

FARMINGTON CITY COUNCIL MEETING

Tuesday, July 16, 2013

WORK SESSION

Present: Mayor Scott Harbertson, Council Members Cory Ritz, Cindy Roybal, Jim Talbot and Jim Young, City Manager Dave Millheim, City Development Director David Petersen, Associate City Planner Christy Alexander, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Council Member John Bilton was excused.

Form-Based Code Presentation

Mark Morris, Principal Landscape Architect at VODA Landscape and Planning, presented information regarding “walkability” as it relates to the use of a form-based code.

REGULAR SESSION

Present: Mayor Scott Harbertson, Council Members Cory Ritz, Cindy Roybal, Jim Talbot and Jim Young, City Manager Dave Millheim, City Development Director David Petersen, Associate City Planner Christy Alexander, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Council Member John Bilton was excused.

CALL TO ORDER:

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

The invocation was offered by Jim Talbot and the Pledge of Allegiance was led by Dave Millheim.

PUBLIC HEARINGS:

Schematic Plan/Preliminary PUD Master Plan for Chestnut Farms Subdivision Phase 3

Christy Alexander said this Plan will add 14 lots to the Subdivision, and the applicant has met all of the requirements.

John Wheatley, Symphony Homes representative, said Phase 2 has been successful, and Phase 3 will be similar in many aspects. There will not be a connection at 475 South and a 25-foot wide trail through the Subdivision is planned.

Public Hearing opened at 7:10 p.m.

Steve Bouck, 1392 West 475 South, showed a picture of a ditch in the area which still had water in it in May. He is anxious for this project to be completed, and he asked the City to ensure that the drainage system will be adequate for the area.

Valerie Bybee, 1418 West 475 South, said she is very concerned about drainage in this area and in her yard, and she encouraged the City to require Symphony Homes to mitigate the water issues.

Public Hearing closed at 7:15 p.m.

John Wheatley said Symphony recently capped two old irrigation wells on the edge of Phase 2, and there is no water flowing down the ditch to the wetlands. Their formal plans regarding drainage will be submitted during the preliminary plat approval.

Motion:

Cory Ritz made a motion to approve the Schematic Plan and Preliminary PUD Master Plan for the Chestnut Farms Phase 3 PUD Subdivision (14 lots), located at approximately 300 South 1400 West, subject to the same conditions and findings established previously by the Planning Commission on June 27, 2013. The motion was seconded by **Jim Talbot** and unanimously approved.

Zone Change for Chestnut Farms PUD Subdivision Phase 3

Christy Alexander said the master plan for this area is AE, and because it will be a PUD subdivision, the area must also be rezoned as a PUD. Staff is recommending approval because: (1) the same zone change was made for Phases 1 and 2; and (2) the City's policy since 1993 has been that any land east of the 4218 elevation line will be zoned AE.

The Public Hearing opened at 7:18 p.m. There were no public comments and it was closed.

Motion:

Jim Young made a motion to approve a Zone Change from A (Agricultural) to AE (PUD) (Agricultural Estates (Planned Unit Development)) on approximately 7.8 acres of property in the Chestnut Farms PUD Subdivision Phase 3, located at approximately 300 South 1400 West, subject to the findings established by the Planning Commission on June 27, 2013. The motion was seconded by **Cory Ritz** and unanimously approved.

Harv Jeppsen Minor Subdivision – Schematic Plan

David Petersen said the owner has three unplatted parcels and two existing homes. The property awkwardly shaped and the owner is proposing a flag lot with one home behind the other. The Planning Commission added an additional condition requiring the new home to face south. It is a simple layout, and all of the public improvements are installed.

Harv Jeppsen, 727 Leonard Lane, said he realizes that the City does not encourage flag lots, but in this situation it seems to make sense. He does not plan to sell the lots—they will likely stay in his family.

The Public Hearing opened at 7:26 p.m. There were no public comments and it was closed.

There was discussion regarding the existing property line on the north and the neighbors. **Mr. Jeppsen** said he is not aware of any issues. **Cindy Roybal** said Farmington has a reputation for not approving flag lots, but this appears to be the best use for this property, and it makes sense to avoid backing out onto Main Street. **Mr. Jeppsen** is grateful for the opportunity to work for Farmington City and thanked the **Mayor** and the City Council for their service.

Motion:

Cindy Roybal made a motion to approve the recommendations and findings established by the Planning Commission on June 27, 2013 and as set forth in a letter to **Harv Jeppsen** dated July 5, 2013. The motion was seconded by **Jim Talbot** and unanimously approved.

PRESENTATION OF PETITIONS AND REQUESTS:

Presentation of Citizen Awards

Police Chief Wayne Hansen shared a quote made by John F. Kennedy: “There are risks and costs to action, but they are far less than the long-range risks of comfortable inaction.” He recognized the actions of the following Farmington citizens:

- **Gaylene Johnson** called the Police Department to report that a man at Smith’s was acting strange. He was later arrested as a suspect in a robbery at Zions Bank.
- **Ian Oldroyd** and **Olivia Oldroyd** were caught in the crossfire of a shooting on Legacy Parkway. **Ian** pushed his sister into the back seat of the car and they both stayed down until the shooting ended—they showed bravery in the face of extreme danger.
- Several months ago, a fugitive felon left the courthouse and fled west on State Street. **Spencer Gregory** notified Davis County dispatch and Farmington officers which led them to a home near 300 West State Street where the homeowner discovered the man in her garage, and authorities were able to quickly take him into custody. **Mayor Harbertson** (his daughter-in-law was the homeowner) and resident **John Anderson** (his daughter was the homeowner) also expressed appreciation to **Mr. Gregory**.

SUMMARY ACTION

1. Amend Resolution setting Property Tax Rates for FY2014 Budget
2. Historic Landmark Designation
3. Maverik Improvements Agreement
4. Award of Bid for Street Overlay Project
5. Plat Amendment of Hidden Meadows Phase 3 Subdivision
6. Poll Workers for Upcoming Elections

Motion:

Cory Ritz made a motion to approve all of the items on the Summary Action List except #2 which will be discussed separately. **Jim Talbot** seconded the motion which was unanimously approved.

Historic Landmark Designation for Franklin D. Richards Mill

Tom Owens expressed appreciation to the Historic Commission and the City for recognizing the importance of historical buildings and taking steps to preserve them. He purchased the Mill 20 years ago, and at that time there was little empathy or awareness of historical structures. He thanked the Council for being proactive and hopes the Mill will be around for another 150 years.

Motion:

Jim Talbot made a motion to approve the Ordinance designating the Franklin D. Richards Mill as an historic resource on the Farmington Historic Landmarks Register. The motion was seconded by **Cindy Roybal** and unanimously approved.

GOVERNING BODY REPORTS:

City Manager – Dave Millheim

- He reported that the police department had 170 cases in May and 240 in June which was a significant increase.

Mayor – Scott Harbertson

- He and **Cory Ritz** will attend the town hall meeting on Wednesday, July 17th.
- He congratulated City staff and everyone who helped make Festival Days 2013 a fabulous experience. He also congratulated the Youth City Council (19 youth), and their advisor, **Kristen Harbertson**, who assisted with many of the activities.
- The FABL contract was on the agenda, but because **John Bilton** was unable to attend, it will be discussed at a later time.

City Council

Cory Ritz

- He expressed appreciation to the fire department for their prompt attention last week when a transformer blew and caused a grass fire which was quickly contained and for their continued support of the police department.

Cindy Roybal:

- She said Farmington Days is “Americana” at its best and thanked everyone for their efforts.

Jim Talbot

- Several people in his neighborhood were confused by the fireworks restrictions signs, and he spoke with **Chief Smith** regarding the issue. The City Manager said he would look into the issue.

Jim Young:

- He encouraged staff to continue efforts to obtain a cover for the outdoor stage at Forbush Park.

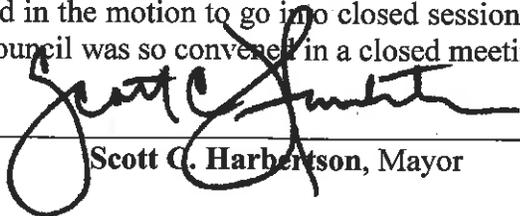
CLOSED SESSION

Motion:

At 8:05 p.m. **Cory Ritz** made a motion to go into a closed meeting to discuss potential litigation. The motion was seconded by **Jim Talbot** and unanimously approved.

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.



Scott C. Harbertson, Mayor

Motion:

At 8:50 p.m. a motion to reconvene into an open meeting was made by **Cindy Roybal**, seconded by **Jim Young** and unanimously approved.

ADJOURNMENT

Motion:

Cory Ritz made a motion to adjourn the meeting. The motion was seconded by **Jim Young** and unanimously approved. The meeting was adjourned at 8:50 p.m.



Holly Gadd, City Recorder
Farmington City Corporation