

FARMINGTON CITY COUNCIL MEETING

October 16, 2012

WORK SESSION

Present: Mayor Scott Harbertson, Councilmen Nelsen Michaelson, Cory Ritz, Jim Talbot, and Jim Young, City Manager Dave Millheim, Finance Director Keith Johnson, Community Development Director David Petersen, Parks & Recreation Director Neil Miller, City Recorder Holly Gadd, and Recording Secretary Cynthia DeCoursey. Councilman John Bilton was excused.

Finance Update for the Fiscal Year 2012

City Finance Director **Keith Johnson** presented several worksheets regarding the General Fund revenues and expenditures. Revenues were approximately \$150,000 more than budgeted, and expenses were approximately \$250,000 less than budgeted.

Park Cleaning Schedule

Parks & Recreation Director **Neil Miller** provided details regarding the City's contract for the maintenance/cleaning of City parks. The City has 15 boweries, and eight of those have restrooms available to the public. The caretakers open and clean the restrooms between 6:00 and 8:00 a.m. They visit each park that has scheduled a reservation between 10:00 a.m. and 12:00 p.m. On the weekends the parks often have 2-3 reservations each, and they clean and prepare the facilities between each one. They return to the parks to lock each restroom between 6:30 and 10:30 p.m. They use their own vehicles to travel an average of 60 miles per day to and from each park (including holidays and weekends). The annual cost of the contract is \$34,000, and the caretakers do an incredible job. The City receives very few complaints about the facilities, and he recommended continuing with the contract. Following a brief discussion, the Council agreed.

Consideration of an Ordinance to amend the Sign Ordinance and the Scenic Byway Overlay Zone regarding Electronic Message Signs

David Petersen reminded the Council that this item was tabled at the previous meeting on October 2nd because Lagoon had some unresolved issues. He met with Lagoon representatives who expressed three concerns: (1) they would like their existing electronic message sign on I-15 to be grandfathered in; (2) they want the ability to have video display the entire time at their Main Street annex building; and (3) they would like to eliminate the restrictions for the hours of operation. The pending legislation on this issue expires October 26, and staff would like the Council to adopt something tonight. One proposal is to expand the overlay zone and encompass the CR and BP zones. He referred to the information/findings in the staff report and recommended that the Council adopt the Ordinance and continue to work on the specific issues. He said the Planning Commission was concerned about the video aspect and the 24-hour operation of electronic message signs.

REGULAR SESSION

Present: Mayor Scott Harbertson, Councilmen Nelsen Michaelson, Cory Ritz, Jim Talbot, and Jim Young, City Manager Dave Millheim, Community Development Director David Petersen, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Youth City Council Members Jarom Barnes, Shelby Morrow, Haley VanOverbeck, and Liz Ashby were also in attendance. Councilman John Bilton arrived at the meeting at 8:15.

CALL TO ORDER

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

Mayor Harbertson began the meeting at 7:10 p.m. and welcomed those in attendance. The invocation was offered by **Jim Talbot**, and local Boy Scout **Hyrum Whittier** of Troop 1419 led the Pledge of Allegiance.

PUBLIC HEARING

Terry Cathcart is requesting approval to rezone his property located at 308 South 1100 West from A (Agricultural) to AE (Agricultural Estates)

David Petersen explained that **Mr. Cathcart** plans to sell a portion of his property to Symphony Homes, and this rezone will allow him to legally split his lot. Two valid reasons for approval are: (1) Symphony Homes was granted the same zone change when they received approval for Phases 1 & 2 of the Chestnut Farms PUD Subdivision; and (2) the City's policy since 1993 has been that any land east of the 4218 line will be zoned AE.

Public Hearing:

The Public Hearing opened at 7:15 p.m. There were no comments and it was closed.

Motion:

Nelsen Michaelson made a motion to approve a zone change from A (Agricultural) to AE (Agricultural Estates) on approximately .723 acres of property located at approximately 308 South 1100 West, subject to the same findings established by the Planning Commission on October 11, 2012. **Cory Ritz** seconded the motion which was approved by Council Members **Michaelson, Ritz, Talbot** and **Young**.

SUMMARY ACTION

Minute Motion Approving Summary Action List

1. Approval of Minutes of the October 2, 2012 City Council Meeting
2. Acceptance of Water Rights Donation from the Boyer Company
3. Consideration of an Ordinance to amend the Sign Ordinance and the Scenic Byway Overlay Zone regarding Electronic Message Signs

Motion:

Cory Ritz made a motion to review the third item on the List separately. The motion was seconded by **Nelsen Michaelson** and approved by Council Members **Ritz, Michaelson, Talbot** and **Young**.

Motion:

Jim Young made a motion to approve items 1 and 2 of the Summary Action List. **Nelsen Michaelson** seconded the motion which was approved by Council Members **Michaelson, Ritz, Talbot** and **Young**.

Consideration of an Ordinance to amend the Sign Ordinance and the Scenic Byway Overlay Zone regarding Electronic Message Signs

The Council went outside the building to observe an electronic message sign, and there was discussion regarding the colors, brightness, and video aspects of the sign.

Motion:

Jim Talbot made a motion to adopt the Ordinance amending the Sign Ordinance (Title 15 of the Farmington City Code) regarding electronic message signs which excludes Lagoon's Annex parcel and establishes only portions of those areas zoned CR and CH for the electronic message sign area. The City will continue to work with Lagoon to determine possible solutions regarding their request to install an electronic message sign on Main Street, and two additional findings will be added to Findings 1-8.

There was discussion regarding the brightness of the sign, video, and the hours of operation, and the Council agreed that the level of brightness will impact the neighborhood far more than video. **Nelsen Michaelson** asked how Lagoon's annex building will be affected by the proposed motion, and the **Mayor** said they will continue the process of having their current sign grandfathered in and submit an application to rezone the annex building into the CR zone.

Cory Ritz seconded the motion which was approved by Council Members **Michaelson, Ritz, Talbot** and **Young**.

Findings:

1. The Electronic message sign area is limited to a specific area, which area is also designated on the City's Zoning Map as CR and CH.
2. This electronic message sign area does not directly abut residences and is adjacent to Park Lane and I-15. Park Lane is identified as an arterial street on the City's Master Transportation Plan.
3. Electronic message signs are consistent with the Description and General Limitations of the CR zone set forth in Section 11-25-101 of the Zoning Ordinance. Such areas are somewhat autonomous in that they provide a variety of amusement activities not allowed in any other area of the City.

4. The Ordinance minimizes impacts to residential areas and is compatible with the CH zone in that the intent of this zone is that it is isolated from residential areas and no additional CH zones shall be created (see Section 11-24-101 of the Zoning Ordinance).
5. An electronic message sign, which may or may not conform to City codes, already exists in the proposed electronic message sign area.
6. The process used by the City to adopt the proposed changes is consistent with the General Plan. Paragraph 4 of the section of the Plan dealing with the Lagoon area states in part: “Issues which should be monitored and reevaluated, if necessary, include, but are not limited to...fugitive light”. Electronic message signs have the potential to emit fugitive light.
7. Videos are appropriate for the proposed electronic message sign area but may not be appropriate for other areas of the City if the electronic message sign area is expanded in the future.
8. If the City chooses to expand the electronic message sign in the future, the City may elect to modify standards regarding hours of operation.
9. Staff will bring back to the Council at a future date a definition of “video” to be amended into the Ordinance.
10. The operation of electronic message signs will not be allowed between the hours of midnight to 6:00 a.m.

Mayor Harbertson thanked Lagoon for their great partnership with Farmington City and sponsorship of the annual Miss Farmington Pageant and Easter Egg Hunt.

GOVERNING BODY REPORTS

City Manager – Dave Millheim

- A list of upcoming agenda items and September’s Building Activity Report and Police & Fire Activity Reports were included in the staff report.
- The Council meeting scheduled for November 6, 2012 (Election Day) may be cancelled, and the UDOT presentation will likely be moved to November 20th. UDOT has made several changes to the West Davis Corridor proposal, but Farmington has not been significantly affected, and there is no indication of their preference at this point.
- City staff has begun cleaning up the Old Farm site and plan to continue for the next few weeks as the weather allows.
- The Davis School District has ten school buses that are authorized to drive on specific routes in west Farmington; however, there are several militant drivers who choose not to follow the rules and drive on unauthorized routes. The City plans to enforce the rules as much as possible. Plans for a high school in Farmington will be discussed at the DSD meeting on Wednesday, October 17, 2012.
- The City received a plan for a high-density development north of the Chevron Station/Park Lane area. It would be similar to the Garbett Homes development, and **David Petersen** is preparing a summary of infrastructure issues and other factors.

- The City received a letter from Davis County stating that they will maintain the Justice Court until at least January 2014 and provide service to Farmington through 2013.
- UTA, Davis County, Centerville and Farmington held a meeting and discussed the completion of the D&RG trail (22 miles long and 85-90% complete—portions of the trail in Farmington, Centerville, and Davis County are unfinished). \$500,000 from the State Transportation Plan (STP) was earmarked for this project, and an additional \$220,000 was obtained from various accounts. The cost to finish the trail is \$719,000, and a percentage (\$90,000) of the transportation funding must be matched by the two cities, the County and UTA. Because UTA contributed land (they own the right-of-way), they will not contribute cash and favor one entity above another. A tentative agreement states that UTA will donate the land, and each entity will place \$30,000 into an escrow account until the project is completed.

Mayor – Scott Harbertson

- He and **Jim Young** will attend the Town Hall Meeting on Wed., Oct. 17th.
- He met with **Randy Jefferies** of UDOT to express the City's opinions regarding the West Davis Corridor. He was informed that UDOT conducted extensive testing of the wetlands, and only three acres of wetlands will be affected and the home on Glovers Lane will remain. The finished length of the WDC will be 20 miles, and the first 10 miles (northern portion) will have 7 interchanges; the last 10 miles (southern portion) will have none. He made it very clear that he does not like the Glover Lane option because there is no access. **Dave Millheim** offered to write a letter stating the City's opinion, and the **Mayor** and the Council directed him to do so.
- An easement access (graded road) across the Point of View Park was granted to resident **Greg Garfield**. He asphalted the road, moved and rebuilt the fence, replaced the trees, and it really looks nice. The City Manager agreed and said a fire hydrant was also installed.
- He congratulated **Holly Gadd** for her recent efforts to become a Certified Municipal Clerk.
- The new Davis County Library opened on October 13th, and an open house for the new Administration Building will be on Nov. 9th with a ribbon cutting on Nov. 10th.
- Safe Harbor, a facility for women and children, is hosting a fundraiser on Nov. 13th, and Farmington City has sponsored a table for 10 at the event (\$800 donation). He asked Council members to contact **Holly Gadd** if they are able to attend.

John Bilton arrived at the meeting at 8:15 p.m.

City Council

John Bilton

- He asked if the City had received any further information on a potential drug rehab house. The City Manager said there were some rumors but no application received.

ADJOURNMENT

Motion:

Jim Young made a motion to adjourn the meeting. **Nelsen Michaelson** seconded the motion which was approved by Council Members **Bilton, Michaelson, Ritz, Talbot** and **Young**, and the meeting was adjourned at 8:20 p.m.



Holly Gadd, City Recorder
Farmington City Corporation