MINUTES OF LAYTON CITY COUNCIL WORK MEETING — **DECEMBER 21, 2023; 6:00 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, 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 Bloxham mentioned the recent media push against UTOPIA fiber and was pleased to announce UTOPIA experienced its best month for subscribership. He shared his experience in reviewing the article on KSL then reading comments from the public and a discussion followed. He also mentioned the UIA (Utah Infrastructure Agency) Board had adopted a budget amendment during its last meeting.

Alex Jensen, City Manager, explained the City's participation for the aggressive build-out within the City, and pointed out how the revenue share was beneficial to both the City and UIA. He also explained UTOPIA and UIA had considered other options associated with completing the infrastructure network and continued to explain the intended benefit and revenue share for the City. A discussion followed regarding that potential revenue.

Councilmember Morris stated the RAMP (Recreation, Arts, Museum, and Parks) Commission didn't hold a meeting in December. He announced LPC (Legislative Policy Committee) associated with ULCT (Utah League of Cities and Towns) was preparing for the upcoming Legislative session and indicated the main topic discussed during the recent meeting was related to the Governor's first time homebuyer initiative and a discussion followed.

ADOPT AND APPROVE A REAL ESTATE PURCHASE AGREEMENT BETWEEN WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT AND LAYTON CITY FOR THE PURCHASE OF PROPERTY FOR A BUSINESS PARK – RESOLUTION 23-58

Clint Drake, City Attorney, informed the Council the City and Wasatch Integrated Waste Management District entered into an Option to Purchase Agreement in 2016 for approximately 25 acres of property. He reported the parties had established terms of purchasing the property for $2.45 million. Staff recommended approval.

REZONE REQUEST – AMBER FIELDS 2023, LLC – A (AGRICULTURE) TO R-1-10 (SINGLE FAMILY RESIDENTIAL) – ORDINANCE 23-26 – APPROXIMATELY 250 NORTH 1550 WEST

Chad Wilkinson, Community and Economic Development Director, shared a visual illustration and identified the location of the parcel for the rezone to allow 5,000 square foot single family residential building lots. He stated the proposed rezone was consistent with the General Plan and the Planning Commission forwarded a unanimous recommendation of approval to the Council.

He asked if there were any questions and he provided a response regarding the utilities and density of the development.

Councilmember Bloxham requested Mr. Wilkinson speak to the different distinctions regarding the vacant parcel east of Welden Way. Mr. Wilkinson explained the property owner to the east had been vocal during the General Plan process and due to the proximity to the rail corridor, the nearby industrial park, and trail pressed for a specific designation in the General Plan and a discussion followed. Mr. Wilkinson clarified where the street connections to the Pinehurst Development would be located and indicated it was the same developer. A discussion took place regarding input from the property owner during the General Plan process.

APPOINT A MEMBER TO THE ADMINISTRATIVE CONTROL BOARD OF THE WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT – RESOLUTION 23-56
APPOINT A MEMBER TO THE NORTH DAVIS SEWER DISTRICT BOARD OF TRUSTEES – RESOLUTION 23-57

Mr. Drake announced he had been asked to provide information in State Code regarding appointments to Boards for different entities and reported there wasn't a significant amount of statutory direction. He mentioned one specific section identified in City Code which allowed the Mayor to make recommendations for appointments at the advice and consent of the Council. He reviewed specific guidelines called out in the Code pointing out those could be filled by any member of the elected body with the appointment made by the Mayor. He mentioned the advice and consent would be considered the check and balance associated with the appointment and clarified 'consent' was the Council's discretion to approve the Mayor's recommendation by a vote by members of the Council, which required a majority vote.

He provided some possible language for the Council to consider which could be implemented either by ordinance or rules and procedures regarding these appointments in the future. He mentioned the City's code hadn't been updated since 1997 and a discussion took place. He also identified how an appointee could be removed from an appointment.

Councilmember Thomas inquired whether Wasatch Integrated Waste Management's District (WIWMD) Board had the ability to impose fees or tax increases and Mr. Drake shared what he believed the allowed powers of the WIWMD were regarding the implementation of fees and/or taxes. The Council expressed concern with the powers and authority the District believed it possessed, based on votes of the members on the Board which this City Council had no input.

The discussion regarding the appointment to WIWMD's Administrative Control Board continued with some councilmembers suggesting no appointment should be made during the Council Meeting.

Mr. Jensen informed the Council about what he had learned from a discussion from the director of WIWMD as well as other City Managers which had contacted him.

The Council expressed appreciation to Mr. Drake for his research on the issue.

MAYOR'S REPORT

No Mayor's report was shared.

The meeting adjourned at 7:12 p.m.

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Kimberly S Read, City Recorder