

FARMINGTON CITY COUNCIL MEETING

March 20, 2012

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, Parks & Recreation Director Neil Miller, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Council Member John Bilton was excused.

Mayor Harbertson began the meeting at 6:05 p.m., and Jim Young offered the opening prayer.

Discussion of future community park and recreation center

Neil Miller presented information regarding the proposed 10.33 acre sports field expansion at Bus Park on property owned by Davis School District. The anticipated costs are \$22,400 for the irrigation system, \$3,500 for equipment, and \$6,500 for grass seed, with a total of \$32,400. The fields would be able to accommodate all of the City's soccer games, and there were 840 sign-ups for spring soccer. Dave Millheim said this is a short-term, inexpensive option for the City's sports programs, and he believes the soccer parents could become advocates for a new, larger park in Farmington. He stressed the importance of developing a plan, having funding sources in place, and appointing a steering committee at some point in the future. Staff and the Council agreed that cooperation between the DSD and Farmington is an important factor. Issues such as accommodating sports other than soccer, parking, restroom facilities, a recreation center, and funding sources were discussed in further detail.

Schematic Plan/Master Street Plan for Chestnut Farms PUD Subdivision

David Petersen explained that Phase 3 includes an extension of the current cul de sac on 475 South which has caused a great deal of attention from residents in the area. The City Ordinance requires the developer to provide a master street plan for the adjoining areas which must be approved by the Planning Commission and the City Council. The Commission approved a master street plan between 1100 and 1525 West, the wetlands and the Bangerter property. Symphony decided to provide the Jung stub but asked for additional time to determine if it should run east to west or south to north, and they also scaled back their schematic plan to include 16 lots. Several residents are upset because the Ordinance does not require a public hearing with master plan approval, and staff recommended that the Council table the item and hold a public hearing at their next meeting on April 17, 2012.

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 Engineer Paul Hirst, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Youth City Council Member Daniel Montgomery was also in attendance. Council Member John Bilton was excused.

CALL TO ORDER:

Roll Call/Opening Comments/Invocation/Pledge of Allegiance

Mayor Harbertson began the meeting at 7:05 p.m. and welcomed those in attendance. The opening prayer was offered by **Jim Young**, and the Pledge of Allegiance was led by **Taylor Greenwell**.

REPORTS OF COMMITTEES/MUNICIPAL OFFICERS:

Executive Summary for Planning Commission Meeting held March 1, 2012

The Summary was included in the staff report.

American Legion – \$1000 donation to the Veteran’s Memorial/Winner of the Oratorical Contest

Paula Stevenson, representing Post 27 of the American Legion, presented a \$1000 donation for the Veteran’s Memorial to the City of Farmington. She introduced **Taylor Greenwell** of Davis High School who won the State Oratorical Contest and will represent Utah at the national contest in April, and **Taylor** gave a portion of his speech.

Presentation by the Trails Committee

George Chipman expressed appreciation to the **Mayor** and City Council for their past and continuing support of the Farmington Trails Committee. He said there are currently 42 trail chiefs who monitor the trails throughout the City. He provided several details from the FTC Annual Progress Report for 2011, and their top priorities for 2012 include:

1. Protection for the north Farmington hillside;
2. Legacy Trail maintenance;
3. Main Street jogging/bicycle path;
4. Buffalo Ranch Access Trail near Farmington Ranches Park;
5. South Frontage Road bicycle/jogging route.

Mayor Harbertson thanked **Mr. Chipman** for his years of service on the FTC and said the City’s trails system were a huge factor in receiving the 12th best place to live designation.

PUBLIC HEARINGS:

Zone Change for Chestnut Farms PUD Subdivision Phase 2

Christy Alexander said the current zoning is A, and Symphony is requesting a change to AE (PUD) which is the same as Phase 1. The request is consistent with the City’s 1993 policy that any property east of the 4218 line will be rezoned to AE.

Public Hearing:

Mayor Harbertson opened the Public Hearing at 7:40 p.m. and asked the public to restrict their comments to the issue at hand.

SueAnn Phillips, 340 South 1525 West, is nervous about future development in west Farmington. She purchased two acres of property in west Farmington to raise her family and have a goat farm, but they stink and make a lot of noise and stink. She is concerned that the AE zoning will be too close to property owners who want rural space and asked the Council to remember that they chose to live in west Farmington with the animals and mosquitoes.

John Wheatley said they realized that additional work on a master plan for this area was necessary and informed the public that the area along 1525 West (north of the LDS Church) is wetlands and will not be developed. The area south of the LDS Church is a regional detention area, so their plan is not to develop along 1525 West—it will be a buffer zone.

The Public Hearing was closed at 7:45 p.m.

Jim Talbot said it is difficult when property owners exercise their rights, but buying and selling property is part of the process. The Council is sensitive to these specific issues and is hopeful that a plan can be created that will work for everyone. **Cory Ritz** shared a saying, “What is popular is not always right, and what is right is not always popular” and said this issue uses both interpretations. In his opinion this rezone is appropriate because it puts mechanisms in place to address some of the problems in the area.

Motion:

Nelsen Michaelsen made a motion to approve the Zoning change from A (Agricultural) to AE (PUD) (Agricultural Estates (Planned Unit Development)) on approximately 9.9 acres of property associated with the Chestnut Farms PUD Subdivision Phase 2, located at approximately 300 South 1350 West, subject to the same findings established previously by the Planning Commission on February 16, 2012 as set forth in the attached supplemental information. The motion was seconded by **Jim Talbot** and approved by Council Members **Michaelson, Ritz, Talbot** and **Young**.

Schematic Plan for Chestnut Farms PUD Subdivision Phase 2

Christy Alexander said that after two Planning Commission public hearings and four neighborhood meetings were held, it was determined that additional time was necessary for Symphony Homes and City staff to configure streets in this area.

John Wheatley agreed that the master street plans were not ready for final approval, and they are very aware of the drainage issues west of I-15. Their plans for Phase 2 will be described in detail on the request for preliminary plat approval.

Public Hearing:

The Public Hearing was opened at 7:55 p.m.

Chase Bybee, 1418 West 475 South, asked if the application for the remaining 10 acres would include a public hearing with the Planning Commission, and **Christy Alexander** said there would be a public hearing when an application for schematic plan was received.

Ken Williams, 344 South 1100 West, appreciated the input from Symphony Homes—solving the water issues looks easy on paper—but he is very concerned about the 4-acre field directly east of the cul de sac which has not drained properly for 25 years. During the 1982 flood, water flowed from the east of 1100 West across to their properties, and he and his neighbors shared the expense of the damages. Davis County installed a pump station near the railroad tracks but continues to have water issues. He would like to be involved in the process and believes it is possible to correct the problems, but it will be expensive and time consuming. He asked the Council to do what is best for the community.

Valerie Bybee, 1418 West 475 South, said she agrees with **Ken William’s** comments. She asked who would be responsible for the maintenance of the ditches and pointed out that the drainage ditch in Phase 1 is not very deep and is full of weeds.

Sue Ann Phillips has lived on 1525 West for 7-8 years, and their barn did not flood the first few years, but it has flooded every year since then. When development takes place on the empty fields, the water has nowhere to go, and the existing residents suffer the consequences.

The Public Hearing was closed at 8:05 p.m.

The **Mayor** said he and **Cory Ritz** toured the area earlier in the day, and he is confident that the issues will be scrutinized carefully by City Staff and the City Engineer. **Nelsen Michaelson** attended two Commission meetings and walked the area with City staff so he could understand the issues. An important factor is that a naturally wet weather pattern occurred in 2011 which increased the water table and made the situation worse. He is confident that if drainage systems are put into place and are maintained, the problems can be resolved. **Jim Talbot** understands the process because he is a developer, but he also understands the residents' concerns. He wants to make sure the City is not moving too fast and that the issues are carefully addressed. **Jim Young** said the Council is sympathetic to the drainage issues and has encouraged City staff to take a vigorous approach to address these concerns. **Cory Ritz** said he agrees with the previous comments, and a vigorous approach is vital because this is the last chance to do it right. He said not all of the problems were caused by Symphony Homes--some of it is historical flow, and some of it was man made. The existing 1350 West stub to the north and the extra fill has created a dam which has resulted in backyard ponds. He is also concerned about a drainage ditch that was dug across the wetlands area. He asked Symphony Homes if their cul de sac lots are sold at a premium price, and **Mr. Wheatley** said they are. **Ken Williams** said a developer dug the ditch and was stopped by the Army Corps of Engineers.

City Engineer **Paul Hirst** said he knows the history of this area and is very aware of the elements which must be addressed in the future. He said storm drainage is a huge issue, and there is also a base flow (minimum amount of water) that has to be contributed to this particular area as part of the settlement prior to Farmington Crossing construction. Four cubic feet per second (csf) must flow beneath the freeway, across CenterCal's property, under Shepard Lane, through the Greens and into this particular area. Storm drainage is a real issue in this area because it is the low end, and the Central Davis Sewer District's pump station needs to be kept functional.

Motion:

Nelsen Michaelson made a motion to approve the Schematic Plan for the Chestnut Farms Phase 2 PUD Subdivision (16 lots) located at approximately 300 South 1350 West, and subject to the same conditions and findings established previously by the Planning Commission on March 1, 2012 and as set forth in the attached supplemental information. **Jim Young** seconded the motion which was approved by Council Members **Michaelson, Ritz, Talbot** and **Young**.

PRESENTATION OF PETITIONS AND REQUESTS:

Street Master Plan for the Chestnut Farms PUD Subdivision

Motion:

Cory Ritz made a motion to table the request for the Street Master Plan for the Chestnut Farms PUD Subdivision Phase 2 and future Phase 3 and to direct staff to increase the noticing area to approximately 1000 feet. The motion was seconded by **Nelsen Michaelson** and approved by Council Members **Michaelson, Ritz, Talbot** and **Young**.

Environmental Work on Extension of Park Lane

Mayor Harbertson said State Transportation Program (STP) funds for this road extension will be available after Oct. 1st, and UDOT requires an environmental impact report prior to releasing the funds.

Motion:

Jim Talbot made a motion to authorize staff to enter into an agreement with CRS Engineers to conduct an Environmental Study for the Park Lane Extension. The work is not to exceed \$25,420 and will be paid from account number 38-600-550. The motion was seconded by **Jim Young** and approved by Council Members **Michaelson, Ritz, Talbot** and **Young**.

SUMMARY ACTION:

Minute Motion Approving Summary Action List

1. Ordinance amending, renumbering and recodifying Title 2 of the Municipal Code
2. Approval of Minutes from the City/Council/Executive Staff Retreat held February 25, 2012
3. Ratification of Approvals of Storm Water Bond Logs
4. Approval of Disbursement Lists for February 2012
5. Agreement with UTA regarding Lagoon Shuttle
6. Surplus Vehicles
7. Miller Meadows Subdivision, Amendment #2

Motion:

Jim Talbot made a motion to approve the items on the Summary Action List. The motion was seconded by **Cory Ritz** and approved by Council Members **Michaelson, Ritz, Talbot** and **Young**.

GOVERNING BODY REPORTS:

City Manager Report

1. Upcoming Agenda Items
2. To Do Lists
3. Closed meeting to discuss potential litigation
4. Davis County Fire Chief's Pride and Ownership Seminar/mandatory drill for volunteer firemen

Mayor Harbertson & City Council Reports

- He and members of staff met with Centerville City to look at the possibility of Farmington having its own court system. Their case load is similar—approximately 300 cases per month, and there are many issues to consider. The City Manager was directed to send a letter to Davis County and request that they conform to their current contract and provide case information to the City on a monthly basis.
- He met with several department heads to prepare for the upcoming budget sessions. The Fire Dept. has tremendous needs, and he asked **Chief Smith** to prioritize their needs. He said the federal government has also placed numerous requirements on both the Police and Fire Departments.

Nelsen Michaelson

- He expressed appreciation to City staff for their patience and efforts in his training.

Jim Talbot

- He received a respectful email from resident **Lorenzo (Hank) Semadini** regarding the franchise tax/utility fees and suggested that the issue be addressed during the upcoming budget sessions.

Cory Ritz

- He would like to look at the possibility of amending the City's Ordinance for yield plan calculations so that non-buildable land is not included. He does not think it is fair for a developer to benefit from non-buildable land, and he would like to see it taken out of the equation.
- He said it would be helpful to have a white board that the Council could use during their meetings.
- He requested a breakout on the unfilled shifts in the Fire Department. **Dave Millheim** said there are 7-8 different shift possibilities, and he would obtain the information and it will be included on the monthly reports.

Jim Young

- He asked for an update on the Hector Haight home, and staff said they met with both the architect and the developer but a specific proposal has not been prepared. The Public Works crew repaired the hole in the pipe, and the City is moving forward with the April 21st cleanup plans under the guidance of the Historic Commission.

CLOSED SESSION

Motion:

At 8:40 p.m. **Cory Ritz** made a motion to go into a closed meeting to discuss potential litigation. The motion was seconded by **Nelsen Michaelson** and approved by Council Members **Michaelson, 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.



Scott C. Harbertson, Mayor

Motion:

At 9:40 p.m. a motion to reconvene into an open meeting was made by **Nelsen Michaelson**, seconded by **Cory Ritz**, and approved by Council Members **Michaelson, Ritz, Talbot** and **Young**.

Motion:

Nelsen Michaelson 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 9:40 p.m.



Holly Gadd, City Recorder
Farmington City Corporation