

**MINUTES OF LAYTON CITY
COUNCIL MEETING**

SEPTEMBER 19, 2024; 7:03 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, DAVID PRICE, SCOTT MAUGHAN,
GAVIN MOFFAT, 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. Councilmember Morris offered the invocation and led the Pledge of Allegiance.

MINUTES:

Councilmember Smith Edmondson mentioned she had requested some minor grammatical corrections to some of the minutes.

MOTION: Councilmember Smith Edmondson moved and Councilmember Roberts seconded to approve the minutes of:

**Layton City Council Work Meeting – June 6, 2024;
Layton City Council Meeting – June 6, 2024;
Layton City Council Work Meeting – June 20, 2024;
Layton City Council Meeting – June 20, 2024;
Layton City Council Meeting – August 1, 2024; and
Layton City Council Work Meeting – August 15, 2024.**

The vote was unanimous to approve the minutes as written and/or with requested corrections.

MUNICIPAL EVENT ANNOUNCEMENTS:

Councilmember Roberts announced Surf'n Swim had been closed for additional time during 'Bubble Week'. The pool would be getting a new floor with new tilework and reported there had been some construction delays and reported it was anticipated to open the pool on Thursday, September 26, 2024. He also announced Parks and Recreation's 'Park After Dark' was scheduled for Friday, September 20, 2024 from 7:30-9:30 PM in Constitution Circle. This was a free Family Recreation Activity.

Councilmember Smith Edmondson mentioned the Layton CTC (Communities That Care) 'Screenager's' free movie screening in the Amphitheater in August. She reported 75 people were in attendance and 36 students were able to receive Citizenship credit recovery.

She recognized Layton Youth Court participant Katelyn Mitchell for receiving the Daily Point of Light Presidential Award, for her participation in Layton City's Youth Court. This was a Presidential Award she received on Tuesday, September 10, 2024. She was nominated by the Youth Court Advisor, Ms. Karlene Kidman. She announced a write-up could be located on the CTC Facebook page which highlighted the accomplishments and work on Youth Court.

Mayor Petro requested Ms. Mitchell stand to be recognized. She expressed appreciation to Ms. Mitchell for her positive representation of Layton City.

Mayor Petro announced JAKS Youth Theatre MegaMix event was scheduled at the Kenley Amphitheater on Saturday, September 21, 2024 from 7:30-9:30 PM. This was a free fundraiser event consisting of a program and silent auction.

Scott Maughan, Assistant Fire Chief, announced the Kendall O. Bryant Fire Open House would be Wednesday, September 25, 2024. He mentioned a non-sensory event was scheduled for 4:00 PM, followed by the regular event from 5:00-8:00 PM. He reviewed some of the activities which should be expected: fire engines, medical helicopters, live fire demo's, meet firefighters and rescue dogs. He mentioned food trucks would be on site, and briefly reviewed some community partners which would be in attendance. He announced Ellison Park would be closed to the public in order to accommodate the participants at the Fire Station.

Alex Jensen, City Manager, informed the public Kendall O. Bryant was a Layton City firefighter that lost his life in the line of duty, fighting a house fire in Layton City. He mentioned he was a remarkable individual, a father and husband. This event is held annually in memory of him, and was a good reminder of his sacrifice to the community.

PRESENTATIONS:

YOUTH COURT GRADUATION AND SWEARING IN

Karlene Kidman, Youth Court Advisor, announced this was the 27th year of Layton Youth Court. She mentioned this had been the busiest summer and reported the Court had just logged its 50th case since July 1, 2024, and reported it received 100 cases for the prior entire fiscal year. She complimented the Youth for its commitment and stated it was a pleasure and privilege to work with them. She announced the graduating recipients and presented them with a certificate. She mentioned Ms. Katelyn Mitchell was the 7,896th recipient of the Presidential Point of Light Award from the United States and complimented her volunteerism. She announced Ms. Mitchell would be returning as an adult advisor to the Youth Court.

Kimberly Read, City Recorder, administered the Oath of Office to the Youth Court participants.

Mayor Petro complimented the Youth Court members and the Councilmembers each expressed their confidence in and appreciation to the Youth for their contribution to the community of Layton City.

CITIZEN COMMENTS:

There were no citizen comments.

CONSENT AGENDA:

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

Clint Drake, City Attorney, announced the proposed amendments to the City's Fireworks Restrictions ordinance and reviewed the following:

- Prohibit the discharge of fireworks within all City Parks

This specific restriction was concluded from a robust discussion during the previously held City Council Work Meeting which was different language from what Staff originally included in the proposed ordinance.

- Any commercial fireworks show must obtain a special event permit from the City
- All fireworks prohibited east of Highway 89
- Aerial fireworks prohibited:
 - West of Highway 89 and east of Fairfield Road from 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 Highway 193 to the City/Hill Air Force Base (HAFB) border
- Violation would be an infraction up to \$1,000 fine

He shared a map reflecting the proposed fireworks restrictions, including aerial restrictions and reviewed those boundaries.

He asked if there were any questions.

Councilmember Bloxham clarified this ordinance didn't prohibit neighborhood fireworks displays by residents.

Councilmember Roberts mentioned the homecoming celebrations and Mr. Drake responded both high schools apply for these special event permits. Chief Maughan also identified previous situations when fireworks displays had been allowed.

Councilmember Roberts requested clarification whether the displays could be allowed on private property and Mr. Drake responded as long as the City's current ordinance was being adhered to.

PLAT AMENDMENT – COUNTRY OAKS NO. 3 SUBDIVISION, LOT 302 – 1884 NORTH 2700 EAST

Chad Wilkinson, Community and Economic Development Director, shared a visual illustration and identified the parcel's location on a map. He explained how the property could accommodate the separation of one lot into two lots which included moving the existing garage and small accessory shed to the north side of the property to allow for adequate setbacks. He shared a visual illustration identifying what the new plat would resemble.

He reported the Planning Commission reviewed the request during its meeting on Tuesday, August 27, 2024, and unanimously forwarded a positive recommendation to the City Council. He asked if there were any questions and there were none.

PRELIMINARY PLAT – ANDERSON'S LEGACY SUBDIVISION – APPROXIMATELY 2650 EAST GENTILE STREET

Mr. Wilkinson reminded the Council it had previously reviewed the request and mentioned the parcel was located within the City's Sensitive Lands Area, which required conceptual, preliminary, and final approval by the City Council. He reported nothing had changed from the previous approval; however, there were some conditions which needed to be fulfilled as part of the development. He shared some illustrations of the one lot subdivision plat. He reported the request had been reviewed by appropriate City Staff and the Planning Commission on Tuesday, August 27, 2024, and both forwarded a positive recommendation to approve the preliminary plat.

He asked if there were any questions and there were none.

MOTION: Councilmember Roberts moved to approve the Consent Agenda, including changes to the restrictions to the fireworks ordinance determined by the City Council during the Work Meeting and as presented by Mr. Drake. Councilmember Thomas seconded the motion, which passed unanimously.

Assistant Fire Chief Maughan and Gavin Moffat, Deputy Fire Marshal, left the meeting at 7:46 PM.

PUBLIC HEARINGS:

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

Mr. Wilkinson introduced the agenda item and referenced the location of the parcel proposed for rezone on an illustration pointing out the large lot's proximity to Gentile and Flint Streets. He announced the request would be to facilitate a future subdivision in creating three separate lots. He reported the request was consistent with

the General Plan for this area and zoning request. He stated the Planning Commission had reviewed the request during its meeting on Tuesday, August 27, 2024, and recommended approval based on its consistency with the General Plan, and forwarded a recommendation of approval to the City Council.

He asked if there were any questions.

Councilmember Thomas requested clarification for the ingress and egress associated with the new lots. Mr. Wilkinson referenced the illustration and identified the accesses.

Councilmember Roberts inquired whether the flag would be tied to one another or if they would be considered independent lots and Mr. Wilkinson responded in this case each would be independent lots.

Councilmember Bloxham recalled a previous experience he had with Ms. Debbie Barlow and was pleased to see the family continuing its legacy on the parcel.

Mayor Petro added she was pleased to see the rezone request to R-1-8 for the parcel. Councilmember Smith Edmondson expressed agreement.

Mayor Petro opened the public hearings at 7:50 p.m.

Mayor Petro called for public comment.

There were no public comments.

MOTION: Councilmember Bloxham moved to approve the rezone request – Barlow Rezone – from A (Agriculture) to R-1-8 (Single Family Residential), 529 West Gentile Street as presented, Ordinance 24-26. Councilmember Morris seconded the motion. The motion passed with the following vote: **Voting YES – Councilmembers Roberts, Bloxham, Morris, Smith Edmondson, and Thomas. Voting NO – None.**

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 RESTRICTION IN THE M-1 (LIGHT MANUFACTURING/INDUSTRIAL) ZONE – ORDINANCE 24-25

Mr. Wilkinson announced the City had recently received requests for additional height adjustments in the M-1 Zone and indicated these zones were predominantly located close to the HAFB area near Highway 193 and Fairfield Road. He mentioned the City was sensitive to impacts on adjacent residential zones. In order to mitigate those impacts and to facilitate the requested additional height which would be appropriate in that zone, Staff had identified a standard which required additional setbacks. He read text from the proposed ordinance which identified the restrictions and allowances associated with the proposed ordinance:

- A primary structure located at least 500 feet from a residential zone boundary or property designated for residential in the General Plan, may be increased to a maximum of 100 feet in height
- The structure shall also comply with all FAA (Federal Aviation Administration) and/or Military Restricted Air Space
- Shall not be located within the Accident Potential Zone (APZ)
- Shall be located on a parcel with a minimum of four acres

He shared a visual illustration which identified the areas in which the proposed ordinance could be applicable.

He reported the request had been approved by the Planning Commission during its meeting on Tuesday, August 27, 2024 and unanimously recommended approval to the Council. Staff also recommended approval and asked if there were any questions.

Councilmember Bloxham inquired about the setback distance of 500 feet and Mr. Wilkinson responded that was based on site studies in which the site distance wouldn't have a negative impact. He emphasized the only existing properties in which this would be applicable were those identified on the map.

Councilmember Morris inquired whether height restrictions could be granted a Conditional Use and Mr. Wilkinson believed there wouldn't be a significant benefit for Conditional Use and suggested the proposed ordinance appropriately addressed mitigating impacts.

Mayor Petro called for public comment.

Michael Christensen, 1157 North 2275 West, requested clarification the 500 foot setback would be calculated from the building to the residential area and not the property lines. Mr. Wilkinson responded in the affirmative.

MOTION: Councilmember Thomas moved to approve the 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 as presented, Ordinance 24-25. Councilmember Roberts seconded the motion. The motion passed with the following vote: **Voting AYE – Councilmembers Thomas, Smith Edmondson, Morris, Bloxham, and Roberts. Voting NO – None.**

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

Mr. Wilkinson informed the Council it had previously approved the annexation request during its meeting on Thursday, June 20, 2024. He reported State Statute required the City to submit an annexation plat and formal notice of the annexation within 60 days from the Council's action on the annexation. He indicated as this particular item advanced through the various reviews following that approval and it was submitted to the State, it was discovered the City had exceeded the 60 day timeframe. The State simply requested the Council adopt a new ordinance approving the annexation.

He asked if there were any questions.

Councilmember Smith Edmondson expressed her desire the City would be more aware of required deadlines.

Mayor Petro called for public comment.

There were no public comments.

MOTION: Councilmember Smith Edmondson moved to close the public hearings at 8:00 PM and approve the Annexation Request for Layton City – Approximately 3925 and 3945 North Fairfield Road as presented, Ordinance 24-28. Councilmember Roberts seconded the motion. The motion passed with the following vote: **Voting AYE – Councilmembers Morris, Smith Edmondson, Thomas, Roberts, and Bloxham. Voting NO – None.**

UNFINISHED BUSINESS:

Mayor Petro announced she would honor a request from a resident to address the governing body on an item which wasn't on the City Council's Agenda.

Amanda Keddington, 2155 West 800 South, expressed concern regarding the intersection along Layton Parkway and 2200 West since the opening of the West Davis Corridor in January. She mentioned this had resulted with a significant increase of traffic along Layton Parkway. She also stated there were approximately 80 homes in the neighborhood with the potential of 30 more by the end of the year and approximately 100 children would need to cross Layton Parkway to get to and from Sunburst Elementary. She reported cars often run the four-way stop sign at the intersection and there was no designated school crossing or crossing guard at that location. Additionally, concerned residents had expressed concern with the City's Engineering and Police

Departments and had organized and coordinated schedules to assist the children crossing at that intersection. It was their desire to ensure the governing body was aware of their concern regarding this intersection.

Mr. Jensen stated City Staff was aware of the neighborhood's concerns regarding the intersection and clarified the installation of traffic control devices was governed by a National Standard requiring a specific warrant and demonstrated need. He explained a warrant study would have to determine what device would be appropriate, if any, at this four-way stop intersection. He reported this intersection had been studied numerous times and it hadn't yet met the required warrant. Staff was aware that eventually a device would probably be needed at this location. He cautioned the residents within the neighborhood regarding them taking on the role of a 'crossing guard' and pointed out the safety concerns associated with doing that. He stated results of the traffic study could be provided and suggested the residents also work with Sunburst Elementary in identifying the designated 'Safe Routes to School' walking route.

Councilmember Bloxham inquired whether a crossing guard for a school crossing would also be required to meet the warrant and Mr. Jensen responded in the affirmative and a discussion followed.

Mayor Petro suggested placement of the speed trailer near that location.

Councilmember Roberts didn't believe there were crosshatch painted lines on the roadway designating a crosswalk at this particular intersection. Mr. Jensen reported Staff would inspect that particular intersection to determine whether what was currently in place was appropriate.

Mr. Christensen expressed concern about the safety issue being brought before the Council with Staff responding it didn't have any intentions of implementing anything different from what was currently in place; however, it requested residents not do anything about it either. Additionally, he believed the Layton Forward General Plan had been adopted prior to completion of the West Davis Corridor and suggested it be revised to include a grocery store in a 'town center. He indicated it was his understanding the property near the Corridor in the western portion of the City was designated low density residential.

The meeting adjourned at 8:15 p.m.

Kimberly S Read, City Recorder