

**MINUTES OF LAYTON CITY
COUNCIL WORK MEETING**

DECEMBER 7, 2023; 5:43 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**MAYOR JOY PETRO, ZACH BLOXHAM, CLINT
MORRIS, TYSON ROBERTS, BETTINA SMITH
EDMONDSON, AND DAVE THOMAS**

STAFF PRESENT:

**ALEX JENSEN, CLINT DRAKE, CHAD
WILKINSON, TRACY PROBERT, 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:

COUNCILMEMBER REPORT

Councilmember Smith Edmondson provided an update regarding Communities That Care. She mentioned data collected by the Utah SHARP (Student Health and Risk Prevention) Survey administered by the Utah Department of Health and Human Services, was recently presented by Davis Behavioral Health specific to the entire county. She explained it would provide access to data specific to Layton City from both Layton and Northridge High Schools and indicated the programming would be based on questions and responses surveyed for alcohol, drug abuse, and suicide prevention. She reported the results reflected alcohol use had significantly decreased with continued concern with vaping. She mentioned the Learning to Breathe classes were scheduled to begin at the City Offices, an education program providing coping skills and mechanisms. She reported Karlene Kidman, Youth Court Advisor, had indicated Youth Court would be referring offenders to these classes.

Councilmember Roberts mentioned the Legislative Affairs had met with the Davis Chamber of Commerce and indicated Senator Jerry Stevenson and Senator Ann Milner had attended and shared a brief update in preparation for the upcoming Legislative Session. He mentioned the Chamber's sub-committees had finalized its priorities documents and expressed his opinion the County had excellent representation.

Mayor Petro suggested the Council identify a date for its Special Meeting with the City's legislative contingency.

Councilmember Roberts mentioned Davis County had received significant funding for transportation projects the past several years and indicated the need to fund projects in Utah County. He indicated the Highway 89/84 interchange was already planned. He added water issues had also been discussed.

Councilmember Bloxham reported a UTOPIA meeting was scheduled for next week and announced the take rate for Layton City had increased from approximately 20% to over 40%. He shared a personal example regarding an opportunity to educate the public about UTOPIA while campaigning for City Council.

Mayor Petro inquired what organization was driving the negative advertisement regarding fiber networks provided by local government. Alex Jensen, City Manager, shared what he had learned regarding the negative advertising and a discussion followed.

FINANCIAL AND AUDIT REPORTS FOR THE YEAR ENDED JUNE 30, 2023

Tracy Probert, Finance Director, introduced Robert Wood, HBME Accounting Firm, and indicated he would address the Council at the conclusion of his comments.

Mr. Probert reviewed the General Fund Revenue and announced there was a slight decrease from 2022 and reviewed the revenue sources pointing out the following:

- The Energy Tax increase was directly related to Dominion Energy
- The decrease specific to licenses and permits was directly related to the State Auditor's Office requiring the City to report building permit and plan review fees in a separate fund. He mentioned the City already experienced a decrease in building permits.
- Intangible right-to-lease was specific to the Police Department and explained the accounting issue. He announced this finding was identified by the auditors; however, he assured the Council there was no overspending on behalf of the Police Department. He also explained the Intangible right-to use subscriptions issued was a similar circumstance.

He reviewed General Fund expenditures pointing out figures specific to the Police Department which illustrated it was under budget. He also reviewed figures associated with Staffing in several departments

within the City. He also explained the line item associated with Community Development for the Hill Air Force Base (HAFB) Compatible Use Study and emphasized that department was also under budget.

Mr. Probert also reviewed the Fund Balance specific to the General Fund and pointed out the Unassigned Fund Balance was where the City preferred it at 16.2%. He pointed out the City had committed funding for projects which resulted in that figure.

He continued to review funding for the Enterprise Funds: Water, Storm Sewer, Sewer, EMS, and Swimming Pool, Street Lighting, Refuse, Athletic, UIA (Utah Infrastructure Agency), and Secondary Water.

He also reviewed expenditures for the following: Emergency Dispatch, Building services, Victims services, CDBG (Community Development Block Grant), RDA/EDA (Redevelopment Agency and Economic Development Area), Debt Service, and Capital projects.

He reviewed revenues for: RAMP (Recreation, Arts, Museum, and Parks), Building services, and Prop 1 Transit.

He reviewed Sales Tax revenues with the Council.

Mr. Probert concluded the City finished the 2023 Fiscal Year in a good financial position and yielded the floor to Mr. Wood.

Mr. Wood announced Mr. Probert had reviewed the highlights regarding the audit findings and indicated his remarks would be brief. He informed the Council, a comprehensive audit had been completed by the Firm in compliance with State Code and indicated three reports were issued:

- Independent Auditor's Report – this was an Unmodified Opinion, or the best opinion the Firm could issue, otherwise known as a 'clean opinion'. He emphasized City Management had corrected any and all discrepancies or errors discovered during the audit.
- Internal Controls for Financial Reporting and compliance to laws and regulations, located at the back of the book. He indicated no material weaknesses or significant deficiencies had been discovered.
- State Compliance Audit Guide required by the State Auditor's Office and reviewed those identified findings. He emphasized the findings were specific to accounting issues, with the exception of the excess Unassigned Fund Balance; however, projects were identified by Staff to spend down the funds, leaving the City at approximately 16%.

He expressed his opinion the City was doing very well financially and assured the Council a thorough examination was completed by HBME Staff. He asked if there were any questions from the Council and there were none.

CONCEPT PLAN, AMENDED DEVELOPMENT AGREEMENT, AND REZONE REQUEST – FOLKMAN FARMS PRUD – FROM A (AGRICULTURE) AND R-1-10 (SINGLE FAMILY RESIDENTIAL) TO R-1-10 PRUD (SINGLE FAMILY RESIDENTIAL, PLANNED RESIDENTIAL UNIT DEVELOPMENT) – RESOLUTION 23-46 AND ORDINANCE 23-21 – 1608 NORTH VALLEY VIEW DRIVE

Chad Wilkinson, Community Development Director, reminded the Council this item was being re-visited from approximately one year ago, regarding development known as Folkman Farms PRUD on Valley View Drive. He reported one of the property owners/applicant had removed his property parcel, approximately seven acres, from the proposed development and the developer had re-worked the development. He shared a visual illustration pointing out the undevelopable property within the development and emphasized it wasn't included as the open space component because it wasn't developable property due to existing constraints: the existing Weber Basin Aqueduct, existing reservoir, and the slope. He spoke to the trail connection associated with the development. He reported the location and number of town homes had been changed; proportionally reduced to 15. He announced the property was located within the Sensitive Lands Overlay and indicated a thorough geologic investigation was completed with the initial development proposal, which was revised for the new layout.

He reported the applicant had requested a slight change specific to the elevations which were included as exhibits to the Development Agreement and shared the new illustrations. He stated Staff had reviewed the requested changes and was comfortable with the request. He requested language regarding the new elevations be included with the motion, if the Council was inclined to make that change to the Development Agreement. He clarified the elevations would be the basis for approval of the preliminary plat and emphasized this action didn't approve the subdivision; rather, it would approve the concept plan. He added the elevations didn't waive any requirements called out in the development agreement and shared an example. He continued to share illustrations of the proposed elevations and the Council discussed the proposed elevation changes, the water-wise landscaping requirements, garages, and fencing.

Councilmember Bloxham requested clarification about the Council's previous action of the rezone and approving a Development Agreement last year and Mr. Wilkinson responded the City considered this an entirely new agreement and clarified the previous Development Agreement was never signed and executed. He added the zone change was dependent upon execution of the Development Agreement.

Councilmember Smith Edmondson referred to page 3 of the Development Agreement specific to the issuance of building permits and Mr. Wilkinson clarified once a percentage of units were completed, the amenities needed to be completed for those residents.

Councilmember Bloxham recalled some of the discussions from the previous request specific to the ingress and egress for the development and Mr. Wilkinson responded the City Engineer indicated Boulder Street could accommodate the vehicular traffic; however, Staff didn't believe the increase in traffic would be significant. He also mentioned there was plenty of room for emergency vehicle access.

The Council continued to discuss the geologic, grading, and water issues for proposed development and Mr. Wilkinson assured the Council land drains would be included within the proposed development.

FINANCIAL AND AUDIT REPORTS FOR THE YEAR ENDED JUNE 30, 2023 - continued

Mr. Probert announced the Fraud Risk Assessment had been placed in the Council's Dropbox and pointed out the City was entitled to affirm and check all boxes on the Basic Separation of Duties which resulted with the City receiving the rank of Very Low Risk for the Fraud Risk Assessment. He requested the

Council contact him with any questions. Mayor Petro indicated the Elected Officials had previously completed the training on an individual basis.

OPEN AND PUBLIC MEETING ACT TRAINING

CONFLICT OF INTEREST TRAINING

SEXUAL HARASSMENT TRAINING

Mayor Petro announced the trainings weren't required at this time and Clint Drake, City Attorney, indicated he would present these trainings during one of the meetings in January 2024.

MAYOR'S REPORT

No Mayor's report was shared.

The meeting adjourned at 6:50 p.m.

Kimberly S Read, City Recorder