

## FARMINGTON CITY COUNCIL MEETING

April 19, 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, City Engineer Chad Boshell, and Recording Secretary Melanie Monson.*

**Mayor Talbot** encouraged the Council to attend the ribbon cutting for Cabela's on Thursday.

### Farmington Greens Conservation Easement Amendment Request

**Dave Millheim** said Todd Godfrey updated him regarding the lawsuit that was filed against the City. The judge denied the request for the TRO and said the City is free to go forward with the public hearing. He referred to the advice given in an email he sent earlier today. He said it is acceptable to acknowledge receipt of the lawsuit and to state that there will be an evidentiary hearing on April 23<sup>rd</sup> to examine the merits of the claim. He recommended tabling action on amending the easements until after the hearing has taken place. He said tonight is not the time to debate the merits or demerits of the claim. He heard a rumor that hobby bee keepers can ask the mosquito abatement district to not spray since it harms the bees. **Cory Ritz** clarified that anyone can ask for a no-spray zone for their property/frontage. He said the reality is that it does not harm the bees. He said if West Nile Virus is detected, then any area can be sprayed at any time. **Brigham Mellor** asked if this conservation easement is supposed to be the detention area for The Avenues at Station Park, and what will happen if this gets shut down. **Dave Millheim** said some of it is, but some of it is taking pass through water that it has historically taken. There are also agreements in place from other projects for water to pass through to other properties. **Chad Boshell** said the Avenues has a temporary basin but is still waiting to get approval. Their historic culvert has always passed through that area. **Dave Millheim** recommended that Mayor Talbot explain that a party did bring a lawsuit in an attempt to stop the public hearing, and a judge ruled that the City could move forward with the public hearing. The City will take comments but will not take action tonight. He clarified that this is the only public hearing for this item.

### Revisions to the Management Plan for Conservation Easements

**Dave Millheim** said this is the biggest issue to consider this evening. He received an update from Randy Jeffries from UDOT, who said they are planning a major stakeholders meeting with all 51 stakeholders on May 23<sup>rd</sup>. The purpose of the meeting is to reconsider numerous alternatives for WDC including: Glover's Lane, Shepard Lane, the shared solution, and the D&RG (which is the option the City fought to get off the table). They want to meet with Farmington before they make the information from that meeting public. He said the City and other stakeholders have thrown a lot of information at UDOT, and UDOT is taking a thorough look at all the modeling issues and land use issues that have arisen. **Doug Anderson** said Senator Stuart Adams spoke with John Bilton and told him WDC is going on Glover's Lane. **Brigham Mellor** said there is the technical reality, which UDOT looks at (Cabela's, the

potential 4-F designation, the power lines, etc.); there is also the political reality, which is what the politicians look at. He said both of these realities have potential. **John Bilton** attended the County Convention over the weekend and said he spoke with Stuart Adams and Jerry Stevens. He asked them for their thoughts about the WDC. Jerry Stevens told him it is most likely to be built on the west side along the lake shore, because it has the highest potential for economic development for most other cities along the route. He said the projects that got Utah through the recession were City Creek, Mountain View Corridor, and the NSA facility (which totaled \$6 billion). He said they are following the bond cycle, which is why the record of decision is planned for 2017. Stuart Adams, who is the transportation committee chairperson, told him that the shared solution is not going to be an alternative. UDOT learned a lot from Legacy I, and they are being thorough in their research. He said the conversations were matter of fact that the road will be built, that the State will fund it, and that it will be on UDOT's preferred alignment. They believe it will be an economic catalyst for Davis County, and are looking at the whole picture, and not just at Farmington's issues.

**Doug Anderson** spoke with David Stringfellow and other residents in that northern area of the City. He said they are not concerned if it is moved further east or about fighting for the 4-F designation. They are most concerned with why the City is wasting its time and money fighting this issue and dividing the City. **Brigham Mellor** said he spoke with Laurie Calt, a resident who runs the Save Farmington group, where the aforementioned meeting was held, and she expressed concern and worry about what will happen if the City is granted the 4-F designation. **Dave Millheim** said mitigation can take many forms, including cash, land swap, land designation elsewhere, etc. Todd Godfrey asked him to remind the Council that if they go forward with the management plan (the result of tonight's decision is not taking action, just giving direction), that there will be an ordinance that comes with adopting the management plan, and that he will write a letter that may move this issue in a different direction. **Cory Ritz** said that whether the City drafts the letter or not, and whether UDOT takes out the Glover's Lane conservation easements or not, the City still has other conservation easements that need the management plan. If the Council is going to restrict the use of properties for the benefit of the City, they will need a management plan. **Dave Millheim** said staff would not need the management plan to manage the easements if it were not for the West Davis Corridor. **Doug Anderson** said regardless of his vote, he feels he has done his due diligence in researching this issue, and he is comfortable with the direction he plans to take tonight. **Dave Millheim** said there can be as much debate as they want, but they do not need to debate it extensively. The City does need UDOT to telegraph their intention, and if the Council gives direction about moving forward, he would caution them to be careful about indicating how they would vote on future issues and putting themselves in a box that would be difficult to get out of.

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## **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 Engineer Chad Boshell, 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 **Brigham Mellor** and the Pledge of Allegiance was led by Mayor **Jim Talbot**.

**PRESENTATIONS/RECOGNITIONS:**

**Introduction of New Police Officer/Administration of Oath of Office**

Farmington City Chief of Police **Wayne Hansen** introduced Giancarlo Candiotti as the newest Farmington City Police Officer. **Holly Gadd** administered the Oath of Office.

**Recognition of MaryAnn Jones for 10 Years of Dedicated Service at the Police Department**

Farmington City Chief of Police **Wayne Hansen** said MaryAnn Jones has been with the Police Department for 10 years in the front office as a secretary and dispatcher. He said she has been a great asset to the City and to the program. He presented her with a 10-year ring and congratulated her for her service.

**Presentation of “Award of Top Shooter”**

Farmington City Chief of Police **Wayne Hansen** said they instituted a program several years ago where they bring the City Council and their spouses to the shooting range to demonstrate how their funding from the City is used. The program includes safety training and drills as well as a competition. He congratulated Cory Ritz and Katie Anderson for winning that competition.

**PUBLIC HEARINGS:**

**Pheasant Hollow Schematic Plan**

**Eric Anderson** said this item has been before the Council three times already. Symphony Homes has a proposed 10-lot subdivision of about 4.5 acres. 700 South is unfinished, and so this proposed subdivision would finish that road. As the applicant prepared improvement drawings as part of final plat, they realized that building a cul-de-sac would be cost prohibitive. They then proposed flag lots, which also proved to be problematic. As a solution, the applicant proposed a private drive. He said it is cleaner for a number of reasons. The yield plan shows that 10 lots can be constructed using the conventional lot size of 16,000 square feet, and as such, they do not need to go through the TDR process. **John Bilton** asked if the private lane is built to City standards. **Eric Anderson** said the vertical improvements will be built to City standards, but the width is not (it is 26' wide). He said the road will have asphalt, curb and gutter, but no sidewalk or park strip. There are designated wetlands in one corner, but lot 9 has full frontage, and needs access to a public street. The Planning Commission did approve this private street as a solution to get rid of the flag lots and other issues. Staff and the Planning Commission recommend approval with the condition of a reciprocal access easement. **Brigham Mellor** asked about the topographical issues referenced in Finding number 2 on the Findings for Approval, and why removal of the cul-de-sac is

preferable. **Eric Anderson** said the area is quite steep, and with the wetland issues and the cost to the developer, it was not going to work. When staff approached this with public works, they had issues with maintaining a road that might have issues in the future. **Brigham Mellor** asked if the fire department could get a fire truck back there, and **Eric Anderson** said while it is not ideal, they can get back there and they approved it. **Brett Anderson** asked about sewer access and **Eric Anderson** said there will be a sewer easement in the private drive.

**Russell Wilson**, Symphony Homes, 526 North 400 West, North Salt Lake, Utah. He said they reduced it from a 15 lot plan to a 10 lot plan. He met with Todd Smith, the Fire Marshall, and they designed the private drive to fire department specifications. He met with the sewer district, and he said they love the idea because it gets rid of a lot of issues they have been dealing with and gives access to the manholes. He said this design is more economically viable and helps protect the sensitive areas of the property. **Mayor Talbot** asked if it is a PUD, and **Russell Wilson** said no. **Mayor Talbot** asked who will maintain the private drive, and **Russell Wilson** said there will be a provision in the CC&R's for lots 6-9 to maintain it. **Brigham Mellor** asked about what happens long term, in the event of property disputes, etc. He said he does not want there to be long term issues with mud being tracked onto City roads, etc. He wondered if those lots could be legally bound to maintain the road. **Russell Wilson** said there will be provisions in the CC&R's to require them to maintain the road and the utilities. **Mayor Talbot** said the City does not want snow from the private drive to come onto 700 South. **Russell Wilson** said there are 6 feet on both sides of the private drive for snow removal. **Eric Anderson** said staff recommends approval, as this is far better than the alternative. **Dave Petersen** gave examples of other private drives and said the City has not had problems with them being maintained.

*Mayor Jim Talbot opened the public hearing at 7:35 p.m.*

*Mayor Jim Talbot closed the public hearing at 7:36 p.m.*

**Doug Anderson** asked for details about the geotech reports, and how stable the land is and how confident they are to build on it. **Eric Anderson** said there was a geotech report and a boring for each lot. Because it was originally a 15 lot subdivision, there were 15 borings, which is now more than enough for the 10-lot subdivision. He said there will be additional stabilizers (helical piers) for the homes to mitigate the soils issues. **Brigham Mellor** asked if the helical piers are a stabilizing element that was not used in their previous subdivision, and **Eric Anderson** said yes, that they had to go back and add those later to mitigate issues with the soil. **Doug Anderson** asked how deep the borings go, and **Russell Wilson** responded that the borings typically 15-20 feet. He said most of the homes will require helical piers. **Brett Anderson** asked about the geotech report referenced in the packet, and wondered if they will be available for people who are interested in the homes there. **Eric Anderson** said there are two separate reports that are available. **John Bilton** asked if the third party analysis of the geotech reports is included as well. **Eric Anderson** said the City did not hire a third party to look at the geotech reports, but had the building inspector look at it from more of a structural engineering perspective. **Russell Wilson** clarified that the City did hire a third party, ESI, to

review the report done by GSH, which totals 4 reports (a preliminary report, two reports from GSH, and the third party review from ESI). **Dave Millheim** clarified that there are two studies available for public record (from GSH), with the third party review attached as an addendum.

***Motion:***

**Doug Anderson** made a motion that the City Council approve the schematic plan subject to all applicable Farmington City ordinances and development standards and the following condition: that the applicant shall provide a reciprocal access easement and private street for lots 6, 7, 8, and 9 and have this easement recorded against the property prior to final plat.

**John Bilton** seconded the motion which was unanimously approved.

Findings for Approval:

1. As part of a previous approval, the applicant has provided geotech reports that exceed what is normally required for a subdivision of this size.
2. The decrease in density, and removal of the cul-de-sac road is preferable due to the potential impact from poor soils and topographic issues.
3. The bridging of the 700 South gap is beneficial to the City and provides much needed east-west connection, and will help alleviate pressures on 620 South, Glover Lane, and 450 South.
4. Although the applicant is utilizing the alternative lot size, he is not requesting any TDR's to meet that minimum standards.
5. The densities requested are comparable or exceed those of surrounding neighborhoods, and by clustering the smaller lots along 700 South and placing the larger lots interior to the project, the subdivision is context sensitive to the area.
6. The private street allows the developer reduced density which is better for the soils types in the area, higher density results in greater storm water runoff which may also exasperate these soil types, meanwhile lower density that is proposed by the applicant results in less storm water runoff.
7. The private street will assist Central Davis Sewer District in terms of the sewer line's location and accessible manholes.

**Mayor Talbot** recognized two representatives from the Youth City Council—Sydney Smith and Morgan Hendricks—and thanked them for their service to the City.

**Farmington Greens Conservation Easement Amendment Request**

**Mayor Talbot** said the City has been a party to a lawsuit that was filed in an effort to stop the public hearing, but a judge ruled that the public hearing could move forward; this will serve as the only public hearing for this item.

**Dave Petersen** said there is a portion of approximately 24 acres of open land which was owned by the Farmington Greens HOA at one time. The HOA approached the City 5-6 years ago regarding the taxes and the limitations placed on the property. The City reduced the taxes, but the HOA failed to pay the taxes. The property went into disrepair and the County



approached the City as a preferred buyer for the property in a tax sale. The City purchased the property, and the City is now considering a detention basin on the property. He said it is not uncommon for a detention basin to be on wetlands property. He said this would enhance the property as well as provide a funding mechanism for maintaining the property through the storm water utility fee. He said above ground detention basins are not a permitted use for the property. Conservation easements are perpetual, but they can be amended in keeping with the original intent of the easement, per the City's conservation easement amendment policy. He referenced the documents included in the packet for the Council's review. He said the intended detention basins are designed to drain quickly and to not retain water. He acknowledged citizens' concerns about standing water and mosquitos. Water must be provided to this area permanently as part of the original mitigation, as well as for the water rights of another property owner. He referenced the amendment language included in the packet. If the Council chooses to approve the amendments, it gives the City a chance to see if the Army Corp will approve this. He stated that staff met with Gary Hatch from the mosquito abatement district, who said the condition of the mosquito problem will depend on how it is designed, and he gave staff advice about how to design it to allow for better mosquito control.

**Chad Boshell** said the detention basin is intended to take water from surrounding properties that historically has drained on this site. Staff proposes building 4 basins, each overflowing into the next. He said the project will eliminate about .5 acre of current wetlands and create about 1.5 acre of new wetlands. He said they will not be changing the current path of water. The berms will act as trails, will be 8 feet wide, and will allow better access for maintenance and mosquito abatement personnel.

**Mayor Talbot** said there will be a court hearing on May 23<sup>rd</sup>, and there will be no action taken until that date.

*Mayor Jim Talbot opened the public hearing at 8:01 p.m.*

**Brent Wride**, 146 South 1225 West Farmington, Utah. He does not believe the Council has the legal authority to amend the conservation easement. He said a conservation easement is valuable because it lasts forever. He said any action taken to amend conservation easements sets a dangerous precedent. He said the preserve area is doing fine, no change is necessary, and that the City is expressly prohibited from allowing extra water from coming onto the preserve area. He said the City owns the property and is the grantee, and so he sees a conflict of interest and thinks it is impossible for the City to have sound judgment. He said this amendment would allow a private benefit by allowing developers to send their water onto this property, enriching them by allowing them to not have to build their own detention basins.

**AJ Green**, 147 South Citation Drive, Farmington, Utah. He said this is about the procedure and doing the right thing to protect the rights of various competing interests. He said Dave and Chad have done a good job of putting together a proposal for handling this water. He pointed out that while this area may have historically handled this water, the property was not historically surrounded by impervious paved structures. He said most of time developers pay for the impact of their developments on surrounding areas. He became aware of this due to a box culvert that was installed to handle water from the new townhome

development, which was concerning to him. He said he represents the public, and hopes the Council will not approve this amendment, at least as it is written. He said one of the issues they have looked at is in section 8P of the conservation easement, which states that it is prohibited to permit surface runoff from surrounding commercial developments. He said if this is the intent, to allow water from surrounding areas, it needs to be amended and it needs to be reheard. He said the mosquito issue is important, but protecting the conservation easement is the most important issue to him.

**Ann Neville**, 238 South 1275 West Farmington, Utah. She is a wetland biologist by trade, and posed a number of technical questions to the Council, and asked if they have information about the following issues: calculations for water expected to go into the reserve and what is already in the reserve; flow rates and direction in and out; depth to groundwater; etc. She said it would be helpful to have a report of residents who have had groundwater problems in their homes. She said detention basins will saturate the groundwater, and she asked what will happen if the water saturates the ground and goes laterally instead of going through the flow path. She referenced the total volume of water, and flow rates of draining the water—the longer it takes to drain, the higher risk of flooding. She said the 100 year event calculations are not accurate based on the conditions experienced in the last 10 years. She said there are hard surfaces that can prevent the storm water from soaking in and cause flooding. She asked about how many CFS were supposed to go into the creek. She asked if the City has consulted with any wetland biologists. She asked if the Council will answer any of her questions. **Mayor Talbot** said staff will be taking notes.

**Bryon Gates**, 256 South 1275 West Farmington Utah. He lives in the area just south of the conservation easement. He appreciates the process and this community. He said the water issues experienced in West Farmington are significant, and he has numerous sump pumps that are running regularly even without rain. He said they believed Symphony Homes who told them there would not be water problems due to their location in the development, but they have been alarmed by the high water table. He is concerned by the water already flowing into the area from Cabela's and this will allow additional water into an already saturated area.

**Aaron Echols**, 243 South 1400 West Farmington, Utah. His house is next to basin 4 on the map. He appreciates this process. He said the mosquitos are less of a concern for him than the protection of the easement and the potential for flooding to his home and others' homes in this area. He took issue with the definition of the term detention and how it has been used in this context—he said water does not come and go in this area, as it is implied. There is always water in the wetlands area as it is, and this is without allowing additional water. He encouraged the City Council to make the decision rather than allowing it to go to the next step allowing the Army Corp to make the decision.

**Kerri Harris**, 1512 Citation Drive Farmington, Utah. She is a member of the Farmington Greens HOA board. She commented on the late notice of the board meeting last week. She supports the comments that have been made. She is concerned about the water. She wants to preserve the beauty of the wetlands.

**Jaqueline Watson**, 1497 Citation Drive Farmington, Utah. She is on the Farmington Greens HOA board. She said the conservation easement was recorded in 2006 and was intended to be perpetual, and it is already being amended. She said this will affect their homes.

She said numerous homeowners have approached her about the possibility of their home values being affected by the increase in water.

**Steve Barnes**, 1386 West North Paddock Drive Farmington, Utah. He said one big problem is the mosquitos, and said staff has looked into it and has proposed some solutions. However he thinks the bigger issue is the existing groundwater, and that many of the crawlspaces under the homes may have water in them as a result of this. He said there has been additional water flowing in the area already in the recent years. He said it is already a big problem, and he said he hopes that the Council can come up with what would be the best solution for everyone.

**Mark Green**, 1248 East Rigby Drive Bountiful, Utah. He owns two lots in the area. He said he served on the Planning Commission in Bountiful for 16 years, so he understands the issues at hand. He built the storm drain on Clark Lane and worked on other projects in the City. He knows water has to be diverted into the conservation easements, and wonders if the City knows how much water it is. He said it is the flattest storm drain he has built. He is concerned when people casually talk about adding a net gain of 1 acre of wetlands, and stated that water is being added to the area, which will add to the groundwater and mosquitos. He said he knows the City could store it underground and although it would be more expensive, it would be a better solution. He said that is his opinion from a landowner's, contractor's, and planner's point of view.

*Mayor Jim Talbot closed the public hearing at 8:31 p.m.*

**Dave Millheim** said the City has received a lawsuit. He said the public hearing process makes it difficult to answer questions as part of the process. He said they listen to the input from the public hearing and take it into account. He said legal counsel has encouraged them not to take action tonight. He said staff will follow up on questions asked, but he did not promise that each and every question asked will be directly addressed.

**Cory Ritz** said regarding the issue of mosquitos, as the Farmington representative for the Mosquito Abatement District, he will ask them at the next meeting to take a closer look at this problem and how they can mitigate the mosquito issues.

**John Bilton** thanked the public for their input and said he takes it seriously.

*Motion:*

**John Bilton** made a motion that the City Council table action on this item to a date post May 23<sup>rd</sup>, after the court hearing has taken place.

**Cory Ritz** seconded the motion which was unanimously approved.

\*\* The Council adjourned for a 5 minute break. \*\*

*Motion:*



**John Bilton** made a motion that the Council move the Revisions to the Management Plan down one item and move the Summary Action items up in consideration of audience members who are in attendance.

**Doug Anderson** seconded the motion which was unanimously approved.

## SUMMARY ACTION

### Minute Motion Approving Summary Action List

1. License Agreements: Wood and Anderson
2. Arbor Day Proclamation
3. Approval of Minutes from March 15, 2016
4. Meadow View Phase II Improvements Agreement
5. Farmington Park Phase III Final Plat
6. Meadows at City Park Phase II Final PUD Master Plan

### *Motion:*

**Brett Anderson** made a motion to approve the items on the Summary Action List 1-6.

**John Bilton** seconded the motion which was unanimously approved.

## NEW BUSINESS:

### Revisions to the Management Plan for Conservation Easements

**Dave Millheim** said the Council is well acquainted with this issue, and it has been discussed at length in open and closed sessions. He said he included an outline of 6 steps for moving forward in the staff report if the Council elects to move forward. He asked for clear direction on whether the Council wants staff to follow those 6 steps or to change any of those steps.

**Mayor Talbot** said any information they receive helps to make things clearer. He said the Council has been divided on this issue and it has probably been the single most significant issue he has faced in his time in public service.

**Dave Millheim** said the action step that the Council is debating is whether to move forward with the management plan, not whether to adopt it or to say how they feel about a management plan. He said it requires a public hearing and there are pros and cons no matter what direction the Council goes. He said every single Council member has agonized over this issue and they care a lot about this issue. He said he received a phone call today from Randy Jefferies the WDC project coordinator from UDOT. He pointed out that the City has made numerous suggestions for minimizing the impact of the WDC on the City. UDOT wants to meet with the City to discuss those issues. Randy Jefferies said they are planning a large stakeholder meeting in late May, with over 50 stakeholders. The City and others have raised a number of issues with the highway EIS, and the State has been forced to reexamine some of the assumptions they have relied on. They cannot afford to get it wrong. Randy Jefferies

informed him today that there are now 51 alternatives UDOT is reconsidering, including the D&RG and shared solutions alignments, both of which are concerning to the City. UDOT wants to meet with the City prior to announcing their findings to the public. He encouraged two Council members to join staff at the meeting.

**Mayor Talbot** said making sure to get all the information you can is important. He advised the Council to sit down with UDOT and to examine the new information they provide. He is still of the opinion that the City needs to look out for all of Farmington, and he does not want Farmington to be on the losing end of this issue. He cautioned the Council to be prudent and wise, and said this is not a debate forum tonight.

**John Bilton** clarified that the D&RG is the Denver and Rio Grande trail. He said he thought that issue was off the table, but it resurfaced just today. He expressed his respect for each Council member. He said this is the biggest and most difficult issue the Council has faced in his 11 years of experience. He suggested hearing everyone's statement and then taking a vote.

**Brett Anderson** said he wants to understand what happened prior to this point with respect to the management plan. **Mayor Talbot** said it was not long before Brett joined the Council that the management plan surfaced. The City thought it was managing the easements just fine until Buffalo Ranches came in asking about other potential uses. He said the management plan really came into play when the City received something from Federal Highways saying that the City did not have enough of a management plan in writing. **Cory Ritz** said when the City first implemented the idea of conservation easements, it put restrictions into place to protect the open space. He said the Council thought at the time that the easement itself and the code as it was written would be enough of a plan to protect it; but the Federal Highways said there was not a formal management plan in place, and that was the instigation for this formal plan. **John Bilton** said Federal Highways, UDOT and their preferred alignment, and 4-F issues arose, all of which contributed to this issue. **Dave Millheim** said the City put the easements in place for good reasons with definitive language, and said no to a lot of different uses. The City feels the easements have been managed properly, but the Federal Highways came in and said the City has not in fact been managing them properly according to their standards. **Brett Anderson** asked if it serves all those goals to adopt this management plan. He pointed out that there are several distinct steps: going forward with the management plan is a step, adopting it is a step, and going forward to get the 4-F designation is another step. He does not feel this is the last step, and that this is not the last shot. He does not feel this is a bad decision for the City. **Mayor Talbot** said the City does not know how UDOT will react to this decision. He said he would rather continue to get information and see if the next UDOT meeting on the 23<sup>rd</sup> gives the City more information. **Brett Anderson** asked if UDOT would rather know now or later whether or not the City is going to move forward with this management plan. **Mayor Talbot** said once you go down the road, it is hard to pull back. **Brigham Mellor** said his concern with taking this first step has been that once the City goes down this path and starts to draft these management plans, it will be too far down the path not to adopt them. He said he previously did not trust the other Council members' ability to back away from adopting the management plans and therefore did not want to even draft it. He said after they held a meeting with a group of residents, he now believes and trusts that they would be able to make the right decision, whatever it would be.

**Doug Anderson** appreciated Brigham's comments and said if the management plan was brought before those residents, they would likely think it is not the best approach. He echoed what Mayor said about considering all of Farmington. He said the residents on the east side do not seem to be as invested in or concerned about this issue as the residents on the west

side. He said the City has already spent \$550k on this, and he feels it has not been wasted, however he feels the need to justify spending additional money to all the residents of Farmington. He wants to know how much money will continue to be spent. **Brett Anderson** agreed with and echoed Doug's concerns. **Mayor Talbot** said that he has encountered residents on the east side of Farmington who care about this. He has also had several residents upset about the amount of money spent thus far. He said he thinks it is a mistake to move forward without talking to other stakeholders. **Brigham Mellor** said if the Council moves forward with drafting management plans, he thinks the City needs to have that meeting with UDOT before they move forward with adoption. **Doug Anderson** agreed with Brigham. He asked Dave if moving forward tonight would preclude them from meeting with local stakeholders, and **Dave Millheim** said no. **Mayor Talbot** said meeting with local stakeholders first allows them to feel like they are part of the process, as a precaution. **Brigham Mellor** said he does not feel there is a rush to move forward with anything before or after the management plan decision is made. **Dave Millheim** clarified that the proposed revision to the management plan has already been drafted and is in the packet. He said part of the critique from the residents is that the City took those steps without talking to them first and allowing them a chance for input. The choices going forward are to adopt it, to not adopt it, or to amend it. **John Bilton** asked about Doug's and Brett's previous question of how much it will cost going forward. **Dave Millheim** said it may cost up to an additional \$100k to adopt it, and the costs reflect the thoroughness of the process. **Brigham Mellor** said giving an across the board raise to staff would be about \$150k, and said that the bottom line is that all this money is coming from the General Fund.

**Cory Ritz** said he believes this is a step, and there are a few steps ahead that have been lumped all together. He said his mind and heart are not where they were at the outset. Whether or not the City sends a letter to Federal Highways asking for 4-F designation, or whether or not WDC comes through, the City still has a large amount of conservation easements that have been a headache and implementing the management plan will be a wise move.

**John Bilton** said the Council has always been able to apply the code and perspective to make a wise decision, but this issue with the WDC has political elements and is out of the City's hands. He said moving forward with the management plan enters the City into the political space, and not just in the code space. He said one issue with the proposed corridor is that it simply goes through the community, without any on or off ramps for access, and will affect the City without the economic benefits. He said he struggles with the unintended consequences and the fact that we do not control the outcome. He said 4-F designation or not, UDOT will mitigate the land if they want the road to go there. He does not want to lose a seat at the input table. He said he would like to have the meeting with UDOT and see what they publicly say first before moving forward.

**Mayor Talbot** said every time corridor preservation comes up at the COG meetings, the vote is 14-1, against him. He said when Brett asked Carlos Voseros about the 4-F designation at a previous meeting, he unequivocally said it is not 4-F according to Federal Highways.

***Motion:***

**John Bilton** made a motion to table this discussion post May 23<sup>rd</sup> and to vote on this potential action as close to that date as possible.

**Brigham Mellor** seconded the motion which failed by a vote of 2-3.

**Brigham Mellor** and **John Bilton** voted Aye.  
**Cory Ritz, Brett Anderson, and Doug Anderson** voted Nay.

**Doug Anderson** asked if we run the risk of missing a window by waiting until May 23<sup>rd</sup>, and **Dave Millheim** said yes, but he does not even know what that window is because UDOT does not even know what that window is.

***Substitute Motion:***

**Doug Anderson** made a motion to direct staff as to the process for consideration of revising the Management Plan for Conservation Easements on the west side of Farmington and to move forward with the steps outlined in the plan.

**Brett Anderson** seconded the motion, which was approved 3-2.

**Cory Ritz, Brett Anderson, and Doug Anderson** voted Aye.  
**Brigham Mellor and John Bilton** voted Nay.

**Dave Millheim** said this motion directs staff to move forward with the steps as outlined, including deciding which two Council members will be continuously meeting with UDOT. **Brigham Mellor** said he thinks step number 2 should be step 1, step number 3 is step 2 and step 1 is step 3, and that step number 5 should not have a date. **Dave Millheim** requested another motion for the record.

***Motion:***

**Cory Ritz** made a motion that the steps be amended so that step number 2 is step 1, step number 3 is step 2, and step 1 is step 3, and that step number 5 should not have a date.

**Doug Anderson** seconded the motion which was approved 3-2.

**Cory Ritz, Brett Anderson, and Doug Anderson** voted Aye.  
**Brigham Mellor and John Bilton** voted Nay.

**City Council Committee Reports:**

**Doug Anderson** said the Farmington City Youth Council has a meeting coming up in the third week of May. Their upcoming event is the Miss Farmington pageant, which will be on May 7<sup>th</sup> at 7pm. **Mayor Talbot** asked the Council to do a better job of supporting these types of community events. He said staff and City residents need to see the Council supporting City events. **Doug Anderson** said this Saturday at 9am he and Brigham Mellor and Mayor Talbot will be helping the applicants apply for scholarships. For the Davis Chamber of Commerce, there is the Cabela's grand opening on April 21<sup>st</sup>. He invited the other Council members to attend.

**Brigham Mellor** said the League of Cities and Towns convention was great. **Mayor Talbot** asked him and other Council members to follow up and respond to the survey about the League meetings.

**John Bilton** the Personnel Committee met recently to discuss the budget and raises for City employees, as well as the costs of healthcare coverage. A report will be forthcoming from Keith Johnson. He said they worked hard to pare down the budget. He said he has not yet met with the Historic Preservation Committee. **Mayor Talbot** said with the new chairperson for the Historic Preservation Committee, he would encourage John to reach out to him and to establish good communication with him.

**Cory Ritz** said the Special Events Committee has not met yet. With respect to the Mosquito Abatement District, he has been receiving a lot of requests for treatments. He said they cannot spray until the evenings, and by that time, the mosquitos are not out flying anymore because it is too cool. He said the spray works by contact. They hope to start spraying this week. If the Council gets requests, they need to know that one phone call will get just as much of a response as multiple calls. The website where residents can make a spray request is [mosquitoabatementdistrict.org](http://mosquitoabatementdistrict.org). **Dave Millheim** said he will re-post a previously published article in the newsletter about this. **Cory Ritz** reiterated that the spray has been shown to not harm bees, however once WNV is found, they will spray at any time of day or night.

**Brett Anderson** said the Trails Committee wants to know how to fund their new trails book. The cost is between \$12-13 per book. It will be a very nice, high quality book. They want to sell them at Festival Days. He said he will correspond with Ron regarding their budget to print them.

## **GOVERNING BODY REPORTS:**

### **City Manager – Dave Millheim**

1. Executive Summary for Planning Commission held March 10, 2016
2. Executive Summary for Planning Commission held March 17, 2016
3. Executive Summary for Planning Commission held April 7, 2016
4. Fire Monthly Activity Report for March
5. Hiring of City Lobbyist on Trial Basis: He said included in the draft budget is money to retain a City lobbyist (\$24k), and he is recommending the City move forward with it in advance of the budget discussion so that the lobbyist can get to work this summer. **Mayor Talbot** encouraged the Council to approve this in order to help establish relationships with legislators and to get funding for projects. All Council members gave their thumbs up to prepare a contract.
6. Complaints on Deer Population—DWR Work Session Dates: He said he has received a few phone messages complaining about deer. He and the Police Chief met with the DWR. He said they could have a work session format to discuss it, but he discouraged that because it will establish unrealistic expectations for making this issue the City's top priority. The Council unanimously directed him to not have a work session for this matter and not make deer removal a priority.
7. Cabela's Grand Opening—April 21<sup>st</sup> at 10am



8. Budget schedule: He reminded the Council about a special meeting for the budget, and asked if the Council could meet on Wednesday April 27<sup>th</sup> at 5 pm. **Cory Ritz** said he could call in. **Dave Millheim** asked them to put the other dates on their calendars.

### Mayor Jim Talbot

1. He asked John Bilton to take care of running the meeting next Wednesday.
2. He said he would have more information regarding the roundabout at the next meeting.
3. He asked the new Interior Design Committee to sit down with Dave Dixon to look at the design for the roundabout.
4. He asked the Council to take him seriously and show up at City functions.

### City Council

**Cory Ritz** said the residents across from the park are having a hard time selling their properties, and it was proposed that the City purchase the property as a future park expansion. He floated the idea past Dave Petersen, who said it would be a good idea if we knew where the WDC was going. He said it is food for thought.

He also asked if a ban on dogs in City parks and playground areas has been considered. He said as a softball coach, the City fields are a nightmare with dog waste, and he would recommend considering such a ban. **Mayor Talbot** said the City should put up signs that dogs should be on a leash and that owners must clean up after them. He asked Dave Millheim to talk with Parks and Rec about it. **Dave Millheim** said such signs and policies are unenforceable without a great deal of effort. He does not disagree that there are irresponsible dog owners, but he does not think the City should put code in place it cannot enforce. However he agreed to ask the Parks Director for their advice.

\*\*\*Council members **Doug Anderson, Brigham Mellor, Brett Anderson, and John Bilton** did not have anything to report at this time.

### ADJOURNMENT

#### *Motion:*

At 10:25 p.m., **Brigham Mellor** made a motion to adjourn the meeting. **Doug Anderson** seconded the motion which was unanimously approved.

  
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**Holly Gadd**, City Recorder  
Farmington City Corporation