

## FARMINGTON CITY COUNCIL MEETING

September 6, 2016

### WORK SESSION

*Present: Mayor Jim Talbot, Council Members Doug Anderson, John Bilton,, Brigham Mellor, Cory Ritz City Manager Dave Millheim, Assistant City Manager Keith Johnson City Development Director David Petersen, Associate City Planner Eric Anderson, Development Specialist Seth Townsend, Parks and Recreation Director Neil Miller, Pool Manager Silvia Clark, Wood Homes Representative Scott Harwood, Citizen Arlene Buttingfield City Recorder Holly Gadd and Recording Secretary Katie Gramse.*

### Presentation of Trails Guide and Recommendation of New Committee Member

**Mayor Jim Talbot** said the City just finished the ribbon cutting ceremony on the new Farmington City gymnasium this week. A few months ago questions have been arising concerning the difference between a gymnasium and a recreation center and whether or not the City is planning on putting in a year-round swimming pool.

**Neil Miller** introduced the Council and Staff to **Silvia Clark** who oversaw Layton's surf and swim center and what a wonderful job she has done in also overseeing the Farmington pool during the summer. **Neil Miller** thanked **Silvia Clark** for putting the numbers together for the staff report and suggested she explain to the Council her results.

**Silvia Clark** said that the Farmington pool is currently 20 years old and suggests to wait until the City has an extra million and a half dollars to pursue an indoor swimming pool. She suggested that adding on to the current outdoor facility or improving onto the existing space would be a better option. **Silvia Clark** also explained that during the winter months the citizens do not usually think about swimming and the pool would not be used as much and would not be as cost effective at this point. There is significant cost involved and the numbers do not include installation and site construction. The bubble that would enclose the pool would have to be removed every summer and stored somewhere.

The City Council and Staff concluded to put a hold on any further action on a new indoor pool, but would like to put this action in the tickler file to bring up this information when the timing would be more pertinent.

**Brett Anderson** arrived at 6:24pm

**Consideration of Adoption of a Resolution to (A) Finance the Costs of Curb, Gutter, Sidewalk and Roads, along with Asphalt Extensions from the Existing Road and all other Miscellaneous Work Necessary to Complete the Improvements in a Proper and Workmanlike Manner; (B) Defray the Cost and Expenses of such Improvements by Assessments to be Levied against the Properties Benefited by such Improvements; and (C) Provide Notice of Intention to Designate a Proposed Assessment Area; to Authorize such**

**Improvements; and to fix a Time and Place for Protests against such Assessment Area and its Assessments; and Related Matters**

**Dave Millheim** said this is a perfect time to use the extension agreements. There are reasons to use these extension agreements to improve this City. It is important to clarify that this Council has not made a firm decision on what action to take. However, everyone knows that something does need to happen and a change needs to be put in place. Tonight is only a step in moving this process along the scheduled time line to proceed in further action.

**Mayor Jim Talbot** said that he would not open tonight up for a public hearing. However, he would like to see this action move toward a public hearing in the near future, so that the Council can hear verbally what the community has to say and gain their feedback.

All Council members are concerned about sending too much information out to the public too fast, but **Dave Millheim** said that it is important to have public input and show the residence that this curb and gutter and road do need to be improved and this is the option we have now. Farmington City has recently been awarded a grant, the amount of the grant is still unknown. The money earned from this grant will go towards the property owners expense.

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**REGULAR SESSION**

*Present: Mayor Jim Talbot, Council Members Doug Anderson, John Bilton, Brigham Mellor, Cory Ritz City Manager Dave Millheim, Assistant City Manager Keith Johnson City Development Director David Petersen, Associate City Planner Eric Anderson, Development Specialist Seth Townsend, Wood Homes Representative Scott Harwood, City Recorder Holly Gadd and Recording Secretary Katie Gramse.*

**CALL TO ORDER:**

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

The invocation was offered by **Cory Ritz** and the Pledge of Allegiance was led by **Doug Anderson**.

**Mayor Jim Talbot** welcomed the youth city council members **Amber Stratford** and **Alyssa Wood**.

**PRESENTATIONS:**

**Presentation of Trails Guide and Recommendation of New Committee Member**

**Ron Robison** 19 North Country Bend, Farmington, Utah. He passed out a trails guide book to all members of the City Council and some staff. The book is lined with GPS and has

detailed fold out map that show the City and mountains. The trail guide book is made out of linen so it is UV protected.

**Ron Robison** thanked the Council for what they have done to for the trails in this community and helped in the process of making the trails so nice. Farmington City currently has 147 miles and **Ron Robison** and his staff have set a goal to reach 160 miles of trails so that every neighborhood might have access to a trail. **Ron Robison** said the trail committee was excited to have an election year and they nominated **Jared Poulson** to join their committee.

**Mayor Jim Talbot** thanked **Ron Robison** and staff for their hard work on the trail commission. **Mayor Jim Talbot** encouraged the public to volunteer and serve in the community. If anyone would like to purchase a trail guide book they will be found in front office on the main floor for your purchase of \$15.

***Motion:***

**Doug Anderson** moved the City Council to accept **Jared Poulson** as a member of the trail committee for a 3-year term. **Brigham Mellor** seconded the motion, which was unanimously approved.

**PUBLIC HEARING:**

**Park Lane Commons Phase IV Schematic Plan and Plat Amendment**

**Eric Anderson** explained that the proposal of the Park Lane Commons Phase II is part of a parcel and the City Developer would like to subdivide the parcel and make it into 2 lots. This parcel is both a plat amendment and part of a subdivision. Staff would like to be sure that when Market Street is developed later it will be built for the full extent and an extension agreement will be put into place. The applicant was asking that the pedestrian access easement be vacated and the easement be removed, but the staff would prefer to leave the easement for when Market Street is developed.

Other improvements are being made around Western States Assisted Living Facility which is part of the phase III process. This developed area includes the storm water. The City engineer said the storm water system has not been constructed yet. The City added a condition to take care of the system before any building permits be put in place.

**Scott Harwood** 33 South Shadow Breeze Road, Kaysville, Utah. The applicant would like to have some clarity concerning item number 4 on the conditions. **Scott Harwood** feels it is not necessary to move the pipes from the Assisted Living facility because it is not part of the same system as the rest of the structures. The staff member over this City project is on family leave and was not able to make it to tonight's meeting to provide further information to applicant. **Eric Anderson** felt that if the applicant still had questions concerning this project they may table it for tonight's meeting. **Scott Harwood** felt it would be best to table this plan for when he can gain more clarity.

*Mayor Jim Talbot opened the public hearing at 7:23 p.m.*

No comments were received.

*Mayor Jim Talbot closed the public hearing at 7:23 p.m.*

**Motion:**

**John Bilton** made a motion to table this Park Lane Commons Phase IV Schematic Plan and Plat Amendment to a later date to gain clarity on item 4 that is proposed in the staff report.

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

**OLD BUSINESS:**

**Consideration of Adoption of a Resolution to (A) Finance the Costs of Curb, Gutter, Sidewalk and Roads, along with Asphalt Extensions from the Existing Road and all other Miscellaneous Work Necessary to Complete the Improvements in a Proper and Workmanlike Manner; (B) Defray the Cost and Expenses of such Improvements by Assessments to be Levied against the Properties Benefited by such Improvements; and (C) Provide Notice of Intention to Designate a Proposed Assessment Area; to Authorize such Improvements; and to fix a Time and Place for Protests against such Assessment Area and its Assessments; and Related Matters**

**Keith Johnson** explained to the City Council and audience that this particular Special Assessment Area (SAA) in west Farmington have been impacted greatly over the last several years. There have been many new developments being constructed including the schools, City Start Building, park and gymnasium. Staff was directed to make a plan to get these roads completed. The plan has been made to have the City pay a major portion of the road infrastructure, the School District pay for their portion, and then have each of the property owners surrounding this particular area pay for the curb and gutter, sidewalks and asphalt extensions in front of their property. The process to do this decision is to have a Special Assessment Area. This area needs to be improved for the safety of the pedestrians and traffic that will be coming and going from the schools and other developments. Many of these property owners have extension agreements signed by them or previous property owners and these documents are recorded by the City against the land. The extension agreements say whenever the City deems it necessary to make improvements the property owner would need to pay for them. The staff brought these agreements and the decision for payment to the City Council and they wanted to proceed in this process for enhancing this area.

Tonight is an intent resolution and is the first step in the Special Assessment process in a 30 plus step process. If the City Council agrees to pass the resolution tonight the next step is to pass out a notice to every property owner who lives in this designated area on the map and provide them on what is being proposed. The staff decided to meet and hold meetings regarding the City's intent and the staff wanted to be upfront and let the property owners know this might be coming. The SAA makes it possible for the property owners to pay over a 10-year period. As

the staff got into the cost of this project, they only got a construction bid of 159 to 160 per linear foot. This cost is high on purpose and only an estimate. The property owners were given a high estimate bid from the City so the owners would have something to evaluate.

The City will offer two different financing options. One option is, a new construction loan, the second option is interim warrant financing. This loan option has a 10% reserve fund which the bond requires the property owner to have so they know it will be paid off. The first payment the property owners would have to make is not until the year 2019 if the City decides to proceed along this process of construction.

**Keith Johnson** said the City has applied for several grants and the City has received at least one grant through UTA which included mainly sidewalks and bike lanes which is part of the asphalt extensions, but the exact portion Farmington City collects is still unknown. All grants that will be received will solely be given to the property owner's assessments. **Dave Millheim** and **Mayor Jim Talbot** have met several times with the County regarding Proposition 1 money, which is new sales tax revenue money that the County and City receives. There will be many other cities attending this high school and it is important that Farmington City looks at all options to reduce this cost. However, the County has not yet determined how they will spend their money. Farmington City staff is suggesting the residents of this area to sign and send in a petition to the County regarding this significant issue in hopes to acquire more funding. Another grant has been applied for, which is the safe routes to school grant. If this grant is received it will help with the cost of sidewalk construction.

**John Bilton** said it is important to clarify exactly what the council is voting on tonight. This is a process that is required by state law and statute. The City Council is not creating a final decision of the SAA but it creates a formal intent to gather all data and information and the vote is on an intention to move along this process. Farmington City is expanding and changing and this SAA is a difficult issue to be considered. **Dave Millheim** said if the Council votes in favor of moving along this process tonight, it is important the residence are staying involved and attend meetings, read the staff report which has the steps and notifications that are involved in this process. If the residents of the community would like to protest at the public hearing, every protest must be in written form. The City needs to have 60% of the votes from the property owners in favor of this process or it does proceed according to the City Attorney. The majority of the individuals who have an extension agreement and signed it or their predecessors signed the document, has surrendered their right to protest and it will not count. However, those individuals who do not have an extension agreement, their vote will count. It is not a one-man vote rule under state code, it is based on the value of the property assessment. The right to protest is based on the amount it may impact an individual.

**Cory Ritz** asked to have the Consideration of Adoption of a Resolution be modified before the Council votes on it tonight adding "a portion of" in (B). He asked that it be read as follows. (A) Finance the Costs of Curb, Gutter, Sidewalk and Roads, along with Asphalt Extensions from the Existing Road and all other Miscellaneous Work Necessary to Complete the Improvements in a Proper and Workmanlike Manner; (B) Defray a portion of the Cost and Expenses of such Improvements by Assessments to be Levied against the Properties Benefited by such Improvements; and (C) Provide Notice of Intention to Designate a Proposed Assessment

Area; to Authorize such Improvements; and to fix a Time and Place for Protests against such Assessment Area and its Assessments; and Related Matters. Also, **Brett Anderson** would like to change the word “will” in Section 1 to the word “may.”

**Johnathon Ward** 1st South Main Street 18<sup>th</sup> floor, Salt Lake City, Utah. He said this amendment that the bond commission wrote up would be acceptable to change as per Council Members **Cory Ritz** and **Brett Anderson** suggested. **Johnathon Ward** will relay these changes to the bond attorneys.

***Motion:***

**Cory Ritz** made the motion that the City Council approve the consideration of adoption of a resolution to (A) Finance the Costs of Curb, Gutter, Sidewalk and Roads, along with Asphalt Extensions from the Existing Road and all other Miscellaneous Work Necessary to Complete the Improvements in a Proper and Workmanlike Manner; (B) Defray a portion of the Cost and Expenses of such Improvements by Assessments to be Levied against the Properties Benefited by such Improvements; and (C) Provide Notice of Intention to Designate a Proposed Assessment Area; to Authorize such Improvements; and to fix a Time and Place for Protests against such Assessment Area and its Assessments; and Related Matters. Also, to change the word “will” to “may” in Section 1. **Doug Anderson** second motion, which was unanimously approved.

**Reconsideration of Proposed Management Plans for Conservations Easements**

**Cory Ritz** was concerned that since this action was voted on and passed in April, action has not yet been applied from the staff from the proposed management plan. **Dave Millheim** said during this staff meeting in April the Council members were not voting on whether they may or may not choose to adopt these changes but it was to move forward and consider the adoption of 6 detailed steps.

The Council members, excluding **Cory Ritz**, were apprehensive about making further action on this management plan currently. The Council does not want to make UDOT harder to work with. They are still unsure the direction of the legislature and where they will put the freeway and if action is taken by the staff, the Council is afraid the City will not be able to go back from that position.

**Dave Millheim** asked to have another vote tonight concerning this matter to clarify to the staff and himself on what actions to take in the future.

***Motion:***

**Brigham Mellor** made the motion that the City Council include that due to the circumstances from April 2016 to Sept 2016 we as a Council are directing staff to stay in a holding pattern related to revising the management plans until otherwise directed. **Doug Anderson** second the motion, **Brett Anderson** and **John Bilton** voted in favor of it: **Cory Ritz** voted to deny it. The motion passed on a 4-1 vote.

## **SUMMARY ACTION:**

### **Minute Motion Approving Summary Action List**

1. Adoption of the 2015 Building Codes
2. Amendment to Community Development Block Grant (CDBG) Agreement with Davis County
3. Approval of Minutes for August 2, 2016

### ***Motion:***

**Brett Anderson** made the motion that the City Council approve the Summary Action List Items 1-3. **Cory Ritz** seconded the motion, which was unanimously approved.

## **GOVERNING BODY REPORTS:**

### **City Manager Report- Dave Millheim**

1. Executive Summary for Planning Commission held on August 18, 2016
2. Fire Monthly Activity Report for July is found in the staff report.
3. Discussion of Draper TOD Project- **Dave Millheim** and **Mayor Jim Talbot** took a tour of Boyer Company, the development that is in Draper. This project is not exactly like Farmington but has similarities to what the City would like to put in. It is important to notice the pros and cons of this project as well as what is going in at Thanksgiving Point. **Dave Millheim** wanted the Council to be aware of this construction and surrounding area and to gain understanding as to what they feel might be best to build in Farmington.
4. U of U Impact Fee Challenge- The University of Utah is still concerned about their impact fees. **Dave Millheim** and **Mayor Jim Talbot** are meeting with them tomorrow and going over this challenge. **Dave Millheim** said he is apprehensive about giving impact fee waivers without data to justify credits.
5. Arson Task Force- Farmington City has had roughly 12 arson fires in the last several weeks. Unfortunately, they are escalating from bushes to homes to mountains. The fire department has been great and have been able to handle and contain each of these fires thus far. Chief Smith felt the City police and fire department should come together because the fires are involving multiple jurisdictions and multiple parties. All parties are communicating with each other and keeping each other informed.

### **Mayor Jim Talbot**

1. UCLT Conference is held on September 14<sup>th</sup>, 15<sup>th</sup>, and 16<sup>th</sup> all Council members should have registered with **Holly Gadd**.
2. The wildlife education center is having its ground breaking on September 8<sup>th</sup> at 10:00am. The building is expanding their classrooms to a permanent education facility.
3. On September 20<sup>th</sup> at 5:00 the Council members have their photoshoot to update their current picture.

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4. September 8<sup>th</sup> is the Hyatt open house grand opening from 5:00-7:00pm and the ribbon cutting is on the 9<sup>th</sup> also from 5:00-7:00.
5. He told of the Council Shooting Day tomorrow night September 7<sup>th</sup>. The Chief of the Police requested for the Councils participation.

**Council Member - Brett Anderson**

1. Was elated over the new trail guide book that was passed out. The GPS features will be a great addition. The trail committee worked really hard and did a fantastic job.

**Council Member – Cory Ritz**

1. Would like to set up the microphones and projector screen prior to the invocation and pledge of allegiance in hopes to not distract from what is being said.

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

**ADJOURNMENT**

***Motion:***

At 9:41 p.m., **Doug Anderson** made a motion to adjourn the meeting. **Brigham Mellor** seconded the motion, which was unanimously approved.

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

Posted 10/20/2016