

**MINUTES OF LAYTON CITY
COUNCIL WORK MEETING**

SEPTEMBER 19, 2024; 5:30 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, STEPHEN JACKSON, DAVID PRICE, SCOTT MAUGHAN, DOUG BITTON, GAVIN MOFFAT, 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:

MAYOR'S REPORT

Mayor Petro reported the Homeless Task Force had dissolved and believed responsibilities were now with Davis County.

COUNCILMEMBER'S REPORTS

Councilmember Smith Edmondson informed the Council she had attended the Communities That Care (CTC) key leader meeting last week. She reported the following statistics associated with the 'Screenagers' movie: 75 attendees and 36 youth earned citizenship recovery credits. She also indicated 'Parents Empowered' had a table at Purple Star Schools for their respective Back to School events. She indicated a lot of parents had received information regarding the different classes offered. She mentioned it had also tabled an event the Emergency Preparedness Fair with a focus on suicide prevention and safety within the community. She added a table would also be available at the City Fire Department's Open House on Wednesday, September 25, 2024. She asked if any of the Councilmembers would be interested in participating in interviews regarding 'readiness within the community' specific to prevention efforts.

Mayor Petro inquired about the volunteer interest from parents within the community and Councilmember Smith Edmondson reported on the community interest she was aware of. She expressed her opinion it was going well and believed there would be a push to recruit interest among Spanish speaking residents within the community.

Councilmember Bloxham reported on the UTOPIA public hearing associated with the proposed new bond. Roger Timmerman, UTOPIA Executive Director, recently informed participants it had experienced its best month ever for new subscribers and mentioned Layton had almost 10,000 subscribers.

Councilmember Thomas reported the fundraising event for the Victim's Advocate Sub for Santa had taken place and the goal had been met. He expressed appreciation to the City's Parks and Recreation Staff and Davis Arts Council for its support of the event. He mentioned members of the Youth Council would be assisting with the Sub-for-Santa shopping and wrapping this year.

Councilmember Roberts reported Davis Mosquito Abatement would be ending its efforts for the season. He mentioned Davis and Salt Lake Counties owned a hangar at the airport and reported on the different types of abatement efforts. He mentioned it had been a ‘good mosquito year’ with the decrease in numbers this year.

Councilmember Smith Edmondson also mentioned she had received quite a few emails regarding the need for a dog park within the City. She announced one of the Youth Court members had been nominated to receive the daily Point of Light Award and would be recognized during tonight’s regular City Council Meeting.

Councilmember Roberts mentioned several citizens had also spoke to the need of a dog park during the City’s Parks and Recreation Commission meetings. David Price, Parks and Recreation Director, indicated Staff was working toward updating the Parks Master Plan and part of that process would be completing a survey of residents regarding project priorities.

RESTRICTIONS OF THE USE OF FIREWORKS WITHIN CERTAIN AREAS OF THE CITY FOR THE YEAR 2025 – ORDINANCE 24-27

Alex Jensen, City Manager, explained during the evaluation of the City’s Fourth of July events it was determined more control was needed regarding the allowance for discharge of fireworks at designated parks within the City. He mentioned the City had become the ‘go to’ place for residents of other cities and counties to display their own fireworks and expressed concern at the lack of quality control and the number of people coming to the parks. He also mentioned the demand these activities put on City Staff during the legally discharge dates at the parks. Staff was prepared to present recommended changes.

Clint Drake, City Attorney, identified and reviewed the proposed fireworks restriction amendments:

- Discharge of fireworks in any public park must be approved in writing by the Fire Chief and Parks and Recreation Director.
- Commercial shows or demonstrations for public or private display, or large gatherings, must obtain a special event permit from the City. He explained this would identify any dangers associated with the demonstration and to ensure proper insurance coverage would be in place to indemnify the City from any liability.
- All fireworks prohibited east of Highway 89. He pointed out prohibitions hadn’t changed from previous years and clarified the State Code allowed cities to make changes based on geographical issues.
- Aerial fireworks prohibited:

These proposed prohibitions would be new and reminded the Council, as previously mentioned, State Code allowed cities to make these changes and reviewed the following:

- West of Highway 89 and east of Fairfield Road from the south border to Church Street
- West of Highway 89 and east of Church Street from the intersection of Church Street, and Fairfield Road north to Highway 193
- North of State Highway 193 to the City/HAFB (Hill Air Force Base) Border
- Violation is an infraction, up to \$1,000 fine.

He shared a map reflecting the proposed fireworks restrictions updates and reviewed those proposed locations. He clarified the changes were recommended by the City’s Fire Department and a discussion followed.

Scott Maughan, Assistant Fire Chief, clarified the proposed changes eliminated the discharge of fireworks at both Sandridge and Andy Adams Parks and the discussion continued. Mr. Drake briefly reviewed some of the requirements the City would require and expect associated with a special permit for private firework displays.

Alex Jensen, City Manager, pointed out all other cities located within the County had already prohibited the discharge of fireworks within their respective parks which almost encouraged those residents to come to either one of these parks for their neighborhood display. Additionally, there seemed to be confusion that some of these larger displays in the parks were affiliated or sponsored by Layton City because of the presence of City Staff monitoring illegal fireworks.

Councilmember Smith Edmondson requested clarification specific to proposed language in 1.d. ‘approved in writing’ and whether there was a real possibility of being approved for a firework display at a City Park. Mr. Maughan responded it would be determined based on the size of the show, location of fall-out zones, and pointed out both Layton and Northridge High’s recent requests were permitted. Mr. Drake continued to explain the three department review processes and informed the Council it had the prerogative to eliminate 1.d. from the proposed amendments.

Councilmember Smith Edmondson suggested eliminating that language and the discussion continued. Mr. Drake clarified the direction of the Council was for 1.d. to read: ‘in any public park’.

Mr. Drake continued to review the proposed ordinance. Mr. Maughan pointed out the intent with originally opening up the parks for fireworks use was to allow a place for families to safely discharge fireworks. He shared some photos from July 25, 2024, which illustrated the garbage left at Andy Adams Park; he reviewed and explained the hazards associated with the display and its subsequent trash, and the discussion continued.

Councilmember Bloxham suggested the new prohibition for use of City parks would result with the City experiencing a significant increase of fireworks violations throughout the entire City and Mr. Maughan expressed agreement.

Councilmember Roberts inquired whether the City had the authority to ban fireworks around fields of crops or on designated days if there were high winds and Mr. Maughan mentioned that would be extremely difficult; although the City would cancel its fireworks display.

Mr. Drake indicated State Code required the City to review and adopt its ordinance by May 1 every year in order to allow for drought conditions. He clarified this would be in effect until 2026; however, it should be reviewed and re-adopted annually.

David Price, Parks and Recreation Director, emphasized behavior from the public had drastically changed over the past two or three years. He mentioned the trash receptacles placed for disposal had routinely caught on fire which contributed to dangerous conditions for the public, not to mention the costs incurred by the City to dispose of the trash and used cartridges.

REZONE REQUEST – BARLOW REZONE – FROM A (AGRICULTURE) TO R-1-8 (SINGLE FAMILY RESIDENTIAL) – ORDINANCE 24-26 – 529 WEST GENTILE STREET

Chad Wilkinson, Community and Economic Development Director, shared a visual illustration and oriented the Council to the property’s location. He mentioned the rezone would facilitate a small subdivision. He indicated the rezone request was supported by the General Plan and Staff recommended approval. He reported the Planning Commission reviewed this item during its meeting on Tuesday, August 27, 2024 and recommended approval.

PROPOSAL TO AMEND REQUIREMENTS IN TITLE 19 ZONING, CHAPTER 19.05 GENERAL AND SPECIFIC DEVELOPMENT REGULATIONS, SECTION 19.05.000 TABLES 5-1 AND 5-2 TO AMEND THE HEIGHT RESTRICTIONS IN THE M-1 (LIGHT MANUFACTURING/INDUSTRIAL) ZONE – ORDINANCE 24-25

Mr. Wilkinson announced the agenda item and explained the City had received requests to exceed the current maximum height in the M-1 zone to accommodate development near Hill Air Force Base

(HAFB). He reviewed the allowances and restriction associated with the proposed ordinance and also the property locations eligible for the proposed height increase. He spoke to the FAA (Federal Aviation Administration) requirements near HAFB which limited locations within the City where the ordinance could be applied and mentioned some were outside the City boundaries but were identified on the City's Annexation Plan. He reported the Planning Commission reviewed the request during its meeting and recommended approval. Staff also recommended approval and a discussion followed.

ANNEXATION REQUEST – LAYTON CITY ANNEXATION – ORDINANCE 24-28 – APPROXIMATELY 3925 NORTH AND 3945 NORTH FAIRFIELD ROAD

Mr. Wilkinson explained State Law required the City submit notification to the State within 60 days of the Council's approval of the annexation. He reported coordination by both Davis County and City Staff, required for accuracy, within the 60-day time limit had expired; therefore, the State required a new approval by the Council. He emphasized the Council had already reviewed and approved this particular annexation request.

CLOSED MEETING:

MOTION: Councilmember Roberts moved to adjourn the meeting and convene in a closed meeting at 6:38 p.m. to discuss the Purchase, Sale, Exchange, or Lease of Real Property, Including Any Form of a Water Right or Water Shares. Councilmember Thomas seconded the motion, which passed unanimously.

MOTION: Councilmember Thomas moved to open the meeting at 7:02 p.m. Councilmember Roberts seconded the motion, which passed unanimously.

The meeting adjourned at 7:02 p.m.

Kimberly S Read, City Recorder

SWORN STATEMENT

The undersigned hereby swears and affirms, pursuant to Section 52-4-205(1) of the Utah Code Annotated, that the sole purpose for the closed meeting of the Layton City Council on the **19th day of September, 2024**, was to discuss the Purchase, Sale, Exchange, or Lease of real property, including any form of a water right or water shares.

Dated this 21st day of November, 2024.

ATTEST:

JOY PETRO, Mayor

KIMBERLY S READ, City Recorder