated in Utah State's Wellness Survey and indicated Dr. Flint was requesting time to present the results to the Council.

COUNCIL TRAINING

Gary Crane, City Attorney, presented a training regarding the principle of Vesting to the Council. He provided a definition of the term and explained how it was applicable to land zoning. He explained the two exceptions and shared some examples to illustrate definitions.

UPDATE – WATER CONSERVATION

Stephen Jackson, City Engineer, shared a visual presentation and reviewed water usage data with the Council which included the following:

- Evapotranspiration
- Average high temperature
- Water ET (evapotranspiration) need
- Comparison of evapotranspiration data from 2020-2021

Mr. Jackson reported City residents had been saving water at an excellent rate. He shared statistics which reflected decrease in water use trends and referred to a graph which illustrated the water use by month reflecting the comparison from 2020 and 2021. Alex Jensen, City Manager, pointed out the usage was

specific to metered water and Mr. Jackson added Weber Basin was not yet entirely metered and its metering information and data wasn't as advanced as the City's and a discussion followed.

Mr. Jackson presented information from Utah's drought monitor website. He announced this winter's moisture would determine whether outdoor watering would be allowed next summer. He suggested the City's message should be 'Thank You', but continue to conserve.

Mayor Petro expressed appreciation to Staff's efforts and requested a tutorial regarding the app be available to the residents.

David Price, Parks and Recreation Director, shared a visual presentation which identified the conservation plan used by the Parks Department which illustrated the three different stages of watering:

- Stage 1 – water grass one time a week
 - detention basins, park strips without trees or shrubs (grass will enter a period of dormancy and turn brown)
- Stage 2 – water grass two times a week
 - neighborhood parks, park strips with trees (most areas of grass will enter a period of dormancy and turn brown)
- Stage 3 – water grass three times a week
 - Ellison Park, athletic fields in neighborhood parks, and areas that have large community gatherings (using best management practices to conserve and still protect investment to provide safe spaces to hold community and athletic events)

He shared metered water usage statistics specific to Ellison Park which reflected the water conservation efforts on behalf of the City. He also shared an illustration reflecting loss of turf grass due to over-use during a dormant period and explained the City would need to water these areas prior to fall usage for soccer and football.

Mayor Petro inquired why the City watered during the day and Mr. Price responded City Staff conducted sprinkler testing during the day and reported Staff did its best to conduct that testing during morning hours.

The Council expressed appreciation to Staff for implementing conservation efforts.

AMENDMENT – DEVELOPMENT GUIDELINES AND DESIGN STANDARDS – ORDINANCE 21-20

Mr. Jackson stated the Development Guidelines and Design Standards was used to guide construction within the City by the Engineering Division. He added State law required City Council adoption for the guidelines and standards. He reported City Staff had reviewed the document to ensure compliance with State Code, consistency with all best practices, and City ordinances. He asked if there were any specific questions and Councilmember Fitzpatrick requested clarification specific to sidewalk width and Mr. Jackson clarified how the language would be modified.

INTERLOCAL COOPERATION AGREEMENT BETWEEN LAYTON CITY AND DAVIS COUNTY FOR TRANSPORTATION PROJECT REIMBURSEMENT – RESOLUTION 21-32 – APPROXIMATELY 2700 WEST FROM HILL FIELD ROAD TO THE WEST DAVIS CORRIDOR

Mr. Jackson informed the Council the resolution was applicable to grant funding received by the City from Davis County related to the 2700 West/Hill Field Road connection associated with the West Davis Corridor. He reviewed the specifics associated with the agreement mentioning the 20% match and the two-year time period to use the funding. He mentioned another grant was anticipated to be awarded this coming year for the remainder of the project.

ADOPT AND APPROVE AN AGREEMENT BETWEEN LAYTON CITY AND KAYS CREEK IRRIGATION COMPANY FOR THE TRANSFER OF THE PRESSURIZED IRRIGATION SYSTEM FROM KAYS CREEK IRRIGATION COMPANY TO LAYTON CITY – RESOLUTION 21-35

Mr. Crane reminded the Council this agreement had been discussed during previous City Council Meetings. He pointed out how the City currently received its water and the necessity to secure water for future growth. He reviewed some specifics included in the agreement which addressed the following: responsibilities of both the City and Kays Creek, the impact to users and shareholders, and how the transition would occur. He summarized this was probably the most critical decision this Council would act upon.

Councilmember Day expressed his opinion the Council should approve a final agreement and a discussion followed. Mr. Jensen explained the Council would continue to be informed during negotiations and Mason Kjar, City Prosecutor, provided an explanation regarding the exhibits to the agreement. Mayor Petro emphasized the Council merely wanted to continue to be informed moving forward specific to the implementation of the agreement and transfer.

Councilmember Bloxham expressed appreciation to Staff.

AMEND SETTLEMENT AGREEMENT BETWEEN LAYTON CITY AND SERITAGE KMT FINANCE LLC – RESOLUTION 21-33

Chad Wilkinson, Community and Economic Director, emphasized the amendment to the Settlement Agreement wouldn't affect any of the land uses, rather, it identified certain conditions associated with how the parcel was developed. He shared a visual illustration of the property and oriented the Council to its location. He explained the issues regarding development of the site and reported the applicant came forward with a different site plan; however, Staff believed it met the intention of the original agreement and reviewed those components with the Council: four-sided architecture, the need to frame the corner with buildings located close to the street, and inclusion of a drive-thru. He reported Staff had worked closely with the applicant to ensure the architectural elements met the intent of the original settlement agreement and recommended approval. He emphasized the only change to the Agreement was with Exhibit D and building elevations and clarified no changes to text language would be made.

He asked if there were any questions. Councilmember Fitzpatrick indicated she liked this proposal better than what was originally planned and inquired about "lot 5". Mr. Wilkinson believed it could be developed as long as adequate parking was available.

Mayor Petro inquired about the eatery which the original agreement required to be attached to the main building. Mr. Wilkinson believed this amendment had the potential for that to happen and reported the developer had fulfilled the settlement conditions identified in the original agreement regarding entitlements for the site plan.

DEVELOPMENT AGREEMENT AMENDMENT – HEARTLAND, LLC – LOCATED AT APPROXIMATELY 184 EAST ANTELOPE DRIVE AND 225 EAST 1800 NORTH

Mr. Wilkinson shared an illustration and oriented the Council to the parcel. He explained the request was to add some uses to an existing development agreement. He stated the original agreement restricted the uses based on the following: the property was within the APZ (Accident Potential Zone) and to not negatively impact the existing residential uses in the area. He informed the Council the proposed amendment would allow for a construction storage facility for the purpose of storing large belly dump trucks. He reported Staff had reviewed the request, original conversations and intent, and concluded the request wasn't compatible with the original development agreement and was recommending the Council deny the request. He mentioned some of the original Planning Commission members which considered and approved the original request were still serving on the Commission and had provided context of the

original intent during its discussion for the amendment.

Councilmember Fitzpatrick added she had served on the Planning Commission when it was originally approved and stated she didn't want to subject the residents to the negative impacts associated with construction vehicles.

Mr. Wilkinson mentioned the Planning Commission had questioned the difference between this use and the storage of RV or boat storage and indicated this proposed use would have a significantly higher traffic volume.

MAYOR'S REPORT

Mayor Petro requested clarification if the Council was still interested in participating in touring the North Davis Sewer District and the Council indicated its interest in doing this during the fall once cooler weather was evident.

The meeting adjourned at 6:54 p.m.

Kimberly S Read, City Recorder