

**MINUTES OF LAYTON CITY
COUNCIL WORK MEETING**

AUGUST 19; 2021 5:30 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

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

STAFF PRESENT:

**ALEX JENSEN, STEVE GARSIDE, CHAD
WILKINSON, TERRY COBURN, PAUL
APPLONIE, STEPHEN JACKSON, ED FRAZIER,
AND KIM READ**

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

Mayor Petro opened the meeting.

AGENDA:

LAYTON WELLBEING SURVEY

Dr. Courtney Flint, Utah State University, shared a presentation and results from the 2021 Wellbeing Survey with the Council. She explained the goal of the survey was to provide City leaders with information specific to the pulse and perspective of residents and to assist with planning processes and decision making. She informed the Council where Layton City's results could be accessed and pointed out there was no cost for the City's participation. She reviewed demographics associated with participants in the survey and shared the following results:

- Living standards, safety and security, and mental health were rated of high importance
- Physical health was rated as high importance, yet received a lower than average rating
- Results of Layton's COVID-19 experience
- Community connections was strongly correlated with wellbeing

Ms. Flint identified residents' concerns:

- Air quality
- Affordable housing
- Roads and transportation
- Water supply
- Public safety
- Opportunities for youth
- Access to public land
- Recreation opportunities
- Employment opportunities
- Social and emotional support
- Access to quality food
- Access to mental healthcare
- Over development/building on green space
- Overpopulation

Ms. Flint reviewed statistics to economic development. She also reviewed the role of landscape features associated with Layton residents' wellbeing. She also reviewed community values specific to Layton identified by the survey. She encouraged the Council to review the online report and let her know of any questions.

Mayor Petro expressed appreciation to Ms. Flint for inviting the City's participation and her presentation of the results.

COUNCIL MEMBER REPORT

Councilmember Bloxham informed the Council he had witnessed the audit of the Primary Election Results at the Davis County Clerk's office and expressed his confidence in the election system.

Councilmember Fitzpatrick reported she and the Mayor had attended a special graduation ceremony for the City's Youth Council participants which had recently graduated this past spring and were moving forward with higher education plans. Mayor Petro requested Kira Baldwin, Youth Council, share her future plans with the Council. Ms. Baldwin informed the Council she had been selected as a candidate to attend the School of the Senate next January through May 2022.

Councilmember Morris informed the Council he had attended the Top of Utah Military Affairs Committee picnic and mentioned it was a great opportunity to serve the service members at Hill Air Force Base. He mentioned a progress report was reviewed during the last UTOPIA meeting and indicated there were plans to have representatives attend a work meeting to share that report. He announced the Utah League of Cities & Towns had hosted some town halls preparing for the Legislative session.

Mayor Petro added the Wasatch Front Regional Council was also preparing for the Legislative session.

CANVASS OF ELECTION

MOTION: Councilmember Fitzpatrick moved to adjourn as the City Council and reconvene as the Board of Canvassers at 5:54 p.m. Councilmember Day seconded the motion, which passed unanimously.

Kimberly Read, City Recorder, presented the results from the 2021 Municipal Primary Election provided by Davis County Elections Office, and reviewed them with the Council pointing out the following:

- Layton City experienced a 23.97% voter turnout for the Primary Election.
- Candidates and the total votes cast for each.
- 319 ballots were not counted due to various reasons and she provided an explanation for each of those reasons:
 - 2 – deceased
 - 1 – moved out of county
 - 39 – no signature
 - 32 – signature did not match
 - 1 – empty envelope
 - 244 – not mailed timely (post mark reflected election day or later)

Ms. Read pointed out those with signature issues would have been notified, and given an opportunity to provide a signed affidavit by 5:00 p.m. on Monday, November 15, 2021, for these votes to be counted. She mentioned the voter which mailed the empty envelope was notified and was requested to either return an affidavit or vote in person on election day, and since no affidavit was returned, we assume the voter voted on election day. She further explained the provided instructions to mail ballots in a timely manner. She asked if there were any questions from the Council and there were none.

She announced the following candidates would appear on the General Election Ballot and requested a motion to accept the Election Results:

Tyson Roberts
Bettina Smith Edmondson
Jesse Barocio
C J Benson

MOTION: Councilmember Thomas moved to accept the 2021 Primary Election Results as presented and reconvene as the City Council at 6:03 p.m. Councilmember Day seconded the motion, which passed unanimously.

Mayor Petro acknowledged each of the four advancing candidates at the meeting.

SOUTH GATE INDUSTRIAL PARK IMPACT FEE APPEAL – RESOLUTION 21-38 – 2575 NORTH FORT LANE

Chad Wilkinson, Community Development Director, informed the Council, the City had received an appeal for Storm Water Impact Fee from WDG South Gate, LLC for the South Gate Industrial Park located at 2575 North Fort Lane, and shared an illustration. He explained the ordinance allowed the applicant to appeal the impact fee and reviewed the requirements associated with doing so. He reported the applicant had designed the development to retain storm water on the site; therefore, there would be impacts to the City's storm water system. He pointed out the developer had already paid the impact fee and Staff was recommending approval of the appeal, refunding approximately \$145,000 to the applicant.

Mr. Wilkinson pointed out the Code allowed the City Council, by adoption of a resolution, to authorize these types of exemptions administratively. He indicated it would eliminate the applicant from paying the impact fee, then proceeding through a refund process. He asked if there were any questions.

Councilmember Thomas asked what assurance the City had that the development could retain its storm water. Stephen Jackson, City Engineer, responded the onsite development had to prepare/plan for a 100 year storm. He explained the development standards required an engineering study be completed, which considered several factors, to determine whether the site could retain its storm water. He mentioned a safety factor was also built in with the calculations and believed if it was breached during a storm, the owner would be responsible for any damages. He clarified the developer had to complete numerous processes to satisfy the City's requirements and concerns.

Councilmember Bloxham inquired how often Staff anticipated developers would request these types of appeals. Mr. Jackson responded this as the first appeal of this nature received by the City and expressed his opinion it wouldn't be frequent due to the number of factors which would need to be considered and reviewed some of them. Councilmember Bloxham expressed concern these types of appeals could negatively impact the balance of the Impact Fee Fund. Mr. Jackson continued to review requirements respective to detention basins with the Council and a discussion followed.

Alex Jensen, City Manager, pointed out there wasn't a significant amount of savings recognized by the developer with developing its site in order to contain its own storm water. Mr. Jackson also mentioned a significant amount of developable property was required to retain the respective storm water on site. Mr. Jensen clarified the City needed to accommodate the request because state law allowed the provision; however, he expressed his opinion there wasn't much incentive for the typical developer.

NEIGHBORHOOD LIGHTING

Mr. Jensen informed the Council some older subdivisions within the City had been constructed with outdoor lighting respective to each individual home and recently these homeowners/residents had requested the City consider placement of street lighting in these particular subdivisions. He emphasized the lighting was never considered public street lighting.

Mr. Jackson shared a map of the City which reflected the following: subdivisions without any street lighting and subdivisions which had private street lights (some of those maintained and some not being maintained). He informed the Council, the City was nearing completion of installing street lighting to those subdivisions which didn't have any street lighting. He reminded the Council it had approved street lighting east of Fairfield near Gordon Avenue.

He stated the area Councilmember Morris had received a concern regarding the lack of street lighting was known as Aspen East and indicated this was one of the areas which had old gas lamp lighting. He mentioned some of the lighting had been converted to electricity and some of the lamps had been entirely removed, and some of the poles were decorative in nature. He mentioned the Cook Subdivision near King Street was a similar circumstance.

Mr. Jackson referenced the map of the City which reflected subdivisions with private street lights which were privately owned by either homeowners or a Homeowner's Association (HOA) and connected to a resident's power meter. He reported Staff had identified 83 of these street lights. He posed the following questions to the Council:

- Is it the City's responsibility to replace these lights with City streetlights?
- As these fixtures become damaged due to lack of maintenance, should the City be responsible for installing new street lighting?

Mr. Jackson reported the costs associated with installing lighting in the Cook Subdivision to be approximately \$25,000; \$4,200 per light and mentioned accessible power was available and explained how electricity costs were calculated.

He reported the Aspen East South Subdivision had the existing gas lamps and Staff was proposing eight lights for an approximate cost of \$34,000; \$4,200 per light and identified where conduit would be required for proper installation of the lights.

He explained the Aspen East North Subdivision currently had three existing street lights owned by Rocky Mountain Power within the subdivision and reported there was no power source in the front yards for any of the homes; therefore there was no usable power source available to the City for street light installation. He identified the nearest power source and reported 2,000 feet of conduit would need to be installed to power five street lights and reported the estimated cost for this project would be \$76,000 and a discussion followed. Terry Coburn, Public Works Director, pointed out this subdivision had been included with the East Layton annexation. Mr. Jackson added this would become a metered system owned by the City, given the length of the conduit, as required by the power company.

Mr. Jackson stated the City would need to identify how to complete the lighting projects at other locations within the City and explained how these could be funded and suggested they would be prioritized based on their respective age and the discussion continued. He mentioned the lights in the Aspen East South Subdivision had been installed by Ivory Homes because it desired a nicer lighting scheme compared with what Rocky Mountain Power would provide. Mr. Jensen emphasized the City didn't require any specific lighting in the subdivision and the discussion continued.

MAYOR'S REPORT

Mayor Petro reminded the Council of previous discussions regarding proposed development on property owned by and adjacent to the North Davis Sewer District (NDSD) and reported its Board would be making a decision whether to allow the development. She reported the property had originally been purchased as mitigation property to avoid encroachment to NDSD; however, it now had a revenue opportunity and a discussion followed. Councilmember Fitzpatrick inquired if this could impact any future growth of the District. Mayor Petro believed there was adequate additional property near NDSD which could accommodate growth. She pointed out potential benefits to Syracuse and Layton Cities and Davis County. The Council discussed the following issues associated with the proximity to the NDSD facility which should be considered such as odors/smells and bugs. No conclusion was identified for the Mayor's vote in representing Layton City.

She reminded the Council of the ribbon cutting ceremony scheduled for Friday, August 20, 2021, 9:00 a.m. for the Gordon Avenue/Highway 89 extension. She stated the road would be open to the public sometime over the weekend.

She also reminded the Council of the Day of Service designated for Saturday, September 11, 2021. She stated 42 projects had been identified to take place within the City and explained the coordination efforts for that day. She invited the Council to a meeting on Tuesday, August 31, 2021, 7:00 p.m., for further coordination.

The meeting adjourned at 6:50 p.m.

Kimberly S Read, City Recorder