

FARMINGTON CITY COUNCIL MEETING

June 17, 2014

WORK SESSION

Present: Mayor Jim Talbot, Council Members Doug Anderson, Brigham Mellor, Cory Ritz and Jim Young, City Manager Dave Millheim, Finance Director Keith Johnson, City Engineer Chad Boshell, Development Director David Petersen, Associate Planner Eric Anderson, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Council Member John Bilton was excused.

The **Mayor** and City Council visited the 650 West construction site and returned to City Hall at 6:45 p.m. There was a brief discussion of several agenda items.

REGULAR SESSION

CALL TO ORDER:

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

Doug Anderson offered the invocation and **Jim Young** led the Pledge of Allegiance.

Adjourned to Redevelopment Agency at 7:12 p.m.

Reconvened to City Council at 7:20 p.m.

REPORTS OF COMMITTEES/MUNICIPAL OFFICERS:

Executive Summary for Planning Commission meeting held June 5, 2014

Eric Anderson reported that Items 4, 5, 6, 7, 8 and 9 were approved, and Items 3 and 10 were recommended for approval. There was discussion regarding the appeal process related to conditional uses, and **David Petersen** explained that in this case the Planning Commission is the land use authority, while the City Council is the appeal body. The City Attorney advised the Council to have the City Manager review the appeal.

Horrocks Engineers – Update on the Park Lane Reconstruction Project

City Engineer **Chad Boshell** reported that the Project is well underway although a gas line issue may cause a delay. Horrocks Engineers will provide weekly email updates, and complaints should be directed to **Tiffany Carlson**. They are aware of the Davis County Fair in August, and are making efforts to coordinate the timing of various jobs. **Dave Millheim** said staff is preparing several designs for the center of the roundabout which will be presented to the Council.

Street Lighting Project Review by Siemens Industry Inc.

Mark Cram informed the Council that all of the City’s street lights (901) and UDOT lights on Park Lane, Clark Lane and Main Street/US 89 were upgraded. Labor is under warranty for 12 months, and materials are under warranty for 10 years. The savings to the City will be \$57,761 in the first year, and the City should contact Rocky Mountain Power to obtain a rate change.

PUBLIC HEARINGS:

Interfund Transfers from Utility Funds to General Fund

Keith Johnson said the State requires a notice to be sent to utility users and a public hearing when money is transferred from one fund to another. Because Farmington City has never charged the General Fund for utilities, the State Auditor said that is a transfer from the Utility Fund to the General Fund. No money is actually transferred, and there is no cost to residents—it is the value of the funds that is transferred—and in the future the City will avoid this process.

Public Hearing:

Mayor Talbot opened the Public Hearing at 7:45 p.m.

Karl Asay, 850 South 650 West, has received phone calls from some of his neighbors who are upset because they think that the City is subsidizing Station Park.

Carolie Parker, 133 East 300 North, and **Keith Gold**, 118 Country Bend Road, said their questions were answered.

Lorenzo Semadeni, 247 East 600 South, asked if the pool and community center receive water from the City at no charge and stated that elderly people on fixed income may never use the pool but they are helping to pay for it. There ought to be an effort to have the user fees offset the cost of the water. **Dave Millheim** said the user fees for both facilities do not pay for the water, but they pay for everything else; however, the purpose of this public hearing is to decide if it is appropriate to have the General Fund pay for the water. The policy question, “should the General Fund subsidize the recreation programs”, can be addressed at another time.

Mayor Talbot closed the Public Hearing at 8:00 p.m.

Motion:

Jim Young made a motion to approve the interfund transfer from the Utility Fund to the General Fund for water and sewer services to City buildings and restrooms. **Doug Anderson** seconded the motion which was unanimously approved.

Motion:

Doug Anderson made a motion to change the order of the agenda and consider the Conservation, Recreation, Wildlife and Waterfowl Refuge and Park Ordinance next. **Brigham Mellor** seconded the motion which was unanimously approved.

Conservation, Recreation, Wildlife & Waterfowl Refuge and Park Ordinance

David Petersen explained that the Ordinance includes 450 acres in west Farmington near Buffalo Ranch, Meadow View, Hunter’s Creek, and Farmington Ranches Phase 6. Attorney **Jeff Appel** prepared the land use document, and each easement has its own management plan. **Dave Millheim** said UDOT discounted the easements when planning for the WDC, and the Ordinance documents what was always intended by the City.

Public Hearing:

Mayor Talbot opened the Public Hearing at 8:08 p.m.

Natalie Larsen, 2182 Prairie View Drive, lives close to the Buffalo Ranches Trail and thanked staff and City Council for their efforts. She and her family purchased their lot because they love trails and want to protect the area. She asked if ATV use is allowed in the area, and the City Manager said no motorized vehicles are allowed on the trails. He asked her to take pictures if possible and to call the Police Department to report ATV riders.

Russell Fisher, 2131 Chapman Lane, thanked the City for their response to UDOT and for their efforts to protect this land. They moved from England and chose Farmington because of its unique attributes. Staff answered many of his questions

Jennifer Diehl, 471 Old Fort Road, said they were attracted to the outdoorsy charm of Farmington and its proximity to Salt Lake City. USA Today recently placed Farmington Bay at the top of Utah’s list of best wildlife viewing places. The proposed WDC is a poorly considered project that reeks of special interests and threatens to destroy the City’s charm. She thanked City leaders and asked them to continue fighting to keep Farmington the best place to live.

Todd Jenson, 468 Comanche Road, thanked Farmington City for creating a master plan which has been on the books for decades. This Ordinance reinforces the master plan—it is a wise use of land and accounts for growth and development. Money spent to protect these areas is wise use of taxpayer dollars.

Carolee Parker, 133 East 300 North, asked if the City has a unified management plan for these easements and said the area would benefit from targeting noxious weeds and phragmites and focusing on threatened, endangered and sensitive species. **Dave Millheim** said the easements are contiguous and this step begins the unified process.

Matthew Gore, 2068 Silver Spur Way, is on the Farmington Ranches HOA Board and appreciates the City’s efforts. He asked about future impacts on the conservation subdivisions in west Farmington. **Dave Millheim** said there is no question that if WDC comes through the area it will affect the conservation subdivisions—the question is, how much. The City believes that UDOT is required to miss them because they are protected.

John Shurtliff, 891 Country Lane, agreed with his neighbors and expressed gratitude to the staff, the **Mayor**, and the City Council.

Mayor Talbot closed the Public Hearing at 8:30 p.m.

Doug Anderson said he was standing on Glover Lane looking west at an incredible sunset recently and felt sick at the thought of another highway in the area. **Brigham Mellor** said his wife found their home near Eagle Bay Elementary which is an incredible place, and it is tragic to think that it may be interrupted by a freeway. Both Council Members agreed that the City’s money has been well spent.

Motion:

Doug Anderson made a motion to approve the Ordinance to designate the Farmington City Conservation, Recreation, Wildlife and Waterfowl Refuge and Park and to provide for the continued management thereof. **Cory Ritz** seconded the motion which was unanimously approved.

There was a 10-minute recess.

Motion:

Brigham Mellor made a motion to change the agenda and review the Summary Action List and the Bell Estates item prior to the Budget hearing. **Doug Anderson** seconded the motion which was unanimously approved.

SUMMARY ACTION

Summary Action List

1. Approval of Minutes from May 20, 2014
2. Approval of Minutes from June 3, 2014
3. Subdivision Ordinance text amendment regarding flag lots
4. Resolution regarding Utah Retirement Systems “pick up” of Member Contributions for Eligible Employees
5. Ratification of approvals of Storm Water Bond Log
6. Approval of Tillie’s Corner Subdivision (waiver of open space, street dedication, and right-of-way payment)

Motion:

Jim Young made a motion to approve the six items on the Summary Action List. **Brigham Mellor** seconded the motion which was unanimously approved.

Schematic Plan for the Bell Estates First Amended Conservation Subdivision

Eric Anderson said this Plan is for two lots, and there is a 55’ public ROW across the north side of the property which was intended for a road to the west. However, the Davis School District owns the property to the west and sent a letter stating their plan to move the

school site to the northwest corner so this ROW will no longer be needed. The applicant is requesting that the right-of-way be vacated.

Jerry Preston, 347 East 100 North, said the right-of-way is owned by the lot owner. The two lots are in the AE zone and are larger than other lots in the area. The amount of the just compensation will be determined by the City Manager.

Public Hearing:

The Public Hearing was opened at 9:25 p.m. No comments were made and it was closed.

Motion:

Jim Young made a motion to approve the Schematic Plan for the Bell Estates First Amended Conservation Subdivision and waive the open space requirement in exchange for just compensation, subject to all applicable Farmington City ordinances and development standards and the conditions and findings listed in the staff report. **Doug Anderson** seconded the motion which was unanimously approved.

Resolution amending the Budget for Fiscal Year ending June 30, 2014 and adopting the Annual Budget for Fiscal Year ending June 30, 2015

Keith Johnson said the City is in good financial condition, and the proposed certified tax rate is .002127. Highlights for the 2014 budget include a sales tax revenue increase of 18-20% and a transfer of \$240,000 from the General Fund to the Capital Street Fund for the improvements along 650 West. In 2015 the General Fund balance is projected at \$780,000 and fund balances will decrease by \$350,000 as transfers to capital projects continue. Additional highlights for both years were included in the staff report.

Public Hearing:

The Public Hearing was opened at 9:25 p.m. No comments were made and it was closed.

Motion:

Cory Ritz made a motion to adopt the Resolution amending the Budget for Fiscal Year ending June 30, 2014, adopting the Budget for Fiscal Year ending June 30, 2015, adopting a compensation schedule for City officials and employees, and adopting a proposed tax levy of .002127 for Fiscal Year ending June 30, 2014. **Brigham Mellor** seconded the motion which was unanimously approved.

PRESENTATION OF PETITIONS AND REQUESTS:

Final Plat for Phase 1 of the Station Avenues Subdivision *(This item was cancelled)*

GOVERNING BODY REPORTS:

City Manager – Dave Millheim

- The May Building Activity Report and Police Reports were in the staff report.
- The suggested modifications to 650 West will be on the next agenda.
- State Senator **Stuart Adams** would like to meet with various State Legislators and the Mayor and City Council, and the City Manager asked for input regarding discussion topics.
- Resident **Amy Shumway** is continuing her efforts on the overpass. It will not happen through the normal process, and it is vital to have legislative support.
- Code enforcement is difficult and is handled on a complaint basis. The City has been aggressive with a resident in the Rose Cove area who has paid several fines.
- Benchland, Weber Basin, the City Attorney and residents met to discuss the access issue on the upper end of Woodland Drive. Resident **Doug Allen** has contended for years that it is private, but the City argued that it is a public road. A compromise was reached, and **Mr. Allen** agreed to remove his barricades in the next 72 hours, and the City agreed to maintain and protect the access with Mr. Allen agreeing the road is a public road..
- Several police departments in the area offer a 13-week mini police academy every Thursday night and are encouraging elected officials to take the class. The next session begins in July.
- South Davis Recovery Center requested a donation which staff declined. The Council agreed with the decision.
- He receives 12-20 requests annually from residents who do not want curbside recycling. He always grants fixed income or financial hardship cases but denies those who simply dislike it and the council agreed with those guidelines.

Mayor – Jim Talbot

- **Jim Young** and **Cory Ritz** will attend the Town Hall Meeting on Wed. at 8:00 p.m.
- He suggested that the Council tour various City sites on the off Tuesday nights (when no regular meetings are scheduled) and the issue or project needs more understanding.
- A Shared Solution meeting will be held Wed. from 12:30 to 4:30 p.m. at West Point City Hall regarding West Davis Corridor.
- The City has not received an answer from the DSD superintendant regarding the gym.

- Attorney **Jeff Appel's** bill for May (with a 20% discount) was \$30,000, and the **Mayor** suggested that a moratorium be placed on the WDC issue. **Brigham Mellor** said he is not qualified to determine if the attorney is needed at this point but he suggested transparency rather than a moratorium. **Doug Anderson** agreed and said a price cannot be placed on saving Farmington. **Cory Ritz** said it was valuable to have the attorney at the two UDOT meetings and suggested that **Mr. Appel** and the City Manager watch for issues on the horizon. **Dave Millheim** said total transparency does not work because no one can foresee what needs to be done, and he will ask **Mr. Appel** not to do any further work without contacting the City. **Jim Young** said the City will be pushing the “pause” button.
- Their trip to Minnesota to learn about ladder trucks was beneficial, and the Fire Chief is preparing a presentation regarding the truck. The Mayor was impressed with the truck but the \$1.4 million cost is a major concern.
- He asked each Council Member to ride on the float during the Festival Days Parade, to participate in all of Saturday’s activities, and to choose other events to attend.
- The City does not want to make it a practice to donate to various causes.
- A future tenant for Station Park caused some residences to ask if Farmington has a decency ordinance, and **Mayor Talbot** agreed to meet with the tenant regarding advertising.

City Council

Doug Anderson:

- He was running on the old pipeline road near the D&RG Trail and saw several cars fishtail when they hit the bumps. He suggested grading the area or lowering the speed limit.

Brigham Mellor:

- He suggested that the City reserve a booth during Festival Days to educate residents regarding the upcoming bond and RAP tax election.

Cory Ritz:

- The restrooms at Forbush Park were locked prior to 9 p.m. when the park was still being used.
- The City needs to be aware of the road issues that will be forthcoming with all of the new facilities in west Farmington.
- There is illegal ATV use on all of the conservation land and city streets. He asked for increased police presence and a notice in the newsletter.

Jim Young:

- He asked when the well water analysis would be completed, and was told that the issue may be on the next agenda.
- He asked about the lawsuit with THC and was told that progress is being made on the development agreement, and when it is finalized Cityleaders will meet with THC.
- He asked if the wall/gate in the Grove (near the Lagoon Trail) is satisfactory, and **Dave Millheim** said the City has a key to the gate and parking is allowed.

ADJOURNMENT

Motion:

Brigham Mellor made a motion to adjourn the meeting. **Cory Ritz** seconded the motion which was unanimously approved, and the meeting was adjourned at 10:30 p.m.

Holly Gadd, City Recorder
Farmington City Corporation