

**FARMINGTON CITY COUNCIL MEETING**  
November 20, 2012

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**WORK SESSION**

*Present: Mayor Scott Harbertson, Council Members Nelsen Michaelson, Cory Ritz, Jim Talbot, and Jim Young, City Manager Dave Millheim, Finance Director Keith Johnson, Community Development Director David Petersen, Assistant City Planner Christy Alexander, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Council Member John Bilton was excused.*

**Mayor Harbertson** welcomed those in attendance, and the following items were discussed:

**Scenic Byway Overlay Electronic Message Sign Ordinance**

**David Petersen** discovered that the notice for this item was not sent to the sign companies, and he recommended that the Council open the public hearing and continue it until the December 4, 2012 meeting.

**Summary Action List**

The **Mayor** said Item 6, the Tom Owens Agreement regarding a fence issue, needs to be removed from the Summary Action List.

**Traffic Safety Improvements at the Intersection of 1075 West Shepard Lane**

The City has received numerous emails and calls from residents with both motorist and pedestrian concerns at this intersection. The Traffic Engineer said there are not enough warrants to install a stop light, and he did not recommend a 4-way stop. Staff feels that crosswalks will heighten vehicle and pedestrian awareness, and the Council discussed various alternatives including reflectors, speed bumps, and patterned concrete.

**City Manager – Dave Millheim**

1. Upcoming Agenda Items
2. Building Activity Report for October
3. Public Comment Form
4. Public Hearing Comments
5. Police & Fire Monthly Activity Reports for October
6. STIP (Statewide Transportation Improvement Program)

Items 1-5 were included in the staff report. There was a brief discussion regarding public hearings and comments, and the City Manager said the application for STIP funds (for improvements on North Main) was submitted.

**REGULAR SESSION**

*Present: Mayor Scott Harbertson, Council Members Nelsen Michaelson, Cory Ritz, Jim Talbot, and Jim Young, City Manager Dave Millheim, Community Development Director David Petersen, Assistant City Planner Christy Alexander, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Council Member John Bilton was excused. Youth City Council Members Calvin Barnett and Austin Lemon were also in attendance.*

**CALL TO ORDER:**

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

**Jim Young** offered the opening prayer, and Boy Scout **Wesley Mattinson** of Troop 1698 led the Pledge of Allegiance. **Mayor Harbertson** welcomed State Legislator **Roger Barrus** and additional members of the Youth City Council.

**REPORTS OF COMMITTEES/MUNICIPAL OFFICERS:**

**Executive Summary for Planning Commission meeting held November 1, 2012**

There were no comments and/or questions regarding the meeting.

**Presentation of Award for “Certified Municipal Clerk” to City Recorder Holly Gadd**

**Tracy Norr**, President of the Utah Municipal Clerks Association, and **Kim Read**, President of the Davis/Morgan/Weber Municipal Clerks Association presented this Award. **Dave Millheim** praised **Holly** for taking the initiative to earn this Award.

**Introduction of new Firefighters/Recognition of Fire Department Members by Chief Smith and the Administration of Oath of Office**

**Chief Smith** introduced the new firefighters, **Holly Gadd** administered the Oath of Office, and various firefighters were recognized for in-service and academy training (a list is attached to the minutes).

**Report from UDOT Official regarding the West Davis Corridor**

**Randy Jefferies** stated that UDOT has not made a final decision, and they have no preference at this point in the process. Another draft EIS will be presented in the spring of 2013, and a public hearing will be held. The final decision will be made in the spring of 2014. He reported that several months ago UDOT decided to obtain additional information regarding the wetlands. They studied both water and vegetation and then studied the soil. More than 500 test holes were drilled, and after reviewing the results, UDOT made several changes to the potential alignment of the WDC. UDOT will continue to work with residents to share information and obtain feedback.

There was discussion regarding grades, elevations, flyovers, proposed costs, and access points. **Jim Talbot** commended UDOT for its efforts regarding this issue. The City Manager drafted a formal letter stating the City's position regarding the new alignment (attached to the minutes), and he encouraged the public to be involved. **Mr. Jefferies** said UDOT appreciates input from the public and will continue to work with residents to share information and obtain feedback. Councilmen **Ritz** and **Young** expressed concern about potential conflicts of interest by parties involved in the decision making process or influencing the process.

## **PUBLIC HEARINGS:**

### **Scenic Byway Overlay Electronic Message Sign Ordinance**

*The Public Hearing was opened at 8:07 p.m.*

No one wanted to speak at that time.

#### *Motion:*

**Jim Talbot** made a motion to continue the Public Hearing until the December 4, 2012 City Council Meeting due to improper notification to the sign companies. The motion was seconded by **Nelsen Michaelson** and approved by Council Members **Michaelson**, **Ritz**, **Talbot** and **Young**.

### **Alternative Review Process for Approval of a Supplementary "Additional Project Master Plan" for Park Lane Commons**

**Christy Alexander** said the City hired a consultant several years ago to create a Regulating Plan for this transit mixed use area, and this proposal deviates from the Plan with respect to setbacks, parking, and a drive-through lane. Although Section 114 allows some flexibility, Staff feels that the proposal does not encourage a pedestrian-oriented atmosphere. They would like to see more detailed landscaping, screening, and lighting as well as a Master Plan for the entire development. The Planning Commission voted against the proposal.

**Scott Harwood**, 33 S. Shadow Breeze Circle, Kaysville, said The Haws Companies (THC) has been involved with this area for more than 20 years and have a huge interest in its success. He reviewed 12 key points included in a letter to the City dated November 6, 2012. He introduced **Doug Thimm** and **David Abraham** from Architectural Nexus and engineer **Farley Eskelson** from McDonalds and said they have created a unique plan which will bring energy to the area. He stated that several of the points made by staff are simply not practical.

**Doug Thimm** and **David Abraham**, Architectural Nexus, displayed a map of the City's Regulating Plan which is essentially the Project Master Plan (PMP) for the entire area. Their proposal is consistent with Farmington City's General Plan and zoning codes, it meets the development standards of the TOD, and it establishes a mix of uses and multi-modal circulation and transportation features.

*The Public Hearing was opened at 8:40 p.m.*

**Brad Bowen**, 161 Point of View Circle, lives 1½ miles southeast of this site and said the reason the site plan does not conform to the PMP is because a PMP was never submitted. He is a business and real estate attorney, and he believes that “compromise”, “sustainability”, and “flexibility” are code words for a developer to make money immediately. The developer has not complied with the City’s Zoning Ordinance, and the key is what the City wants, not what the developer wants. The City needs compliance rather than compromise.

**David Stringfellow**, 2068 Sharpshooter Court, said his wife loves McDonalds, and he drives by this development every day. His concern is that when he exits the freeway he will not be able to make a left turn into the McDonalds.

*The Public Hearing was closed at 8:45 p.m.*

**Jim Talbot** said the presentation was well done, but because Staff’s comments were so aggressive, he would like to address their concerns. He asked the Haws Companies if they have an overall master plan and what was accomplished during the Site Plan and Architectural Review Committee (SPARC) meetings.

**Scott Harwood** said they have always had a master plan, and they felt great progress and cooperation was achieved during the SPARC meetings. **Rich Haws** said the Road Agreement which was previously approved between THC and the City is the PMP. This proposal meets the five parts of Section 114, and this is the first time they have heard these comments from staff.

**Nelsen Michaelson** believes the market will dictate and drive this development. He reviewed this proposal in detail and said he did not find any significant problems with the plan. It complies with the City’s requirements, and it is only a small piece of the entire project. He is in favor of approving this contingent upon receiving a PMP for the 72 acres.

**Cory Ritz** agreed with some of the points made by staff and the developer and said there is a need for flexibility on both sides. The unanswered questions should be properly addressed, both attorneys should review the plan, and the Council should hear the comments of Council Member **John Bilton** who was unable to attend tonight’s meeting.

**Jim Young** said the City Manager’s letter gave a balanced analysis which contrasts somewhat with the comments made by planning staff. He is disturbed that the City seems to be behind the curve on this issue, and he asked if the City has a PMP for the additional acreage or not, and if not, why? He was prepared to approve this project because there are no huge, egregious deviations, and he likes the setbacks, the architectural features, the open space and landscaping, the contemporary tower, and the synergy this development will generate. He feels it is a good use for an awkward piece of property.

**David Petersen** asked the Council to decide if they want form based zoning and what kind of precedent this would set. The Development Agreement clearly states that a PMP is required for the entire 72 acres, and it may be important to obtain legal counsel.

**Dave Millheim** pointed out that a project master plan can be a blessing and a curse, but there are three issues that need to be addressed: (1) the definition of the PMP and how much detail the Council wants to require; (2) this is not about McDonalds—the Council needs to decide if it wants mixed use; and (3) he strongly recommended that the Council not deny the application because it sends the wrong message.

**Rich Haws** said they have been working on this proposal for more than a year with City staff, and tonight is the first time staff has said that THC did not meet the requirements in the Road Agreement. He was offended and embarrassed by the actions of City staff.

***Motion:***

**Jim Young** made a motion to invoke the alternative review process and approve the supplementary “additional PMP” for Park Lane Commons contingent on a favorable opinion from the City Attorney that the 33-acre PMP is sufficient for purposes of this supplemental development agreement. **Nelsen Michaelson** suggested an amendment to the motion that both attorneys review the proposal and that a full 72-acre PMP be required so that any other development that comes forward will be within that PMP. There was no second to the original motion or the amended motion, and both motions died for lack of a second.

***Motion:***

**Cory Ritz** made a motion to table the request for approval of a supplementary “Additional Project Master Plan” for Park Lane Commons to allow time for additional review of the PMP and to receive a legal opinion from the City Attorney and input from the SPARC. The request will be reviewed again during the December 4, 2012 City Council Meeting. The motion was seconded by **Jim Talbot** and approved by Council Members **Michaelson, Ritz, and Talbot**. Council Member **Jim Young** voted against the motion.

**PRESENTATION OF PETITIONS AND REQUESTS:**

**Traffic Safety Improvements at the Intersection of 1075 West Shepard Lane**

**Chief Hansen** provided details in the staff report.

***Motion:***

**Nelsen Michaelson** made a motion to approve Option #2 which includes the installation of painted crosswalks with signage and flags on all four legs of the 1075 West Shepard Lane intersection. This will address pedestrian but not vehicle concerns, and the City will continue to monitor the situation. **Jim Talbot** seconded the motion which was approved by Council Members **Michaelson, Ritz, Talbot and Young**.

**SUMMARY ACTION:**

**Summary Action List**

1. Approval of Minutes from October 16, 2012 and Retreat Minutes
2. Ratification of Approvals of Storm Water Bond Logs
3. Improvements Agreements for Spring Creek Subdivision
4. Resolution regarding Utah Retirement Systems “pick up” of Member contributions for eligible employees
5. Agreement for Medical Control Physician
6. Tom Owens Agreement regarding Fence Issue
7. Wood Lot Line Adjustments – Modification No. 2
8. Swain/Wilcox/Shepard Ridge Enterprises, LC Lot Line Adjustment Request
9. Resolution Adopting Standard Operating Procedures regarding Storm Water
10. Replacement Notice for Council Vacancy and Approval of Recruitment Process
11. Minor Plat for the Bray Amended Subdivision

***Motion:***

**Jim Talbot** made a motion to approve items 1-5, eliminate item 6, and approve items 7-11. The motion was seconded by **Nelsen Michaelson** and approved by Council Members **Michaelson, Ritz, Talbot and Young**.

**GOVERNING BODY REPORTS**

**City Manager – Dave Millheim**

He expressed appreciation to Council Member **Nelsen Michaelson** for his efforts on the City Council and wished him well with his new job.

**Mayor – Scott Harbertson**

- He referred to a letter of appreciation from resident **Ruth Gatrell** which was included in the staff report.
- He thanked **Dave Millheim** for his efforts to organize the City Council retreat.
- He attended the Safe Harbor fundraiser which raised money for an important cause.
- The La Roca Soccer Club is looking for field space for games (1300-1400 soccer players). They asked if they can use the Davis School District fields on Mondays and Saturdays (the City uses the fields on Tuesday, Wednesday, and Thursday nights). **Neil Miller** provided them with some information and will prepare an agreement.

**City Council**

***Nelsen Michaelson***

- He expressed appreciation to each of the Council Members and to City staff and said he has learned a great deal through this experience.

- He is concerned about school children who cross streets where they are no marked crosswalks or crossing guards.

***Jim Talbot***

- He submitted a letter presented to **Mayor Harbertson** written by **Connor Cook** who was involved in an incident with golf balls and damage to property. As part of the restitution, the judge required a letter of apology to the City.

***Cory Ritz***

- He asked why Davis County was not required to install sidewalks along 1100 West near the Legacy Center and if they would be required to do so at some point.
- He requested that **Ken Klinker** inspect the area along 1100 West and 475 South to determine if Symphony Homes constructed the proper drainage.
- In October Utah had 5 human cases of the West Nile Virus and one death. The nation had 5,054 human cases and 228 deaths (3969 cases and 163 deaths in the month of October). The Mosquito Abatement District sprayed 644,000 acres in 2012.

***Jim Young***

- He said it will be difficult to replace **Nelsen Michaelson** and wished him well. He is grateful that the City Council has mutual respect for one another that transcends the differences they may have.
- **Cal Ferrin** is worried about his 60-year-old water line which is located on private property. They City told him they would help him relocate the water line on a public right of way. **Dave Millheim** said he will check into the issue.

**ADJOURNMENT**

***Motion:***

**Cory Ritz** made a motion to adjourn the meeting. The motion was seconded by **Jim Talbot** and approved by Council Members **Michaelson, Ritz, Talbot** and **Young**. The meeting was adjourned at 10:30 p.m.

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



TO BE SWORN:

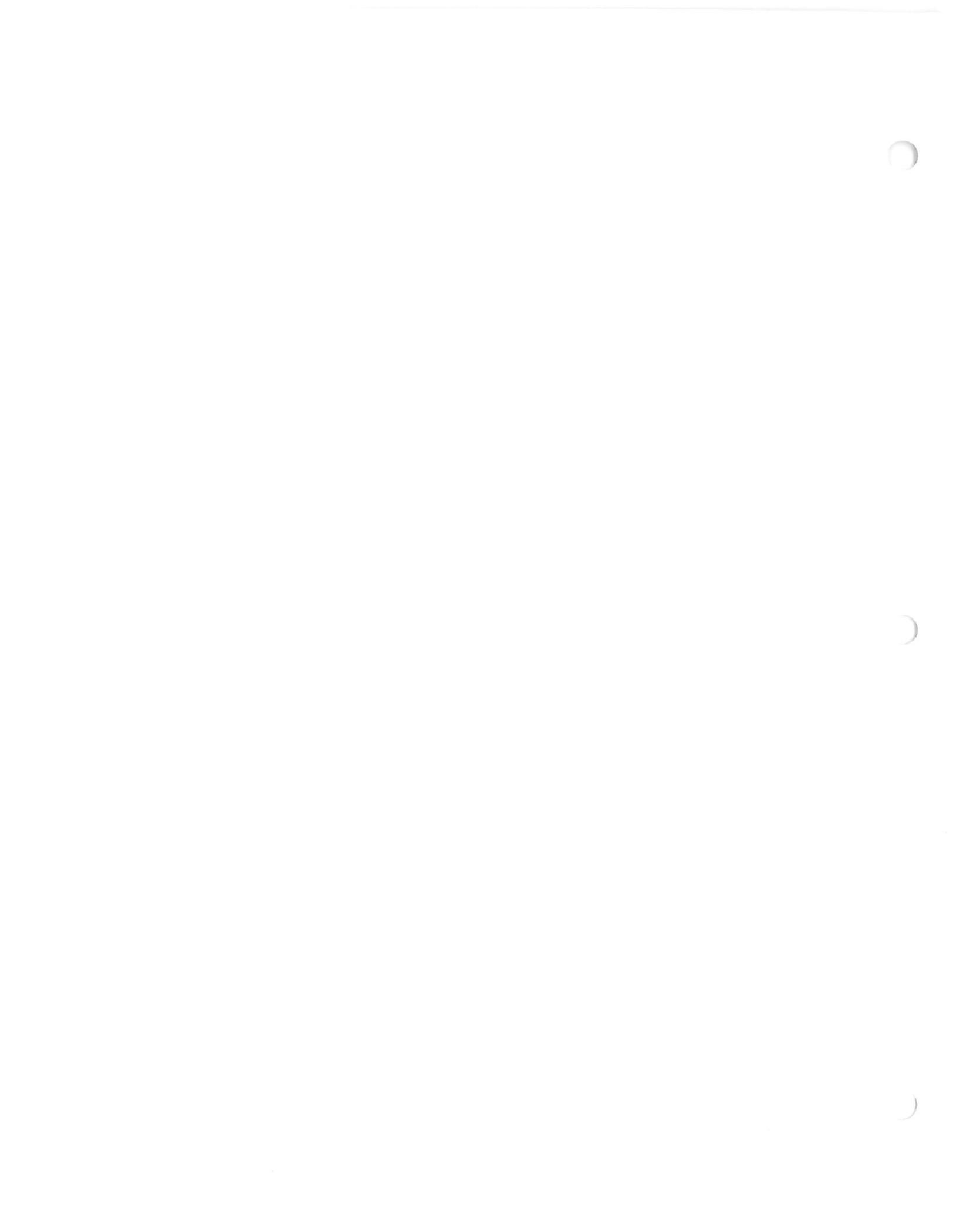
1. Probationary AMB. Tech. Jason Hastings (Starting Nov. 12, 2012)
2. Probationary AMB. Tech. Andrew Kimber
3. Probationary FF/EMT Sarah Mojazza
4. Probationary FF/EMT Lyndsay Workman
5. Probationary FF/EMT Kasey Adams
6. Probationary FF/EMT Brandon Supinger
7. Probationary FF/EMT Chris Winter
8. FF/EMT Denise Vickers
9. FF/EMT Ryan Royall
10. FF/EMT Taylor Jenkins
11. FF/EMT Chad Higley
12. FF/EMT Carson Niederhauser
13. Engineer Gale Waters
14. Engineer Spencer Gregory
15. Engineer Todd Smith

NEW HIRE PROBATION COMPLETION:

1. FF/EMT Ryan Royall
2. FF/EMT Denise Vickers
3. Engineer Gale Waters
4. Engineer Gregory Spencer
5. Engineer Todd Smith

ENGINEER RECOGNITION:

1. Greg Jones
2. Kori Taylor
3. Roger Leuba
4. Jeremy Everts
5. Matt Robinson
6. Jay Barnum
7. Spencer Gregory
8. Todd Smith
9. Gayle Waters



# WEST DAVIS CORRIDOR

## ENVIRONMENTAL STUDY UPDATE – FALL 2012

The Utah Department of Transportation (UDOT), in cooperation with the Federal Highway Administration (FHWA), is preparing an Environmental Impact Statement (EIS) for a potential transportation corridor in western Davis and Weber counties.

During the past year, the West Davis Corridor Study Team has evaluated feedback provided by residents, farmers, cities, counties, state and federal resource agencies and other interested groups.

In an effort to be as thorough as possible, the West Davis Corridor Study Team has studied and refined the proposed alternatives in greater detail, with the goal of finding a transportation solution that will benefit western Davis and Weber counties.

A map of the refined alternatives is included on the back of this handout and on the study website, [udot.utah.gov/westdavis](http://udot.utah.gov/westdavis).

No final decisions have been made. The refined alternatives are another step in the process; alignments can still change until a final alternative is selected at the end of the study in 2014.

In the coming months, the West Davis Corridor Study Team will continue to study and analyze these alternatives as the Draft EIS is prepared. The Draft EIS is expected to be completed in spring 2013, after which public hearings will be held to receive additional feedback from the public.

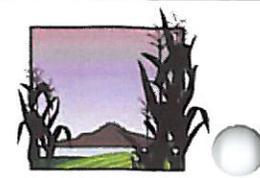
A Record of Decision from FHWA is not expected until the completion of the study in 2014.

For a copy of the refined alternatives maps, visit [udot.utah.gov/westdavis](http://udot.utah.gov/westdavis) or call **877-298-1991**. If you have questions or would like to provide additional feedback regarding the study, call **877-298-1991**, email [westdavis@utah.gov](mailto:westdavis@utah.gov), or use the online comment form at [udot.utah.gov/westdavis](http://udot.utah.gov/westdavis).

### EIS PROCESS & SCHEDULE



WEST DAVIS  
CORRIDOR

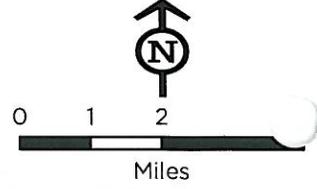
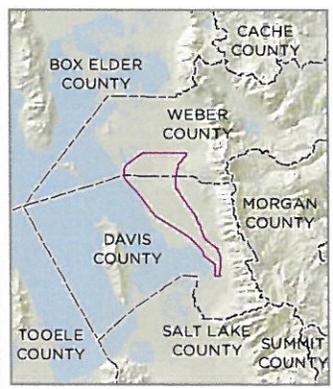
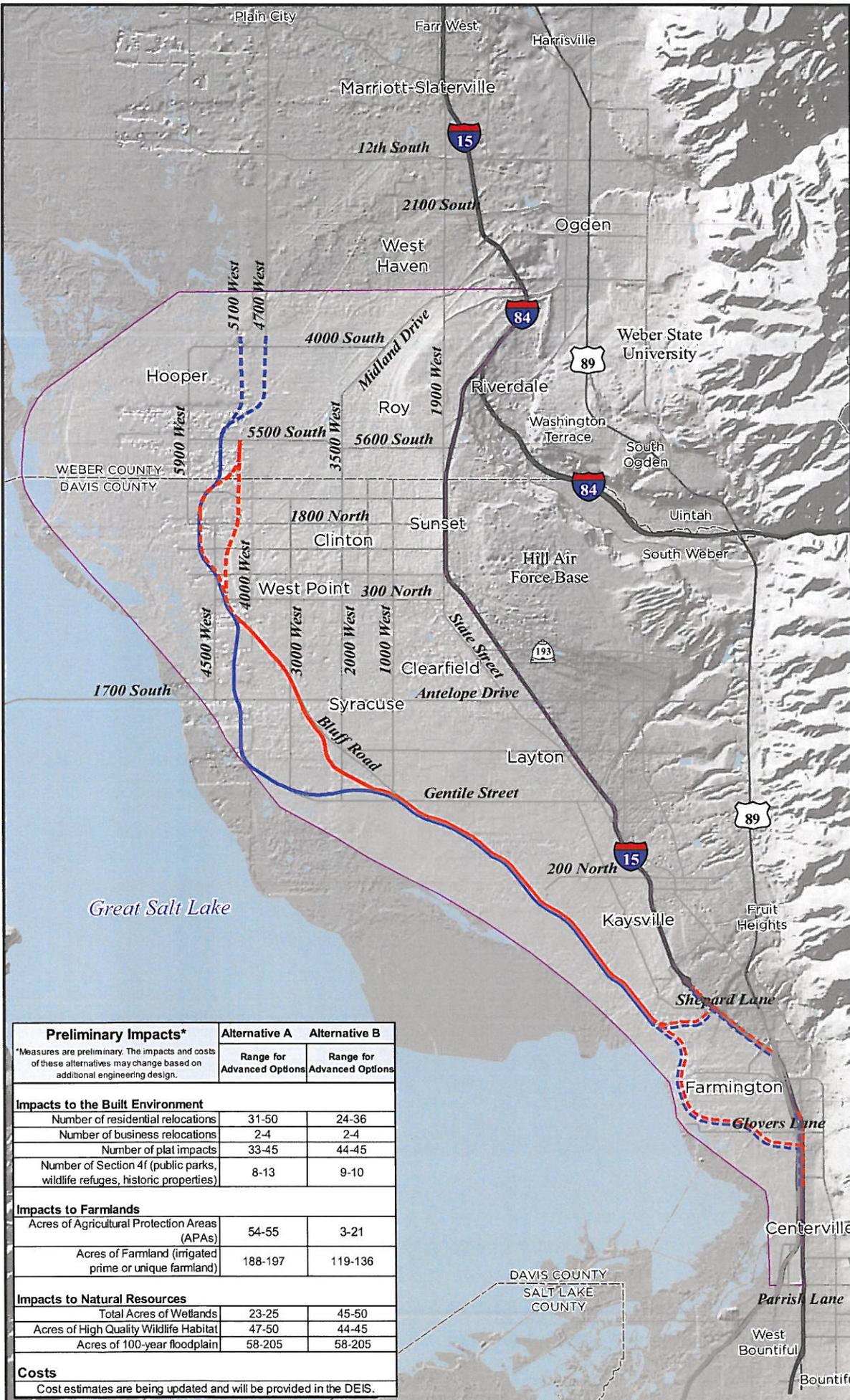


# WEST DAVIS CORRIDOR

ENVIRONMENTAL IMPACT STATEMENT

## Legend

- Alternative A
- - - Alternative A Options
- Alternative B
- - - Alternative B Options
- FrontRunner
- Highway/Interstate
- US Highway
- State Road
- Study Area Boundary
- County Boundary



Preliminary Impacts*	Alternative A	Alternative B
	Range for Advanced Options	Range for Advanced Options
<b>Impacts to the Built Environment</b>		
Number of residential relocations	31-50	24-36
Number of business relocations	2-4	2-4
Number of plat impacts	33-45	44-45
Number of Section 4f (public parks, wildlife refuges, historic properties)	8-13	9-10
<b>Impacts to Farmlands</b>		
Acres of Agricultural Protection Areas (APAs)	54-55	3-21
Acres of Farmland (irrigated prime or unique farmland)	188-197	119-136
<b>Impacts to Natural Resources</b>		
Total Acres of Wetlands	23-25	45-50
Acres of High Quality Wildlife Habitat	47-50	44-45
Acres of 100-year floodplain	58-205	58-205
<b>Costs</b>		
Cost estimates are being updated and will be provided in the DEIS.		

**Alternatives Advanced to Draft EIS**