

**MINUTES OF LAYTON CITY
COUNCIL MEETING**

AUGUST 1, 2024; 7:00 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

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

STAFF PRESENT:

TRACY PROBERT, JADYN APPLONIE, CHAD WILKINSON, STEPHEN JACKSON, DAVID PRICE, AND KIM READ

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

Mayor Petro opened the meeting and welcomed the public. Mayor Petro offered the invocation and led the Pledge of Allegiance.

MINUTES:

There were no minutes submitted for approval.

MUNICIPAL EVENT ANNOUNCEMENTS:

Councilmember Roberts mentioned the following:

- Commented July was a busy month for many departments in the City and expressed appreciation to the employees attending the meeting, and others, for their efforts with Liberty Days over the Fourth of July and Pioneer Day on the 24th.
- Layton F.E.S.T. (Farmers, Entertainment, Shopping, and Trucks) would take place every Friday evening from 5:30 – 9:00 PM in Constitution Circle.
- Free Friday Films were still being offered by the Davis Arts Council in the Kenley Amphitheater and announced ‘Lyle, Lyle Crocodile’ would be the movie on Friday, August 2, 2024.
- Family Recreation activity, End of Summer Bash, was scheduled for Friday, August 30, 2024.

Councilmember Smith Edmondson announced Thursday, August 22, 2024, 7:00 PM in the Kenley Amphitheater, Communities that Care would be sponsoring a free movie screening, ‘Screenagers’; bringing awareness of issues regarding vaping and how the digital age affected that issue. She mentioned snacks and gift card raffles would also be available and indicated Citizenship Recovery Credit would be available for participating through their respective school counselors. It was intended for an audience of teenagers, parents, and community members. Those interested in attending should RSVP by emailing meganh@dbh.utah.org. Additional information could be found on the Davis Behavioral Health website and she was hopeful to get something placed on the City’s website.

Mayor Petro announced the City would be hosting a watch party on Tuesday, August 6, 2024, to watch Courtney Wayment, a local Olympian, participate in the Steeplechase final medal run. The watch party would take place in the new pavilion located in Constitution Circle around 12:30 PM. She explained Ms. Wayment would need to qualify for the final medal run by participating in a timed trial at 2:00 AM on Sunday, August 4, 2024; however, it was anticipated she would qualify. Mayor Petro invited anyone and everyone from the area, with a special invitation extended to the school’s track teams, to unite and support a local athlete. She mentioned Ms. Wayment hailed from Layton City, attended local schools, Weber State, and Brigham Young Universities.

She also mentioned NDSD’s (North Davis Sewer District) pump-house project which had taken place over the past two years was completed and an open house was scheduled for Wednesday, August 21, 2024, from 1:00 – 3:00 PM. The public was invited to tour the facility in conjunction with the open house and she encouraged the public’s participation.

PRESENTATIONS:

PRESENTATION – YEARS OF SERVICE AWARDS

Tracy Probert, Finance Director, excused Alex Jensen, City Manager, and apologized for his absence since this was one of his favorite meetings. He announced employees which had 20, or more, years of service to the City would be recognized. He expressed appreciation to the employees for their dedication to the City and expressed his opinion they were outstanding individuals. He also recognized the families of the employees for also supporting the City. He read a small background respective to each of the following employees:

Michael Beavers	Police Department	20 years
Tracy Hokum	Police Department	20 years
Isabelle Puefua	Police Department	20 years
Kristen Ecklund	Police Department	25 years
Kevin Ward	Fire Department	20 years
Ryan Pickup	Parks & Recreation	20 years
Johnny Gallegos	Public Works	40 years

Mr. Probert announced the following employees weren't able to be in attendance during the meeting and recognized the following:

Karen Nilsen	Fire Department	20 years
Jean Park	Finance/Facilities	20 years
Darrin Taylor	Public Works	25 years

Mayor Petro expressed appreciation to the employees for their dedication to Layton City and shared some personal experiences regarding her association with some of the employees. She commented on the peer support for each of the recognized employees as there were few available chairs in the Council Chambers. Each Councilmember expressed appreciation to and acknowledged the achievement of the recognized employees and each expressed its continued support of City Staff.

CITIZEN COMMENTS:

There were no citizen comments.

CONSENT AGENDA:

CONCEPT PLAN – ANDERSON'S LEGACY SUBDIVISION – APPROXIMATELY 2650 EAST GENTILE STREET

Chad Wilkinson, Community and Economic Development Director, shared a visual illustration and announced the agenda item. He explained the item was a concept plan approval for a subdivision located within the Sensitive Lands Overlay, an area within the City experiencing a slope, flood plain, or similar issue requiring special consideration. He informed the Council the slope of the parcel was the issue and identified the location and referenced an aerial illustration which identified the parcel in relation to the Holmes Creek Irrigation Reservoir.

He informed the Council the ordinance required some rigorous reviews of these types of lots located within the Sensitive Lands Overlay. He pointed out this was a one lot subdivision and referred to another exhibit which reflected a slope over 30% toward the reservoir and which also identified where a home could be constructed. He reported the request had advanced through a thorough review process which required a geotechnical report submitted by the applicant's representative, to then be reviewed by the City's third party geotechnical consultant, and after some back and forth efforts for corrections, the third-party consultant approved the report. He stated approval of the conceptual plan was the first step in the approval process and assured the Council multiple reviews would be required to ensure success of a home constructed on a steep slope area.

He added the request had been thoroughly reviewed by City Staff and its' third-party consultant. The Planning Commission also reviewed the request during its meeting on Tuesday, July 9, 2024, which unanimously forwarded a positive recommendation to the City Council.

He asked if there were any questions.

Councilmember Smith Edmondson inquired about the timing of when the subdivision process started and referenced the dates on documents included in the packet. Mr. Wilkinson responded this had been going on for quite some time.

Mr. Wilkinson clarified the strike-through text on the report included in the packet were items which had been resolved or addressed.

Councilmember Roberts clarified the existing home to the east had been in existence for quite some time. He inquired about the foundation process required by the geotechnical study for the buildable area. Mr. Wilkinson responded specific recommendations related to observations by the geotechnical engineer and explained prior to issuing a building permit observation and review by the owner's consultant would be required.

Councilmember Bloxham requested clarification regarding the need for the use of a third-party consultant. Mr. Wilkinson explained the City's Engineering Staff was very skilled; however, this required specific type of specialty engineering and also ensured fairness by a neutral third party. Councilmember Bloxham asked about any liability to the City in approving the request upon recommendations of a third-party. Mr. Wilkinson clarified the geotechnical professionals accepted that responsibility. Additionally, City ordinance required additional scrutiny due to the slope and he continued to explain the responsibilities of the geotechnical engineer's reports on behalf of each party.

Councilmember Smith Edmondson clarified additional information would be provided to the Council during the approval process and Mr. Wilkinson stated a one lot subdivision would proceed rapidly through the approval process with limited additional information being provided to the Council. Councilmember Smith Edmondson expressed concern about a portion of the buildable area reflected in the exhibit and Mr. Wilkinson responded the current ordinance allowed the structure to be constructed within the 30% slope area, subject to the recommendations in the geotechnical report.

Mr. Wilkinson informed the Council, Staff would be completing a comprehensive review of the City's Sensitive Lands Ordinance and suggested an update would come before the Council within coming months.

Jadyn Applonie, Assistant City Attorney, clarified City ordinance specified Development Staff would rely on qualified geotechnical engineer advisors when necessary.

Mayor Petro expressed concern about the potential of any natural springs on the sloped property and Mr. Wilkinson responded this particular issue was one considered by the geotechnical engineer and also identified other issues it reviewed to protect the homeowner

MOTION: Councilmember Smith Edmondson moved to approve the Consent Agenda as presented. Councilmember Morris seconded the motion, which passed unanimously.

Mr. Wilkinson mentioned approval of the subdivision would come before the Council two more times: Preliminary Subdivision and Final Subdivision approval.

Councilmember Bloxham requested Mr. Wilkinson address the update regarding the Sensitive Lands Ordinance. Mr. Wilkinson responded changes had been made to street standards and the Sensitive Lands Ordinance needed to be consistent with those. Staff also wanted to identify appropriate building areas within the City based on 'best practice'. He mentioned there were other communities which prohibited construction of homes on parcels with 30% slope.

Definitions of how average slope for a property was calculated also needed to be addressed and provided an example.

PUBLIC HEARINGS:

There were no scheduled public hearings.

UNFINISHED BUSINESS:

Nadine Goseland, applicant, stated she was in the process of purchasing the lot at 2650 East Gentile and clarified the purchase was contingent upon approval of obtaining a building permit and informed the Council of the things she accomplished in the past eighteen months. She inquired about the City's ordinance requiring connection to Weber Basin Water and informed the Council she would probably be seeking a variance.

Councilmember Roberts suggested Ms. Goseland provide the ordinance number she had referenced to Ms. Applonie.

Mr. Wilkinson believed this would be specific to an engineering requirement for water exaction which would be resolved prior to the two approvals required of the Council.

The meeting adjourned at 8:01 p.m.

Kimberly S Read, City Recorder