

**MINUTES OF LAYTON CITY
COUNCIL MEETING**

DECEMBER 16, 2021; 7:02 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**MAYOR JOY PETRO, ZACH BLOXHAM, TOM
DAY, DAWN FITZPATRICK, CLINT MORRIS,
AND DAVE THOMAS**

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, TRACY
PROBERT, CHAD WILKINSON, STEPHEN
JACKSON, DAVID PRICE, AND TORI
CAMPBELL**

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

Mayor Petro opened the meeting and welcomed the public. Roger Fitzpatrick offered the invocation. George Wilson led the Pledge of Allegiance.

MINUTES:

MOTION: Councilmember Fitzpatrick moved and Councilmember Bloxham seconded to approve the minutes of:

Layton City Council Work Meeting – November 18, 2021.

The vote was unanimous to approve the minutes as written.

MUNICIPAL EVENT ANNOUNCEMENTS:

Mayor Petro mentioned that the Layton Lights were still up and available for the public to view. She encouraged visitors to park their vehicles and walk through the park lighting exhibit. She mentioned the Elf on the Shelf was hidden each night and those that find it should visit the cocoa shack for a treat. She added the Rotary Club would continue to sell hot chocolate until Monday, December 20, 2021.

Councilmember Thomas mentioned the hayride through the park was a success and complimented the Parks Staff for being so efficient and professional with the participants.

PRESENTATIONS:

There were no presentations.

CITIZEN COMMENTS:

Scott Fletcher, 2729 North. 2125 East, read from the City's Parks and Recreation's Trails, Open Space, and Cultural Facilities Master Plan from 2016 stated one of the goals specifically called out an environmental preserve and requested the Council take swift action in making recommendations specific to the environmental impact to the City's open spaces. He spoke to the impact of photography taking place in City Parks and open spaces. He suggested the City consider something similar to the Farmington Trail's signage, placed on every public street, reflecting only residents and their respective guests were allowed to use on-street parking. He believed this action had set precedent and suggested implementing something similar would contribute to the safety of citizens. He expressed frustration at the lack of action on behalf of City

Staff and believed the City hadn't followed through with previous commitments.

Tauni Williams, 2718 North 2125 East, described what she had witnessed and captured with photos which illustrated damage to the natural environment at the trailhead. She offered her willingness to volunteer to help restore the general area and trailhead. She informed the Council of one particular photographer which drives a vehicle into the meadow, signage clearly states this isn't allowed, to unload a couch for photo sessions. She added this has regularly taken place weekly for the past five weeks.

Mayor Petro requested she leave her contact information with the City Recorder.

CONSENT AGENDA:

COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2021

Tracy Probert, Finance Director, introduced Mr. Robert Wood, HBME, the City's independent auditing firm. He announced the Comprehensive Annual Financial Report (CAFR) would be placed on the City's website following the City Council's acceptance, as presented.

He stated the CAFR reflected the City was in excellent financial condition with adequate reserves in all funds. He specifically mentioned the significant Sales Tax growth which could be a result of inflation and cautioned the Council in continuing with a conservative budget with responsibility to all funds.

Mr. Wood complimented City Staff on the financial situation of the City and stated the audit firm had submitted the best opinion, an unmodified opinion, allowed from an audit firm to an organization. He summarized the audit and reported two discrepancies had been identified: General Fund balance was too high and mentioned this could be viewed as a positive, meaning the City could appropriate the excess reserves to complete identified projects. He clarified the other finding was respective to the Davis Metro Narcotics Task Force was slightly over budget due to the funding source, grant funding, not being identified in a budget amendment.

Councilmember Morris requested clarification regarding committed funds and Mr. Wood provided an explanation.

The Mayor commended City Staff on the budget, the condition of the City's finances, and the results of the CAFR. She acknowledged the two residents which serve on the City's Audit Committee and expressed appreciation to all volunteers which serve the City in many capacities of various commissions.

Mr. Probert recommended the Council accept the Annual Financial Report as presented.

COMMUNITY DEVELOPMENT BLOCK GRANT WARRANTY DEED FOR HAVE A HEART – RESOLUTION 21-55 – 552 SOUTH KIMBALL DRIVE

Chad Wilkinson, Community Development Director, explained the approval of the resolution would authorize a Warranty Deed, for property located at 552 South Kimball Drive, from the City to Have a Heart. He continued to explain the City had purchased the remnant parcel for the purpose of constructing a home for a low to moderate income family. He added construction was completed by Davis County School's construction students, facilitated by Have a Heart, and sold to a family at cost. Staff recommended approval.

AMENDED SUBDIVISION PLAT – OAK FOREST PHASES 3 AND 7 SUBDIVISION, 1ST AMENDMENT – 2287 NORTH 2575 EAST AND 2535 EAST 2250 NORTH

Mr. Wilkinson introduced the agenda item to the Council and shared a visual illustration with the Council. He stated the amended subdivision plat would be known as Oak Forest Phases 3 and 7, 1st Amendment and explained the amendment was respective to two different subdivisions making changes to the two separate boundaries, requiring the amending of two separate plats. He pointed out the lots would be renumbered

because of this transaction and would result in squaring the lots and matching the fence line. He mentioned the lots would continue to remain the minimum lot size required for the zone. He shared an illustration of the proposed new lot lines. He reported the item was reviewed during the Planning Commission's Meeting on Tuesday, December 14, 2021, and it forwarded a recommendation of approval to the Council and Staff also recommended approval.

Councilmember Fitzpatrick inquired if any noticing was required and Mr. Wilkinson responded public noticing wasn't required for this type of request. She asked if Staff knew why the residents would request the amendment since it had been in place for a number of years. Mr. Wilkinson mentioned the owner desired to match to the existing fence line, which didn't follow the original platted lot lines, prior to any possible sale of the properties. He emphasized all parties were in agreement with the request.

AGREEMENT BETWEEN LAYTON CITY AND HOLMES CREEK IRRIGATION COMPANY REGARDING THE HOLMES CREEK RESERVOIR OUTLET PIPE – RESOLUTION 21-56 – FROM APPROXIMATELY THE HOLMES CREEK RESERVOIR OUTLET STRUCTURE (2600 EAST) TO GENTILE STREET (1800 EAST)

Stephen Jackson, City Engineer, explained the agreement, between Holmes Creek Irrigation Company and Layton City, was specific to shared repair and maintenance costs for an aging outlet pipe at Holmes Creek Reservoir. He stated the irrigation company desired to upgrade its system and the City's Water Master Plan had identified the need for a 24-inch pipe to provide water for future users. He pointed out the City would own and maintain this pipe and the irrigation company would maintain the outlet control structure and the emergency relief valves. He added the City would purchase the pipe and Holmes Creek would complete installation and grant an easement to the City for maintenance purposes. Staff recommended approval.

Councilmember Morris inquired about the timeline associated with the project and Mr. Jackson responded the City would like construction to begin as soon as possible for the project to be completed in time for the April water season.

AGREEMENT FOR THE PURCHASE OF LAND BETWEEN LAYTON CITY AND TYLER EARL – RESOLUTION 21-57 – 1369 EAST HEATHER DRIVE

David Price, Parks and Recreation Director, reminded the Council six homes located on Heather Drive were damaged in 2001 due to a land slide in the area. He shared an illustration which identified the parcel, known as the Tyler Earl property, and explained the City desired to purchase the property to be used as an entrance to the 16 acre Eastridge Nature Park. Staff recommended approval.

Councilmember Morris requested clarification regarding the name of the open space. Mr. Price responded the name of the area or project hadn't been determined and explained Eastridge was the name of the development.

Councilmember Morris inquired about the proposed timeline associated with the project and Mr. Price responded the City would take ownership of the property in the spring and reported the funding source for the park project were Impact Fees.

Councilmember Fitzpatrick asked if the trailhead would have a steep grade and Mr. Price explained how the trail would be constructed to the west, which he didn't believe would be too steep. He mentioned Staff was working with the developer to provide vehicle access and a parking lot on the opposite side of this area for those living in the area.

Mayor Petro was pleased with the opportunity to purchase this parcel.

MOTION: Councilmember Fitzpatrick moved to approve the Consent Agenda as presented. Councilmember Day seconded the motion, which passed unanimously.

PUBLIC HEARINGS:

There were no public hearings.

UNFINISHED BUSINESS:

A video was shared highlighting Mayor Petro and Councilmembers Day and Fitzpatrick which have all completed their terms serving on the Council. The video reflected the comradery which existed among the Council. She mentioned those things she and Councilmember Day desired to accomplish during their tenure on the Council. She also mentioned those things accomplished during Councilmember Fitzpatrick's short time serving on the Council. The Councilmembers each expressed their thoughts and feelings regarding outgoing Councilmembers Day and Fitzpatrick and expressed appreciation to them for their service and for the opportunity to serve with them.

Alex Jensen, City Manager, expressed agreement with the comments shared by the Councilmembers and highlighted the specific qualities of Councilmembers Day and Fitzpatrick which contributed to the City experiencing a strong Council during their tenure.

Gary Crane, City Attorney, shared his observations of Councilmembers Day and Fitzpatrick and expressed his gratitude for their individual qualities which contributed to an effective Council.

Councilmember Fitzpatrick spoke to the friendships she gained by serving on the Council and stated she was following her heart and was looking forward to what awaited her. She also stated she had enjoyed working with Staff over the past few years and expressed appreciation to Mayor Petro for her support. She announced she loved Layton City.

Councilmember Day stated he appreciated all the comments that had been shared and expressed appreciation to all the Mayors and Councilmembers he had served with. He thanked the City Staff that come every day and complete the necessary tasks which contribute to a well ran City. He also expressed appreciation to the voters which supported him.

Mayor Petro thanked Councilmembers Fitzpatrick and Day. Mr. Jensen presented an engraved clock and Councilmember Bloxham presented a signed picture of the Council to each of them.

Mayor Petro presented Councilmembers Fitzpatrick and Day with their respective Layton City signs.

The meeting adjourned at 8:11 p.m.

Kimberly S Read, City Recorder