

FARMINGTON CITY COUNCIL MEETING

March 15, 2016

WORK SESSION

Present: Mayor Jim Talbot, Council Members Doug Anderson, John Bilton, Brigham Mellor, Cory Ritz and Brett Anderson, City Manager Dave Millheim, City Development Director David Petersen, Associate City Planner Eric Anderson, Parks and Recreation director Neil Miller, City Recorder Holly Gadd and Recording Secretary Melanie Monson.

Park Financing Plan

Dave Millheim reminded the Council that Keith Johnson presented information regarding the City's 10 year financial plan during the previous meeting. He said last week's packet included the proposal for financing the remainder of the City Park. He stated that he did not like the proposal and thought it needed more work. He said staff is meeting weekly, and they have been able to set aside money from this year's budget to help with the park. He said during their discussions, they had a paradigm shift regarding the budget. They are still working out the SAA, how to leverage the extension agreements, and are working on obtaining bids for the remainder of the park's features. He said they will come back in the coming months with a specific proposal and budget. He said for the original \$10 million, the City is getting the Gymnasium, parking lot, leveling, and infrastructure etc. He said with the remaining \$1.6 million, the City is confident it can get the restrooms, sidewalks, the trail and grass areas. The detailed plan will include their proposal for the remainder of the park, including the baseball fields, etc. He said that if they transfer \$275,000 from the General Fund this year to help pay for park improvements, there will still be a fund balance of \$1.6 million, which is 18% of the General Fund.

Referring to the work session packet, he stated that Dave Petersen has tracked all of the City's extension agreements along 650 West, portions of Glover's Lane, and in front of the Park. He said while these agreements will only pay for a portion of the curb, gutter, sidewalk and asphalt, the money from those extension agreements will be significant. He said bringing an SAA forward (to assess the property owners for a portion of the improvements along 650 West) will require political courage from the Council. While many of the property owners within the proposed SAA have extension agreements, there are some that do not, but who would be included in the SAA. The extension agreements for the portion of 650 West the City is currently finishing will be acted on now, so those properties will not be included in the SAA.

He said when the City calls out an extension agreement, the City fronts the money for the improvement and then sends the property owner an invoice. Property owners have 90 days to pay in full or the City can place a lien on their property. The extension agreement travels with the land and is proportional to their frontage. The City could theoretically pay for the improvements out of the General Fund and waive the extension agreements; in this case the whole City ends up paying for that expense. **Brigham Mellor** asked if the property owners know that the extension agreements exist, and **Dave Millheim** answered that they do. **Brigham Mellor** asked if property owners can protest extension agreements (like they can an SAA), and **Dave Millheim** said that they cannot, because it is tied to the property. **Brigham**

Mellor asked how much the extension agreements will cost the property owners. **Dave Petersen** said about \$14,000 for a 100 foot frontage. **Dave Millheim** said it is based on the actual cost of the improvements along their frontage. He said if the Council decides to implement an SAA, they need the support of 51% of the affected property owners, with the vote being based on the value of the assessment. He believes the property owners will support an SAA. When the City call the assessment, it requires full payment within 90 days or the City places a lien on the property. As part of the SAA, they will have the option to finance the assessment over 10 years as opposed to having to pay it all in one lump sum. The City has to go to each property owner and inform them of their assessment and ask if they want to protest. If they do protest the City can then call for that property owner's extension agreement to be paid in full. He said their amount due is added on to their property taxes and if it is not paid within 5 years, the City owns the property. Twenty-three property owners along 650 West have extension agreements. **Dave Petersen** said 55% of property owners have some sort of extension agreement in place, and 45% do not. **Dave Millheim** said some property owners may wonder why they have to pay when the use and impact is being caused by the City and School District. He reminded the Council that the City is paying for a large portion of it due to the extra arterial portion of the road. The School District is also paying their freight. The City needs the support of the property owners because if 51% of the assessed valuations protest it, then it goes away. He said staff has looked at the possibility of expanding the SAA, but that jeopardizes the reality of the SAA passing. He said staff will come back before the Council in a future work session with the detailed costs of finishing 650 West and the Park; the purpose of tonight's discussion was to inform the Council ahead of time regarding the costs of the park and of finishing the road in order for them to make a decision regarding the SAA.

Mayor Talbot said extension agreements show up in the title report, so homeowners should be aware of them. When they started looking at all the development on the West side of Farmington, making 650 West safe was a priority. He feels like if the City could finish 650 West at least up to the park, it would support the additional traffic coming to the gymnasium. He would support taking \$275,000 from the General Fund in order to help the projects be completed and be able to move forward down the street. He does not want to see the General Fund get too low, but we are in a unique situation right now having extra money in the General Fund; spending some of that money to finish this project would not jeopardize the fund balance. **Dave Millheim** said the bond passed by a very close margin (25 votes), and there was a tight budget to begin with. The City considered finishing the road first, before the gym and park; however they decided to complete the gym and park first in order to follow through with what the residents were rightly anticipating. However, the road is still very necessary and is a priority. **Mayor Talbot** said he does not want to finish just a 2-plex, but wants to finish the whole 4-plex of baseball fields. He said the park completion will be seamless and citizens will be able to enjoy the park while they finish the ball diamonds. **John Bilton** wondered how the City could get away without doing an SAA, with only 55% of property owners in the vicinity having extension agreements. **Dave Millheim** said the Council can call on the extension agreements, raise property taxes, or rob the fund balance and put all other projects on hold in order to complete the road. **John Bilton** asked if the SAA trumps extension agreements, and **Dave Petersen** said no, it is the other way around. **Dave Millheim** described the process of calling on extension agreements, the protest periods, etc. **Cory Ritz** said he thinks most of the property owners see this coming. He said he has had conversations with several people to that effect. He said he has told people the City cannot wait until it is necessary to finish it. He said he had a phone call from a parent who was concerned about how their child will get to the new elementary school when there are no bus routes. **Dave Millheim**

said the Council passed sidewalk priorities when Cory was gone. He said when staff brings back the detailed budget proposal for the park and road improvements, they will also bring information and bids for completing the sidewalk priorities. **Brigham Mellor** said if a property owner protests the SAA, and are therefore not part of the SAA, the City will have a lien on their property, but then the City will not have the money until the property owner sells the property. He said that is a liability on our project. **Dave Millheim** said the City is fronting the money. They are trying to complete this project during the current construction cycle. The City will be on the hook for the assessments, but the bond is carrying the freight. Once the Council has formed the SAA and gone through the protest hearings, they will adopt a SAA with assessments to be paid over the next 10 years. Once that is formed, the City can bond against the General Fund and the City will act as a pass through for the SAA. **Brigham Mellor** asked if there is an administration fee assessed in order to provide some cushion in the event that not everyone pays their property taxes/assessment. **Dave Millheim** answered that the bond will assess for full payment and the City has to plan for full payment. **Dave Millheim** said he recommends that the Council approve this budget, in which case staff will call the first 3 extension agreements. He said it sends a strong signal to the community that the City is serious about completing 650 West. **Cory Ritz** opined that if staff explains it well, it should be a no-brainer for the community to get on board with the SAA. **Dave Petersen** said there are a handful of vacant lots across from the park and gym. He said the City will attempt to include those lots via pioneering agreements, however we do not know if we will get those or not. He said they are also applying for grants to get sidewalks paid for, but will not know until September if we receive them. **Dave Millheim** said an SAA on fast track is 120 days, including several public hearings, etc. The high school opens Fall of 2018, and if the Council decides to move forward with an SAA, the earliest the City could pave is Spring of 2017. Staff would prefer to form the SAA, get the engineering done, and watch the bid market, with the goal of paving in the Spring of 2018. He said if they tear up the road at the same time as the high school is being constructed, it will be an additional impact on the surrounding neighborhood. However, if the City completes the road after the high school is constructed but before it is occupied, it would lessen the impact while still accomplishing what is needed. **Brigham Mellor** said bringing in fill dirt and other supplies damages the road, and waiting as long as possible will ensure they do not damage the new road. **Dave Millheim** said the recommendation of Public Works and himself is to finish the gym, the fields with restrooms, and the roads. He wants the City to be good stewards of the budget. **Doug Anderson** acknowledged the impact on that neighborhood, and he asked for a summary of the payment options. **Dave Millheim** said property owners can pay a lump sum, in which case they are out of the SAA, or if they protest, the City can call their extension agreement, or they can finance it for 10 years over the life of the bond (it would be a line item on their property taxes). **Brigham Mellor** clarified that it is divvied up per capita, and **Dave Millheim** said yes, it is based on linear footage so it is fair and is not based on the value of the house. He said the rationale is that the improvements increase the appraisal value of the homes. **Dave Petersen** said most people pay for their curb and gutter and asphalt when they purchase their homes. **Mayor Talbot** asked if the Council is ok getting \$275,000 out of the General Fund to finish the park with fields, restrooms, pavilion, the gymnasium, and the road in front of the gym. **Dave Millheim** said they will still come back with an actual budget with final bids and dollars if the Council approves this in concept tonight. He said they want to close this out in this year's budget. **Mayor Talbot** said Keith would rather use some of the funds we have to finish the park, because you can bond against the General Fund, and it is much easier to do that for road improvements rather than trying to find money for the park. Everyone gave their thumbs

up to the Phase II park budget presented. **Dave Millheim** thanked Neil Miller and his team for his hard work.

Request for Annexation of 20.2 acres of Property

Mayor Talbot said he has been receiving emails from Cory Crowell from the Compass organization. He felt uncomfortable with the emails because they was no affidavit sent with them indicating their intent to move forward. He followed up with Jerry Preston to make sure he is aware of what is going on. Jerry told him that if this organization can come up with the money, he will sell it to them. However, **Mayor Talbot** said the City still likely needs to bring this property into the City regardless of whether it is purchased by Compass or if Jerry develops it. **Jerry Preston** said Cory Crowell set up the Compass Organization but could not get the tax status to be able to raise money. They approached another organization called Wasatch Canyons Foundation and arranged for them to potentially pay for property, and then have Compass solicit money and pay it back to the Wasatch Canyons Foundation. He said Wasatch Canyons Foundation does not have the funding to purchase it right now, and so they are searching out donors to front the money. He said he has given them a timeline of the end of June. He said he gave them a bottom line price, and asked them for a contract. He said he is going to move forward with his approvals and his process, but is willing to sell it at any point if they come up with the money. **Brigham Mellor** said he does not think the Council can make a land use decision based on who will own the property. **Dave Millheim** said he anticipates people confronting the Council and asking about other possible ways to come up with the money in order to purchase the property, such as borrowing money from the City, or going to a General Property Tax vote, etc. He advised the Council to look at the facts. For the record, he said to Jerry that until he has a contract, he has nothing. He said the Council may need to take 3 steps back, and just look at this as an annexation issue. The Council previously said they did not want to make a decision on annexation until the Planning Commission made a decision on preliminary plat, which they granted on Thursday night. He said the Council's job tonight is to approve or not approve the annexation and zoning designation. **Mayor Talbot** said the Compass Organization has been on the aggressor side of things, writing emails, saying they have financing and the ability to purchase the property. He does not see how that obligates the City to contribute anything toward purchasing the property. Regarding the zoning question, **Dave Petersen** said the default zone is A, and the lot sizes Jerry Preston proposed are allowed in the A zone, but there are other uses allowed in that zone that you probably do not want there (such as accessory buildings, etc). The LR zone is strictly residential. **Brett Anderson** asked why the Planning Commission went with A, and **Eric Anderson** said the Planning Commission was afraid that the difference in densities between A and LR would pose a problem if the plat application goes away. He said the City has the trump card by owning a portion of the needed right-of-way property. **Mayor Talbot** said staff is usually very conservative which makes him comfortable with the LR zone designation. **Dave Petersen** said Jerry did have the borings completed, and very little clay was found. It is not a North Salt Lake situation. He said the soils engineers used words like "adequate" to indicate that the soil is fine. **Mayor Talbot** asked if any of the Council had a problem with the annexation. **Brigham Mellor** said he does not have a problem with annexation, and he is comfortable with the developer because the City has worked with him numerous times before. He said he was more concerned when he saw the property lines extending beyond the fire break road, and now the lines have extended back. His concerns were for safety and not aesthetics. **Eric Anderson** said Todd Godfrey said he thinks this is a low risk to the City.

Mayor Talbot reminded the Council that this item will not be a public hearing. **Brigham Mellor** said he does not particularly have a problem with the emails coming in, and reiterated that it is not fair for the City to make a decision on a land use based on who could potentially purchase the property down the road. **Doug Anderson** agreed and said it would be a good point for Brigham to make during the meeting. He said he was also concerned about the safety issues and said Jerry has done his due diligence, several times over. **Brigham Mellor** acknowledged that there is a risk to the residents of rocks rolling down onto other properties; however he feels the City would not be held responsible for rocks rolling from Forest Service property to someone else's property. He commended staff for their knowledge about mitigating fire danger, and for explaining to him that homes actually help mitigate that danger. **Mayor Talbot** said Dave Millheim will be late coming to the general meeting in order to attend the Fruit Heights City Council meeting. He helped them put together a presentation for obtaining new fire services because they have not been happy with Kaysville's fire service.

REGULAR SESSION

Present: Mayor Jim Talbot, Council Members Doug Anderson, John Bilton, Brigham Mellor, Cory Ritz and Brett Anderson, City Manager Dave Millheim, City Development Director David Petersen, Associate City Planner Eric Anderson, City Recorder Holly Gadd and Recording Secretary Melanie Monson.

CALL TO ORDER:

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

The invocation was offered by Councilmember **Doug Anderson** and the Pledge of Allegiance was led by Boy Scout **Michael Bady**.

Mayor Talbot excused Dave Millheim as he is attending a conflicting City Council meeting in Fruit Heights to answer questions for them.

PRESENTATIONS/REQUESTS/PROPOSALS:

Information regarding the Air Show at Hill AFB

Kevin Ireland, 2380 Washington Blvd, Ogden, Utah. He is the Ogden-Weber County Chamber of Commerce Director and the Air Show Director. He said the Air Show is the single largest event in the State. It is a \$50+ million dollar event, with economic benefits to the entire state. The dates are June 25-26. He said there are two jet teams this year, including the USAF Thunderbirds and the Breitling Jet team from France. He said they cannot charge for parking or for tickets because it is on a Federal Installation. He said the cost this year is over \$600,000. They are approaching their fundraising goal, and he asked for support from the City. He said the Utah State Legislature contributed \$200,000. He said Frontrunner will be running on the Sunday of the event in order to help with traffic. He said there will be lots of fun activities, food, and incredible aircraft. He said they have about 7 hours of flying time, which almost triples any other air show. He said people come from several nearby states in

order to attend, and book hotels, buy gas and food, etc. He said this event is economically beneficial for the State and surrounding areas. **Mayor Talbot** said the Council will look at his request for financial support. **Kevin Ireland** said they will begin marketing soon, in print, on the radio, on television, and will be trying to control traffic by encouraging people to ride the frontrunner and busses to attend. **Brigham Mellor** said he believes that if the City contributes, the City would get that money back from people attending the event and visiting the City. He said he would be interested in looking into a contribution. **Mayor Talbot** said there may be other businesses in the City who would want to contribute. **Kevin Ireland** encouraged the Council to bring their families to the event. He said they are launching a free airshow app for the first time for this event. It will have live weather, traffic and parking information, emergency services, Wi-Fi hotspots linked to Wikipedia articles on each airplane, as well as cameras inside the cockpits of the airplanes for people to watch as they see the airplanes.

Community Garden Proposal—Karen Rigby

Karen Rigby, 523 South 650 West, Farmington Utah. She lives right next door to the Miller Meadows subdivision. She said there is a 4 acre piece of land in the middle of that neighborhood. She said a few years ago they invited neighbors to participate in gardening a ¼ acre piece of that land. She said there were about 15 families who participated. She said she and her husband paid for the water and tilled it up. She said her goal is to encourage people to become interested in gardening again for economic and health reasons.

Ron Zollinger is a resident of Kaysville and is the Chairman of the Kaysville City Yard and Garden Civic committee, which sponsors several different projects under that umbrella, including a community garden. He said Karen approached him as a resource to help her get started, and he encouraged her seek the City's support. He said he thinks the land use is ok and that it would be good to have the City's support. He said Karen is part of their Civic Committee. He said one of their projects is to organize a Tri City Yard and Garden Tour (including Farmington, Fruit Heights, and Kaysville), which will be at the end of June this year. It is a self-guided tour with 5-6 yards from each City, where homeowners open their yards for people to see what they have done.

Dave Petersen said there are two options to make this happen. The City can establish a committee, in which case the City needs to determine what kind of committee will be best, which can continue on as is or can be formed into a non-profit group in the future. The other option is for the Rigby's to obtain a Conditional Use permit. Because the property is located in the AE zone, such uses are considered conditional use. They would have to amend the conservation easement to allow this use, which would be simple to do. The Planning Commission could consider such an application on April 7th in order to get it up and running during this growing season. He asked for the Council's direction.

Doug Anderson said Karen has a green thumb, and said he thinks this would be a great addition to the City's portfolio. He said he would love to see this as part of the community. He said he thinks it would be good to start this process and form a committee this year. **Brett Anderson** said residents complain to him that this property is not being put to good use, and this would be an excellent use. He said in addition to being a good use, it would help stifle some of those complaints. He asked Karen how much land she would propose using if they were to maximize this garden. **Karen Rigby** replied that there are about 3.5 acres total, and they could use whatever they want. **John Bilton** asked where people would park and how they would access it. **Karen Rigby** said there is room for 7 cars to park along Rigby road. **John Bilton** said he would like to see a committee established. He said there may be some

unintended consequences to the neighbors, and a committee would be a good way to find out answers to some of those questions. He said he would like it to be a conditional use, which would allow the City to create some conditions for them to meet. **Cory Ritz** said if it is a City sponsored committee, then if there are other similarly available properties, they could be put to good use as well. **Mayor Talbot** asked the Council for their opinion with a thumbs up or down, and they all responded with a thumbs up. He directed staff to move forward in order to get something established. He said the City could advertise on the website and in the newsletter to find people who are interested. He said Weber Basin is there, but they need to figure out how to get water to the plots via pipes/irrigation. He asked Dave Petersen to get the conditional use application going. **Ron Zollinger** said in Kaysville they charge a \$15 use fee per plot to help off-set the cost of supplies. **Mayor Talbot** thanked Karen for her efforts. **Doug Anderson** volunteered to support the Garden Committee from the City Council.

PUBLIC HEARINGS:

Sunset Hills Plat Amendment—Elite Craft Homes

Eric Anderson said Jerry Preston owns 4 lots as part of the Sunset Hills II subdivision, and wants to combine them into two lots. As a result he has to go through the plat amendment process. He said they sent letters to all the homeowners within the plat, giving them 10 days to protest. Holly did not receive any comments during that time. Before the City records the plat, Jerry will have to take care of a remnant piece of property through a boundary adjustment. He said staff and the Planning Commission recommend approval.

Mayor Jim Talbot opened the public hearing at 7:33 p.m.

Mayor Jim Talbot closed the public hearing at 7:33 p.m.

Dave Petersen recommended adding “*The City Council hereby approves an order vacating all of said parcel from the Sunset Hills Subdivision*” to the motion. He said staff can add an ordinance to be adopted via Summary Action during the next meeting to ratify it.

Jerry Preston, 177 North Main Street Farmington, Utah. He said he purchased those 4 properties, and created an easement. He thought he was purchasing 2 lots, but it was never recorded at the County.

Motion:

Brigham Mellor made a motion that the City Council approve the plat amendment for Sunset Hills Conservation Subdivision Number 2 Second Amendment subject to all applicable Farmington City ordinances and development standards, and the following condition: the applicant shall resolve the remnant parcel created by a previous illegal subdivision (parcel ID number 070380026) prior to recordation per Section 12-7-030(7). The City Council hereby approves an order vacating all of said parcel from the Sunset Hills Subdivision.

Doug Anderson seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed plat amendment meets the requirements of the subdivision and zoning ordinance.
2. The affected subdivision has already installed all required improvements.
3. The proposed plat amendment is decreasing density because it is combining 4 parcels into 2 lots.

General Plan Amendment Adopting the Farmington Active Transportation Plan

Dave Petersen said the Wasatch Front Regional Council asked them to create a presentation for their meeting this Thursday, and has said they really likes this project. He said part of why the packet is so thick is due to the appendix, which contains all the standards for pedestrian walkways, etc. He said the City has not had anything quite like this ever before, which provides standards for and prioritizes pedestrian and bike pathways.

Eric Anderson gave the PowerPoint presentation. He said Kaysville and Farmington submitted a joint application for the Wasatch Front Regional Council (WFRC) local planning resource program in 2015. In March of 2015, the City was awarded a match grant for \$50,000 total, ½ coming from WFRC and ¼ from each municipality. He said the City selected Alta Planning and Design to create the Active Transportation Plan. He said after they received the grant and selected Alta, they identified the purpose, looked at existing needs, recommended improvements, and funding sources. The purpose was to create a unified Active Transportation Plan that is seamless between cities. He said they formed a steering committee comprised of various stakeholders, to determine the vision and the goals of the plan, etc. As part of this, they conducted a field investigation ride, put up an interactive online mapping tools for people to draw things they wanted to see, and also had an online public survey, which had over 1000 respondents. He reviewed the results of the survey. He said by far the most common response was creating an east/west connection from the Station Park area to the Lagoon area. He said they also held a public open house in December and over 250 people attended. He reviewed the existing systems, and said while the City's trails are excellent, the City needs more bike lanes. They also reviewed 5 years of data on pedestrian and bike crashes. He reviewed a map of demand, origin and destination. Most people want more connections to Station Park and Lagoon. Alta identified needs, gaps, opportunities and constraints. Based on all this information, Alta created a map with recommended improvements for the City. He said this explains the best practices for implementing this plan. They included illustrations of different needed intersections, lane treatments, and signals/signs.

Dave Petersen said the prioritization is as follows: a Park Lane overpass, Main Street widening and sidewalk improvements, 200 East, Shepard Lane overpass, West Davis Corridor Trail, and Legacy Parkway Trail north extension. He said all these are detailed in Appendix C. He detailed the improvements needed for each priority. He said a lot of them will be paid for by development, and some will be paid for by UDOT, but they need to get on the Plan in order to be funded. **Eric Anderson** said they asked Alta to look at funding. They helped the City identify some of the many grants available for funding the priorities. He also showed a chart with estimated costs for each improvement. He said UTA is going for a Tiger Grant, which is for improving areas surrounding public transportation stations. He applauded Alta Planning

for their efforts in crafting this plan, which staff feels has been very successful. **Brigham Mellor** said working together with Kaysville will strengthen applications for funding sources. He said UTA has indicated they are looking to apply Prop 1 money on the Lagoon Shuttle, but also possibly toward trails. He also said the County will have a lot of money coming in from Prop 1, with only 31 miles of road.

Mayor Jim Talbot opened the public hearing at 8:02 p.m.

Jake Young, 239 Ironside Road, Farmington, Utah. He said the plan is really well done, and he is glad the City completed it along with Kaysville. He said he hopes the West Davis Corridor does not go through, but if it does, the trail is a must, and hopes for some really good berming to help block out the sound.

Amy Shumway, 1178 Frontline Way, Farmington, Utah. She thanked the City for completing this plan, and was glad she could be on the committee. She said she is glad that the Park Lane connection is the number one priority. She also thanked Mayor Talbot for his kind comments in the newsletter about her presentation from a few weeks ago.

Mayor Jim Talbot closed the public hearing at 8:04 p.m.

Motion:

John Bilton made a motion that the City Council amend the General Plan adopting the enclosed Farmington Active Transportation Plan as an element of its General Plan, subject to all applicable Farmington City ordinances.

Doug Anderson seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed active transportation plan will help guide the City in the future towards developing roads and infrastructure for alternative means of transportation.
2. The proposed active transportation plan will better situate the City in locating and acquiring funding sources for bike and pedestrian paths and infrastructure.
3. The proposed active transportation plan will guide and inform the City in future decisions regarding all modes of transportation.
4. By codifying the Farmington Active Transportation Plan and adopting it as part of the General Plan, the City is getting a standard, being proactive, and making a commitment to active transportation, which is growing in popularity and being demanded at ever increasing levels.

NEW BUSINESS:

Request for Annexation of 20.2 Acres of Property—Residences at Farmington Hills Subdivision

Mayor Talbot reminded the audience that this is not a public hearing. **Eric Anderson** said this item has been before the Council several times. He said the applicant is proposing to develop 44.5 acres, 20 of which are unincorporated County property. Before the applicant can move forward, those acres need to be annexed into the City. He said there is nowhere else for this land to go, and neighboring cities are too far north and south. That is why those acres are already in the annexation declaration. He said there is existing land zoned LR on the other half of the property. Staff is recommending approval of the annexation with the LR-F zone designation, which is consistent with the General Plan. The Planning Commission is recommending approval of the annexation with the default A-F zone designation. He said some of the uses allowed in A-F may have more impact on the surrounding neighbors than the residential zone. **Brett Anderson** asked if any of the other property is zoned A-F, and **Eric Anderson** replied that there are a few remaining parcels throughout the City, which are intended to be rezoned at some point in the future. He said the applicant has completed geotech studies above and beyond what is normally required. He said the additional borings were completed, and showed that the soil is stable enough for construction.

Jerry Preston, 177 North Main Street, Farmington, Utah. He received approval from the Planning Commission for preliminary plat, and said he was available to answer questions.

Mayor Talbot stated for the record that he and the Council have received several emails from Cory Crowell, and he wanted to acknowledge them; however he clarified that this discussion is only surrounding annexation.

Brigham Mellor said he has always been the most ardent opposing voice to this project on the basis of safety concerns. He was concerned that the land was too steep, and was concerned about liability for the City. He said the reports that came back identified the risk, but said it could be mitigated and did not recommend denying the application on that basis. He said a lot of the property is already zoned LR-F and could be developed at a higher density. He pointed out that this developer has been willing to go above and beyond in every respect. He stated that he does not feel it is fair to make a land use decision based on who will own the property. He has come to the conclusion that development of this property is acceptable, and that his concerns have been addressed. He said there are points to be made for each zoning designation, and he defers to the rest of the Council on the zoning decision.

Brett Anderson said it is important for people to realize the issue here is annexation and not development of this property. He said he read through the annexation statutes and ordinances, and based on those qualifications it makes sense for this land to come into the City.

John Bilton said this is the 5th time this matter has come before the Council, in addition to the times it has been before the Planning Commission. He said there will be other steps to take in the future after annexation.

Motion:

John Bilton made a motion to approve the enclosed ordinance and plat annexing 20.2 acres of property into Farmington City with the zoning designation of LR-F, subject to all applicable Farmington City ordinances and development standards and the following condition: the applicant shall receive preliminary plat approval prior to the property being annexed.

Cory Ritz seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed annexation is within the City’s Annexation Declaration Area.
2. The zoning designation of LR-F is consistent with the surrounding properties and will create a more uniform zoning map.
3. Many of the properties being annexed are currently bifurcated by the existing city boundary, and the half of their property that is in the city limits are zoned by LR-F; by zoning the remainder of their property LR-F, the City will be rendering their property under one zoning designation, instead of multiple zones.
4. The zoning designation of LR-F is consistent with the General Plan designation of LDR (Low Density Residential).

Right-In Right-Out Design on Highway 89 Frontage Road—WCEC Engineers

Dave Petersen said there are 85 acres between Park Lane and Shepard Park, including the Mercedes dealership. He said there is a developer assembling property, who is working with the Hess family. He said the Master Plan shows a connection near the blue barn that is over there. The City met with Matt Hess, and verified that the City has the connection. UDOT met with the City later, and they confirmed that the City does have the ability to put in a right-in, right-out at the planned location. He said the City needs a study to be done, and he recommended having the City’s traffic engineers complete it. He said the developer will reimburse the City for the study. The cost is \$18,950.

Motion:

Brigham Mellor made a motion to approve the enclosed scope of work and authorize the Mayor on behalf of the City to enter into contractual agreement with WCEC to design, coordinate, and facilitate the review and permitting process with UDOT for a right-in right-out on the Frontage Road on the east side of HWY 89 in the vicinity of the blue barn.

Doug Anderson seconded the motion which was unanimously approved.

SUMMARY ACTION

Minute Motion Approving Summary Action List

1. Reject Contract for Surplus Lot On Country Lane and Approval of Backup Offer
2. Approval of Minutes from March 1, 2016
3. Rocky Mountain Power Storm Drain Easement

Motion:

Brett Anderson made a motion to approve the items on the Summary Action List 1-3, and recused himself from item 1.

Brigham Mellor seconded the motion which was unanimously approved, with the one recusal.

GOVERNING BODY REPORTS:

City Manager – Dave Millheim

1. Executive Summary for the Planning Commission meeting held on March 3, 2016
2. Police and Fire Monthly Reports for February
3. UTA Improvements—Bus Stop Pads: he said this is a cleanup item. He said staff will approach UTA to see if the City can get some Prop 1 money to help pay for the bus stop improvements.
4. Undergrounding of Utility Poles: He said undergrounding utilities is easy to do with new developments, but is more difficult to retrofit old, existing poles. He said he contacted Rocky Mountain Power, seeking to get an estimate of the cost. He said they agreed to study the area and get an idea of the cost of constructing and undergrounding the poles. He asked the Council for any targeted areas to include in the study. **John Bilton** said he would like to look at areas that are already under construction. **Dave Millheim** said it would make sense to look at areas the City is already working on or would be likely to work on. **Brigham Mellor** said he would prioritize the money toward trail connections, and not toward burying power lines. **Dave Millheim** said he would like to come back with several targeted areas to prioritize, and will come up with several specific areas to discuss with the Council. He stated that Rocky Mountain Power is not charging to complete the analysis. **Brigham Mellor** commented that he read in the Planning Commission notes that one Commissioner abstained from a vote because she feels that private schools are bad for Farmington children. He asked if the City needed to allocate funds for additional training for the Planning Commissioners. **Dave Petersen** said that she expressed concern that a particular school is not a non-profit organization, and it was a political statement. He said training is scheduled for April 21st. **Dave Millheim** said that has nothing to do with the decision they were making, and they will be completing training. He said it is a teaching moment.
5. Strategic Planning: The next City Council meeting will be on April 19th. There will be a work session format strategic planning session on Friday April 8th at 1 pm. He said he will be giving a document to the Council to review prior to the meeting. He said they simplified and streamlined the priorities from previous strategic planning meetings. He said he will be meeting with each department head to establish their top 5 hot button items. That way the Council will be able to rank them and establish a set of priorities for moving forward and getting things done. Discussing those priorities will be the focus of the meeting.

City Council—Committee Reports:

Brett Anderson: The Trails Committee will meet this Thursday. He asked if there could be a set of priorities put online for the sidewalks, just like there is one for streets. That way the public will know what is coming and they can give better feedback.

Cory Ritz: He said the Mosquito Abatement District is gearing up for treatment season. He said this cold weather is not cold enough to kill the mosquitos, but it will slow them down. He said he brought up his concern during the work session.

John Bilton: His committee does not have a meeting scheduled yet. He said he looked at several properties under construction, and is impressed with the gym in particular. He said once 650 West is improved, it will be a straight road, and he is concerned that high schoolers will drive too fast.

Brigham Mellor: The League of Cities and Towns has not met through the Utah legislative session, but he will meet with them in April.

Doug Anderson: The Youth City Council loved the presentation during the last City Council meeting. He said they filled Easter Eggs and had pizza for their kickoff meeting. He said for the Davis Chamber of Commerce, the grand opening of Cabela's will take place on April 21st and said he passed out invitations to the Council. They do not have a meeting scheduled right now but he plans to attend a luncheon they have scheduled for April 17th. He asked when the sticks/branches around the City will be picked up. **Dave Millheim** said the Spring Cleanup will take place on March 28 and will be finished about 2 weeks after that. He said residents will be cited for littering if they leave things out after that point. He said their trees and tree branches must be trimmed down in order to fit. **Brigham Mellor** said cities that do not have spring cleanups have more code enforcement problems. **Dave Millheim** said the City can track all the money it spends on spring cleanup because it is considered fire protection and will offset its state fire protection fee.

Mayor Jim Talbot

1. Strategic Planning: He offered to host the meeting at his home in St. George. He said if the Council still needs accommodations, they need to contact Holly.
2. Mother of the Year: He said the Davis Clipper has decided not to do that this year. He said if the City has a Mother of the Year to submit, the City can submit it to the Clipper and they will do an article and give them a plaque.
3. City Council Bio's: He said it just needs to be a brief paragraph about them as individuals and asked the Council to submit them to Holly.
4. He referred to the building where people take their driver's license tests, across from the Chevron. UDOT has hired Wadsworth to do some major construction near that area in the next year. They would like to use the ground next to the license area and put a batch plant there (which is a construction staging area for mixing concrete). They are saying they will only be doing the work at night, and it will go through the fall of 2017. **Brigham Mellor** said he has seen how they do this, and they kick up a lot of dust in the process, but they clean it up well after they are done. **Dave Millheim** said they approached Dave Petersen and did not get the answer they wanted, which is why they approached Mayor Talbot. He said this is not UDOT coming to the City, but a contractor coming to the City. This will allow them to lower their transportation costs and thus lower their bid cost. He said it will be during peak Lagoon season, the Mercedes dealership will be opening, and the City will be trying to showcase the new Cabela's, so it would not be a good time to have all the extra truck traffic. **Mayor**

Talbot did not give them his blessing and said he wanted to get the Council's read on it. **Dave Petersen** consulted Chapter 28 of the code, which says batch plants are a temporary use, which is not allowed in the Agriculture zone. He consulted with Todd Godfrey, who said it could be interpreted that batch plants could be allowed anywhere in the City. **Doug Anderson** asked about batch plants and **Dave Millheim** said it is a miniature concrete processing plant. **Mayor Talbot** said none of it is for projects within the City. **Dave Millheim** said he does not feel good about putting a batch plant in the middle of the City where there will already be a lot of construction. He said a batch plant in an industrial area makes sense. He said he applauds the contractor for asking, but does not feel good about it. **Brett Anderson** asked Dave Petersen to include this on his white board list of ordinances to look at. **Dave Petersen** said yes, and said he does not necessarily agree with Todd Godfrey's interpretation. **Mayor Talbot** asked the Council for their opinions, and the Council unanimously discouraged the approval of a temporary batch plant. He asked Dave Petersen to get back with Wadsworth Construction.

CLOSED SESSION

Motion:

At 8:59 p.m., **Brigham Mellor** made a motion to go into a closed meeting for purpose of discussing property and potential litigation, and the character and competency of an individual. **Doug Anderson** seconded the motion which was unanimously approved.

Sworn Statement

I, **John Bilton, Mayor Pro-temp** 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.



John Bilton, Mayor Pro-temp

Motion:

At 11:21 p.m., a motion to reconvene into an open meeting was made by **Brigham Mellor**. The motion was seconded by **Doug Anderson** which was unanimously approved.

Motion:

Cory Ritz made a motion to instruct staff to move forward with the revised Management Plan for the conservation easements and to take the steps as outlined. The motion died for lack of a second.

ADJOURNMENT

Motion:

At 11:23 p.m., **Doug Anderson** made a motion to adjourn the meeting. **Brett Anderson** seconded the motion which was unanimously approved.



Holly Gadd, City Recorder
Farmington City Corporation