

# FARMINGTON CITY COUNCIL MEETING

Tuesday, February 18, 2014

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## WORK SESSION

*Present: Mayor Jim Talbot, Council Members Doug Anderson, John Bilton, Brigham Mellor, Cory Ritz and Jim Young, City Manager Dave Millheim, Finance Director Keith Johnson, City Engineer Chad Boshell, Development Director David Petersen, Associate Planner Eric Anderson, Parks & Recreation Director Neil Miller, Public Works Director Walt Hokanson, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey*

### Ivory Homes – Schematic Plan approval for Brentwood Estates located on 13.82 acres of property at approximately 437 W and 1400 N

**Dave Millheim** said the developer revised the Plan and added a connection to 1400 N. The Council discussed related issues, including traffic issues, emergency access, the street layout, and the steep terrain of the property.

### D&RG Clark Lane Storm Drain Project

**Dave Millheim** said the City is in the process of installing a storm drain line that crosses Clark Lane and the D&RG rail trail. UTA would not allow the line to cross their right of way, so the project has been redesigned and will require additional pipe. The original cost was \$53,235, and the new proposal is \$145,124.25.

### Expansion of City Shop and Storage Facilities

**Keith Johnson** reported that additional office and storage space is needed at the Parks & Recreation/Public Works Building. **Dave Dixon** was the architect for the existing structures, and he has determined an approximate cost of \$820,000 to construct an addition to the building and a second storage unit. Staff would like permission to obtain bids within the next few weeks.

### Financial Forecast

**Keith Johnson** presented various worksheets and graphs reflecting General Fund balances with Fiscal Year 2013 audited balances placed in the financial forecast.

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## REGULAR SESSION

*Present: Mayor Jim Talbot, Council Members Doug Anderson, John Bilton, Brigham Mellor, Cory Ritz and Jim Young, City Manager Dave Millheim, Finance Director Keith Johnson, City Engineer Chad Boshell, Development Director David Petersen, Associate Planner Eric Anderson, Parks & Recreation Director Neil Miller, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey*

**CALL TO ORDER:**

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

The invocation was offered by **John Bilton**, and the Pledge was led by local Boy Scout **Aaron Lee** of Troop 1116.

**REPORTS OF COMMITTEES/MUNICIPAL OFFICERS:**

**Executive Summary for Planning Commission meeting held February 6, 2014**

**Eric Anderson** reported that the Commission recommended approval of a 5-lot minor subdivision and various changes to the Zoning and Subdivision Ordinance. They also tabled action on a 10-lot subdivision to allow sufficient time to solve storm-water issues.

**PUBLIC HEARINGS:**

**Ivory Homes – Schematic Plan approval for Brentwood Estates located on 13.82 acres of property at approximately 437 W and 1400 N**

**Eric Anderson** shared background information regarding this revised Plan which added a connection to 1400 N. The developer will be required to provide a grading plan, a drainage/erosion control plan, geology report, and a fire protection plan prior to preliminary plat approval. Developer **Nick Mingo**, 978 E Woodoak Lane, said he would answer any questions.

**Public Hearing:**

**Mayor Talbot** opened the Public Hearing at 7:20 p.m.

**Lucas Graybeel**, 1400 N, is from a small town in Missouri and moved to Farmington in 2008. He lives in Los Angeles part time and returns to Farmington because it is peaceful and private. He is upset about this development and knows it cannot be stopped, but he does not want 1400 N to change.

**David Mulholland**, 434 Welling Way, thanked staff and the City Council for their efforts and said he would like for all of the construction traffic to use the 1300 N route.

**Coty Erickson**, 511 W 1400 N, lives just west of the proposed access. People drive too fast on 1400 N, and she cannot imagine what will happen when 20 new homes are built. They added large rocks to their front yard to help protect their three children. During snowstorms many cars cannot make it up the steep road. Icy sidewalks are a huge concern, and the retaining walls will make it worse.

**Kris Kaufman**, 1734 N Compton Road, spoke on behalf of the Planning Commission (PC) and Chairman **Brett Andersen** and said they would like the opportunity to vet these kinds of issues. He understands the concerns on Welling Way and Cherry Blossom, but this new access will empty out onto one of the steepest roads in the City. The PC determined that a second access was not needed, and he asked the Council to approve the first plan or send this plan back to the PC for further study.

**Tom Cronen**, 452 Welling Way, is happy that Ivory Homes is developing this property and is in favor of the proposal.

**Steve Young**, 1434 N Bennett Circle, said that 8-10 very specific safety concerns were mentioned at the previous meeting. 1400 N is already a concern, and this access will help and not hinder, and he asked the Council to approve this plan.

**Chris Parr**, 297 Grandview Court, said 1400 N is the most dangerous way to descend the hill, and cars are unable to stop on snowy days. No one wants more traffic in their neighborhood, but there must be a balance.

**Olga Ruinoff**, 1722 Compton Road, built a home on N Compton and crashed her car at the base of 1400 N which is a very steep road. There will be more accidents there because it is difficult to slow down when it is icy.

**Melissa Garr**, Primrose Court, informed the Council that children who live in this area are not bused to the elementary school—they ride bikes or scooters or walk, and there is no sidewalk on one side of the street. The 10-foot walls will be on the sidewalk side and will block the sun and be covered with ice which will not be safe for the children.

**Tom Speer**, 1409 Bennett Circle, understands the concerns of residents in this area and asked if plowing and salting 1400 N could be a higher priority. He suggested that Ivory Homes build a theme park on the property that would be closed during the winter.

**Mayor Talbot** closed the Public Hearing at 7:45 p.m. and said plowing steep roads, safety, and emergency accesses are always top priorities. Most of the public comments made during the Feb. 4<sup>th</sup> meeting were in favor of a second access, so the developer added this access. **John Bilton** said an important point was made at the previous meeting—350 days of the year 1400 N is clear. He asked where the construction truck route would be and how the blind spot/icy sidewalk issues would be addressed. **David Petersen** said the developer will obtain a truck haul route permit, and staff will recommend using 1400 N as the truck haul route. **Chad Boshell** said Great Basin Engineering designed the 8-foot wall which will extend from the south corner of the property to 1400 N. He will recommend that they lower the curb and gutter in a certain section to make the road less steep. The retaining wall ends prior to the intersection, so the sight distance from the proposed stop sign will be fine. **Cory Ritz** said the poor quality of the Cherry Blossom access almost demands that this second access be approved. He suggested additional speed signs, flashing lights, and more aggressive speed enforcement. **Brigham Mellor** was on the Planning Commission when the first proposal was reviewed, and although the initial thought was that the access would be too steep, residents wanted another access, and he feels that due diligence was done.

**Motion:**

**John Bilton** made a motion to approve the Schematic Plan for the Brentwood Estates Conservation Subdivision, subject to all applicable Farmington City ordinances and development standards, including conditions a-k (with a change to letter g: “Construction vehicles shall be funneled through 1400 N during construction”) and findings 1-5 as listed in the staff report. **Cory Ritz** seconded the motion which was unanimously approved.

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

### **Recognition of Brigham Mellor**

**Mayor Talbot** commended **Brigham Mellor** for 2 years of service on the Farmington City Planning Commission.

### **TDR Sending and Receiving Zone(s) Ordinance**

**David Petersen** reviewed the general idea of the proposed TDR Ordinance and said the Council will need to decide, on a case-by-case basis, the density right associated with the sending zone and designate a receiving zone. In this case which encompasses the regional park, staff is recommending 4 dwelling units per acre which would match an LR zone designation. **John Bilton** questioned the term “sole discretion” of the City and asked if the decision will still be at the City’s sole discretion once several TDRs have been done and unintended consequences have occurred. **David Petersen** pointed out that amending the Ordinance is a legislative act, but a TDR is administrative—with an actual contract—so the value may change based on various factors such as the economy. **Dave Millheim** agreed and said the language was included to give the City the option to say no.

#### **Motion:**

**Cory Ritz** made a motion to approve the Ordinance designating sending and receiving zones pursuant to Section 11-12-110 of the Farmington City Zoning Ordinance to direct staff to draft an agreement whereby additional lots (on paper) will be transferred from the regional park and added to the open space from the Meadow View subdivision (via a cash payment) which will be transferred to the regional park. **Jim Young** seconded the motion which was unanimously approved.

### **D&RG Clark Lane Storm Drain Project**

#### **Motion:**

**Brigham Mellor** made a motion to award the bid of the D&RG Clark Lane Storm Drain Project in the amount of \$145,124.25 to Kapp Construction to be paid from Account #54-402650. The motion was seconded by **Doug Anderson** and unanimously approved.

### **Expansion of City Shop and Storage Facilities**

**Keith Johnson** stated that an additional storage unit and expansion of the building will cost approximately \$820,000 and will be paid for with water, sewer, garbage and storm drain funds.

#### **Motion:**

**Jim Young** made a motion to approve the expansion of the City Shop facility and the funding plan which authorizes the use of \$820,000 from various utility funds.

## **Financial Update**

City Finance Director **Keith Johnson** presented financial information related to the City's financial forecast. Graphs showed projections regarding the general fund balances, revenues and expenditures, a 10-year general fund forecast, a sales tax forecast, changes in net assets and the debt per capita. This type of financial forecasting allows the city to see trends and pinpoint areas of growth. **John Bilton** noted that the money which was previously spent in other communities is now being spent in Farmington which has resulted in a significant drop in the debt per capita. **Mayor Talbot** thanked City employees for their efforts.

## **SUMMARY ACTION**

### **Summary Action List**

1. Approval of Minutes from February 4, 2014
2. Amendment to Consolidated Fee Schedule regarding Swim Lesson fees
3. Resolution adopting the Storm Water Master Plan
4. Ratification of Approval of the Storm Water Bond log

**Dave Millheim** recommended that the Council table item #3 and appoint two Council members to serve on a committee to address concerns raised by residents in west Farmington. **Cory Ritz** and **Brigham Millheim** agreed to serve.

### **Motion:**

**John Bilton** made a motion to approve items #1, #2, and #4 and to table item #3. **Brigham Mellor** seconded the motion which was unanimously approved.

## **DISCUSSION ITEMS:**

### **Discussion of possible Zone Text Amendments**

**David Petersen** gave a summary of the ten possible Zone Text amendments. The Council discussed several related issues and will review and approve the amendments on March 4, 2014.

### **Flag Lots**

**Eric Anderson** requested opinions from the Council regarding whether or not the City should allow flag lots and if the existing Ordinance is sufficient or if it needs to be rewritten with stricter standards. **Dave Millheim** said several points need to be clarified: for example, the existing ordinance does not state that all buildings must be placed on the flag portion only. **Jim Young** said he would like to allow flag lots, but he is in favor of tightening the ordinance. **Cory Ritz** agreed and pointed out that when there are 2 flag lots there should be a provision for the stem to be wider. The Council directed staff to move forward with the amendments.

### **Noticing Policies for Public Meetings**

**Eric Anderson** said there has been some concern regarding this the City's noticing policy. He referred to the current procedures as listed in the staff report and said the placement of a sign on the subject property would be an additional way to inform the public.

**Wendy Rasmussen**, 1233 W 175 S, said when the Henry Walker Homes development on 1100 W Clark Lane was being discussed, her neighborhood was not close enough to receive notices, and even if the area had been increased to 500 feet they would not have received notices. She would like the City to make public meeting information more accessible and to post signs.

The Council agreed with the comments, and **Mayor Talbot** requested that the new procedure of posting signs be implemented as soon as possible.

Motion:

**John Bilton** made a motion to direct staff to establish guidelines regarding notification for public hearing. The motion was seconded by **Doug Anderson** and unanimously approved.

**GOVERNING BODY REPORTS:**

City Manager – Dave Millheim

- The January Police/Fire/Building Monthly Activity Reports were included in the staff report.
- The January Justice Court Report was also in the staff report.

Mayor – Jim Talbot

- There has been movement regarding the **Craig Holmes** issue, and he asked **Doug Anderson** and **John Bilton** to attend the next Historical Commission meeting.
- The Council Retreat will be held on March 1, 2014 from 9:00 a.m. until 12:00 p.m.
- The Utah League of Cities and Towns Conference will be held in St. George on April 9-11.

City Council

Drainage Issue

There is a low spot in the Chestnut Farms area, and excess water has created a pond and significant flooding. **Dave Millheim** said the City, Symphony Homes, residents in the area and Davis County have all contributed to the problem, but pointing fingers will not solve the problem. He asked the City Engineer to create a proposal, and **Chad Boshell** said an 8-inch surface drain pipe on the lots in Atrium Court Circle drains to a temporary detention basin, but the capacity is insufficient so the excess water drains to a one-acre parcel of property. He proposed that the City install an 18-inch storm drain line at a cost of \$32,000 to drain the excess water. Phase 2 was designed with an adequate slope so the pipe will be installed according to

City's standards. A 20-foot easement is necessary for adequate access, and Symphony has agreed to 10 feet. **Dave Millheim** said the excess water ranges from 2-12 inches, and he plans to ask Symphony for an additional 10 feet—it is in their best interest to fix the problem now before Phase 3 lots are sold. **Cory Ritz** said Symphony was supposed to solve these issues as part of the Phase 2 approval, and he would shut them down. The **Mayor** stated that the property owners need to share responsibility for the problem.

**Calvin Squires**, 1244 W 475 S, pointed out the lots and acreage surrounding the problem area and said everyone is set up to take care of their own water, but the 28 acres to the east was not accounted for. He and other property owners came to all of the meetings and want to ensure that Symphony Homes resolves this issue.

**Stephanie Wood**, 1271 Adrian Court, asked how the 20 extra feet of easement would affect her property, and **Chad Boshell** said her property will not be affected—only Symphony properties will be affected.

*Motion:*

**Cory Ritz** made a motion to approve—at the discretion of City staff with input from area representative **Calvin Squires**—the expenditure of up to \$35,000 to address and correct this drainage issue. The motion was seconded by **Doug Anderson** and unanimously approved.

*Finding for Approval:*

1. This item was not on the agenda, and the motion was done under the threat of emergency measures to address potential flooding in the area.

*Cory Ritz:*

- He thanked the City Manager and other staff for their efforts in handling the flooding situation and said the Council needs to do a better job of managing specific drainage issues.
- There was a request for a crosswalk on the corner between Chevron and U.S. Post Office, and the City Manager said he would follow through on the request.

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**CLOSED SESSION**

*Motion:*

At 10:20 p.m. **John Bilton** made a motion for the Council to go into a closed meeting to discuss the acquisition of real property. The motion was seconded by **Doug Anderson** and unanimously approved.

**Sworn Statement**

I, **Jim Talbot**, 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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**Jim Talbot, Mayor**

Motion:

At 11:10 p.m. a motion to reconvene into an open meeting was made by **John Bilton**. The motion was seconded by **Brigham Mellor** and unanimously approved.

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**ADJOURNMENT**

Motion:

**John Bilton** made a motion to adjourn the meeting. The motion was seconded by **Jim Young** and unanimously approved, and the meeting was adjourned at 11:10 p.m.

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