**MINUTES OF LAYTON CITY COUNCIL WORK MEETING** **MAY 1, 2025; 5:32 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, STEPHEN JACKSON, WESTON APPLONIE, TRACY PROBERT, DAVID PRICE, 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 shared an update from North Davis Sewer District (NDSD) and announced its $2.50 per month rate increase had been adopted by the Board. She mentioned it would be effective July 1, 2025. She explained it would implement another $2.50 monthly increase beginning July 1, 2027.

She had no update from Wasatch Integrated Waste Management District since a meeting hadn't taken place and announced its next Board meeting was scheduled for next week.

She reported Open Doors had put an offer on a new location which could consolidate all services under one building. She mentioned if it was able to move forward on the purchase the building on Highway 193 would be sold. She indicated the food pantry would no longer be available by Open Doors and mentioned the Bountiful Food Pantry would possibly be providing that service by a mobile service; bringing the food closer to the geographical area in need.

**COUNCILMEMBER'S REPORTS**

Councilmember Smith Edmondson mentioned the Layton Communities That Care (CTC) quarterly newsletter had been forwarded to the Council. The new prevention specialist, Tiffany Lanning, was now in place and believed she was doing great work. She mentioned Megan Crain, Prevention Coordinator, was still on board which would ensure continuity with programming. She announced an outreach event was scheduled for Monday, May 12, 2025, intended to train coalition volunteers on how to talk about CTC to members within the community to encourage additional volunteer participation. She mentioned CTC would like to be more visible and present at some City events.

She mentioned the following items brought to her attention by City residents:

- Trevor Thomas and Innovative Dance Company regarding miscommunication with City Staff.
- Kayscreek Estates financial assistance for sidewalk repair project
- Layton High School drumline concern

Councilmember Roberts shared an update from the Parks and Recreation Commission Meeting and mentioned the new wave machine for Surf 'n Swim was intended to be installed in the fall of 2025. David Price, Parks and Recreation Director, mentioned a discussion regarding that project would take place later in the meeting. Councilmember Roberts mentioned he had attended a session regarding water planning during the ULCT (Utah League of Cities and Towns) Conference in St. George. He inquired if the City had appropriately planned for the amount of water needed at 'buildout'. Stephen Jackson, Public Works Director, responded that was included in the City's Water Master Plan.

Councilmember Bloxham reported the UTOPIA take-rate continued to increase with the most subscribers within the entire network were from Layton City. He mentioned it anticipated to continue with the paybacks and Layton City, one of the founding cities, would continue to receive the rebates.

**DISCUSSION – GEOTECHNICAL ENGINEER/GEOSTRATA – HOBBS CREEK VILLAS PRUD**

Weston Applonie, Community and Economic Development Director, introduced Tim Thompson and Scott Seal, Geostrata, the City's third party consultant tasked with reviewing items with Geotechnical issues. He stated based on the discussions from the City Council Meeting of Thursday, June 5, 2025, Staff had invited them to address the Council and he identified the various topics of concern the Council requested be clarified:

- clustering of buildings on the 30% slope
- potential drainage from storm runoff
- potential concern with adding storm water to the slopes
- location of the proposed trail
- mitigation of geotechnical concerns.

Mr. Thompson explained its responsibility in reviewing the project for compliance with the City's Sensitive Land Use Ordinance. He stated they had reviewed reports related to the design and was available to answer questions from the Council regarding the design of the proposed development.

Councilmember Roberts requested explanation be provided regarding the concern of additional water runoff from the potential hardscape. Mr. Thompson explained Geostrata had reviewed the landslide previously experienced within the City, directly north of the subject property, and explained there were various springs and intermittent perched ground water conditions along the slope. He explained how these water conditions, in addition to irrigation water, could impact development. Councilmember Roberts clarified Geostrata was confident the proposed development was appropriately taking place and would not negatively affect the slope. Mr. Thompson indicated, that based on Geostrata's review and discussions with Staff, the proposed development would be required to collect all surface runoff to divert it to a known discharge location within the stormwater system via piping. He stated this was a positive solution to the hillside because the water was being discharged below the hillside in an appropriate drainage location.

Stephen Jackson, Public Works Director, explained how the proposed trail would provide City access to property needed to address the current erosion issue to the reservoir by installing piping infrastructure. He referenced an illustration which identified where the storm drain easements were located in association with the development. He continued to explain how the existing neighborhood to the south would benefit from the project.

Councilmember Roberts pointed out the locations for some of the proposed building lots near the 30% slope. Mr. Thompson spoke to the 30% slope and responded the structures were proposed to be constructed outside the area from the slope that he didn't believe would be a problem. He referenced an illustration and pointed out the homes were located upslope. He continued to speak to how topography variances could impact the illustration and expressed his opinion the slope line wasn't completely accurate and continued to review and explain the illustration.

Councilmember Smith Edmondson inquired about the homes proposed to be located near the 30% slope and whether some could be moved to a different location and requested clarification whether the construction of the homes could mitigate some of the stability issues. Mr. Thompson referenced a study completed years ago which indicated landslides generally happen on slopes higher than 30%. He reviewed the process used to determine whether a parcel could accommodate structures and shared comparisons to other slide areas within the City. He addressed how the stability of the slope was determined and indicated the proposed new development was an improved design from the original plan and based on an engineering standpoint would be sufficient.

Councilmember Bloxham requested clarification whether the plan presented to the Council was different from what had been reviewed by Geostrata and Mr. Thompson responded in the affirmative. He continued to explain the original plan was reviewed and expressed his opinion the improved design had also met safety standards. Councilmember Bloxham expressed concern Geostrata hadn't seen and reviewed the final product presented to the City Council and questioned Staff whether this was a typical process. Mr. Jackson responded a final plan had been submitted which could have moved forward to the City Council and the developer chose to revise that plan. He continued to explain the City's process that if no substantial changes were identified by Staff, the resubmitted plan didn't require additional review by Geostrata. He informed the Council, Staff had completed a substantive review process and indicated it considered all addendums to the original plan. Mr. Thompson also explained Geostrata's role with assisting City Staff in the decision making process and stated this was a common practice. He clarified they completed a review of the stability of the slopes as opposed to the layout of the structures. He added Geostrata didn't draft a formal letter; however, representatives did meet with Staff to discuss the review and clarified the addendums weren't substantial enough for them to complete a second review.

Councilmember Smith Edmondson requested clarification with the identified fault line. Mr. Thompson explained what generally happened during an earthquake and spoke to the studies which take place associated with an identified fault scarp line. He also explained the philosophy used to determine the acceptable build zone for development and identified the fault setback area on the illustration.

Councilmember Smith Edmondson mentioned an earlier comment specific to the design for the development in that it wasn't his favorite and requested he share his opinion for the development. Mr. Thompson responded he would have implemented something similar to what was now being proposed: relocating the homes to an area which didn't require a significant large fill pad and continued to explain best practices followed by engineers when constructing homes near a slope.

The Council expressed appreciation to Mr. Thompson and Mr. Seal for their attendance and Mayor Petro requested they be available for the City Council Meeting immediately following the Work Meeting.

**ADOPT A TENTATIVE BUDGET FOR LAYTON CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2025, AND ENDING JUNE 30, 2026, AND SET A PUBLIC HEARING – RESOLUTION 25-28**

Tracy Probert, Finance Director, indicated he would be sharing some slides during the regular City Council Meeting. He mentioned the Surf 'n Swim dome replacement project of $1.1 million reflected as a General Fund project in the Tentative Budget and the Andy Adams Park restroom project of $700,000 was reflected as a RAMP (Recreation, Arts, Museum, and Parks) project. He explained the Surf 'n Swim project hadn't requested RAMP funding because that funding source had already met the budget appropriation for this year. Additionally, there was a question as to whether the project would be considered 'maintenance' or 'Capital Project'. As Staff further reviewed these two expenditures it was determined the Surf 'n Swim dome project met the criteria for a Capital Project; therefore, he was recommending the Council consider the use of RAMP funding for both of these projects. He reminded the Council the RAMP Tax would be voted on by registered voters in this upcoming General Election and shared scenarios of the RAMP Fund, including this expenditure, if it was approved by the voters and also if it wasn't approved. He shared a RAMP funding overview with the Council and explained how this expenditure would affect that fund balance and expressed his opinion it could accommodate the request and continue to fund grant project requests from outside entities. He pointed out this proposal hadn't been included in the Tentative Budget and Staff could make those adjustments to the Final Budget.

Mr. Probert continued to review the General Fund Balance without funding the Surf 'n Swim project.

David Price, Parks and Recreation Director, added this would be the largest ask on behalf of the City, in addition to the restroom project. A discussion followed and Mr. Price pointed out the RAMP Committee hadn't seen the Surf 'n Swim request because one wasn't submitted.

Mr. Probert explained the wave machine was also on the RAMP request list; however, he proposed a budget amendment to this year's budget to allow Staff the opportunity to order the parts allowing its installation prior to the summer season. The discussion continued. The Council directed Mr. Probert to proceed with his recommendations.

**ADOPTION OF THE 2024 LAYTON CITY – MUNICIPAL WASTEWATER PLANNING PROGRAM ANNUAL REPORT – RESOLUTION 25-25**

Stephen Jackson, Public Works Director, reminded the Council, the State of Utah, Department of Environmental Quality Division of Water Quality, required the City to complete an annual report specific to the City's wastewater system. He reviewed some highlights and assured the Council the City's system was in excellent position. He shared specifics associated with the collection system.

**APPROVE AN EASEMENT PURCHASE AGREEMENT – RESOLUTION 25-29 – APPROXIMATELY 502 NORTH PEREGRINE DRIVE**

Clint Drake, City Attorney, reminded the Council of initial discussions associated with the easement of property from the Peacefield Subdivision HOA (Homeowner's Association). He reminded the Council of the history associated with the acquisition of the parcel. He explained the property owner's request and informed the Council an agreement signed by the Homeowner's Association would come before the Council during tonight's regularly scheduled Council Meeting.

**CLOSED SESSION TO DISCUSS THE CHARACTER AND/OR COMPETENCY OF AN INDIVIDUAL(S), PENDING OR REASONABLY IMMINENT LITIGATION, PURCHASE, SALE, EXCHANGE OR LEASE OF REAL PROPERTY, WATER RIGHTS OR SHARES, AND/OR DEPLOYMENT OF SECURITY PERSONNEL, DEVICES OR SYSTEMS AS PERMITTED UNDER UTAH CODE §52-4-205**

This agenda item was not addressed by the Council during the Work Meeting. The Closed Meeting took place following the regularly scheduled City Council Meeting.

Councilmember Smith Edmondson requested further discussion regarding resident concerns expressed at the beginning of the meeting and would prefer the Closed Meeting take place after all other issues had been discussed.

The Council discussed the following items:

Innovative Dance Company
Mr. Applonie stated Innovative Dance applied for a Business License in August 2024 which was subsequently reviewed by Staff. A letter was sent explaining why the establishment wasn't compliant with City Code and requested further clarification on behalf of the business owner. He clarified emails from City Staff with links to the City's portal had been sent and received and provided a brief history on behalf of the City Staff. He identified the reasons the property wasn't compliant with the proposed use and informed the Council he had denied the Business License based on the non-compliance.

He informed the Council, Staff was considering other options for the property use and subsequent Business License. He mentioned Staff had informed the applicant the City would hold off any legal enforcement during the interim and a discussion followed. Alex Jensen, City Manager, also pointed out improvements to the building/property continued to take place after denial of the Business License.

Financial issues regarding the Kayscreek Estates sidewalk project

Councilmember Smith Edmondson clarified some residents had already paid the City for their respective portion of the project. Councilmember Bloxham believed the project was due to exceptional circumstances and stated he would be in favor of the City providing the financial portion for the mandatory tree removal and sidewalk repair project. He didn't believe this action would set a precedent for future projects. Councilmember Roberts expressed agreement he would be in favor of the City paying for removal of the mandatory trees only and a discussion followed.

Mr. Jensen informed the Council he had been approached by residents within the subdivision which had assumed responsibility for tree removal and sidewalk repairs prior to the City completing the project and inquired whether repayment for that needed to be built in with the project costs and the discussion continued. Mr. Jackson also pointed out there were residents who chose to remove mandatory trees on their own in order to save on those costs and the discussion continued. Councilmember Thomas wouldn't be in favor of or comfortable with the City assuming all costs for this situation only and the discussion continued. The Council determined further discussion regarding this issue would be needed.

Mayor Petro requested Staff be prepared to present various scenarios and respective costs specific to the various scenarios in which reimbursement would be a consideration, including those residents who had completed the repair project on their own.

Mr. Drake read from the Kayscreek HOA (Homeowner's Association) and CC&R's (Covenants, Conditions, and Restrictions) implemented with its establishment for the development many years ago which directly addressed the residents' responsibilities respective to possible removing and replacement of the existing trees. He explained that some residents had completed the repair project on their own over prior years.

Layton High School Drumline
In the essence of time, Mayor Petro suggested this discussion would need to take place during a future meeting.

**The meeting adjourned at 7:00 p.m.**

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Kimberly S Read, City Recorder