

FARMINGTON CITY COUNCIL MEETING

August 2, 2011

WORK SESSION

Present: Mayor Scott Harbertson, Council Members John Bilton, Rick Dutson, and Cory Ritz, City Manager Dave Millheim, Community Development Director David Petersen, City Intern Erin Vogeler, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Council Members Sid Young and Jim Talbot were excused.

Mayor Harbertson began the work session at 6:10 p.m., and the following items were reviewed:

Schematic Plan for Tuscany Cove Phase 2 and 3

David Petersen provided information regarding this request, and there was a brief discussion concerning a requirement for a 4-foot sidewalk and 3-foot park strip on the westerly side of the property.

Schematic Plan for Miller Meadows Conservation Subdivision

Dave Millheim thanked Randy Rigby and Brock Johnston for their attendance at the work session and referred to a letter from the Rigby family which clearly states their approval of the proposal submitted by Rainey Homes. He said the Council must establish the amount of compensation fee which should be required. Staff is proposing a \$120,000 fee which would be used for open space/park property elsewhere and must be approved prior to the approval of the schematic plan. The Council agreed with the amount and discussed other minor issues associated with this request.

The Council discussed other miscellaneous issues regarding several of the agenda items.

REGULAR SESSION

Present: Mayor Scott Harbertson, Council Members John Bilton, Rick Dutson, and Cory Ritz, City Manager Dave Millheim, Community Development Director David Petersen, City Intern Erin Vogeler, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Council Members Sid Young and Jim Talbot were excused.

CALL TO ORDER:

Opening Comments/Invocation/Pledge of Allegiance

Mayor Harbertson opened the meeting at 7:00 p.m. and welcomed all in attendance, including Youth City Council Members Rebecca Smith, Lizzy Welch, and Katherine Smith. The opening prayer was offered by Cory Ritz, and Boy Scout Shane Thurgood of Troop 423 led the Pledge of Allegiance.

Approval of Minutes

Motion:

John Bilton made a motion to approve the minutes of the July 19, 2011 City Council meeting. The motion was seconded by Cory Ritz and approved by Council Members Bilton, Dutson, and Ritz.

Introduction of new Fire Marshal/Administration of Oath of Office

Fire Chief **Guido Smith** announced that **Steve Cox** was selected as the new part-time Fire Marshal for Farmington City. He has extensive knowledge in the fire prevention area and 25 years of service with South Davis Metro. He enjoys spending time with his wife, **Karen**, and their five children and ten grandchildren. City Recorder **Holly Gadd** administered the oath of office to **Mr. Cox**.

REPORTS OF COMMITTEES/MUNICIPAL OFFICERS:

PUBLIC HEARINGS:

Schematic Plan for Tuscany Cove Phase 2 and 3

David Petersen said **Rainey Homes** is requesting approval for a minor 4-lot subdivision adjacent to their existing Tuscany Cove Subdivision. He said the applicant will be required to provide a temporary turn-around on the proposed 275 East Street, and the property owner to the north has given his approval. As discussed in the work session, the applicant will be required to have a 4-foot sidewalk and 3-foot park strip on the westerly side of the property.

Public Hearing

Mayor Harbertson opened the public hearing at 7:20 p.m. There was no one from the public to speak regarding this item, and the public hearing was closed.

Motion:

Rick Dutson made a motion to approve the schematic plan for the Tuscany Cove Phases 2 & 3 Subdivision located at approximately 275 East Tuscany Cove Dr., to approve the street standards not listed in the Farmington City Development Standards—subject to the conditions and findings as set forth in the June 16, 2011 Planning Commission Staff Report—and to approve the addition of a 4-foot sidewalk and a 3-foot park strip along the west side of the subdivision (see cross section in staff report). **Cory Ritz** seconded the motion and it was approved by Council Members **Bilton**, **Dutson**, and **Ritz**.

Schematic Plan for Miller Meadows Conservation Subdivision

David Petersen said approval of this request will amend the Master Development Plan, increase the number of lots from 110 to 117, and eliminate the two easterly conservancy lots—305 and 324. In lieu of the required open space, the applicant will be required to provide comparable compensation which will be used for open space/park property elsewhere in the City.

Public Hearing

Mayor Harbertson opened the public hearing at 7:30 p.m.

Jeff Tye, Lot 303, 378 W. Miller Way, said that after he expressed his opposition to the change in the conservancy lot during the first Planning Commission meeting, Rainey Homes agreed to stagger his rear lot line and allow him to purchase an additional 30 feet of property. The map tonight shows only 15 feet, and he asked if he would still be allowed to obtain 30 feet. He is against the proposal if it is 15 feet; however, if further negotiation can take place after schematic plan approval, he approves of the decision.

Don Francis, 578 South 650 West, attended the first Planning Commission meeting but was unable to attend the second meeting. He asked if this new proposal is compliant with the City's open space requirements, and why the City is approving a higher density level.

The public hearing was closed at 7:32 p.m.

Brock Johnston, 1087 South St. Andrews Drive, Syracuse, answered **Mr. Tye's** question and said it has become a private issue between the **Rigby** family and the property owner, and the lot line adjustments will be solidified prior to preliminary plat approval. Rainey Homes met with City staff and reviewed the yield plan and the number of lots which are allowed, and everything is within the City's guidelines. He said the average lot size in this Subdivision is slightly more than 12,000 square feet. The biggest lots are 14,500-15,000 square feet. The total square footage of the fee in lieu of section is approximately 6 acres.

Mayor Harbertson pointed out that when Rainey Homes did the yield plan for a conservation subdivision, because of the open space they had, they received a bonus which allowed them to go up to 120 lots. At the time they asked for 100 lots, and now they are requesting 107 lots, so they are still well below the maximum number of lots allowed. The City does lose open space, but the Council will require just compensation.

Motion:

Cory Ritz made a motion to approve the attached fee-in-lieu proposal of \$120,000 submitted by Rainey Homes for the waiver of open space comprised of Conservancy Lots 305 and 324 in the Miller Meadows Conservation Subdivision, to be collected at initiation of any development in any phase adjacent to these lots. The motion was seconded by **Rick Dutson** and approved by Council Members **Bilton, Dutson, and Ritz**.

Motion:

Cory Ritz made a motion to approve the schematic plan for the Miller Meadows Conservation Subdivision (117 lots) located at approximately 600 South 650 West, subject to the conditions and findings as set forth in the June 16, 2011 Planning Commission staff report for lots abutting Legacy Parkway. The motion was seconded by **John Bilton** and approved by Council Members **Bilton, Dutson, and Ritz**.

CONSIDERATION OF ORDINANCES/RESOLUTIONS/AGREEMENTS

Miller Meadows Phase 3 Plat Amendment

David Petersen explained that the Ordinance and Vacation Order was reviewed by the City Council on July 19, 2011, but the item was tabled until the amendment to the Master Development Plan/Schematic plan could be considered.

Motion:

John Bilton made a motion to approve the Ordinance and Vacation Order amending the Miller Meadows Subdivision Phase 3 by vacating all of Lot 305 and creating a subdivision plat in the stead thereof, subject to the following conditions:

1. The City must grant final approval of a future plan encompassing the area now constituting Lot 305 of the Miller Meadows Subdivision Phase 3.
2. The Ordinance and Vacation Order must be recorded immediately prior to the recordation of any such subdivision plat.

The motion was seconded by **Cory Ritz** and approved by Council Members **Bilton, Dutson, and Ritz**.

SUMMARY ACTION:

Minute Motion Approving Summary Action List

- Revision of Subdivision Grading and Drainage Plan Development Standard Detail
- Proposed members for the Building Department “Board of Appeals”
- Development Agreement Matrix update

Motion:

Rick Dutson made a motion to approve the items on the Summary Action List. The motion was seconded by **Cory Ritz** and approved by Council Members **Bilton, Dutson, and Ritz**.

REPORTS OF COMMITTEES/MUNICIPAL OFFICERS

City Employee Satisfaction Evaluation Survey Results

City Intern **Erin Vogeler** said she was asked by the City Manager to create a short survey to distribute to all full-time and permanent part-time City employees. The purpose of the survey was to obtain a better understanding of employee satisfaction levels and to receive input and feedback from the employees. She asked approximately 85 employees to complete the survey, and 52% actually completed it. She said the anonymous survey was simple—six questions regarding the City’s strengths as an employer and areas for improvement. The results of the survey were shared with each department head and showed that Farmington City employees are generally satisfied with their jobs. **Holly Gadd** is creating a new training packet for new hires, and an HR committee with a representative from each department and Council Members **Cory Ritz** and **Sid Young** has met three times in the past two months. This has improved communication between management and employees. **Ms. Vogeler** has worked with the City since May, and she is impressed with the caliber of the employees which, in turn, reflects the leadership of the City Council.

Mayor Harbertson thanked **Ms. Vogeler** for the feedback regarding the survey and expressed appreciation for all of the City’s employees.

Status of the Water Quality Testing on the Community Center Well

Dave Millheim said the City Engineer will provide an update of the water quality of the well, and he has prepared three options for the design of the well house. He asked the City Council to offer thoughts and comments following the presentation.

City Engineer **Paul Hirst** reported that the water quality of the new well is “sour.” The solution for this is to blend it and add chlorine which will absorb the sulphur smell. He said Farmington has a higher expectation for its water than many cities in the state, and he believes the water can be handled correctly. Once the chlorine and fluoride is added, it will have its own dedicated 12” transmission line to

State Street where it will combine with water from Well #1 and Weber Basin Water. Having a higher water year will not affect the well water because the public health code requires a tight seal for the first 100 feet, so the water on top does not directly influence the water quality. Proper access for the well driller and maintenance people is critical, and Utah State code requires that fluoride storage and chlorine storage must be separate sealed rooms with no shared air space. He outlined three proposals for the well house location:

1. Well house and maximum amount of green space, minimum amount of asphalt;
2. As much asphalt as possible for the convenience of residents and access to the well house;
3. A combination of the first two options.

The Council discussed several of the components related to each options: (1) moving the stone fence or leaving it; (2) change the location of the existing dumpster; (3) whether or not to include parking—if so, how many parking stalls; (4) amount of asphalt; (5) amount of green space; (6) widening the access behind the Community Center (7) buffer from the adjacent residents. They advised **Mr. Hirst** to maximize the green space, open up the wall, and make the area accessible to the public.

Report on Festival Days

Parks & Recreation Director **Neil Miller** expressed his gratitude to the City Council for their support during Festival Days. He stressed the need for volunteers and asked that the City Council assist in the selection of a chairman. He suggested having a co-chairman—someone who could shadow the chairman throughout the year of planning and execution—and then be the chairman the following year. He said the numbers on most of the activities were up, and he provided the following information:

- \$23,000 was donated;
- 75 children participated in the children's parade;
- They are seeking a successful Friday night activity;
- 81 parade entries—additional space is needed for spectators along the parade route;
- Dance was well attended;
- 750 people participated in the races—50 people in the new race to Flag Rock;
- \$6400 from vendors—half of them stayed for the night session;
- 500 residents (in addition to the runners) paid for and ate breakfast;
- Access to the City Hall was very helpful;
- Art show in the City Hall received many positive comments;
- All major changes and/or additions to the schedule must be submitted by February 1st.

Mayor Harbertson complimented **Neil Miller** and his staff for the excellent job they did on Festival Days. **Dave Millheim** agreed to pursue the extension of the parade route and said that because the event is growing each year, volunteer assistance for **Neil Miller** is crucial.

GOVERNING BODY REPORTS:

City Manager Report

- He referred to the Upcoming Agenda Items list.
- He said the City has lost power three times in the last few months which has caused considerable damage. Server board replacements are approximately \$2000. Staff is researching prices of

generators, and he strongly encouraged the Council to approve the purchase of a generator for City Hall to help alleviate this problem in the future.

- He referred to the fire which occurred in Farmington last week and said that with the cooperation of wind, weather, and people, the fire handled in a short period of time.
- He asked the City Engineer to prepare maps of Fire Break Road to present to the Forest Service. The goal is to make the Fire Break Road completely accessible by using the option which would be the least impactful to the area. Benchland Irrigation gave permission to cross their property, and he will contact resident **Jerry Stevenson**.
- He explained that in Farmington Creek Estates Phase 3 there is a large pipeline easement that runs along the railroad. A mistake was made by the engineer, and the easement was platted and recorded as a 40-foot wide easement. **Blake Matthews** checked with Chevron, and they need a 16 ½-foot wide easement. This will not require a plat amendment, but a vacation is required, and **Mr. Matthews** has begun the process, and the item will be reviewed on August 16, 2011.
- He referred to an email received from **Dharmesh**—the owner of the property east of the Chevron station. He has obtained securities financing and plans to begin construction of an 84-unit Hampton Inn this fall. He has complained about the City's high impact fees and has asked for a reduction or a waiver. **Mr. Millheim** said it not the City's practice to waive or reduce those fees. The original approvals have lapsed, and Staff members are preparing an accurate fees list. The **Mayor** said it is illegal for cities to offer incentives, and the fees cannot be lowered; however, the Council previously offered two options: (1) The transit-oriented tax generated by the hotel in the first two years could be refunded to **Dharmesh**; (2) The fee schedule could be amended to require one third of the fees at the filing of the application, one third when the building permit is obtained, and one third at the time of occupancy. **Dave Millheim** said there may have been some prior agreements, and staff will further research the issue.
- He informed the Council that Verizon has submitted a site plan and lease proposal for a new cell phone tower which will be on the agenda for the August 16th meeting. He reminded the Council that they denied this request in the past because of the open-ended lease option and not knowing what it was going to look like. If the Council approves it, the Planning Commission would hold a public hearing.

Mayor Harbertson

- He cannot attend the Historic Commission Meeting regarding the Sycamore District on Thursday, August 4, 201—**John Bilton** and **Dave Millheim** will attend and report.
- **Tyler Servoss** has submitted a request for a 40-mile bike race (approximately 75 riders) in Farmington. The Council will review the request at the August 16th City Council meeting.
- He reminded the Council of the Utah League of Cities and Towns Conference in September and urged them to submit the registration materials. City GIS Specialist **Matt McCullough** has been invited to do a presentation during the Conference.
- His wife, **Kristen**, would like to update the Farmington City Mayor frames and display them in the City Hall. She plans to replace the pictures with new black and white matting and frames

which will cost approximately \$15-\$20 each. A nameplate will be placed inside the frame, and **Rick Dutson** suggested listing historical facts during each Mayor's term of service.

Rick Dutson

- He was contacted by a resident of Farmington who would like to have a Farmington City day of service. He volunteered to be part of a committee. The **Mayor** said the Trails Committee currently has a day of service and suggested he contact Chairman **George Chipman**.

Cory Ritz

- He expressed gratitude to the police forces of both Centerville and Farmington for their efforts during an automobile accident which occurred on Saturday, July 30th. Seven youth from his neighborhood were involved in the accident which took the life of one boy. Two of the youth are currently in the hospital with serious injuries but are expected to recover. The funeral will be held on Thursday, August 4, 2011.

CLOSED SESSION

Motion:

At 9:20 p.m. **John Bilton** made a motion to adjourn to a closed session to discuss potential property acquisition and/or other reasons permitted by law.

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 9:45 p.m. a motion to reconvene into an open meeting was made by **Rick Dutson**. The motion was seconded by **John Bilton** and approved by Council Members **Bilton**, **Dutson**, and **Ritz**.

ADJOURNMENT

Motion:

At 9:45 p.m. **Cory Ritz** made a motion to adjourn the meeting. The motion was seconded by **Rick Dutson** and approved by Council Members **Bilton**, **Dutson**, and **Ritz**.



Holly Gadd, City Recorder
Farmington City Corporation

