

## FARMINGTON CITY COUNCIL MEETING

Tuesday, May 17, 2011

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### WORK SESSION

*Present: Mayor Scott Harbertson, Council Members John Bilton, Rick Dutson, Cory Ritz, Jim Talbot and Sid Young, City Manager Dave Millheim, Community Developer Director David Petersen, City Engineer Paul Hirst, Intern Erin Vogeler, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey*

**Mayor Harbertson** began the meeting at 6:00 p.m. and welcomed those in attendance. Davis County Commissioners **John Petroff**, **Louenda Downs**, and **Bret Millburn** said they regularly attend City meetings in Davis County to discuss things that are happening in each City and any issues which may arise.

**Mr. Petroff** gave an update of the County's plans for acreage near the Legacy Events Center. They are trying to attract additional uses for the Center--dog shows have been very popular, but horse shows are struggling because of the high costs of hay and gas. They have considered the building of several soccer fields which could be made available for competitive events. They would have four fields east of the Events Center. Their engineers are working on the details. There is a new BMX racing track and a dog park. He said they are currently building a new shop and another set of restrooms with showers which will enhance the Events Center.

**Mayor Harbertson** said the City has discussed the possibility of building two additional soccer fields in the same area which could be used by the County on the weekends, and during the week the fields could be used for the City's soccer program. There was discussion regarding the new Harmon's store and other tenants who will be coming into Station Park this year.

The group discussed the preparations the County has made with regards to potential flooding or other related disasters, and **Mr. Petroff** said the County built a large debris basin in Centerville which removed 200 homes from of the flood plain. Most of these homeowners were spending hundreds of dollars on flood insurance annually. **Ms. Downs** said the County has restored infrastructure, pipes etc. in many areas and are in better shape than they have ever been.

The **Mayor** thanked the County Commissioners for attending the work session, and the Council briefly reviewed the following items:

### Summary Action List

The Council discussed section 15-4-109 (regarding the size of signs) of the Proposed Sign Ordinance Revisions and decided that additional time was needed to determine the exact requirements which should be included.

### Tuscany Village Housing Proposal – Henry Walker Homes

**Dave Millheim** informed the Council that Henry Walker Homes met with the neighbors several times to discuss this proposal and have gone the extra mile to make this work.

## REGULAR SESSION

*Present:* Mayor Scott Harbertson, Council Members John Bilton, Rick Dutson, Cory Ritz, Jim Talbot and Sid Young, City Manager Dave Millheim, Community Developer Director David Petersen, City Engineer Paul Hirst, Intern Erin Vogeler, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey

### CALL TO ORDER:

### Opening Comments/Invocation/Pledge of Allegiance

Mayor Harbertson opened the meeting at 7:00 p.m. and welcomed those in attendance. The invocation was offered by **Dave Millheim**, and the Pledge of Allegiance was led by **Holly Gadd**. Youth City Council Mayor **Emily Welch** and member **Lizzy Welch** were also present.

### Approval of Minutes

**Motion: Sid Young** made a motion to approve the minutes, of the April 28, 2011 City Council Meeting. The motion was seconded by **John Bilton** and approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young**.

**Motion: John Bilton** made a motion to approve the minutes, of the May 3, 2011 City Council Meeting. The motion was seconded by **Cory Ritz** and approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young**.

### PUBLIC HEARINGS:

### Public Hearing: Miscellaneous Subdivision and Zone Text Changes

**David Petersen** reminded the Council that he presented these items for discussion during the May 3, 2011 City Council Meeting. He said Subdivision Ordinance amendments 1 and 2, a portion of Zoning Ordinance amendments (1, 2, 3, 9, and 11), and new zone text regarding a fee in lieu of conservation land dedication are ready to be adopted. However, Zoning Ordinance amendments 4, 5, 6, 7, 8, and 10 require further study by both City staff and the City Attorney, and he suggested that the Council table these amendments.

### Public Hearing

Mayor Harbertson opened the public hearing at 7:20 p.m. There was no one from the public to speak regarding this item, and he closed the public hearing at 7:20 p.m. **David Petersen** said several of the items would be ready by June 7<sup>th</sup>, but others would not be ready until the June 21<sup>st</sup> meeting. The Council requested an addition to section 11-12-068, Fee in Lieu of Conservation Land Dedication, (3) Any amount received by the City in lieu of conservation land dedication shall be set aside solely for open space and/or park acquisition and/or “the development of parks and/or open space.”

**Motion: Sid Young** made a motion to approve the attached enabling ordinance which adopts the circled, or highlighted, paragraphs of the enclosed staff reports regarding Subdivision Ordinance amendments 1 and 2, Zoning Ordinance amendments 1, 2, 3, 9, and 11 and which also enacts new zone text regarding fee in lieu of conservation land dedication (and the amended phrase); and to accept

findings for each item as set forth in the same staff reports, which findings were also recommended by the Planning Commission. The motion was seconded by **Rick Dutson** and approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young**.

**Motion:** **Cory Ritz** made a motion to table the proposed Zoning Ordinance amendments 4, 5, 6, 7, 8, and 10 for further study. **John Bilton** seconded the motion which was approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young**.

## **PRESENTATION OF PETITIONS AND REQUESTS:**

### **Tuscany Village Housing Proposal – Henry Walker Homes**

**Phil Holland**, of Henry Walker Homes (HWH), said he met with the current residents of Tuscany Village and received suggestions from them regarding exterior elements, porches, and garages. He said the attached document represents 100% agreement of the terms from the neighbors, and HWH is excited for the opportunity to move forward and finish this development.

**Mayor Harbertson** and members of the Council expressed appreciation to HWH and the residents in Tuscany Village for their efforts in working together to establish an agreement.

**Motion:** **Rick Dutson** made a motion to authorize staff to only accept building permit applications with the homes as set forth in the attached May 6, 2011 petition, subject to the conditions in the petition and in the original motion of approval by the City, on the remaining lots owned by HWH in the Tuscany Village PUD, and encourage HWH to amend the CC&Rs for the PUD to reflect the same. **Cory Ritz** seconded the motion which was approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young**.

#### **Finding:**

1. This action is taken based on the support of the majority of the residents as shown in the attached petition.

**Dave Millheim** informed the Council that the City cannot require different CC&Rs. He quoted from the document between HWH and Tuscany Village residents: “This document will coincide with the Tuscany Village CC&Rs, and addendum #2 will be drafted to include the preceding conditions.”

### **Appointment of Farmington Trails Committee Members and Officers**

The Farmington Trails Committee (FTC) is a great asset to the City, and the bylaws of the FTC require the City Council to appoint all members and officers.

**Motion:** **Jim Talbot** made a motion to appoint the following individuals:

**Richard Lindsley** – to resign from Seat #5;  
**Dee Winegar** – to complete the 1-year term of **Richard Lindsley**;  
**Bob Murri** – to fill Seat #7 for a 3-year term;  
**John Montgomery** – to fill Seat #8 for a 3-year term;  
**Tracy McCoy** – to fill Seat #9 for a 3-year term;  
**George Chipman** – as Chair for a 1-year term;

**Scott Ogilvie** – as Vice Chair for a 2-year term;  
**Stacey Nielsen** – as Vice Chair for Electronic Information for a 2-year term.

The motion was seconded by **Sid Young** and approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young**.

## SUMMARY ACTION:

### Summary Action List

1. Proposed Sign Ordinance Revisions
2. Second Option Term on Lease of City Facility
3. Ratification of Approvals of Construction & Storm Water Bond Logs

**Motion:** **John Bilton** made a motion to approve items #2 and #3 on the Summary Action List. Item #1 will be revised and reviewed at a later time. **Rick Dutson** seconded the motion which was approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young**.

## NEW BUSINESS:

### Footbridge Repair west of 969 North Compton Road

**Dave Millheim** encouraged the Council to approve the repair of this footbridge and retain the trail as part of the City's trail system. **Carl Parker** from URMMA inspected the footbridge to determine the necessary safety improvements, and following a review of **Mr. Parker's** findings, staff is recommending the following improvements:

1. Grade the approaching path to eliminate unevenness and tripping hazards.
2. Repair the approaching fencing to a reasonable condition.
3. Install new fencing on the east approach from the existing fence to the bridge structure.
4. Raise both approaches with added base material for a smooth transition onto the footbridge.
5. Place new decking material over the existing decking to smooth the surface and eliminate tripping and/or falling through hazards.
6. Repair and tie down any loose areas of chain link fencing on structure.

The cost breakdowns are:

- East side fencing = \$1599 (approximately)
- Bridge resurfacing = 1500 (approximately)
- General materials = 500 (approximately)
  - a. Road base (bringing the east and west side approach flush with the footbridge)
  - b. Material to fill in the washed-out areas
- Man hours are not included in the estimate

**Motion:** **Jim Talbot** made a motion to authorize repairs to the footbridge located west of 969 N. Compton Road, to be paid from the donated Trails Committee funds, not to exceed \$3600 and to direct staff and/or the Trails Committee to install signs regarding the footbridge at the lower end and upper end of this trail. **John Bilton** seconded the motion which was approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young**.

## GOVERNING BODY REPORTS:

### City Manager Report

- There will be a closed meeting tonight to discuss property acquisition and potential litigation.
- Farmington's request for improved signage on I-15 is now a top priority for UDOT, and additional information will be forthcoming.
- Davis County made a proposal regarding its animal control contract with Farmington. Police Chief **Wayne Hansen** is concerned with several issues in the bid structure, and details will be forthcoming.
- He attended a meeting with the U.S. Geological Survey, the National Weather Service, and emergency responders in Davis County. There is significant concern regarding the potential for mudslides and flooding. They asked the Council that he be authorized to inform its residents of the danger and to advise them not to sleep in their basements. The Council agreed that this information should be included in the newsletter and media.

### Mayor Harbertson

- There will be a Town hall meeting on Wed., May 18<sup>th</sup>. **Rick Dutson** will replace **Jim Talbot** who has a conflict.
- The Miss Farmington pageant will be held Saturday, May 21<sup>st</sup> at 7:00 p.m.
- He asked two Council Members to attend a meeting with residents **Gary and Tiffany McCullough** along with two members of the Planning Commission to discuss issues related to their property in the Weber Basin area. **John Bilton** and **Rick Dutson** said they would attend.
- He and **David Petersen** met with **Don Hokanson** to discuss a trail issue--he is willing to work out a trade. **Paul Hirst** plans to determine the location of the existing pipeline and the amount of square footage the City has available.
- He and **Sid Young, Cory Ritz and Dave Millheim** attended a meeting with **Lieutenant Governor Bell, Stuart Adams, Roger Barrus**, the Davis County Commissioners and UDOT representatives to discuss Western Davis Corridor options. Several west Farmington residents made a presentation which provided valuable information.
- He asked **Holly Gadd** to complete and submit the Utah League of Cities and Towns policy nominations for 2012.
- He expressed concern regarding the Old Farm development, and there was a discussion of several issues involved with that area: the possible purchase by Henry Walker Homes, the concerns of neighbors, miscommunication, the size of the proposed homes, and the Benchland Irrigation trunk line which will require major infrastructure renovation.

### John Bilton

- A 12-year-old boy was hit in the face by a ball because of the poor lighting on the field.
- He requested an update on the Alley Rose home, and **Dave Millheim** reported that **David Petersen** met with a consultant several days ago and should have a report at the next meeting.
- He requested that the City Manager and the **Mayor** provide regular updates to the Council regarding County projects. He expressed concern regarding the proposal for soccer fields in west Farmington and said that type of project must be done right. **Dave Millheim** suggested a tour of successful soccer sites and parks in Utah and said **Neil Miller** is in the process of designing a park for west Farmington.

### Rick Dutson

- He was impressed with the residents who came to assist with filling sand bags.

### Cory Ritz

- No comments

### Jim Talbot

- He will be out of town from May 20<sup>th</sup> until June 1<sup>st</sup>.
- He was surprised by the large size of the Station Park signs and suggested that the City establish time limits and a requirement to dim the lights at night.
- He received a suggestion from a resident that Farmington and Kaysville form a partnership to build a new cemetery. The **Mayor** said that would be difficult, and **Dave Millheim** reported that **Neil Miller** is working on some options which will be presented to the Council shortly.

### Sid Young

- He plans to attend a meeting on Monday, May 23<sup>rd</sup> with the U.S. Forest Service regarding the proposed water tank site.
- A resident who owns land near Glovers Lane asked if he could replace the Symphony Homes billboard located on the property. The **Mayor** suggested that he submit a basic design to be reviewed by City staff and the City Council.
- A meeting will be held on Tuesday, May 24<sup>th</sup> with representatives from Garbett Homes.
- He plans to attend the IHC event—**Rick Dutson** also plans to attend.

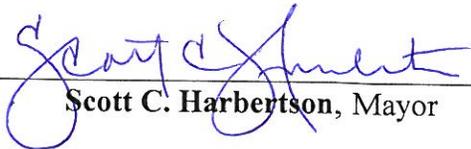
### **CLOSED SESSION**

**Motion:** At 8:50 p.m. **Sid Young** made a motion to adjourn to a closed session to discuss potential property acquisition and potential litigation and/or other reasons permitted by law. The

motion was seconded by **Rick Dutson** and approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young**.

**Sworn Statement**

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

  
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**Scott C. Harbertson**, Mayor

At 9:10 p.m. a motion to reconvene into an open meeting was made by **Cory Ritz** and seconded by **Rick Dutson**. The motion passed with Council Members **Bilton, Dutson, Ritz, Talbot** and **Young** all voting in favor.

**Curb and Gutter on 900 North and 1000 North**

**Dave Millheim** reported on the most recent activity concerning this project and expressed gratitude to **Tammy North** of CRS Engineers for her last-minute assistance with this project.

**Motion: Rick Dutson** made a motion to direct staff to meet with property owner **Todd Baker** to determine if he is willing to donate a portion of his property to create a modified hammer head, to prepare the modified agreements (including amended prices) and to notify each resident that their deposits are due. The motion was seconded by **Cory Ritz** and approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young**.

**ADJOURNMENT**

**Motion: Cory Ritz** made a motion to adjourn the meeting. The motion was seconded by **Rick Dutson** and approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young**. The meeting was adjourned at 9:15 p.m.

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

