

WORK SESSION: A work session will be held at 6:00 p.m. in Conference Room #3, Second Floor, of the Farmington City Hall, 160 South Main Street. The work session will be to receive a financial update with ten year forecast study. The public is welcome to attend.

FARMINGTON CITY COUNCIL MEETING NOTICE AND AGENDA

Notice is hereby given that the City Council of **Farmington City** will hold a regular City Council meeting on **Tuesday, March 1, 2016, at 7:00 p.m.** The meeting will be held at the Farmington City Hall, 160 South Main Street, Farmington, Utah.

Meetings of the City Council of Farmington City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

The agenda for the meeting shall be as follows:

CALL TO ORDER:

7:00 Roll Call (Opening Comments/Invocation) Pledge of Allegiance

NEW BUSINESS:

7:05 Introduction of the new Youth City Council Members/Administration of Oath of Office

7:20 Presentation for Years of Dedicated Service to Alyssa Revell

7:25 Presentation for Years of Dedicated Service to George Chipman

7:30 Introduction of John Andersen - New Historic Preservation Chair

7:35 Introduction of Ron Robinson - New Trails Committee Chair

7:40 Presentation of Theme for 2016 Festival Days

7:45 UTA Shuttle Service Agreement

7:55 Approve Sale of City Property located at 779 S Country Lane

SUMMARY ACTION:

8:05 Minute Motion Approving Summary Action List

1. Approval of Minutes from February 16, 2016
2. Ratification of Approval of the Storm Water Bond Log

GOVERNING BODY REPORTS:

8:10 City Manager Report

1. Building Activity Reports for December 2015 and January 2016
2. Safety Fence on Shepard Lane Overpass
3. Economic Development Intern
4. Council Meeting Schedule – March 29th or April 5th
5. Training for Disaster Roles (Set date between April and June)
6. Strategic Planning St. George April 8th at 1 pm

8:25 Mayor Talbot & City Council Reports

1. Board of Adjustment Appointment – Tyler Judkins
2. City Council Pictures (Dress Code)

ADJOURN

CLOSED SESSION

Minute motion adjourning to closed session for potential litigation and property acquisition.

DATED this 25th day of February, 2016.

FARMINGTON CITY CORPORATION

By: 
Holly Gadd, City Recorder

***PLEASE NOTE:** Times listed for each agenda item are estimates only and should not be construed to be binding on the City Council.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting, should notify Holly Gadd, City Recorder, 451-2383 x 205, at least 24 hours prior to the meeting.

CITY COUNCIL AGENDA

For Council Meeting:
March 1, 2016

S U B J E C T: Roll Call (Opening Comments/Invocation) Pledge of Allegiance

It is requested that City Councilmember Brett Anderson give the invocation to the meeting and it is requested that City Councilmember Brigham Mellor lead the audience in the Pledge of Allegiance.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

CITY COUNCIL AGENDA

For Council Meeting:
March 1, 2016

S U B J E C T: Introduction of the new Youth City Council Members/Administration of Oath of Office

ACTION TO BE CONSIDERED:

None

GENERAL INFORMATION:

Mayor Talbot will introduce the new Youth City Council Members and perform the Administration of Oath of Office.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

FARMINGTON CITY YOUTH COUNCIL 2016

Returning:

Michael Harris ***MAYOR
Cooper Barnson
Emilee Hess
Samantha Hogge
Ben Jardine
Devin Madsen
Josh Marks
Sydney Smith
Jessica Stevens
Amber Stratford
Tyler Weddington

New:

Sarah Barlow
jacob Barnes
Cameron Barnson
Sabrina Barnett
Sarah Barnett

Carlie Coates
Christopher Harris
Morgan Hendricks
Josh Madsen
Wesley Mattinson
Megan Marchant
Samuel Marston
Andrew Oldroyd
Joshua Pace
Mikelle Patterson
Rebecca Stevens
David Stratford
Evan Voordeckers
Alyssa Wood

CITY COUNCIL AGENDA

For Council Meeting:
March 1, 2016

S U B J E C T: Presentation for Years of Dedicated Service to Alyssa Revell

ACTION TO BE CONSIDERED:

None

GENERAL INFORMATION:

Mayor Talbot will be making this presentation.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

CITY COUNCIL AGENDA

For Council Meeting:
March 1, 2016

S U B J E C T: Presentation for Years of Dedicated Service to George Chipman

ACTION TO BE CONSIDERED:

None

GENERAL INFORMATION:

Mayor Talbot will be making this presentation.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

CITY COUNCIL AGENDA

For Council Meeting:
March 1, 2016

S U B J E C T: Introduction of John Andersen - New Historic Preservation Chair

ACTION TO BE CONSIDERED:

None

GENERAL INFORMATION:

Mayor Talbot will introduce John Andersen as the new Historic Preservation Chair.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

CITY COUNCIL AGENDA

For Council Meeting:
March 1, 2016

S U B J E C T: Introduction of Ron Robinson - New Trails Committee Chair

ACTION TO BE CONSIDERED:

None

GENERAL INFORMATION:

Mayor Talbot will introduce Ron Robinson as the new Trails Committee Chair.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

CITY COUNCIL AGENDA

For Council Meeting:
March 1, 2016

SUBJECT: Presentation of Theme for 2016 Festival Days

ACTION TO BE CONSIDERED:

None

GENERAL INFORMATION:

Kristen Harbertson will be making this presentation.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

CITY COUNCIL AGENDA

For Council Meeting:
March 1, 2016

SUBJECT: UTA Shuttle Service Agreement

ACTION TO BE CONSIDERED:

Authorize the Mayor to sign the attached Service Agreement with UTA for partial city sponsorship of the Lagoon/Station Park Shuttle in the amount of \$40,276 to be paid from the account number 10-410-520.

GENERAL INFORMATION:

See enclosed staff report prepared by Dave Millheim.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

BRETT ANDERSON
DOUG ANDERSON
JOHN BILTON
BRIGHAM N. MELLOR
CORY R. RITZ
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Dave Millheim, City Manager

Date: February 24, 2016

SUBJECT: **UTA SHUTTLE SERVICE AGREEMENT**

RECOMMENDATION

Authorize the Mayor to sign the attached SERVICE AGREEMENT with UTA for partial city sponsorship of the Lagoon/Station Park Shuttle in the amount of \$40,276 to be paid from account number 10-410-520.

BACKGROUND

For the past few years, the City, Lagoon, Station Park and Hampton Inn shared 25% of the costs with UTA in providing a “free” shuttle service route (667) between the Frontrunner Station and Lagoon. In the past the shuttle only operated when Lagoon was open. The shuttle service and ridership have grown significantly over the past few years with the growth of the Station Park area. Ridership averages around 500-700 riders per month depending upon the month. Many are customers and employees of Station Park and Lagoon. Many are daily users of the Frontrunner and some are visitors staying at Hampton Inn.

We expect ridership levels to continue to grow with the opening of the U of U medical center, Vista, Cabela’s and the new apartments later this year. A few years ago only Lagoon, the City and UTA shared the cost but Station Park and Hampton Inn started participating in 2014. **This new agreement will be the start of year around shuttle service.** The schedule will start consistent with the Lagoon schedule in 2016 but it will additionally operate on days Lagoon is not open (Sundays excluded since Frontrunner does not run on Sundays) until the end of 2016. A new contract will need to address service costs in 2017 since this agreement only covers a portion of 2016.

The service cost sharing percentage remains unchanged with the City and its partners bearing 25% of the cost of UTA bearing 75% of the cost. In the past collections of our partner charges was problematic for UTA and the City. With the new contract, the City

will be responsible for collecting whatever contributions we receive from Lagoon, Station Park, Hampton Inn or others with the City being the contracting entity for the total amount outlined in the service agreement. While most partners have agreed to the enhanced service, the City would have the latitude of modifying shuttle stops and the route if some parties choose not to participate in the cost sharing.

Respectfully Submitted



Dave Millheim
City Manager

SERVICE AGREEMENT

THIS AGREEMENT is effective on the 26th day of March, 2016, by and between UTAH TRANSIT AUTHORITY, a public transit district, hereinafter referred to as "UTA", and FARMINGTON CITY CORPORATION, a municipal corporation of the State of Utah, hereinafter referred to as "City".

RECITALS:

A. UTA is a public transit district organized under the provisions of the Utah Public Transit District Act and provides public transit service within the State of Utah, including regularly scheduled service in the City; and

B. The City desires that UTA provide additional service to certain areas of the City and is willing to help defray the costs of such service.

NOW, THEREFORE, in consideration of the mutual covenants, condition and promises as hereinafter set forth, it is mutually agreed as follows:

AGREEMENT:

1. Term. The term of this Agreement shall commence on the 26th day of March, 2016, and run through the 31st day of December, 2016.

2. Shuttle Service. UTA agrees to provide free shuttle service (the "Service") on the route described in Attachment 1. The shuttle route will connect the bus stop at 45 E. State Street in Farmington with the FrontRunner Station at approximately 30 minute intervals with priority given to making connections with commuter trains. UTA agrees to publish information on the shuttle route in the same way it publishes information on other UTA routes.

3. Dates of Service. UTA will provide weekend Service only from Saturday, March 26, 2016 through Sunday, May 29, 2016. UTA will provide daily Service (Monday through Saturday) beginning Friday, June 3, 2016 and continuing through Saturday, December 31, 2016. Route 470 will continue to operate Sunday service through Sunday, October 30, 2016 to the Lagoon Pioneer Village Campground entrance. UTA will provide Service on Thursday and Friday October 20-21, 2016. UTA will provide Service on its Saturday schedule on Monday May 30th, (Memorial Day), Monday July 4th, (Independence Day), Monday July 25th, (Pioneer Day Observed), Monday September 5th (Labor Day), Friday, November 25th, (Black Friday), Saturday December 24th, (Christmas Eve), and Saturday, December 31st, (New Year's Eve) 2016. UTA will not provide the Service or operate Route 470 on Thanksgiving Day or Christmas Day. Route 455 and the shuttle service will not operate on Sundays. This schedule is set forth in Attachment 2. When Lagoon is open, the shuttle will operate from 8am to 11pm Monday-Thursday and 8am to 12am Friday-Saturday. When Lagoon is closed, the shuttle will operate from 8am to 8pm Monday-Saturday.

4. Termination. This Agreement may be terminated with or without cause by either party by providing thirty (30) days advance written notice of termination.

5. Consideration. The City agrees to pay UTA the sum of forty-thousand two-hundred and seventy-six dollars (\$40,276) to provide the Service. The City's payment represents the City paying twenty five (25%) percent of the cost of proving this service and UTA paying the remaining seventy five (75%) percent of the service cost. Payment shall be made in two (2) equal payments: twenty-thousand one-hundred and thirty-eight dollars (\$20,138) to be paid on or before May 31, 2016 and twenty-thousand one-hundred and thirty-eight dollars (\$20,138) to be paid on or before October 31, 2016. UTA is entitled to one hundred percent (100%) of the advertising revenues generated from any advertising placed on any transit vehicles providing the Service.

6. Modification of Agreement. This Agreement may be supplemented, amended, or modified only by the mutual agreement of the parties. No supplement, amendment, or modification of this Agreement shall be binding unless it is in writing and signed by all parties.

7. Indemnification. Both the City and UTA are governmental entities under the Utah Governmental Immunity Act of the Utah Code, Section 63G-7-101 et seq. 1953 (as amended) (hereinafter, the "Act"). Nothing in this Agreement shall be construed to be a waiver by either UTA or the City of any protections, rights, or defenses applicable under the Act. It is not the intent of either party to incur by contract any liability for the negligent operations, acts, or omissions of the other party or any third party and nothing in this Agreement shall be so interpreted or construed.

8. Default. In the event that either party fails to perform any of the terms and conditions of this Agreement, upon fifteen (15) days' notice of such failure to perform, the right of the defaulting party under this Agreement shall expire.

9. Attorney's Fees. The defaulting party agrees to pay the non-defaulting party's costs and reasonable attorney's fees in the event such are incurred to enforce any of the provisions of this Agreement.

10. Assignment. No party hereto shall have the right to assign its right and obligations hereunder without the express written consent of the other parties hereto.

11. Notice or Demands. Any notice or demand to be given by one party to the other shall be given in writing per personal service, telegram, express mail, Federal Express, or any other similar form of courier or delivery service, or mailing in the United States Mail, postage prepaid, certified, return receipt requested and addressed to such party as follows:

If to the City:
Dave Millheim
Farmington City Manager
160 South Main Street
Farmington, Utah 84025

If to UTA:
Utah Transit Authority
ATTN: Jolene Higgins
669 West 200 South
Salt Lake City, Utah 84101

Either party may change the address at which such party desires to receive notice on written notice of such change to any other party. Any such notice shall be deemed to have been given, and shall be effective, on delivery to the notice address then applicable for the party to which the notice is directed; provided, however, that refusal to accept delivery of a notice or the inability to deliver a notice because of an address change which was not properly communicated shall not defeat or delay the giving of a notice.

12. Project Manager. The UTA project Manager for this Agreement shall be Mr. Trevan Blaisdell, or designee. All correspondence regarding the technical aspects of this Agreement should be addressed to Mr. Blaisdell, or designee.

13. Contract Administrator. The UTA Contract Administrator for this Agreement is Ms. Jolene Higgins, or designee. All questions and correspondence relating to the contractual aspects of this Agreement should be directed to Ms. Higgins, or designee.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year first above written.

UTAH TRANSIT AUTHORITY

By: _____ Date: _____
Jerry Benson
Interim President/CEO

By: _____ Date: _____
D. Eddy Cumins
Ogden Regional General Manager

ATTEST:

FARMINGTON CITY CORPORATION

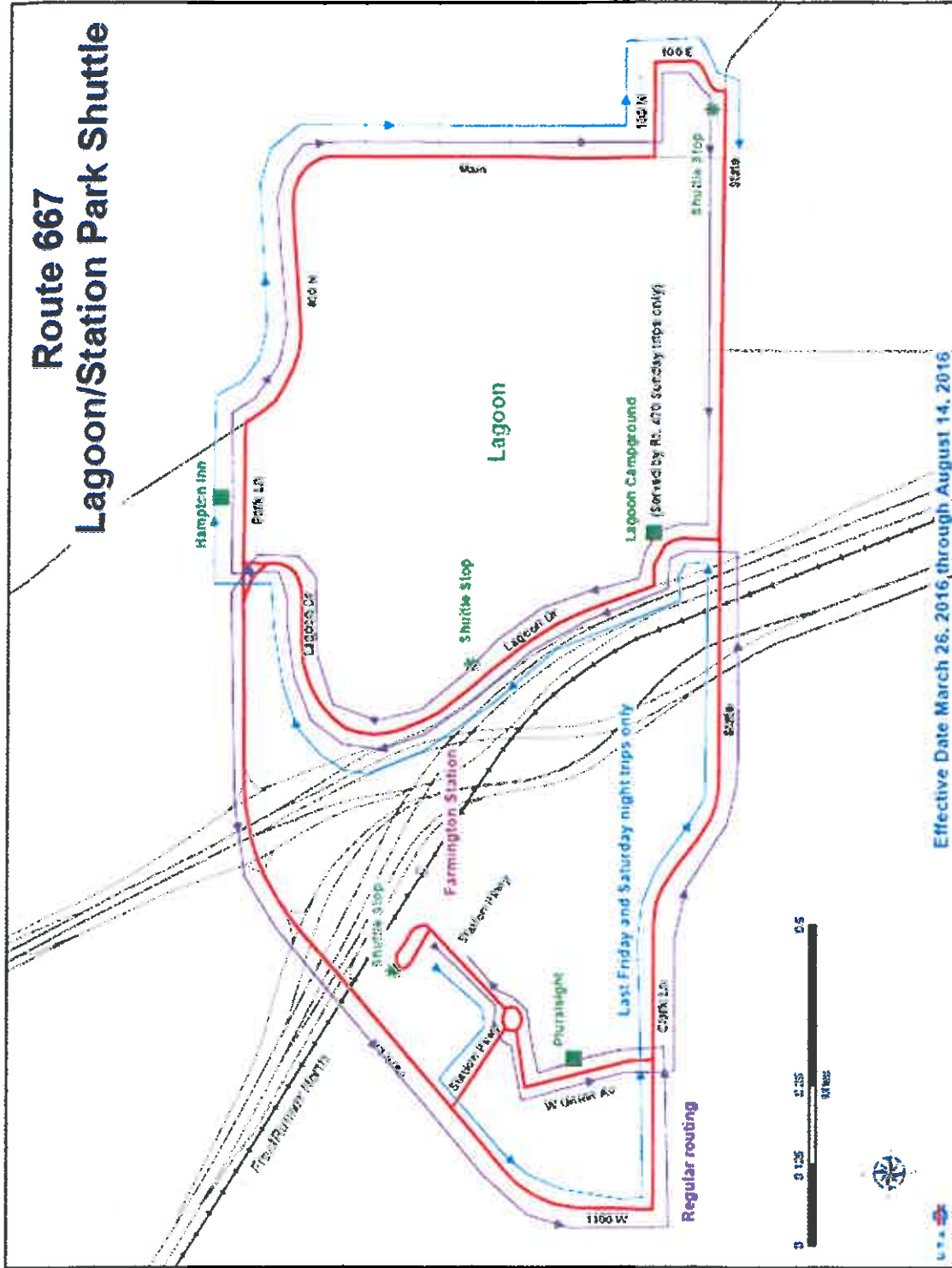
_____ Date: _____ _____ Date: _____

Approved As To Form:

UTA Legal Counsel

ATTACHMENT 1 TO SERVICE AGREEMENT

Route 667 Lagoon/Station Park Shuttle



ATTACHMENT 2 TO SERVICE AGREEMENT

OPERATING

MARCH 2016

MON	TUE	WED	THUR	FRI	SAT	SUN
21	22	23	24	25	26	27

APRIL 2016

MON	TUE	WED	THUR	FRI	SAT	SUN
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

MAY 2016

MON	TUE	WED	THUR	FRI	SAT	SUN
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

JUNE 2016

MON	TUE	WED	THUR	FRI	SAT	SUN
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

JULY 2016

MON	TUE	WED	THUR	FRI	SAT	SUN
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

SCHEDULE

Pre-Season: March 28 – May 30
 Summer Season: June 3 – August 22
 Post-Season: August 23 – September 11
 Frightmares: September 16 – October 30

Lagoon A Beach Opens: May 28 – September 10 (weather permitting)
 Lagoon A Beach Closes: 11:00 p.m. June 3 - August 22 (pre-performance time)

Campground Opens: April 28 – October 30

Entrance Gates: Open 30 minutes prior to park scheduled opening

Pioneer Village: Closes 1 hour prior to park posted closing

AUGUST 2016

MON	TUE	WED	THUR	FRI	SAT	SUN
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

SEPTEMBER 2016

MON	TUE	WED	THUR	FRI	SAT	SUN
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

OCTOBER 2016

MON	TUE	WED	THUR	FRI	SAT	SUN
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Final 01/18/2016 Operating dates and times subject to change.



Dave Millheim <dmillheim@farmington.utah.gov>

Lagoon/Station Park Shuttle

1 message

Cumins, D. Eddy (Acting VP Operations) <DCumins@rideuta.com>

Mon, Feb 22, 2016 at 6:06 PM

To: Dave Millheim <dmillheim@farmington.utah.gov>

Dave,

Attached is an electronic copy of the 2016 Lagoon/Station Park Shuttle Agreement. As per our previous conversation, I prefer this year's agreement be solely between the City and UTA. In the 2015 agreement, we had 4 equal partners (Farmington City, Station Park, Lagoon, and Hampton Inn). Each entity paid 25% of the agreement cost.

The 2016 cost is \$40,276. This amount is approximately 25% of the total operating cost and includes year-round service beginning in August. Please note: the 2017 contract cost will be slightly higher than 2016 due to additional service January – June. The estimated 2017 cost is approximately \$65,000.

Please let me know if you require any additional information.

Have a great day!

Eddy

 **Lagoon - Station Park Shuttle Contract 2016.docx**
815K

CITY COUNCIL AGENDA

For Council Meeting:
March 1, 2016

S U B J E C T: Approve Sale of City Property located at 779 S Country Lane

ACTION TO BE CONSIDERED:

1. By minute motion, approve the sale of the City property per the terms outlined in the Real Estate Purchase contract dated 2/18/16 and signed by the Buyer 2/23/16.
2. Earmark the proceeds of this sale to the Park Fund to be used towards the next phases of the 650 W Park.

GENERAL INFORMATION:

See enclosed staff report prepared by Dave Millheim.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

BRETT ANDERSON
DOUG ANDERSON
JOHN BILTON
BRIGHAM N. MELLOR
CORY R. RITZ
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Dave Millheim, City Manager

Date: February 24, 2016

SUBJECT: APPROVE SALE OF CITY PROPERTY LOCATED AT 779 SOUTH COUNTRY LANE

RECOMMENDATIONS

1. By minute motion, approve the sale of the City property per the terms outlined in the Real Estate Purchase contract dated 2-18-16 and signed by the Buyer 2-23-16.
2. Earmark the proceeds of this sale to the Park Fund to be used towards the next phases of the 650 Park.

BACKGROUND

The City picked up years ago a small parcel on Country Lane which was supposed to be turned into a small neighborhood park to be maintained by a Home Owners Association which was never formed. The majority of the affected homeowners in the subdivision signed a petition not wanting the park and "authorizing" the City if the Council so decided to subdivide the property and sell off a portion of the property for a residential lot. The City retains a drainage easement on the north side of this parcel and the subdivision steps were completed a few months ago.

The City retained the services of Ben Barrus to market the property (see attached MLS flyer). We received three written offers, all well above the asking price estimated from our original analysis of the market. Mr. Barrus reviewed all these offers with myself. I accepted the highest offer, subject to formal approval of the City Council which is being sought at this time. We will discuss the specific terms of the sale in the work session.

Respectfully Submitted

Dave Millheim
City Manager

MLS# 1354279

Tour/Open: None
 List Price: \$180,000
 Lease Price: \$0
 CDOM: 18
 DOM: 18
 CTDOM: 1
 Sold Price: \$0
 Concessions: \$
 Address: 779 S Country Ln

Status: Under Contract
 Price Per:
 List Date: 02/04/2016
 Contract Date: 02/23/2016
 Sold Date:
 Sold Terms:



NS/EW: 779 S / 800 W
 City: Farmington, UT 84025
 County: Davis
 Plat: FARMINGTON CREEK EST
 Tax ID: 08-365-0336
 Zoning Code: AE
 School Dist: Davis
 Sr High: Viewmont
 Acre FT./Share: 0.00 |
 Wells: |

Area: Bntfl; NSL; Cntrlv;
 WdX; Frmtn

LOT #: 336
 Taxes: \$1
 HOA Fee: \$0

Elem: Eagle Bay
 Priv Schl:
 Acre FT./Share: 0.00 |
 Surface: |

Jr High: Farmington
 Other Schl:
 Acre FT./Share: 0.00 |
 Dev. Spring: |

Culinary Well Health Inspected:
 Prop Type: Residential
 Acres: 0.65
 Frontage: 120.0
 Side: 156.0
 Back: 168.0
 Irregular: No
 Facing: W
 Drv. Access
 Water Distance:
 Sewer Distance:
 Gas Distance:
 Usable Electric:
 Pressurized Irr.:

Conn. Fees: Gas; Power; Sewer
 Irrigation Co:
 Water:

Exterior Feat.:
 Irrigation:
 Land Use: Stream
 Utilities:

Zoning: Single-Family
 Possession: REC
 Terms: Cash; Conventional
 CCR: Yes

Lot Facts: Curb & Gutter; Sidewalks; Terrain: Grad Slope; View: Mountain

Pre-Market:
 Township:
 Range:
 Section:
 Section

Description:
 Driving Dir:

Remarks: This gorgeous west facing lot has direct trail access, a stream and incredible views of the mountains. Corporate seller, no disclosures provided. Utilities stubbed by buyer. Surrounding homes \$500k to over \$1M. Near new Elem. and High School, shopping, etc. Come live in Farmington!

Agt Remarks: Utilities to be stubbed by buyer. Low pressure waste water system required. Schools may change as new Elem and High School boundaries are posted by DCSD.

HOA Remarks: HOA appears on CCR's but has never been formalized and fees have never been collected.

Clos Remarks:

Contact: Ben Barrus
 L/Agent: Benjamin W Barrus
 L/Office: Utah Select Realty, Inc.
 L/Broker: Monte MacGillivray
 S/Agent:
 S/Office:

Owner: Farmington City Corp
 Contact Type:
 Email: Ben@LotsAndListings.com

Owner Type: Property Owner
 Ph 1: 801-755-3322 Ph 2:
 Ph: 801-755-3322 Cell: 801-755-3322
 Ph: 801-969-1332 Fax: 801-969-1333

Email:
 Ph:
 Ph: Cell:
 Fax:

BAC: 3%
 Comm Type: Gross

Dual/Var: No
 Withdrwn Dt:

List Type: ERS
 Off Mkt Dt:

Exp Dt: 08/04/2016

CITY COUNCIL AGENDA

For Council Meeting:
March 1, 2016

SUBJECT: Minute Motion Approving Summary Action List

1. Approval of Minutes from February 16, 2016
2. Ratification of Approval of the Storm Water Bond Log

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

FARMINGTON CITY COUNCIL MEETING
February 16, 2016

WORK SESSION

Present: Mayor Jim Talbot, Council Members Doug Anderson, John Bilton, Cory Ritz and Brett Anderson, City Manager Dave Millheim, Assistant City Manager Keith Johnson, City Development Director David Petersen, Associate City Planner Eric Anderson, City Engineer Chad Boshell, Deputy Recorder Heidi Bouck and Recording Secretary Melanie Monson.

CLOSED SESSION

Motion:

At 4:05 p.m., **Doug Anderson** made a motion to go into a closed meeting for purpose of litigation. **John Bilton** seconded the motion which was unanimously approved.

Sworn Statement

I, **Jim Talbot**, Mayor of Farmington City, do hereby affirm that the items discussed in the closed meeting were as stated in the motion to go into closed session and that no other business was conducted while the Council was so convened in a closed meeting.

Jim Talbot, Mayor

Motion:

At 6:05 p.m., a motion to reconvene into open meeting was made by **John Bilton**. The motion was seconded by **Doug Anderson** which was unanimously approved.

Appeal for Ascent Construction regarding Impact Fees

Keith Johnson said Dave Millheim recused himself from involvement in this matter—the applicant for appeal is his neighbor and home teacher. The applicant is making a case for his appeal, and the Council is acting as the appeals board. Staff came up with a credit of over 50% of the transportation fund, but is recommending denial of the refund of the storm drain fund.

Chad Boshell said Ascent Construction claimed that they should not have to pay the storm drain impact fund for a number of factors, including that they are detaining on site; and that they are discharging into a UDOT storm drain pipe, which discharges into Spring Creek and then into Shepard Creek, which is managed by Davis County. However, Ascent is still impacting the City's storm drain system. The City has had to purchase property and create additional storm drain detention basins in order to keep Shepard Creek from flooding. So although they are detaining on site, they are adding to the problem of flooding with Shepard

Creek, which impacts what the City has to do to mitigate that flooding potential. The City needs the impact fee money to build the detention basins that pull the storm drain water away from Shepard Creek.

Mayor Talbot asked how big their site is, and **Dave Petersen** said it is about 1 1/3 acres. He said they will impact the City quite a bit due to the building footprint (24,000 square feet) and the use. **Brett Anderson** asked what their response has been. **Keith Johnson** said we will hear their response tonight, but we have not had any response thus far. **Dave Millheim** said this is the first formal appeal that has gotten to this point. He said Ascent only has one recourse if they do not like what happens tonight, which is to take it to District Court. He asked the Council to not negotiate or be flippant in how they handle this appeal. He said he has had communication from others in the building community who want to challenge the updated Park Impact Fee. He said there could be other appeals down the road, and asked the Council to stick with the facts.

Doug Anderson asked why staff is recommending a refund of part of the Transportation Impact Fee. **Chad Boshell** said their impact on the City is lessened by the fact that their entrances are facing State owned and maintained roads, and their traffic is primarily coming from I-15 and US89. Globally, they will still generate traffic in and out of the City. He stated that any development that generates traffic on Park Lane, impacts traffic within the City. He said they calculated that almost 45% of their impact fee is going toward impacts they will have on Park Lane. **John Bilton** asked if that is a legally defensible position. **Chad Boshell** answered that the City's attorney concurred with their recommendation. **Cory Ritz** asked if the City refunds this fee, will other businesses along state roads come back to challenge their impact fees. He said ultimately they are part of the City's transportation plan and are impacting it, including how the City has to divert traffic from Park Lane. **Dave Millheim** said most of those businesses are past the statute of limitations, but the Mercedes dealership could. **Chad Boshell** said and there could be situations where we run into this again. Both Tim Taylor and Todd Godfrey felt it was the best decision to refund part of the Transportation Impact Fee. The question is whether the Council agrees with staff's finding that they would qualify for a reduction based on their fronting state roads. **Dave Millheim** said larger projects are easier to defend the impact fees on, because they are generating a large amount of traffic.

Mayor Talbot said he wants to make sure the decision is defensible, and he is concerned that the refund recommendation was almost half. **Chad Boshell** said this was the only way they could come up with a defensible number reflecting the impact on Park Lane—any other number would have been mere speculation. He said the biggest headache would be downtown, if the City decided to redevelop any areas along Main Street, State Street, etc. **Brett Anderson** said if the analysis is correct, the City should be able to apply it to any future situation that may arise. **Cory Ritz** said their customers may come off the freeway, but the employees or others will be using City streets, which will impact traffic. **Chad Boshell** said any additional traffic, including traffic from the freeway, impacts City traffic—including the wait times at intersections, etc. **Doug Anderson** asked for a clarification of the formula staff used, which **Chad** explained. He told Cory the City would use this same formula in future similar situations. **Dave Millheim** said the only time the redevelopment question comes into play is if the use changes. He said the City does charge a greater amount to commercial uses than others. **Mayor Talbot** said since they are getting a credit of \$41k, it seems like a good olive branch to offer. He said he would have any comments from the applicant take place during the public hearing.

Miscellaneous Zoning and Subdivision Ordinance Amendments

Eric Anderson said staff has gone through these zone text changes thoroughly. He addressed some of the changes:

- a. This item requires private roads to be built to public road standards; this way, if they are ever turned over to the City they will be built to City standards. Roads not built to this standard tend to fall apart and become a hazard.
- b. Getting rid of a redundancy in the code regarding lot widths.
- c. This item changes the minor subdivision process to mirror the major subdivision process. The Code has already been changed for the major subdivision process. It gets rid of any conflict of interest. A minor subdivision is 9 lots or less, and there is no dedication of the roads.
- d. The City recently had an application for Class A self-storage, over by the Chevron and Mercedes dealership. One requirement for Class A storage is that they do not have any steel paneling; there were some issues with the wording in the Code. There is a lot of nice architectural steel paneling available on the market. **John Bilton** said if they cannot do the metal roll up doors, they will make it look like an office building, similar to the one in Sugar House. He said some qualifying wording about the metal may be helpful for future applicants. **Eric Anderson** said there will not be any other applications because there can only be one in the CMU zone unless the code changes.
- f. Verizon approached the City about installing an unobtrusive cell tower. This item adds some regulations and definitions to the existing Code.
- g. In the permitted and conditional use table, staff added a new column for monopoles.
- i. The setbacks for the seminary building as part of the new high school are similar to a residential use, which is not necessary. Staff recommended reducing the setback to 15' from 30'.
- j. There was some confusing language regarding the buffer for Ascent Construction between their commercial use and the DeJong's residential property. He said the City has never administered the required 30' buffer because it is quite large.

Eric Anderson said the rest of the items are clean ups to the code.

Dave Millheim thanked Dave Petersen and Eric Anderson for maintaining a running list, and staying on top of the necessary changes and clean ups. He gave a heads up that 2 weeks from now the Council will be asked to approve an offer for the property on Country Bend Road that the City agreed to subdivide. There have been 3 offers in the \$170-180,000 range for it.

REGULAR SESSION

Present: Mayor Jim Talbot, Council Members Doug Anderson, John Bilton, Cory Ritz and Bret Anderson, City Manager Dave Millheim, City Manager Keith Johnson, Assistant City Development Director David Petersen, Associate City Planner Eric Anderson, City Engineer Chad Boshell, Assistant City Recorder Heidi Bouck and Recording Secretary Melanie Monson.

CALL TO ORDER:

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

The invocation was offered by Mayor **Jim Talbot** and the Pledge of Allegiance was led by Boy Scout **Hunter Fulton** from troop 1698.

PUBLIC HEARINGS:

Appeal for Ascent Construction regarding Impact Fees

Mayor Talbot said Dave Millheim has asked to recuse himself from this item due to his relationship with the applicant. He said Keith Johnson has handled this item.

Keith Johnson said under the City ordinance, anyone can appeal City Impact Fees. The City Council acts as the appeal board. When the City received this particular appeal, he met with City Engineer Chad Boshell and City Planner Dave Petersen, as well as with City Attorney Todd Godfrey and Traffic Engineer Tim Taylor and CRS who conducted the storm drain study and impact fee analysis. They met and discussed how to handle this appeal, and came to the conclusion that the City would not recommend giving them a credit on the storm drain fee, but would recommend a credit on the storm drain fee. He turned the time over to Chad to discuss the process and formula used to come up with the number.

Chad Boshell said he met with CRS who came up with the master plan for the storm drain system. He said their request to be refunded the storm drain fee was based on three things: the retained all their storm water on site, they discharged water into drains owned by UDOT, which then empty into Shepard Creek. He said all three of these items are true; however, even with onsite detention, Shepard Creek will overflow if it has over 200 cubic feet per second. The City has had to mitigate this possibility by building new infrastructure outside of Shepard Creek. During high flooding events, the water from Shepard Creek overflows into Spring Creek. The City has been collecting impact fees for future projects and planned improvements. That is why staff is recommending to not refund any of the storm drain fund. Out of all their claims regarding the transportation fund, the only one that the City felt had merit was their location, which led staff to research the merits of a reduction. They front state roads; however any development that increases traffic along Park Lane, impacts traffic within the City. All of the needed projects around Park Lane are due to increased traffic along Park Lane. The development in question will impact traffic along Park Lane. Staff came up with a percentage of the impact fee eligible projects that Ascent Construction will impact, and is using that percentage to calculate a refund of \$41, 929.27.

Mayor Jim Talbot opened the public hearing at 7:15 p.m.

Mayor Jim Talbot closed the public hearing at 7:16 p.m.

Doug Anderson said he understands the calculation and believes it to be fair and accurate.

Motion:

Doug Anderson made a motion that the City Council deny the appeal by Ascent Construction to refund the storm drain impact fee and approve a refund of \$41,929.27 of the transportation impact fee.

Brett Anderson seconded the motion which was unanimously approved.

Dave Millheim clarified that the Council has ruled as an appellate body.

Miscellaneous Zoning and Subdivision Ordinance Amendments

Mayor Talbot said this item was discussed at length during the work session.

Mayor Jim Talbot opened the public hearing at 7:18 p.m.

Mayor Jim Talbot closed the public hearing at 7:18 p.m.

Motion:

John Bilton made a motion that the City Council approve the enclosed amendments to the zoning and subdivision ordinances as set forth in the February 16, 2016 staff report and the enclosed enabling ordinance related thereto.

Cory Ritz seconded the motion which was unanimously approved.

Findings:

- a. In the event that a private road becomes public and under the City's jurisdiction, city staff, including the engineer and public works would like private roads to be built to the city's standards; this protects the City in the future.
- b. Removing this section from the code is a means to delete redundancies as it relates to lot widths and street frontage requirements in conservation subdivisions.
- c. Amending the minor subdivision process to make it consistent with the major subdivision approval process will ensure that the City Council is no longer an appeal body that is also the land use authority.
- d. Removing the metal plate request for Class "A" Self-Storage will clarify the ordinance and allow for more design flexibility to use architectural materials that are readily used in many high-end, modern applications.
- e. Amending the allowable forms of subdivision bonds by removing property bonds eliminates redundancies and an antiquated, unused bond.

- f. Providing a definition of small cell networks, DAS, and other similar networks is being proactive and preparing for the future widespread use that these types of facilities potentially represent.
- g. Renumbering the portion of the flag lot ordinance is a “clean up” item making that section of the code more uniform with the rest of the Subdivision Ordinance.
- h. By allowing for tandem parking in two-family dwellings, the City is updating an outdated portion of the code that does not give enough flexibility to duplexes in regards to parking requirements, especially in those areas where street parking is not allowed.
- i. Amending the setback requirement for institutional uses citywide allows for more flexibility related to lot dimensions and design requirements for uses that do not and should not conform to standards established for single family residences.
- j. This amendment clarifies the language regarding the buffer requirement between a commercial parking lot and a residential use and gives more specific administrative power to the Planning Commission when enforcing this requirement. Additionally, through bifurcating industrial from commercial uses and placing more stringent requirements on industrial uses, this provides stronger protections for residents from any potential negative impacts normally associated with industrial uses.

SUMMARY ACTION

Minute Motion Approving Summary Action List

1. Consolidated Fee Schedule Update Regarding Park Impact Fees
2. Amendment to Lagoon Contract Rate
3. Contract for the Construction of the 1100 W Culvert with Acme Construction/Davis County/School District
4. Approval of Minutes from February 2, 2016

Dave Petersen pointed out that on December 15, 2015 the Council asked staff to make sure they collected the Park Impact Fee at building permit. The updated impact fee table details when each impact fee is collected.

Motion:

Brett Anderson made a motion to approve the items on the Summary Action List 1-4.

Cory Ritz seconded the motion which was unanimously approved. **John Bilton** noted that he was not present for the meeting on February 2, 2016.

COMMITTEE REPORTS:

Brett Anderson: the Trails Committee will be meeting this Thursday.

Doug Anderson: the Youth City Council has identified 18 new candidates, which will take the total number to 30. They will be sworn in at the March 1 City Council meeting. They will be holding a retreat with the new Youth City Council members on March 3, which he plans to

attend. Their first official meeting with the new members will also be in March. The groundbreaking for the new Mercedes dealership will be this Thursday. There will be ribbon cuttings for Cabela's and Vista Outdoors soon.

Cory Ritz: There have not been any meetings for the Special Events Committee recently. The Davis Mosquito Abatement committee is a non-profit entity functioning as part of Davis County, and is funded through property taxes. The trucks that spray for mosquitos come out after dark to avoid impacting other insects, and fog every street in the County with regularity. They service Farmington more frequently due to our mosquito population. They identify trees with knot holes in them that house mosquitos, and there are also bike crews that deposit treatments in storm drain boxes twice during the summer. There are also crews in the marshes and wetlands. They own a hangar at the Davis airport and have an airplane that sprays the marshes and wetlands. The offices and equipment/chemical storage are located in Kaysville. Due to the growth of the County, they are in the middle of an expansion that will double the County's facility in size. Due to the colder winter, there will be fewer mosquitos that survive the winter. The biggest reason for the Mosquito Abatement program is to combat West Nile Virus. They monitor species regularly to test for the virus. Last year there were 8 human cases of West Nile Virus in Utah. None of those cases were in Davis County; however there were 26 pools that tested positive in Davis County. Nationwide there were a total of 119 deaths last year. The new Zika virus is only found in tropical mosquitos. Currently in the US, it is only showing up in people who have traveled to South America. He said it is an active program and they do good work. If residents are inundated with mosquitos, they can call or make a request for a treatment online.

John Bilton: the first meeting of the Historic Preservation Committee is scheduled for February 25th. For the benefit of the audience, he said that although the above items were approved quickly, they have been discussed extensively. He said the culvert is an important item that needs to be completed in conjunction with the high school, which many of the youth in the audience will likely attend. **Dave Millheim** said that the culvert will allow the City to complete the linkage of 1100 West and is crucial for the high school and elementary school.

Mayor Talbot reminded the Council that the Trails Committee and Historic Preservation Committee will have new Committee Chairs beginning in March.

GOVERNING BODY REPORTS:

City Manager – Dave Millheim

1. Executive Summary for the Planning Commission meeting held on February 4, 2016
2. Police and Fire Monthly Activity Reports for January

City Council

Cory Ritz apologized for not attending the earlier closed work session. He asked for a reminder email to be sent in advance of such meetings.

Doug Anderson asked if the City has a plan in place for City officials to work with local LDS Church leaders in the event of an emergency. **Dave Millheim** said the City does

have a detailed plan, a notification tree, and conducts periodic training. He said there are two or three binders full of information, covering various emergencies. **Brett Anderson** asked if that information could be made available on line. **Dave Millheim** said because the information is extensive, not all of it can go on the City's website; however some of the information such as the decision tree, etc. could be made available. He has participated in a lot of training on emergency responses, and said the organization available to the City is not common in other communities.

Mayor Jim Talbot

He wanted to recognize George Chipman and Alisa Revell at the City Council meeting on March 15th. He asked Dave Millheim to remind Holly to send out a formal letter recognizing them for their service.

He reported that the groundbreaking ceremony for the Mercedes-Benz dealership will be held this Thursday February 16 at 11 am.

Farmington City is hosting the regional ICSC convention on Thursday. **Dave Millheim** said they will be taking 71 site selectors skiing. There will be a welcoming reception tomorrow evening at Station Park, and the Mayor will be speaking to the regional site selectors to recommend Farmington. He said it is a sought after conference to host. He encouraged the Council to attend the reception tomorrow night and any other events they would like. He said he will be talking to them about what the City would like to see come in. He said there are over 300 people registered.

Mayor Talbot referenced an article in the Davis Clipper about Amy Shumway's presentation at the last City Council meeting. He said he will be writing an article for the upcoming City newsletter to highlight her presentation and donation.

Council members **John Bilton** and **Brett Anderson** did not have anything to report at this time.

ADJOURNMENT

Motion:

At 7:48 p.m., **Cory Ritz** made a motion to adjourn the meeting. **Doug Anderson** seconded the motion which was unanimously approved.

Holly Gadd, City Recorder
Farmington City Corporation

STORM WATER BOND LOG

DATE	NAME	PERMIT	STORM WATER BOND
12/11	Calute Homes	12140	\$1,000.00
12/28	Matt Triplett	12092	\$1,000.00
1/8	Equity Builders	12142	\$1,000.00
1/15	Shawn Olsen	12057	\$1,000.00
1/19	Blue Water Const	12176	\$1,000.00
1/21	Impressive Homes	12172	\$1,000.00
1/21	Brinton Homes	12155	\$1,000.00
1/27	Stone Peak Const	12186	\$1,000.00
2/11	Guadalupe Alonso	12234	\$1,000.00
2/22	Scott Carter Const	12239	\$1,000.00

CITY COUNCIL AGENDA

For Council Meeting:
March 1, 2016

SUBJECT: City Manager Report

1. Building Activity Reports for December 2015 and January 2016
2. Safety Fence on Shepard Lane Overpass
3. Economic Development Intern
4. Council Meeting Schedule – March 29th or April 5th
5. Training for Disaster Roles (Set date between April and June)
6. Strategic Planning St. George April 8th at 1 pm

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

Month of December 2015	BUILDING ACTIVITY REPORT - JULY 2015 THRU JUNE 2016				
RESIDENTIAL	PERMITS THIS MONTH	DWELLING UNITS THIS MONTH	VALUATION	PERMITS YEAR TO DATE	DWELLING UNITS YEAR TO DATE
NEW CONSTRUCTION *****					
SINGLE FAMILY	12	12	\$2,633,000.00	211	211
DUPLEX	0	0	\$0.00	0	0
MULTIPLE DWELLING	0	0	\$0.00	0	0
CARPORT/GARAGE	2		\$192,744.00	17	
OTHER RESIDENTIAL	0	0	\$0.00	0	0
SUB-TOTAL	14	12	\$2,825,744.00	228	211
REMODELS / ALTERATION / ADDITIONS *****					
BASEMENT FINISH	2		\$11,555.00	48	
ADDITIONS/REMODELS	2		\$158,000.00	43	
SWIMMING POOLS/SPAS	0		\$0.00	20	
OTHER	10		\$160,700.00	223	
SUB-TOTAL	14		\$330,255.00	334	
NON-RESIDENTIAL - NEW CONSTRUCTION *****					
COMMERCIAL	0		\$0.00	10	
PUBLIC/INSTITUTIONAL	0		\$0.00	5	
CHURCHES	0		\$0.00	1	
OTHERS	0		\$0.00	3	
SUB-TOTAL	0		\$0.00	19	
REMODELS / ALTERATIONS / ADDITIONS - NON-RESIDENTIAL *****					
COMMERCIAL/INDUSTRIAL	2		\$1,595,000.00	45	
OFFICE	0		\$0.00	12	
PUBLIC/INSTITUTIONAL	0		\$0.00	0	
CHURCHES	0		\$0.00	0	
OTHER (HOTEL POOL)	0		\$0.00	2	
SUB-TOTAL	2		\$1,595,000.00	59	
MISCELLANEOUS - NON-RESIDENTIAL *****					
SIGNS	4		\$14,900.00	74	
	4		\$14,900.00	74	
TOTALS	34	12	\$4,765,899.00	714	211

Month of January 2016	BUILDING ACTIVITY REPORT - JULY 2015 THRU JUNE 2016				
RESIDENTIAL	PERMITS THIS MONTH	DWELLING UNITS THIS MONTH	VALUATION	PERMITS YEAR TO DATE	DWELLING UNITS YEAR TO DATE
NEW CONSTRUCTION *****					
SINGLE FAMILY	17	17	\$4,137,000.00	228	228
DUPLEX	0	0	\$0.00	0	0
MULTIPLE DWELLING	0	0	\$0.00	0	0
CARPORT/GARAGE	1		\$36,960.00	18	
OTHER RESIDENTIAL	0	0	\$0.00	0	0
SUB-TOTAL	18	17	\$4,173,960.00	246	228
REMODELS / ALTERATION / ADDITIONS *****					
BASEMENT FINISH	1		\$11,000.00	49	
ADDITIONS/REMODELS	3		\$172,346.00	46	
SWIMMING POOLS/SPAS	0		\$0.00	20	
OTHER	17		\$214,300.00	240	
SUB-TOTAL	21		\$397,646.00	355	
NON-RESIDENTIAL - NEW CONSTRUCTION *****					
COMMERCIAL	3		\$4,123,820.00	13	
PUBLIC/INSTITUTIONAL	0		\$0.00	5	
CHURCHES	0		\$0.00	1	
OTHERS	0		\$0.00	3	
SUB-TOTAL	3		\$4,123,820.00	22	
REMODELS / ALTERATIONS / ADDITIONS - NON-RESIDENTIAL *****					
COMMERCIAL/INDUSTRIAL	0		\$0.00	45	
OFFICE	2		\$403,749.00	14	
PUBLIC/INSTITUTIONAL	0		\$0.00	0	
CHURCHES	0		\$0.00	0	
OTHER (HOTEL POOL)	0		\$0.00	2	
SUB-TOTAL	2		\$403,749.00	61	
MISCELLANEOUS - NON-RESIDENTIAL *****					
SIGNS	1		\$325.00	75	
	1		\$325.00	75	
TOTALS	45	17	\$9,099,500.00	759	228

CITY COUNCIL AGENDA

For Council Meeting:
March 1, 2016

SUBJECT: Mayor Talbot & City Council Reports

1. Board of Adjustment Appointment – Tyler Judkins
2. City Council Pictures (Dress Code)

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.