

**MINUTES OF LAYTON CITY
COUNCIL WORK MEETING**

APRIL 3, 2014; 5:34 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**MAYOR BOB STEVENSON, JOYCE BROWN,
TOM DAY, JORY FRANCIS, SCOTT FREITAG
AND JOY PETRO**

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, KAREN ARROYO,
BILL WRIGHT, PETER MATSON, STEVE
JACKSON AND THIEDA WELLMAN**

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

Mayor Stevenson opened the meeting and turned the time over to Staff.

AGENDA:

PRESENTATION – VICTIM SERVICES

Karen Arroyo, Victims Advocate, presented information to the Mayor and Council about her background and the Victim Services program. She said the program was primarily funded by the Federal VOCA grant. Karen said last year the City received \$44,687.37 in grant funding and this year they applied for \$49,156.

Karen said the grant required that she present program information to the governing body once each year. She explained the services they provided to citizens. She said in the 2012-2013 year, 1,193 victims were provided service. Karen said most of the services had to do with domestic violence and stalking injunctions. Karen introduced Vicki, an individual helped by the program.

Vicki explained her situation and how the program was able to help her get out of an abusive relationship.

Councilmember Freitag arrived at 5:43 p.m.

Mayor Stevenson said obviously Vicki's situation ended in a good way. He asked Karen if there were examples of situations that didn't end so well.

Karen said they often saw the same people over and over again. People often went back into violent situations.

Mayor Stevenson asked why people continued to go back to bad situations.

Karen said often it was because of financial ties or emotional ties. She said very often they came from abusive families and this level of dysfunction was normal.

Mayor Stevenson asked Vicki if she saw things differently now.

Vicki said yes, but it took her 12 years to get out. She said she grew up in an abusive home as well.

Karen said abusers were very good at manipulating situations. Most often outsiders didn't realize they were abusive.

Alex Jensen, City Manager, said victims of crimes were also helped through the court system by the Victims Advocate. He said Karen was wonderful in working with victims to understand the system. Alex said the program was a huge benefit to the City.

Gary Crane, City Attorney, said the City would need an additional full time attorney if it wasn't for Karen. He said Karen helped guide victims through the process. Gary said the legal process took a lot of time and it took time to get the victims through the entire process.

Mayor Stevenson asked if they did anything to help the offenders.

Karen said the VOCA grant did not allow them to assist the offender while helping the victim. She said they would refer the offender to another agency. Karen explained the follow-up process.

Councilmember Petro asked if they kept track of various statistics.

Karen said yes; the vast majority of abuse involved some type of substance abuse.

Vicki explained how Karen kept her informed throughout the two-year legal process.

Councilmember Francis asked how they dealt with the children.

Karen said very often the victims stayed with the abuser to protect the children. She said there were domestic violence classes for children. Karen said Davis Behavioral Health and Safe Harbor provided classes for children.

Vicki said her children completed eight weeks of classes at Safe Harbor.

The Mayor and Council expressed their appreciation to Karen.

Mayor Stevenson thanked Vicki and wished her well.

PRESENTATION – HILL AIR FORCE BASE ANNUAL ENVIRONMENTAL RESTORATION PROGRAM UPDATE

Jared Case with Hill Air Force Base introduced Jerry Everett and recognized him for serving on the Restoration Advisory Board (RAB).

Mr. Everett expressed his appreciation.

Dr. B Hall gave a brief overview of the Base restoration program. She said the Air Force was responsible for restoration of any contamination of ground water in Layton. She displayed a map and identified the contamination plumb. She reviewed statistical information that was included in the Council packet.

Mayor Stevenson asked if they could be doing more with more funding.

Dr. Hall said they couldn't make the plumb of contaminates go away faster. She said if they had more money they could certainly use it.

Mayor Stevenson asked if this was a common problem on bases.

Dr. Hall said yes; particularly where there were maintenance units that had used solvents in the past.

Councilmember Petro asked how often they did sampling.

Dr. Hall said some wells were sampled 4 times a year and some were sampled once every few years.

Councilmember Francis asked about the impacts to people.

Dr. Hall said there was a cancer component attributed to the contaminants.

Councilmember Francis asked when they assumed it would be gone.

Dr. Hall said they thought the plumb would be contained to the Base boundary in 20 to 30 years.

Alex said he understood that the concentrations were way below what was considered hazardous.

Dr. Hall said that was correct, and it was important to understand that the contamination was in the shallow aquifer. The City's drinking water came from a much deeper aquifer. She said they were able to identify the bottom of the plumbs and they were limited to shallow ground water.

Alex said it was commendable that even though there was not a significant risk, the Base had been very aggressive in dealing with the issues.

Jared Case reviewed information about the air sampling program. He said they had been sampling air in homes for over 10 years. Mr. Case said vapor removal systems were installed in at least 50 homes in Layton. Mr. Case said this was an important part of the process because this was how people could come into contact with the contaminants. He explained some of the health risks of the contaminants. Mr. Case explained how the vapor removal systems worked. He said Arizona State University purchased one of the homes in the contamination area to monitor and study the data.

Mayor Stevenson said the Council could tour the Arizona State house. He expressed appreciation to the Base personnel for their presentation

STUDY REGARDING MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITHIN THE CITY – RESOLUTION 14-07

Gary Crane said when the Mayor came into office, he indicated that he wanted to examine multi-family housing in the City. He said there were a couple of different ways of doing that. Gary said there was a land use moratorium that was regulated by State law that allowed a 6 month period of time to come up with another ordinance, which would make whatever changes the Council wanted to make to existing land use laws. Gary said that would essentially affect anything that was currently in place, and that had not vested. He said that would include a zone change, an apartment complex application for conditional use, or a subdivision.

Gary said the other method of doing that, which was not so drastic, came about as a result of a case called Western Land Equities. He said this was a legal case where the court defined when a person vested and what they vested in. Gary said vesting meant what they had a right to as a result of the zoning ordinance. He said in this case the court determined that if a city had begun the process of changing its ordinance, or studied the possibility of changing its ordinance, when it came to a decision on a zone change, principally that would be the thing that would be stopped. Gary said it would be stopped for an interim period of time. He said if a person was not vested, even if the General Plan indicated that an area was an appropriate area for multi-family housing, if a resolution like this was in place, the person would not be able to receive a rezone until such time as the City finished studying the issue. Gary said Resolution 14-07 would do that; it allowed the Planning Staff, Planning Commission and Council to look at the various issues and determine what changes to the General Plan they wanted to make. He said any application for a zone change would be held up for that period of time, even if it was consistent with the General Plan.

Councilmember Brown said this would only apply to multi-family zoning.

Gary said that was correct. He said Staff expressly excluded the MU-TOD zone because that was recently studied. He said the MU-TOD zone was focused on one area of the City and was recently put into place.

Councilmember Brown said last year there was a situation where the zone was already in place. She asked if this would have stopped them from developing that property.

Gary said no; they were already vested in the zone.

Councilmember Brown asked if there was a time limit on this.

Gary said no, but it needed to be reasonable. He said the City had to continue to move forward.

Councilmember Francis asked how multi-family was defined.

Gary said it was what was included in the current Code. He said he thought that it was a 4-plex or above.

Councilmember Brown asked if it would include twin homes.

Gary said it would not include twin homes or townhouses, unless they were more than 4 in number. He said the intent was not to exclude small projects; the intent was to address large multi-family projects.

Peter Matson, City Planner, said multi-family was defined as a building containing three or more dwelling units.

Mayor Stevenson said there were not a lot of areas in the City left that could accommodate large projects.

Alex asked if the Mayor or Council needed additional information or data in this effort.

Councilmember Day said he would like to know the percentages of different types of housing, including lot sizes.

Councilmember Petro asked if this included trailer parks.

Peter said no; they were a separate zone. He said trailer parks were similar to a PRUD with a homeowners association and they were typically eight units to the acre.

Councilmember Francis asked if the City had reached out to the development community; would this be a big shock to them.

Mayor Stevenson said he thought that most developers were aware of it; he didn't think there would be a problem. He said the Home Builders Association could send out the information in their newsletter.

Alex said Staff could put something together to give to developers.

Peter said the application that was submitted to the Wasatch Front Regional Council for their local Planning Resource Assistance Program was based on a lot of the information that was presented in previous strategic planning meetings. He said the funding would be used for consulting assistance in build-out scenarios. Peter said there was a public outreach process where the bulk of the funds would be spent. He said the City should know about the funding by April 9th. Peter said the City requested \$40,000 for consultant assistance and the City would contribute \$20,000. Peter said it would be a solid

opportunity to address this issue, but do it in the framework of understanding if the percentages of certain housing types were adjusted or left the same, how that would impact the economic stability of the City, the cost of infrastructure, or what the impact on parks and open space would be.

Mayor Stevenson asked if this resolution would affect the senior housing project on Adamswood Road.

Bill said no; that was already vested.

Councilmember Brown asked about any future senior housing that came in.

Peter said unless it was in the MU-TOD zone, it would require a multi-family zoning designation.

Councilmember Brown asked about assisted living or nursing homes.

Peter said those typically fell under the B-RP zone and would not be affected. He said it would depend on where the property was located.

MISCELLANEOUS:

Alex said the follow-up FEMA meeting the City was going to host was scheduled and advertised for April 9th, but the Mayor and Council would be attending the ULCT conference that day. He said Staff could still make the presentation to the public or the date could be changed if the Council wanted.

Councilmember Francis said he would like to be a part of the meeting; he would like the date changed.

Mayor Stevenson asked how many cards with the April 9th date went out to residents.

Alex said in excess of 300.

Mayor Stevenson said it might be best if the Council was there to show support to the citizens.

Alex said the Community Development Department had made an application to the Eccles Foundation for assistance on the train station.

Bill said the application appeared positive. He said the City requested \$100,000.

The meeting adjourned at 6:57 p.m.

Thieda Wellman