

FARMINGTON CITY COUNCIL MEETING

September 17, 2013

WORK SESSION

Present: Mayor Scott Harbertson, Council Members John Bilton, Cory Ritz, Cindy Roybal, and Jim Talbot. City Finance Director Keith Johnson, Community Development Director David Petersen, Parks and Recreation Director Neil Miller, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Council Member Jim Young was excused.

Financial Status of the pre-audited Fiscal Year 2013 General Fund Balances

City Finance Director, **Keith Johnson**, presented details regarding the 2013 General Fund balances. Revenues were \$229,000 more and expenditures were \$254,000 less than the budgeted amounts. The increases in revenue came from franchise fees, energy taxes, and building permits, and every department in the City remained below their budgeted amounts.

David Petersen shared details regarding the four public hearing items on the agenda, and the Council asked questions and discussed various issues related to each item.

REGULAR SESSION

Present: Mayor Scott Harbertson, Council Members John Bilton, Cory Ritz, Cindy Roybal, and Jim Talbot. City Finance Director Keith Johnson, Community Development Director David Petersen, Parks and Recreation Director Neil Miller, City Recorder Holly Gadd, Youth City Council Members Haley VanOverbeck and Liza Hogge, and Recording Secretary Cynthia DeCoursey. Council Member Jim Young was excused.

CALL TO ORDER:

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

Mayor Harbertson welcomed those in attendance and offered the invocation, and the Pledge of Allegiance was led by local Boy Scout **Spencer Shumway** of Troop 283.

REPORTS OF COMMITTEES/MUNICIPAL OFFICERS:

Executive Summary for Planning Commission meetings held August 29, 2013

The Summary was included in the staff report and there were no comments.

PUBLIC HEARINGS:

The **Mayor** moved the Olsen Minor Plat Subdivision item to later in the meeting.

Westwood Cove Schematic Plan

David Petersen said staff is recommending approval of this Plan, and the open space and waiver issues will be handled during the final plat process.

Nick Mingo, 978 E Wood Oak Lane, of Ivory Homes, did not have anything to add but said he would be willing to answer questions.

The Public Hearing opened at 7:10 p.m.

Carl Asay, 850 S 650 W, knew this property would be developed at some point, and he is grateful that Ivory Homes is installing a fence. He expressed concern that future homeowners may not approve of the bodily functions of animals, but he and his wife plan to maintain the rural lifestyle of their farm.

The Public Hearing closed at 7:14 p.m.

John Bilton asked if the fence would be sufficient to hold livestock, and **Nick Mingo** said they plan to install a pre-cast concrete fence which would be appropriate.

Motion:

John Bilton made a motion to approve the Schematic Plan for the Westwood Cove Conservation Subdivision consisting of 7 lots on 4.057 acres and located on the southwest corner of Glover Lane and 650 W in an AE zone, pursuant to recommendations and findings established by the Planning Commission on August 29, 2013 and with two additional conditions that future homeowners are made aware of the farm animals which will be in close proximity and that Ivory Homes install fencing. **Cory Ritz** seconded the motion which was unanimously approved.

Amendment to the City's Zoning Ordinance to allow transfer of Development Rights (TDRs) and Minimum Parcel Size for Conservation Land

David Petersen said this amendment will allow the City to more strategically locate open space for the benefit of the public, including parks, trails, etc. The Planning Commission added new language to the text which has been reviewed by the City Attorney.

The Public Hearing was opened at 7:20 p.m. There were no comments and it was closed.

Cory Ritz asked if there were any remaining parcels larger than 20 acres in the City, **Jim Talbot** asked how the City determines the worth of the property when open space is deferred, and **Cindy Roybal** asked if the property owners near Kaysville and Fruit Heights could get higher density by developing in those cities. **David Petersen** said there are a few larger parcels in west Farmington and two in north Farmington—west of the golf course and north of 1875 North, open space is not always used in a transfer—sometimes it is cash, and the City Council will make the final decision. Finally, he believes property owners would get 1-2 more lots than if they developed in Kaysville and/or Fruit Heights.

Motion:

John Bilton made a motion to adopt the Ordinance amending Section 11-12-110 of the Zoning Ordinance regarding the transfer of development rights/lots (TDR) and enacting Section 11-12-100(h) regarding minimum parcel sizes for conservation land, pursuant to the recommendations and findings approved by the Planning Commission on August 15, 2013. The motion was seconded by **Cindy Roybal** and unanimously approved.

Ordinance Amending the Regulating Plan in Chapter 18 of the Zoning Ordinance

David Petersen said he and his staff have made an effort to provide a street pattern for the mixed use area in west Farmington consistent with the guidelines in Chapter 18. It has been a huge effort, and they have met with each property owner in the process. However, there is a new property owner who has not had a chance to comment, and he asked the Council to continue the public hearing until the October 1, 2013 meeting.

The Public hearing was opened at 7:30 p.m.

Motion:

Cory Ritz made a motion to continue the public hearing until the October 1, 2013 City Council meeting. **Jim Talbot** seconded the motion which was unanimously approved.

NEW BUSINESS:

Discussion for proposed changes to Woodland Park Amplified Sound Special Use Permits

Neil Miller said the City allows 15 special use permits each year in Woodland Park. Eight permits are reserved for the City's summer theater (supervised). Seven are available for the public (unsupervised). Staff is recommending that the following measures be implemented: site supervision, an hourly fee of \$25, a flat fee of \$100, and no amplified sound beyond 10:00 p.m. for the seven public permits. **John Bilton** asked if there is a state statute regarding the decibel levels for amplified sound, and **Neil Miller** said he would research the issue.

Bob Arbuckle, 145 Paracle Circle, said the parents of three young children in his neighborhood had to leave their home one night because the loud music frightened them.

SUMMARY ACTION:

Minute Motion Approving Summary Action List

- Resolution for financing light change-out with Siemens
- Proclamation for Attendance Awareness Month

Motion:

Jim Talbot made a motion to approve both items on the Summary Action List, **John Bilton** seconded it, and it was unanimously approved.

GOVERNING BODY REPORTS

Mayor Scott Harbertson

- He and **John Bilton** will attend the Town Hall meeting on Wed., September 18th.
- He asked the Council to schedule a ribbon-cutting ceremony for the D&RG Trail which is nearing completion. Following a brief discussion, they decided to hold it on October 5th at

10:00 a.m. (pending completion--October 12th is the alternate date). Staff will contact Trails Chairman **George Chipman**, Davis County Commissioner **Louenda Downs**, and Centerville City.

- CenterCal has cancelled the Farmer's Market during the month of October.
- Station Park has several store openings on Saturday, September 21st.

Planned Unit Development (PUD) Overlay and Schematic Plan for Olsen Minor Plat Subdivision (approximately 177 N Main Street)

David Petersen said the existing lots on Main Street are narrow and very deep, and when zoning began in Farmington in the late 1950s, the OTR Zone was established to give the property owners more flexibility. This property is one acre and 500 feet deep, but only one home is allowed on the lot because of frontage constraints. The developer would like to preserve the existing home and build another home behind it. Staff would like the driveway to remain subtle and will work with the Fire Department to determine the width.

Jerry Preston, 347 E 100 N, said there is currently a common driveway with the neighbors to the south, and they are fine with this proposal. He has always wanted to restore an old home, and he and his wife plan to live there.

Public Hearing opened at 7:55 p.m.

Adam Leishman, 254 E 200 S, Lagoon representative, said they entered into an agreement with Farmington City approximately 20 years ago to set limits for the property and land use on the east side of Lagoon and to create a buffer zone. Lagoon agreed not to develop east of that area, and Farmington agreed not to allow any development west of that area. If this second home is approved, it would nullify the agreement. He asked the City to seek an alternative option for this property and stated that Lagoon opposes this Plan.

The Public Hearing closed at 7:58 p.m.

The **Mayor** agreed that a buffer zone was created, but it was designated from 300 North to the north, and **David Petersen** said he would check the agreement. **Cory Ritz** said the phrase “the owner of the property to the west” should be included on 3b of the staff report. **John Bilton** suggested locating the second home closer to the original home. **Cindy Roybal** said the City needs to be sensitive to Lagoon’s needs and asked how that could be accomplished. She also thanked the developer for his plans to restore this old home. **David Petersen** said the reason they are doing a PUD is it allows the developer to deviate from the standards of the underlying zone. **Jerry Preston** said he has lived in Farmington for 25 years will be happy to work with Lagoon. He plans to live in the front home and his son will live in the home on the back of the lot. He agreed to include language related to Lagoon’s concerns in the CC&Rs.

Motion:

Jim Talbot made a motion to table action on this item until the next City Council meeting on October 1, 2013 to allow the developer and City staff additional time to meet with property

owners and to review the agreement with Lagoon and the trail component. **John Bilton** seconded the motion which was unanimously approved.

City Finance Director/Assistant City Manager Keith Johnson

- The cost of micro-surfacing Park Lane was \$237,000 which was \$47,000 more than the City Engineer's estimate of \$190,000.
- The 5th South Street will be closed on Saturday from 7:00 a.m. until 5:00 p.m. to remove the railroad tracks.

City Council

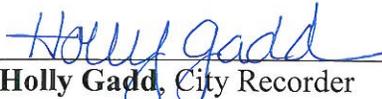
Jim Talbot

- He received an email from resident **Susan Martel** who asked if the City would consider green waste collection. Following a brief discussion, the Council decided that not enough residents would want to store an additional waste receptacle.
- He has continued to receive many phone calls regarding the home at 1461 Walker Lane. **Chief Hansen** has finally spoken with the resident who does not seem to care. There is a new owner who wants to work with the City. There may be action taken on Wednesday, and the City Manager is working on the ordinance dealing with this type of issue.

ADJOURNMENT

Motion:

John Bilton made a motion to adjourn the meeting which was seconded by **Cory Ritz** and unanimously approved. The meeting was adjourned at 8:40 p.m.



Holly Gadd, City Recorder
Farmington City Corporation

