

WORK SESSION: A work session will be held at 6:00 p.m. in Conference Room #3, Second Floor, of the Farmington City Hall, 160 South Main Street. The agenda for the work session will be to answer questions on items the City Council may have. The public is welcome to attend.

FARMINGTON CITY COUNCIL MEETING NOTICE AND AGENDA

Notice is hereby given that the City Council of **Farmington City** will hold a regular City Council meeting on **Tuesday, August 2, 2011, at 7:00 p.m.** The meeting will be held at the Farmington City Hall, 160 South Main Street, Farmington, Utah.

Meetings of the City Council of Farmington City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

The agenda for the meeting shall be as follows:

CALL TO ORDER:

- 7:00 Roll Call (Opening Comments/Invocation) Pledge of Allegiance
- 7:05 Approval of Minutes from July 19, 2011
- 7:10 Introduction of New Fire Marshall/Administration of Oath of Office

PUBLIC HEARINGS:

- 7:15 Schematic Plan for Tuscany Cove Phase 2 and 3
- 7:25 Schematic Plan for Miller Meadows Conservation Subdivision

CONSIDERATION OF ORDINANCES/RESOLUTIONS/AGREEMENTS:

- 7:40 Miller Meadows Phase 3 Plat Amendment

SUMMARY ACTION:

- 7:50 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

REPORTS OF COMMITTEES/MUNICIPAL OFFICERS

7:55 City Employee Satisfaction Evaluation Survey Results

8:05 Status of the Water Quality Testing on the Community Center Well

8:15 Report on Festival Days

GOVERNING BODY REPORTS:

8:25 City Manager Report

1. Upcoming Agenda Items
2. Power Outage/Generator for City Hall
3. Fire Break Road Issues

8:35 Mayor Harbertson & City Council Reports

ADJOURN

CLOSED SESSION

Minute motion adjourning to closed session for potential property acquisition.

DATED this 29th day of July, 2011.

FARMINGTON CITY CORPORATION

By: Holly Gadd
Holly Gadd, City Recorder

***PLEASE NOTE:** Times listed for each agenda item are estimates only and should not be construed to be binding on the City Council.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting, should notify Holly Gadd, City Recorder, 451-2383 x 205, at least 24 hours prior to the meeting.

CITY COUNCIL AGENDA

For Council Meeting:
August 2, 2011

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

It is requested that Council Member Cory Ritz give the invocation/opening comments to the meeting and it is requested that City Manager Dave Millheim lead the audience in the Pledge of Allegiance.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

CITY COUNCIL AGENDA

For Council Meeting:
August 2, 2011

S U B J E C T: Approval of Minutes of Previous Meetings

ACTION TO BE CONSIDERED:

Minute motion approving the minutes of the City Council meeting held on July 19, 2011.

GENERAL INFORMATION:

Please see enclosed minutes. They have been reviewed by staff and are ready for Governing Body review and approval.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

FARMINGTON CITY COUNCIL MEETING

Tuesday, July 19, 2011

WORK SESSION

Present: Mayor Scott Harbertson, Council Members John Bilton, Cory Ritz, Jim Talbot and Sid Young, City Manager Dave Millheim, Community Development Director David Petersen, Associate City Planner Christy Alexander, City Finance Director Keith Johnson, City intern Erin Vogeler, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey

Mayor Harbertson began the work session at 5:10 p.m., the opening prayer was offered by **David Petersen**, and the Council discussed several of the items on the agenda.

City Attorney **Todd Godfrey** joined the meeting at 5:50 p.m.

Motion

At 6:00 p.m. a motion was made by **Sid Young** for the Council to go into a closed meeting to discuss strategy as it pertains to potential litigation. The motion was seconded by **John Bilton** and approved by Council Members **Bilton, Ritz, Talbot** and **Young**.

Council Member **Rick Dutson** joined the meeting at 6:25 p.m.

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 6:50 p.m. a motion to reconvene into an open meeting was made by **Rick Dutson** and seconded by **John Bilton**. The motion passed with Council Members **Bilton, Dutson, Ritz, Talbot** and **Young** voting in favor.

REGULAR SESSION

Present: Mayor Scott Harbertson, Council Members John Bilton, Cory Ritz, Jim Talbot and Sid Young, City Manager Dave Millheim, Community Development Director David Petersen, Associate City Planner Christy Alexander, City Finance Director Keith Johnson, City intern Erin Vogeler, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey

CALL TO ORDER:

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

Mayor Harbertson opened the meeting at 7:00 p.m. and welcomed those in attendance, including **Jace Riley** of the Youth City Council. **Jim Talbot** offered the invocation, and the Pledge of Allegiance was led by **John Bilton**.

Approval of Minutes

Motion

Sid Young made a motion to approve the minutes of the June 21, 2011 City Council Meeting. The motion was seconded by **John Bilton** and approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young**.

REPORTS OF COMMITTEES/MUNICIPAL OFFICERS:

Proclamation recognizing Lagoon

Mayor Harbertson welcomed representatives of the **Freed** family, owners of Lagoon, and read the City's Proclamation recognizing and commending Lagoon for its 125-year history in Farmington.

Miss Farmington Report

Jessica Francis explained that her platform is "Fight Like a Girl", and she plans to support women as they deal with difficult challenges in their lives. She thanked the City Council for their support during Festival Days—\$450 was raised for the Children's Miracle Network. She has planned several events: (1) A mother-daughter and/or sisters high-heel-a-thon in September at Heritage Park to raise additional money for the CMN; (2) A benefit concert for the same cause; (3) A Halloween party in October; (4) Assemblies at the various schools in the City.

Introduction of new Police Officer/Administration of Oath of Office

Adam Sudweeks was sworn in as a new Police Officer for Farmington City by City Recorder **Holly Gadd**. He was born and raised in West Jordan, Utah, served in the military, and became a policeman. He is looking forward to serving the citizens of Farmington City.

Executive Summary for Planning Commission meeting held June 30, 2011

Mayor Harbertson referred to the staff report prepared by Associate City Planner **Christy Alexander**.

PUBLIC HEARINGS:

Garbett Homes (Public Hearing) – Farmington Crossing North Phase 5 Schematic Plan

Rick Dutson recused himself on this item because of a conflict of interest and said he will return to the meeting following this item. **Mayor Harbertson** asked the audience not to applaud or shout, and to use courtesy and civility. He requested that each speaker adhere to a 2-minute time limit.

David Petersen explained that Garbett Homes received approval for this Phase in 2006, but it has expired. The buildings, layout and design are the same--the only modification is a request for lease-to-own units.

Noel Ballsteadt, 8501 S. Taos Drive, Sandy, said Garbett Homes began the process for this project eight years ago. This request is to reinstate the previous approvals with an amendment to allow lease-to-own units. The townhomes will be the same as the existing units with respect to color schemes, landscaping, and elevations, and Garbett will be able to finish the project, including the trail connection to the Maverick gas station and the Highway 89 connection. They have several townhome projects which are located adjacent to apartment buildings, and there has been no negative impact on the townhomes. He pointed out six Garbett Homes projects:

- Farmington Crossing and Rose Cove Apartments
- Chandler Pointe & Liberty Hill Apartments in Draper
- Hidden Creek and River Oaks Apartments in Sandy
- The Pines & Liberty Landing Apartments in West Jordan
- The Heights and Liberty Bend Apartments in Sandy
- Arbor Square & Liberty Commons Apartments in West Valley City

Rene Oehlerking, Marketing Director for Garbett Homes, said economic conditions have forced them to look at other options for Farmington Crossing. He explained that Garbett has not been able to obtain financing to finish the project; however, because of many short sales and homes in foreclosure, the market for lease-to-own units has increased. They completed an extensive market study and found that the lease-to-own option is great for people who are in need of housing. They would be able to completely finish the project within 15-18 months. He read a letter written by two realtors from REMAX (attached to the minutes). He listed the following benefits:

1. Garbett is motivated to manage the units well so they can maintain their own investment;
2. Garbett will have more control of the selection and screening process;
3. Garbett believes that this is a good solution for Farmington Crossing—it will allow them to finish the project and assist the HOA.

Denae Mollerup, 6179 Heritage Hill Drive, Herriman, is the General Property Manager for Treo Property Management. She currently manages 11 units in Farmington Crossing and has not had any problems in the past three years. Treo has an extensive screening process—including a criminal background check—and their process eliminates most problems and violations. The tenants are given warnings and then fines which if left unpaid could result in eviction.

Jacob Despain, 1983 Ashley Mesa Lane, Sandy, Zions Bank, said they are interested in this type of product because it is doing well both locally and nationally. Vacancy rates in Davis County are around 7% with this type of product and are expected to decrease in the future.

Public Hearing

Mayor Harbertson opened the public hearing at 7:52 p.m. He asked the residents to display courtesy and civility and adhere to a 2-minute time limit.

Theresa Larrabee, 953 W. Willow Green Way, submitted a copy of a supplement to the CC&Rs for Farmington Crossing dated September 27, 2006 and read: “No lots in the project may be leased or occupied by non-owner residents. All lots in the project must be owner occupied.” Garbett never planned to allow rentals, and each homeowner in the development signed this contract. They are now asking to change the contract, and she asked the Council to vote against lease-to-own units. She said there is no proof to show that this will not negatively affect her home, and she purchased a unit in this development because of the promise of no rentals.

Roger B. Wright, 905 Willow Bend Way, asked those in opposition to the proposal to stand. He said they are willing to work with Garbett Homes, but this option will not enhance Farmington Crossing. He was told that if Garbett is allowed to construct lease-to-own units, Farmington Crossing will become the ghetto of Farmington. Current homeowners should not be penalized because they relied on the representation that there were to be no rentals. He suggested that Garbett file for Chapter 11 and restructure the loan or pursue other options that will preserve their rights.

Curtis Marsh, 863 N. Farmington Crossing, signed up to speak but said his points were covered by a previous speaker.

Garn Chilcote, 859 N. Spring Pond Drive, moved to Farmington Crossing in May of 2006. He said the project was never meant to be an investor or rental property, but both have been problems from the beginning. At one point the police had to be called in to solve a problem—Garbett Homes did nothing. Bringing an additional 93 rental units will negatively affect the current residents, and he is worried about what will happen at the end of the 18 months if the units are not sold. He believes there are at least 30 units currently being rented, and he asked the Council to deny this request.

Renee McDonald, 856 Spring Pond Drive, said she has been a property manager with Garbett for 11 years, and it is difficult to oppose them. She bought a home in Farmington Crossing and attended the City Council meetings and the groundbreaking ceremony and heard promises that these units would not be rentals. She and her eight children live in one of the larger units, but they have not been able to sell their home. Currently there are 25 grandfathered units, 29 units that qualify for a hardship, and many rentals under the table. She asked the City Council to deny this request.

Dean Godfrey signed up to speak but passed his turn on to the next resident.

Rudolph Mensink, 911 W. Willow Green Way, is a long-time citizen of Farmington. He worked for an insurance company for 40 years and dealt with real estate investments and contracts. He told the City they must adhere to the contract which states that rentals will not be allowed.

Elizabeth Etter, 773 N. Willow Green Way, used the word “value” as it relates to homes, neighbors and safety. She plans to live in Farmington Crossing for many years. She explained that she lives on the southwest side of the development next to the Rose Cove Apartments, and the retirees who live in Rose Cove are great; however, other tenants who live there do not value their living space. If

the lease-to-own request is approved, there would be many tenants who would not value the area as much as current residents do.

Franklin R. Etter II, 773 N. Willow Green Way, submitted several documents (attached to the minutes) and referred to an email he sent to the City Council on July 7, 2011. He also quoted a 2006 Salt Lake Tribune news article titled Garbett Homes Rebuffs Investors: “In any case Farmington City officials are growing increasingly worried about affordability, but more importantly, **Mayor Scott Harbertson** said he does not want to see a community dominated by rentals. Owners who plan to occupy their homes generally will invest more to beautify their properties and keep them in good condition than those simply renting them out.” In the same article, **Bryson Garbett** said: “Each person can buy only one unit in Farmington Crossing and has to live in it or have it as a second home. Garbett wants to make one thing clear—investors are not welcome in this development.” He pointed out that this is not just a down market situation. He does not agree with Garbett’s comment that lease-to-own units will have no negative impact on their properties—rentals will have an impact! He asked the Council to consider the interests of the entire community.

Mack McDonald, 856 N. Spring Pond Drive, complained that Garbett Homes has not followed through with the promises they made. Lease-to-own units will increase the demand on City resources and bring additional crime.

Ray Walsh, 847 Shepard Creek Parkway, signed up to speak but passed his turn..

Eric Higham, 907 Willow Bend Way, said that if Garbett loses the property, the City should obtain grant money to use the area for parks and recreational activities. This would garner national attention for both Farmington Crossing and the City.

Rainey Christofferson, 1137 N. Stillwater Dr., said she is a lone voice but is inclined to support Garbett Homes. She has some of the same concerns and fears that have been shared; however, she is also afraid of what will happen if approval is not granted. The economy is challenging, and everyone has had to make difficult decisions. She and her husband moved from New York City because of the economy. She loves Farmington Crossing and would like the units to be built and the master plan to be completed.

Lindsay Cutler, 169 E. Burton Lane, Kaysville, represents one of the homeowners who submitted a hardship application. They attempted to sell their home for 1 ½ years but were forced to rent their home to avoid foreclosure. They applied for the hardship in a timely manner, and Garbett did not respond for six months at which time they said the Board had not yet reviewed their request. She questioned Treo Management’s ability to manage 93 units and feels that would be a conflict of interest. She would like to see Farmington Crossing remain a strong and valuable community.

Laura Crandall signed up to speak but passed her turn on to the next resident.

Phil Cox, 828 N. Spring Pond Drive, bought a home in Farmington Crossing in February 2006. They moved from west Kaysville where many homes had turned into rentals, so they specifically asked salesman **Jacob Ballstead** whether or not rentals would be allowed. He told them rentals would not be allowed and listed many of the problems that can occur with rentals. Having a high-density project next to lower density units will negatively affect the homeowners.

Brian Clark, 928 Shepard Creek Parkway, purchased a home in October of 2010 and was promised there would be no rentals. The original owners of his unit paid \$210,000 and lost a significant amount of money when they sold it to him for \$165,000. Homes in Farmington Crossing cannot be sold, and everyone is suffering a hardship. People are determining how many children they will have based on how long it will be until they can sell their unit and buy a larger home. He said if Garbett Homes cannot finish the project now, let the property sit—it will be finished eventually, and he does not want 20-25% of the homes to be rentals.

Adam Magalei, 889 W. Willow Bend Way, read a letter (attached to the minutes) and said this proposal is not right for his family or for Farmington City. He quoted from Garbett Home's website: "All of the economic fundamentals show that this is a good time to buy a home. Continuing strength in rental demand signals that there is upward pressure on rental apartments. The real risk isn't buying a home, it is continuing to rent." He said this proposal is not right for Farmington Crossing residents or the City of Farmington, and he asked the Council to uphold the recommendation of the Planning Commission who set a precedent in this case for making a good decision.

Tiffany Ann Magalei, 889 W. Willow Bend Way, works for Treo Management (a subsidiary of Garbett Homes) and shows the rental units to interested tenants. There have been some major problems with renters, and although she might lose her job, she is against allowing 93 lease-to-own units in Farmington Crossing.

James Muirbrook, 796 N. Shepard Creek Parkway, said he has lived in Farmington his entire life, and he loves it here. He opposes lease-to-own units in Farmington Crossing.

Mayor Harbertson closed the public hearing at 9:00 p.m.

Mr. Ballsteadt said he wished the market was strong enough that Garbett could have finished the project like they had planned. He asked the Council to approve the request and grant them permission to incorporate lease-to-own units in Farmington Crossing.

Kevin Anderson, Legal Counsel for Garbett Homes, 2211 Laird Way, Salt Lake City, submitted a packet of material (attached to the minutes). He said Garbett does not come as an enemy but as one of two parties working together to solve a difficult situation. They are asking for the flexibility of lease-to-own units to ensure that the remaining portion of the project does not go into an abyss which will not benefit anyone. He pointed out that if 93 units were to come on the market during this down economy, it would be very difficult for anyone in Farmington Crossing to sell their used homes when new units are also available for sale. This lease-to-own option would allow Garbett Homes to bring units into the market which would help increase and stabilize property values. Another important issue is that the selective application of an owner-occupied requirement imposed on this development but is not uniformly imposed on every other condominium development in the City is improper and illegal, and it violates the constitution. When real estate is sold, the owner is buying a bundle of rights. One of those rights is the right to sell your unit, and another is the right to lease or rent your property. It is not proper or legal to strip away that right and inform a developer that he can sell his property but he cannot lease it—that is a violation of the Constitution and is the taking of property rights without compensation. He urged the Council to grant this request and thanked them and the residents for their decorum during a difficult meeting.

Mayor Harbertson said that as the Mayor of Farmington for 5½ years, he has enjoyed working with Garbett Homes and feels that he had a good working relationship with them. However, the past few months have been very difficult. He was disappointed by the lease-to-own request and felt that the goodwill which the City had built with Garbett was under extreme pressure. Garbett made many promises to the residents of Farmington Crossing and to the City. The City made a difficult choice to change the zoning and allow Garbett to develop Farmington Crossing—they did not want a rental project and were willing to wait rather than approve a rental development. He also said he does not believe the area will turn into a slum situation.

Jim Talbot said he has been involved with this project from the beginning, and he has supported it the entire time. He is involved in commercial development, and he looks at the issue from the standpoint of what will work in that area. This housing development made sense. But the rental issue was always there, and it was made very clear by Garbett Homes that there would be no rentals. Rental units do not fit the intent of what the City wants in that location.

Sid Young said he has also been involved from the beginning, and he appreciates the views of both sides—he has read every email. He understands the real estate bundle of rights issue and stressed that promises made to existing homeowners are also important. When the project began, and Garbett requested a change of zoning from commercial to residential, several commitments were made—one of the commitments was that the townhomes would be owner occupied. He said he may not have approved the rezoning request if that had not been stipulated.

Cory Ritz said he has also been involved with this issue from the beginning—**Noel Ballsteadt** and Garbett Homes have been great to work with. As they tried to create a project that would benefit Farmington, GH. This was originally zoned to be a commercial project, and we put great credence on promises that were made. He said this issue has been a struggle for him because he values personal property rights; however, he also values commitment and integrity. The City gave great weight to the promises for an owner-occupied development. He suggested that Garbett Homes put the project on hold and wait a while before proceeding.

Noel Ballsteadt said **Bryson Garbett** is currently out of the country right now, but if this request is not approved, he believes the project will go into foreclosure.

John Bilton commented that he has been involved with this development for five years, and he referred to several actions from the past: On August 11, 2005 schematic plan approval was granted with Condition #2 stating that “all units shall be limited to for sale, or owner-occupied dwelling units. No rental units shall be permitted.” Similar wording was used in the City Council minutes in Nov. 2006. The City has records which strongly state what the intentions were at that time. He commended the residents for their passion on this issue, including those who passed on their comments because similar points were made by previous residents. He appreciates property rights and the comments presented by **Kevin Anderson** and said Farmington makes an effort to apply and use its ordinances to the best use and rights of property owners. This comes with consequences, of course—some which can be seen and others which are unintended.

Motion

Sid Young made a motion to reapprove the schematic plan of Farmington Crossing Phase 5 schematic plan, subject to all applicable Farmington City ordinances, development standards and the same conditions and findings established previously by the City and additional findings 1-9. The motion was seconded by **Jim Talbot** and approved by Council Members **Bilton, Ritz, Talbot and Young**.

Findings

1. The Developer has not provided substantial evidence of a change in conditions that would warrant re-approval with different conditions from those attached to earlier phases.
2. Existing property owners purchased homes in Farmington Crossing with the knowledge that they were buying into an owner-occupied community and not a rental project.
3. A lease-to-own option may negatively impact the investment of residents now owning homes in Farmington Crossing.
4. The requirement of separate covenants for an otherwise coordinated project will create an environment of administrative confusion in the context of covenant enforcement and application and will negatively impact the desired uniformity of the overall project.
5. A rental or lease-to-own alternative for Phase 5 may set a precedent where others in the existing 400+ units can also rent for similar reasons—that sales are slow.
6. Improvements to the project (i.e. US 89 access, the re-paving of Shepard Creek Parkway, and completion of the trail and parks) will likely eventually be finished albeit in an unknown manner and time frame.
7. The swimming pool may eventually be completed.
8. The 93 rental units may not be successful as they may compete with 324 apartments in the Farmington Village development now underway west of the freeway.
9. This project has repeatedly been reviewed by both the Planning Commission and the City Council, and the Council relied on the 5-2 vote for denial of the lease-to-own request which was made by the Commission.

Recess

The Council took a 10-minute recess at 9:40 p.m. The session began again at 9:50 p.m. at which time Council Member **Rick Dutson** rejoined the meeting.

Farmington Crossing North Final (PUD) Master Plan

There was no action taken on this item, and the existing PUD master plan will remain as is.

Rainey Homes (Public Hearing) – Miller Meadows Phase 3 Plat Amendment

David Petersen explained that the Planning Commission recommended approval of the request to vacate Lot 305 in Miller Meadows Phase 3. Following discussion regarding open space requirements, **Dave Millheim** advised the Council to table the request and allow additional time to evaluate the dollar amount proposed by Rainey Homes for the open space modification.

Public Hearing

Mayor Harbertson opened the public hearing at 9:55 p.m.

Ken Fultz, 457 W. Daniel Court, Lot 214, said his back yard borders Lot 305. He asked numerous questions such as whether or not the agreement between Rainey Homes and the land owner has expired, if the public should attend both the Planning Commission and Council meetings, who regulates the practices of the developer during the building process, how open space formulas work, how the amount of compensation is determined, and the lack of a trail between Lots 112 and 113.

David Petersen answered most of his questions, and **Dave Millheim** said he has a meeting with Rainey Homes on Thursday, July 21, and he will ask about the agreement between Rainey Homes and the land owner.

Darlene Fultz, 457 W. Daniel Court, Lot 214, said she is concerned about the reduction of open space. Lot 305 is currently full of noxious weeds does not work as open space. She agrees with vacating the fingers of open space and Lot 305, but the vacation of Lot 324 does not make sense. The general plan calls for agricultural preservation in this area, and she loves the horse pasture.

The public hearing was closed at 10:12 p.m.

Motion

Cory Ritz made a motion to table the request for the Ordinance and Vacation Order amending the Miller Meadows Subdivision Phase 3, by vacating all of Lot 305. **Rick Dutson** seconded the motion which was approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young**.

Fruit Heights City (Public Hearing) – Boundary Line Adjustment

Public Hearing

Mayor Harbertson opened the public hearing at 10:15 p.m. There were no comments, and the public hearing was closed.

Motion

Jim Talbot made a motion to approve the ordinance adjusting a portion of the existing common boundary line between Farmington City and Fruit Heights City. **John Bilton** seconded the motion which was approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young**.

Dave Millheim said he will contact the property owners to inform them of tonight's action.

PRESENTATION OF PETITIONS AND REQUESTS:

Farmington Crossing North Final (PUD) Master Plan

Because of the action taken on the Farmington Crossing Schematic Plan earlier in the meeting, there was no action required on this item.

Approval of a Final Plat for the Spring Creek Estates Phase 3c Subdivision

Howard Kent, the developer for Spring Creek Estates, said there are 54 lots on 22.7 acres in Phase 3c, and it is the last phase. Phases 3a and 3b had a total of 35 lots, but Phase 3c was placed on hold due to the conditions of the housing market. This final plat is consistent with the approved preliminary plat.

Motion

Rick Dutson made a motion to approve the final plat for the Spring Creek Phase 3-C Subdivision (54 lots) located at approximately 550 North 1800 West, subject to the conditions and findings as set forth in the Planning Commission staff report. The motion was seconded by **Cory Ritz** and approved by Council Members **Bilton, Dutson, Ritz, Talbot and Young**.

SUMMARY ACTION:

Minute Motion Approving Summary Action List

- Approval of Baker Land Agreement – 1000 North
- Spring Creek 3A and 3B Conservation Easement
- Approval of amended Agreement with ICMA to allow loans
- Approval of State Retirement Benefits for those on long-term disability hired after July 1, 2011
- Approval of State Retirement Benefits for those on long-term disability for volunteer (part time) firemen hired after July 1, 2011
- Approval of Agreement with Davis County regarding elections
- Approval of Improvements for rental unit on 1787 N. Main Street
- Approval of bid by Jerry Preston for the Veterans Memorial at the City Cemetery
- Ratification of Approvals of Construction & Storm Water Bond Logs
- Building Activity Report for June

Motion

Rick Dutson made a motion to approve the items on the Summary Action List. A second was made by **Sid Young**, and Council Members **Bilton, Dutson, Ritz, Talbot and Young** all approved.

GOVERNING BODY REPORTS:

City Manager Report

- Staff received a thank-you note from **Nadine Gibbons** regarding the improvements on 900 and 1000 North. She complimented City employees on their efforts and patience during the project.
- He referred to the City Council Action List and asked the Council to review it prior to each meeting.
- He referred to the list of Upcoming Agenda Items in the staff report.

- He expressed gratitude for the personal support given by the **Mayor** and the City Council during his long commute the past few months. He will be moving to Farmington next week.

Mayor Harbertson

- Idle Free Utah has asked the City if they are interested in having any type of a resolution to support their cause. Staff thinks it is more time consuming than beneficial, and the Council agreed not to participate.
- The ULCT is requesting nominations for its Board of Directors; no members of the Council were interested in serving on the Board.
- The annual City Council Shoot will be held on August 25th at 5:00 p.m.
- There will be an orientation meeting for potential City Council members at 6:00 p.m. on Thursday, July 21.
- He met with **Dave Freed** of Lagoon and discussed the house on 100 North which they plan to demolish. **David Petersen** is working on the possibility of joining with the Davis School District to restore the home.
- **Neil Miller** will report on Festival Days at the Council meeting on August 2nd.
- A fireworks follow-up report will be given on August 16th rather than August 2nd because **Jim Talbot** will be out of town.
- He received a nice thank-you note from a resident regarding Festival Days—this resident volunteered to maintain several fire hydrants.
- The **movie theatres** and Ross store in Station Park are open for business.
- He welcomed **Elizabeth Nielsen**, reporter for the Davis County Clipper.

Jim Talbot

- He requested that the Council Chambers be locked during daytime hours.
- He received many positive comments regarding Festival Days this year, and he informed the Council that three paintings were sold by local artists during the event. He thanked everyone for their kind comments regarding the paintings which are displayed in the Council Chambers.
- He requested a review of signage for election campaigns. The **Mayor** said the City plans to ban the signs on City property—they will be allowed on private property only.
- He asked to be excused from the August 2, 2011 City Council Meeting.

- He said a fire hydrant disappeared from the street in front of **Palmer's** home (the street is Northridge Court) Somerset and asked if it could be replaced.

Sid Young

- Farmington resident **Vertis Andersen** complimented the City on Forbush Park—he had a family reunion at the Park and loved all of the amenities.
- He received comments from residents who would like the City to install a crosswalk on the south entrance to Station Park--crossing Clark Lane. Following a brief discussion, it was determined that the City owns the street, and **Dave Millheim** agreed to pursue the idea.
- He said a location has been found for the fire break road which would avoid private property. **Dave Millheim** said he is meeting with **Scott Purcell** of Benchland Water District on Wednesday, July 20th regarding this issue.

Rick Dutson

- He commented that Festival Days was awesome.

Cory Ritz

- He reported that the process used during the Personnel Committee meeting was successful.

John Bilton

- He reported that 760 people registered and ran the four races, and 1300 people attended the breakfast. He felt that both events were very successful.
- The Historic Preservation Commission plans to submit a request for an historic district called the Sycamore which will include all of the sycamore trees and the Rock Hotel.

ADJOURNMENT

Motion

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

Holly Gadd, City Recorder
Farmington City Corporation

CITY COUNCIL AGENDA

For Council Meeting:
August 2, 2011

S U B J E C T: Introduction of New Fire Marshall/Administration of Oath of Office

ACTION TO BE CONSIDERED:

None.

GENERAL INFORMATION:

Mayor Harbertson will introduce Steve Cox, new Fire Marshall.
Holly Gadd will perform the administration of the Oath of Office.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

CITY COUNCIL AGENDA

For Council Meeting:
August 2, 2011

S U B J E C T: Public Hearing: Schematic Plan for Tuscan Cove Phase 2 and 3

ACTION TO BE CONSIDERED:

1. Hold the public hearing.
2. See enclosed staff report for recommendation.

GENERAL INFORMATION:

See enclosed staff report prepared by Christy Alexander.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
RICK DUTSON
CORY R. RITZ
JIM TALBOT
SID YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Christy Alexander, Associate City Planner

Date: July 29, 2011

SUBJECT: APPROVAL OF A SCHEMATIC PLAN FOR THE TUSCANY COVE PHASES 2 & 3 SUBDIVISION & APPROVAL OF STREET STANDARDS NOT LISTED IN THE FARMINGTON CITY DEVELOPMENT STANDARDS

RECOMMENDATION

1. Hold a Public Hearing.
2. Approve the attached schematic plan for the Tuscany Cove Phases 2 & 3 Subdivision (4 lots) located at approximately 275 East Tuscany Cove Drive and approval of street standards not listed in the Farmington City Development Standards, subject to the conditions and findings as set forth in the attached Planning Commission Staff Report.

BACKGROUND

The applicant, Rainey Homes, is requesting approval for a minor 4-lot subdivision on just over 2.09 acres of property. The underlying zone for this property is an LRF zone which requires a minimum lot size of 20,000 square feet if the subdivision is not a conservation subdivision. Rainey Homes is proposing a standard, non-conservation subdivision adjacent to their existing Tuscany Cove Subdivision. Since the number of lots does not exceed 10, the approval process consists of both a Schematic Plan and Preliminary Plat. Staff considers the Yield Plan to have already been approved with the approval of the overall master plan several years ago.

This agenda item was tabled at the Planning Commission meeting on May 26, to allow time for the applicant to prepare information illustrating retaining wall specifications on the west side of the lots abutting the proposed 275 East Street if a side walk is provided. The key concern for staff was the issue of placing a sidewalk only along the westerly side of the street. Staff feels that a sidewalk must be provided along the westerly side of the street but will allow the easterly side to go without one, presuming the east side abuts the retaining walls and rear yards of the houses found in Tuscany Cove Phase 1

(See attached cross section of street for sidewalk design options). As set forth in Section 12-8-100, the City Council may review and approve street standards not listed in the City Development Standards upon recommendation of the Planning Commission (see attached).

Public Works is against the use of a private driveway with a public easement to accommodate a three-point turn-around on the proposed 275 East Street even though the Fire Department is alright with it. They recommend that the applicant provide a temporary turn-around, even if it is off-site on property to the north of the development. Mr. Hunter, the property owner to the north has given his consent to construct a temporary turn-around on his property. The Planning Commission voted on June 16, 2011 to recommend schematic plan approval and recommend approval of street standards not listed in the City Development Standards for the Tuscany Cove Phases 2 & 3 Subdivision subject to the conditions and findings as set forth in the attached Planning Commission Staff Report.

Respectfully Submitted



Christy J. Alexander
Associate City Planner

Review & Concur -



Dave Millheim
City Manager



Planning Commission Staff Report June 16, 2011

Item 7: Schematic Plan for Tuscany Cove Phases 2 + 3 Subdivision

Public Hearing: Yes
Application No.: S-7-11
Property Address: 275 East Tuscany Cove Drive
General Plan Designation: LDR (Low Density Residential)
Zoning Designation: LRF (Large Residential Foothill)
Area: 2.09 Acres
Number of Lots: 4
Property Owner: JMR Holdings, LLC
Agent: Rainey Homes

Request: *Applicant is requesting a recommendation for approval of a Schematic Plan for the Tuscany Cove Phases 2 +3 Subdivision.*

Background Information

This agenda item was tabled at the last Planning Commission meeting to allow time for the applicant to prepare information illustrating retaining wall specifications on the west side of the lots abutting the proposed 275 East Street if a side walk is provided. The applicant has done so (see enclosed drawings).

In the meantime, Public Works is against the use of private driveway with a public easement to accommodate a three-point turn-around on the proposed 275 East Street even though the Fire Department is alright with it. They recommend that the applicant provide a temporary turn-around not under such circumstances, even if it is off-site on property to north of the development.

Suggested Motion(s)

Move that the Planning Commission recommend schematic plan approval of the Tuscany Cove Phases 2 + 3 Subdivision Schematic Plan as proposed subject to all applicable Farmington City standards and ordinances and the following:

1. The applicant must provide a 6 foot wide sidewalk at the back of curb on the west side of the proposed 275 East Street.

2. The City Council must approve the proposed modified street cross section in accordance 12-8-100 of the Subdivision Ordinance.
3. A temporary turn-around must be provided acceptable to the both the Farmington City Public Works and Fire Departments.

Findings for Approval:

1. The proposed schematic subdivision is in substantial compliance with all subdivision and zoning requirements for a schematic subdivision approval including;
 - a. A completed application;
 - b. Minimum lot sizes as set forth in the LRF zone;
 - c. Description and preliminary layout of utilities and other services required;
2. The proposed subdivision is desirable in that the platting of the property in this area will provide a cleaner description and record of the properties and residences in the subject area.
3. The proposed Preliminary Plat submittal is consistent with all necessary requirements for a preliminary plat as found in Chapter 5 of the City's Subdivision Ordinance.
4. The recommendation for schematic plan approval also represents the Planning Commission recommendation to the City Council regarding the proposed street cross section for 275 West Street.

Supplemental Information

1. Vicinity Map
2. Tuscany Cove Phases 2 + 3 Subdivision Plans

Applicable Ordinances

1. Title 12, Chapter 3 – Schematic Plan
2. Title 12, Chapter 7 – General Requirements for All Subdivisions
3. Title 12, Chapter 8 – Public Improvements
4. Title 11, Chapter 11 – Single Family Residential Zones
5. Title 11, Chapter 30 – Foothill Development Standards

(1) A payback agreement entered into between Farmington City and the developer who installs the improvements or facilities for water, storm sewer or roads is authorized, where the improvements installed are intended to extend, expand or improve the City's water system, storm sewers or roads beyond the improvements required to service or benefit the subdivision or development proposed by the developer. Such payback agreements shall be for project improvements and not system improvements as defined in the Utah Impact Fees Act. The payback agreement is not mandatory, but may be used at the option of the City Manager, upon approval of the payback agreement by the City Council. The amount of the payback to the developer shall be determined by the City Council after receiving a recommendation from the City Engineer after considering the improvements or facilities required or benefitting developer's development, and those facilities or improvements that are specifically oversized to provide for future development of adjacent projects.

(2) The City shall, in all cases, be immune and not liable for any payments to the developer if the payback agreement is determined to be unenforceable. The payback agreement shall not confer a benefit upon any third party and shall be in a form approved by the City Council. The responsibility for payment of the required improvements or facilities shall rest entirely with the developer. The City shall not be responsible for collection of amounts from third parties.

→ **12-8-100 Administrative Review for Public Street Standards Not Listed**

(1) The City Council, after receiving a recommendation from the Planning Commission, may review and approve street standards not listed in the Farmington City Development Standards but shall consider only modifications and alternatives to Standard Street Intersections, Typical Cul-de-sac, and Standard Roadway Sections. The Planning Commission shall not consider changes to remaining standards including, but not limited to, Submittals, Quality Control, Site Preparation, Grading, Excavating, Backfilling and Compaction, Base Course, Asphalt/ Concrete, Curbs, Gutters, Drive Aprons, and Walks, Slurry Sealing, Restoration of Existing Improvements, Storm Drainage Systems, Boundary Markers and Survey Monuments, Geo-textiles, and Concrete Reinforcement. Notwithstanding the foregoing, amendments to the Farmington City Development Standards may be approved from time to time by resolution of the City Council.

(2) An application requesting a street standard not listed shall be filed with the City Planner. The application shall include a detailed description of the proposed standard and other such information as may be required.

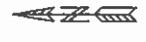
(3) The City Planner, City Engineer, City Public Works Director, and any other City official as required, shall conduct such investigations as are deemed necessary to compare the proposed standard with sound customary engineering and planning practices. Thereafter a recommendation shall be provided to the Planning Commission.

(4) The final determination by the City Council and all information pertaining to it shall be assigned a file number classifying it as an administrative determination and shall become a permanent public record in the office of the Community Development Department.

Title 6 (now Title 12) Amended, 6-06-91, Ord. 91-21
6-8-101 (now covered under 12-8-010) Amended, 4-21-93, Ord. 93-18
6-8-102 (now 12-8-020(1)) Amended, 2-15-95, Ord. 95-05
Title 12 Amended and Recodified, 6-19-96, Ord. 96-24
12-8-090 Enacted, 5-17-00, Ord. 2000-21
12-8-100 Enacted, 10-04-00, Ord. 2000-39



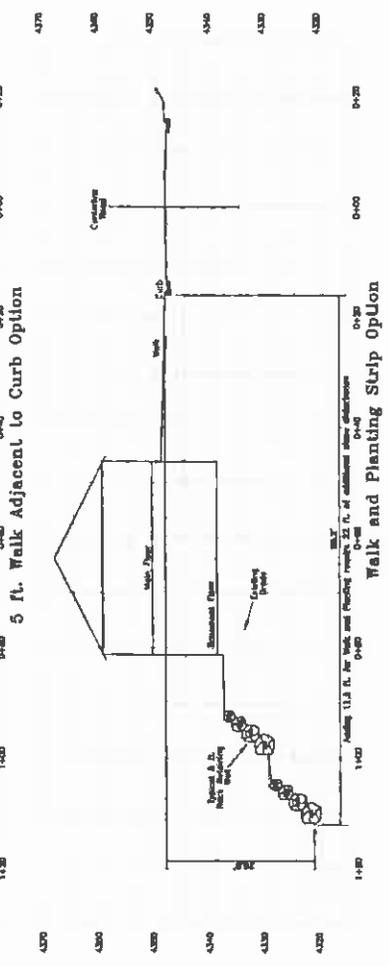
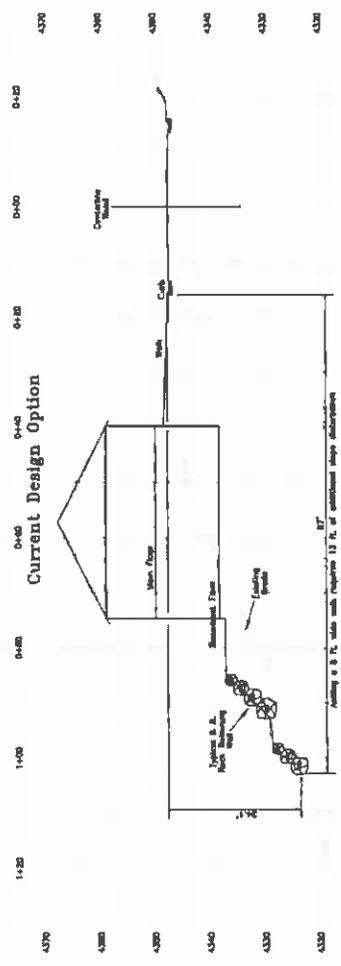
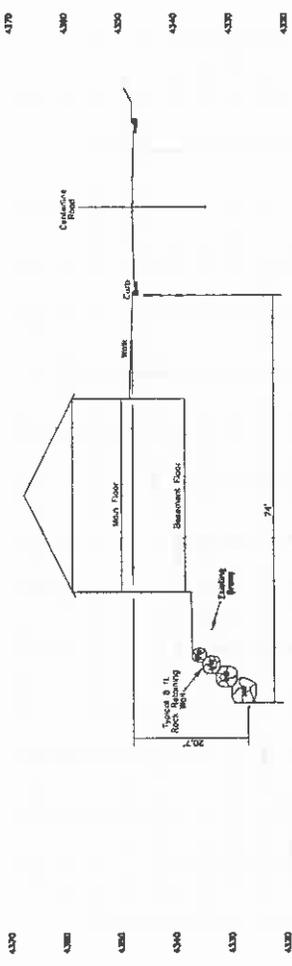
Vicinity Map



Revisions	Date	Description	By

Tuscany Cove Phase 2
 Lot 204 Wollands
 For Railway Homes

Balling Engineering
 Civil Engineering • Surveying • Planning
 223 K. Paine Lane
 Centerville, Utah 84014
 Phone: (801) 229-7237
 Fax: (801) 229-0410



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CITY COUNCIL AGENDA

For Council Meeting:
August 2, 2011

**S U B J E C T: Public Hearing: Schematic Plan for Miller Meadows Conservation
Subdivision**

ACTION TO BE CONSIDERED:

1. Hold the public hearing.
2. See enclosed staff report for recommendation.

GENERAL INFORMATION:

See enclosed staff report prepared by Christy Alexander.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
RICK DUTSON
CORY R. RITZ
JIM TALBOT
SID YOUNG
CITY COUNCIL

DAVE MÜLLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Christy Alexander, Associate City Planner

Date: July 29, 2011

SUBJECT: APPROVAL OF A SCHEMATIC PLAN FOR THE MILLER MEADOWS
CONSERVATION SUBDIVISION & APPROVAL OF FEE-IN-LIEU
WAIVER REQUEST

RECOMMENDATION

1. Hold a Public Hearing.
2. Approve the attached fee-in-lieu proposal of \$120,000.00 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.
3. Approve the attached 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 attached Planning Commission Staff Report.

BACKGROUND

The applicant, Rainey Homes, is seeking approval to amend the Master Development Plan for the Miller Meadows Conservation Subdivision by increasing the number of lots from 110 to 117 and eliminating the two easterly conservancy lots. In lieu of the required open space, the applicant intends to seek a waiver from the City Council as set forth in Sections 11-12-065 and 11-12-068 of the Zoning Ordinance (see attached) and provide comparable compensation (cash payment) that will be earmarked for open space/park property elsewhere. The approval of the waiver of open space and corresponding proposed \$120,000.00 fee-in-lieu is of necessary before approval of the schematic plan should occur. An amendment to the Master Development Plan will require a new preliminary plat, and schematic plan approval is a pre-requisite for preliminary plat approval. Hence, the applicant is requesting approval for a schematic plan.

Under the current proposal the two westerly conservancy lots will remain. Staff has met with the developer and discussed the cost breakdown of the projected land values (see attached) as well as the project gross profit and feels the proposed fee-in-lieu is an appropriate valuation. The Planning Commission voted on June 16, 2011 to recommend schematic plan approval for the Miller Meadows Conservation Subdivision, subject to the conditions and findings as set forth in the attached Planning Commission Staff Report.

Respectfully Submitted



Christy J. Alexander
Associate City Planner

Review & Concur



Dave Millheim
City Manager



Planning Commission Staff Report
June 16, 2011

Item 5: Schematic Plan and Amendment to Master Development Plan for the Miller Meadows Conservation Subdivision

Public Hearing:	Yes
Application No.:	S-5-11
Property Address:	600 South 650 West
General Plan Designation:	AG (Agricultural Preservation)
Zoning Designation:	AE (Agricultural Estates)
Area:	58.3 acres
Number of Lots:	115
Property Owner:	West Glen Corporation
Agent:	Rainey Homes

Request: *Recommendation for Schematic Plan approval and to amend the Master Development Plan for the Miller Meadows Conservation Subdivision*

Background Information

The applicant, Rainey Homes, is no longer pursuing PUD approval as was previously considered by the Commission at its last meeting, but is seeking approval to amend the Master Development Plan for the Miller Meadows Conservation Subdivision by increasing the number of lots from 110 to 117 and eliminating the two easterly conservancy lots. In lieu of the required open space, the applicant intends to seek a waiver from the City Council as set forth in Sections 11-12-065 and 11-12-068 of the Zoning Ordinance (see attached) and provide comparable compensation (cash payment) that will be earmarked for open space/park property elsewhere. An amendment to the Master Development Plan will require a new preliminary plat, and schematic plan approval is a pre-requisite for preliminary plat approval. Hence, the applicant is also requesting a recommendation for schematic plan approval.

Under the current proposal the two westerly conservancy lots will remain. Issues regarding the property and/or rights-of-way in the northwestern portion of the development have been resolved or will be resolved as development occurs.

Suggested Motion:

Move that the Planning Commission recommend that the City Council amend the Master Development Plan as proposed and also approve the schematic plan related thereto subject to all applicable Farmington City ordinances and development standards and the following:

1. Provide a description of the type of culinary and irrigation water system(s) proposed; also, documentation of water rights and secondary water shares.
2. Provide a description of the size and location of sanitary sewer and stormwater drain lines and subsurface drainage.
3. Obtain a waiver of open space requirements as requested from the City Council as per Sections 11-12-065 and 11-12-068 of the Zoning Ordinance.
4. The development agreement for the project must be updated to show the change to the Master Development plan.
5. Pedestrian access to the Legacy Parkway trail must be provided from two of the adjacent cul-de-sacs in the subdivision.

Findings for Approval:

1. Elimination of the two easterly conservancy lots will remove two awkwardly configured estates lots with "fingers" of open space behind platted lots thus doing away with weed conflicts and over encroachment of agriculture uses into residential areas.
2. Compensation for the loss of open space will be spent on open space/parks elsewhere.
3. The overall lot size for the non-conservancy lots remains the same or slightly larger.
4. The new plan provides greater access to the Legacy Parkway trail.

Supplementary Information

1. Vicinity Map
2. Existing Miller Meadows Master Development Plan
3. Proposed Miller Meadows Master Development Plan
4. Sections 11-12-065 and 11-12-068 of the Zoning Ordinance

Applicable Ordinances

1. Title 11, Chapter 10 – Agricultural Zones Zones
2. Title 11, Chapter 12 – Conservation Subdivision Development Standards

(b) Option Two: Enhanced Conservation. Option Two Conservation Subdivision provides for residential development at the base density permitted in the relevant zone plus any corresponding increased density incentive as provided herein for Option Two Conservation Subdivisions. In order to obtain the increased density incentive provided herein for an Option Two Conservation Subdivision, the development must utilize a conservation design which sets aside and preserves all constrained and sensitive lands, natural hazards and resources, and provides the required increased percentage of conservation land within the development.

11-12-050 Approval Process.

Applications for a Conservation Subdivision shall be submitted and processed in accordance with the requirements and procedures set forth in the City Subdivision Ordinance, including submission and approval of schematic, preliminary and final plans or plats, and any additional procedural requirements set forth in this Chapter, including, but not limited to, submission of a Subdivision Yield Plan, Sensitive Area Designation Plan and/or Master Development Plan.

11-12-060 Development Activities Prohibited.

In order to ensure the preservation and enhancement of existing conditions of certain property within the City, including, but not limited to, constrained and sensitive lands, natural and cultural resources, wildlife habitat and other unique and sensitive lands, no new development activity shall be permitted on property proposed for development as a Conservation Subdivision prior to final plat approval as provided herein. Upon final plat approval, all development activity shall be conducted in accordance with and subject to applicable permit and development approval processes required by City Ordinances, rules and regulations. For purposes of this Section, "development activity" shall include any disturbance or alteration of the property in any way, but shall not include continuation of any currently existing permitted use of the property.

11-12-065 Waiver.



Subject to the provisions set forth herein, any provision of this Chapter may be waived by the City upon a vote of not less than four (4) members of the City Council. Such waiver(s) shall be granted only in limited circumstances as deemed appropriate and necessary by the City Council. No waiver shall be granted absent a finding of good cause based upon specific special circumstances attached to the property. No waiver should be granted that would be contrary to the public interest or contrary to the underlying intent of this Chapter. Any waiver of the required minimum conservation land dedication shall require comparable compensation, off-site improvements, amenities or other consideration of comparable size, quality and/or value.

Section 11-32-106(1)(a):

Residential driveways shall be not more than twenty (20) feet in width when serving as access to two (2) properly designated spaces or thirty (30) feet in width when serving as access to three (3) properly designated parking spaces as measured at the front or side corner property line. "Properly designated parking spaces" shall include spaces in a garage, carport, or on a parking pad located to the side of a dwelling and not located within the minimum front yard setback. Additional driveway width for access to a rear yard, for more than three (3) properly designated parking spaces, or for multiple-family residential developments may be reviewed by the Planning Commission as a conditional use (no fee shall be required). Residential driveways shall be designed at a width which is the minimum necessary to provide adequate access to designated parking spaces.

11-12-068 Fee in Lieu; Conservation Land Dedication.

In the event a proposed conservation land dedication does not, in the City's legislative discretion, produce sufficient public benefit, the City may require the payment of a fee in lieu of the dedication of conservation land. The fee to be paid to the City shall be established as follows:

- (1) The City shall establish the amount of the fee to be paid by determining the value of land of the same general characteristics as the conservation land dedication which would be required absent the application of the provisions of this section. The City's determination of value may be based on land sales data in the City's possession or reasonably available, and the basis of the City's determination shall be made available to the Applicant.
- (2) In the event the Applicant disagrees with the City's determination of the amount of the fee in lieu, the Applicant may, at its sole expense, submit an appraisal report from a licensed and Certified General Appraiser to establish the value of the proposed conservation land dedication. The value as established in a qualifying appraisal shall be the amount of the fee in lieu of conservation land dedication.
- (3) Any amount received by the City in lieu of conservation land dedication shall be set aside solely for open space and/or park acquisition and/or development.

6.3.15.2014

Miller Meadows (New Version)		PROJECTED Budget
PROJECTED COSTS PER LOT	Adjusted	Rayney
COST BREAKDOWN		SUB-TOTALS
Lots		62
Development Improvement Costs	\$ 1,860,000.00	
Development Soft Costs		
Engineering - Civil, Entitlement	\$ 35,000.00	
Testing, Staking & Inspection	\$ 30,000.00	
City Fees		
Preliminary Fee	\$ 1,740.00	
Final Plat	\$ 2,670.00	
Development Inspection Fee	\$ 37,200.00	
Water System Fee	\$ 133,176.00	
Storm Water Fee (Without City Reimbursement)	\$ 99,510.00	
Parks and Rec Fee	\$ 186,000.00	
Street Lights	\$ 30,000.00	
Professional Services	\$ 10,000.00	
Slurry Seal	\$ 10,500.00	
Street & Regulatory Signs	\$ 6,000.00	
Utah Power or Municipal	\$ 80,600.00	
Plat Recording Fees	\$ 1,200.00	
Questar Gas	\$ 74,400.00	
Secondary Water Fees	\$ 11,000.00	
City Bond (Warranty Costs)	\$ 18,300.00	
Conservation Purchase	\$ 120,000.00	
TOTAL COST		\$ 2,747,296
TOTAL DEVELOPMENT COSTS		PROJECTED
# of Lots Remaining (not inc. Conservation Lots)	\$ 62.00	\$ 2,747,296
Projected Development Cost per Lot	\$ 44,311.23	
Projected Value of Lots	\$ 85,000.00	
Projected Gross Profit Per Lot	\$ 40,688.77	
Total Remaining Gross Profit	\$ 2,522,704.00	
Additional Profit from Conservation Lot 791	\$ 150,000.00	
Gross Profit (Does not include any Finance or Carry Costs)		\$ 2,672,704.00

Miller Meadows (New Version)		PROJECTED Budget
PROJECTED COSTS PER LOT	Adjusted	Rayney
COST BREAKDOWN		SUB-TOTALS
Lots		55
Development Improvement Costs	\$ 1,650,000.00	
Development Soft Costs		
Engineering - Civil, Entitlement	\$ 5,000.00	
Testing, Staking & Inspection	\$ 25,500.00	
City Fees		
Preliminary Fee	\$ 1,600.00	
Final Plat	\$ 2,425.00	
Development Inspection Fee	\$ 33,000.00	
Water System Fee	\$ 118,140.00	
Storm Water Fee (Without City Reimbursement)	\$ 88,275.00	
Parks and Rec Fee	\$ 165,000.00	
Street Lights	\$ 30,000.00	
Professional Services	\$ 10,000.00	
Slurry Seal	\$ 10,500.00	
Street & Regulatory Signs	\$ 6,000.00	
Utah Power or Municipal	\$ 71,500.00	
Plat Recording Fees	\$ 1,200.00	
Questar Gas	\$ 66,000.00	
Secondary Water Fees	\$ 11,000.00	
City Bond (Warranty Costs)	\$ 15,600.00	
TOTAL COST		\$ 2,310,740
TOTAL DEVELOPMENT COSTS		PROJECTED
# of Lots Remaining (not inc. Conservation Lots)	\$ 55.00	\$ 2,310,740
Projected Development Cost per Lot	\$ 42,013.45	
Projected Value of Lots	\$ 85,000.00	
Projected Gross Profit Per Lot	\$ 42,986.55	
Total Remaining Gross Profit	\$ 2,364,260.00	
Conservation Lot 621	\$ 150,000.00	
Conservation Lot 705	\$ 150,000.00	
Gross Profit (Does not include any Finance or Carry Costs)		\$ 2,664,260.00

July 26, 2011

Farmington City Council
160 South Main
Farmington, Utah 84025

Re: Miller Meadows New Plan Proposal

Dear Council:

We are writing this letter to explain some of the changes that we have proposed to the Miller Meadows Community and hope that it will help the Council understand our reasons and thoughts as to why we believe that this new plan proposal for Miller Meadows is better for both the neighborhood as well as the city of Farmington.

We are proposing to vacate the two easterly Conservation Lots (Lots 305 and 621) that are adjacent to the Legacy Highway. We feel that these lots do not fulfill their purpose in creating a sense of open space area. They do not conserve any unique or natural features such as meadows, grasslands, tree stands, streams, stream corridors, flood walls, berms, watercourses, farmland, wildlife corridors and/or habitat as mentioned in the Purpose section of the zoning ordinance. At the time of creation it was thought to be a good idea to design these Conservation areas so that they touched as many residential properties as possible. The intent was to allow as many of the residence to enjoy a piece of the conservation area behind their lots as possible. However, we are finding that this design is not at all conducive to maintenance, farming, grazing, or public enjoyment. The areas that stretch behind the residential lots are designed with short narrow spaces that are difficult to manage and maintain; in our opinion with the weeds and liability of placing animals in these tight areas are adding little to no value to the community as a whole.

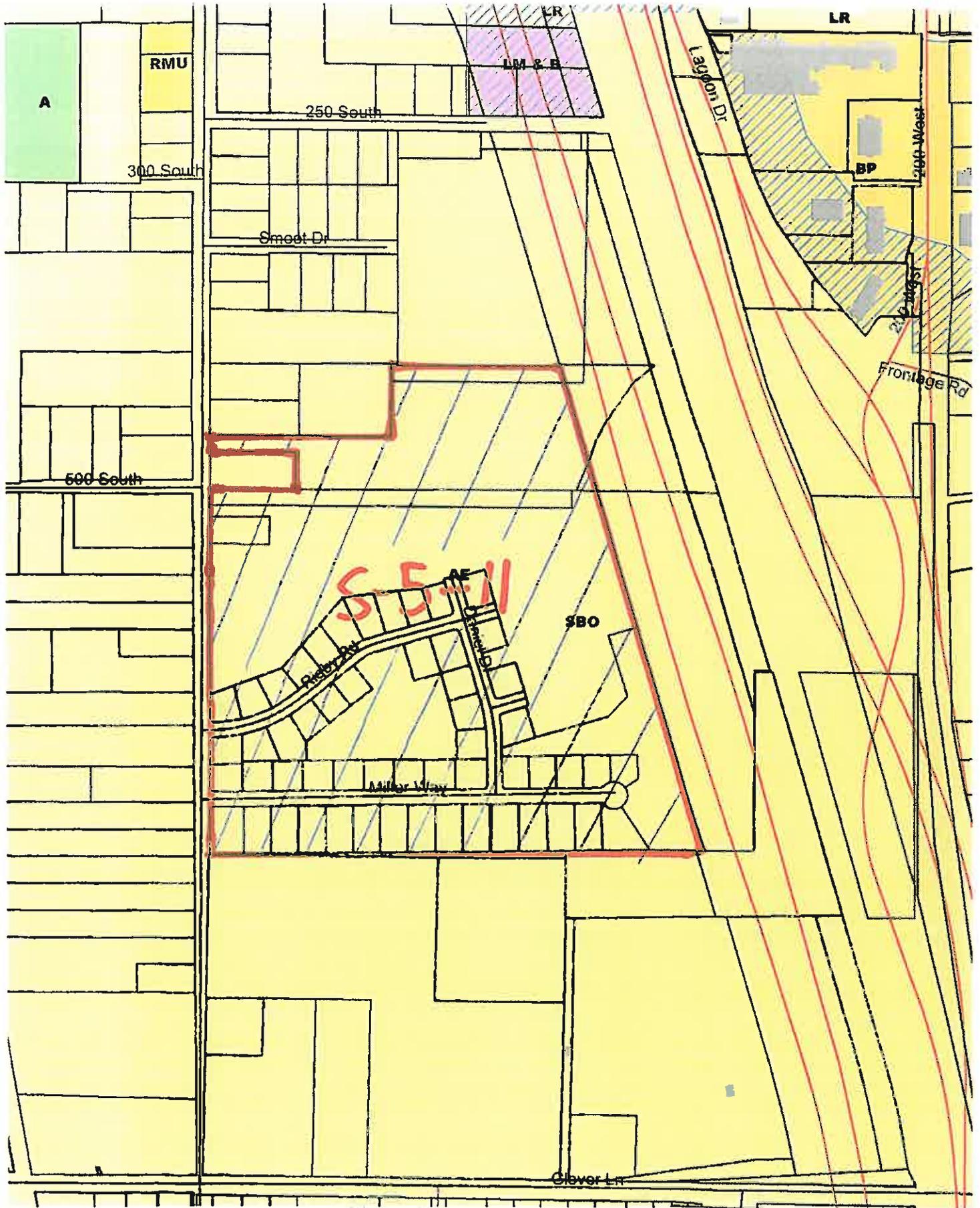
Our new design allows for almost 1.75 acres of increased lot size and conservation area up near and around the existing Rigby home adjacent to 650 West Street. This area is where the existing horses, corrals and farming operation are currently located. The Miller Meadows land has been owned in the Rigby Family for over 100 years and we envision their home on this property with open farming area and animals surrounding as a landmark location for future generations to come. We believe that this truly captures more of what the conservation zoning envisions with its purpose. The new design also increases the size of all of the new proposed lots by an average of almost 2,000 square feet. This will allow for larger homes on larger lots and an overall increase in value to the entire community.

Thank you for your time.

Sincerely,

Brock Johnston
Rainey Homes, Inc.

Ron Rigby
Rigby Family



Vicinity Map

EXISTING MASTER DEVELOPMENT PLAN

RECEIVED
 OCT 14 2004
 2-16-04

<p>Miller Meadows 600 WEST TROTTER LAKE WEST FARMINGTON, UTAH MAPPER: [Name]</p>		<p>PRELIMINARY PLAT (NOT TO BE RECORDED)</p>
<p>Project Name: Miller Meadows</p>	<p>Map No: 2-16-04</p>	<p>Scale: 1" = 100'</p>

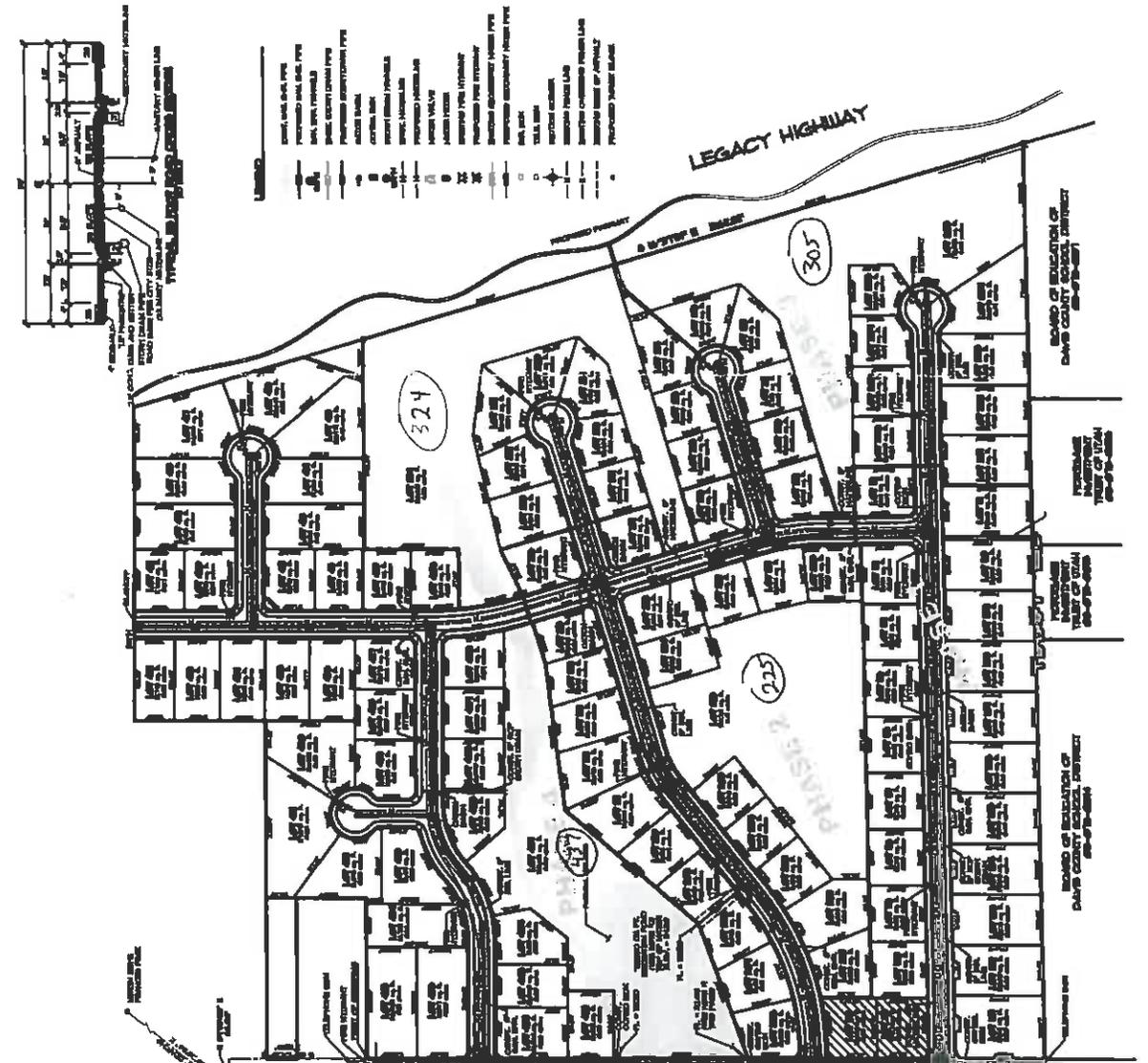
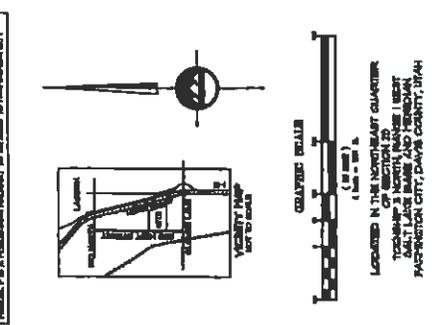
EXISTING MASTER DEVELOPMENT PLAN

This plan shows the existing master development plan for the Miller Meadows subdivision. The plan is based on the original subdivision map and shows the layout of the roads, lots, and other features. The plan is intended to provide a clear and concise overview of the existing development.

LEGACY HIGHWAY

LEGACY HIGHWAY is a major thoroughfare that runs through the center of the subdivision. The highway is shown with a double-line centerline and is flanked by sidewalks and landscaping. The plan shows the highway's alignment and its intersection with other roads.

LOT	AREA	REMARKS
1	100.00	RESIDENTIAL LOT
2	100.00	RESIDENTIAL LOT
3	100.00	RESIDENTIAL LOT
4	100.00	RESIDENTIAL LOT
5	100.00	RESIDENTIAL LOT
6	100.00	RESIDENTIAL LOT
7	100.00	RESIDENTIAL LOT
8	100.00	RESIDENTIAL LOT
9	100.00	RESIDENTIAL LOT
10	100.00	RESIDENTIAL LOT



CITY COUNCIL AGENDA

For Council Meeting:
August 2, 2011

S U B J E C T: Miller Meadows Phase 3 Plat Amendment

ACTION TO BE CONSIDERED:

See enclosed staff report for recommendation.

GENERAL INFORMATION:

See enclosed staff report prepared by Dave Petersen.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
RICK DUTSON
CORY R. RITZ
JIM TALBOT
SID YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council
From: David E. Petersen, Community Development Director
Date: July 22, 2011
SUBJECT: **MILLER MEADOWS PHASE 3 PLAT AMENDMENT**

RECOMMENDATION

Approve the enclosed Ordinance and Vacation Order amending the Miller Meadows Subdivision Phase 3, by vacating all of Lot 305, as recommended by the Planning Commission, whereby a subdivision plat may be created in the stead thereof, subject to the following:

1. The City must grant final approval to a future plat 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.

BACKGROUND

The Ordinance and Vacation Order was reviewed by the City Council at a public hearing on July 19, 2011, but tabled until the Council considers and/or approves an amendment to the overall Miller Meadows Master Development Plan/Schematic plan. If this occurs, the proposed plat amendment to Phase 3 is consistent with this action.

[Note: see enclosed Planning Commission staff report, June 16, 2011. The Commission approved the motion and recommended the findings set forth in the report].

Respectively Submitted

David Petersen
Community Development Director

Review and Concur

Dave Millheim
City Manager

ORDINANCE NO. 2011 -

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER AN ORDER VACATING AND AMENDING LOT 305 OF THE MILLER MEADOWS SUBDIVISION PHASE 3 AND DIRECTING THAT THE SAME BE RECORDED WITH THE DAVIS COUNTY RECORDER'S OFFICE.

WHEREAS, the City has previously received a petition from **West Glen Corporation**, fee owner, as shown on the last county assessment rolls, of land within the Miller Meadows Subdivision Phase 3, to have Lot 305 of such subdivision vacated in order to provide for the filing of the Miller Meadows Subdivision Phase 4; and

WHEREAS, the petition was signed by all owners of record of property within Lot 305 of the Miller Meadows Subdivision Phase 3 and a public hearing regarding the petition was held on July 19, 2011; and

WHEREAS, the City Council is satisfied that neither the public nor any person will be materially injured by the proposed vacation of and amendment of Lot 305 of the Miller Meadows Subdivision Phase 3; and

WHEREAS, the City Council desires to approve the vacation of and amendment to Lot 305 of the Miller Meadows Subdivision Phase 3.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF FARMINGTON CITY, STATE OF UTAH:

Section 1. Vacation and Amendment. The City Council hereby finds that neither the public nor any person will be materially injured by the proposed vacation of Lot 305 of the Miller Meadows Subdivision Phase 3 and hereby authorizes the Mayor to enter into a Vacation and Amendment Order vacating and amending the same.

Section 2. Recording. The Mayor is further directed to cause the Vacation Order to be recorded in the office of the Davis County Recorder's Office in accordance with Utah Code Ann. § 10-9-810(c), as amended.

Section 3. Severability Clause. If any part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all provisions, clauses and words of this Ordinance shall be severable.

Section 4. Effective Date. This Ordinance shall become effective upon publication or posting, or thirty (30) days after passage, whichever occurs first.

PASSED AND ADOPTED BY THE CITY COUNCIL OF FARMINGTON CITY,
STATE OF UTAH, THIS 2nd day of August, 2011.

FARMINGTON CITY

By: _____
Scott C. Harbertson, Mayor

ATTEST:

Holly Gadd, City Recorder

VACATION AND AMENDMENT ORDER NO. 2011 -

A petition having been submitted in writing by **West Glen Corporation**, fee owner, as shown on the last county assessment rolls, of land within the Miller Meadows Subdivision Phase 3, being a portion of the Northeast 1/4 of Section 25 of Section 25, T3N, R1W, SLB&M, Farmington, Utah, as shown in the recorded plat of the Miller Meadows Subdivision Phase 3.

The City Council of Farmington City, Utah, hereby finds and determines that neither the public nor any person will be materially injured by the vacation and amendment to Lot 305 of the Miller Meadows Subdivision Phase 3 and that there is good cause for vacating and amending the same.

NOW, THEREFORE, IT IS HEREBY ORDERED that Lot 305 of the Miller Meadows Subdivision Phase 3 previously filed in the office of the Davis County Recorder, State of Utah, on the 28th day of July, 2006, in Book 4085 of the official records, Page 512, Entry No. 2187932, be and the same is hereby vacated and amended pursuant to law to allow for the creation of a subdivision plat for the property to be recorded hereafter creating the Miller Meadows Subdivision Phase 4.

APPROVED AND ORDERED BY THE CITY COUNCIL OF FARMINGTON CITY,
STATE OF UTAH, ON THIS 2nd day of August, 2011.

FARMINGTON CITY

By: _____
Scott C. Harbertson, Mayor

ATTEST:

Holly Gadd, City Recorder



Planning Commission Staff Report
June 16, 2011

Item 6: Miller Meadows Phase 3 Plat Amendment

Public Hearing:	No
Application No.:	S-6-11
Property Address:	346 West 700 South
General Plan Designation:	AG (Agricultural Preservation)
Zoning Designation:	AE (Agricultural Estates)
Area:	4.02 acres
Number of Lots:	n/a
Property Owner:	West Glen Corporation
Agent:	Rainey Homes

Request: Recommendation to amend the Miller Meadows Phase 3 Subdivision Plat by vacating all of Lot 305 and recording a subdivision plat in the place thereof consistent with an approved Master Plan.

Background Information

In conjunction with a proposed amendment to the Master Development Plan for the Miller Meadows subdivision, the applicant and property owner are petitioning the City to approve the above request. Plat amendments follow a different approval track than the conventional subdivision approval process.

Suggested Motion:

Move that the Planning Commission recommend that the City Council amend Phase 3 of the Miller Meadows Conservation Subdivision as Requested.

Findings for Approval:

1. Elimination of a conversancy lot thereby removing and awkwardly configured estate lot doing away with weed conflicts and over encroachment of agriculture uses into a residential area.
2. The new plan provides greater access to the Legacy Parkway trail.

Supplementary Information

1. Existing Miller Meadows Phase 3 Plat.
2. Proposed Miller Meadows Master Development Plan showing the approximate location of Lot 305.

MILLER MEADOWS SUBDIVISION PHASE 3

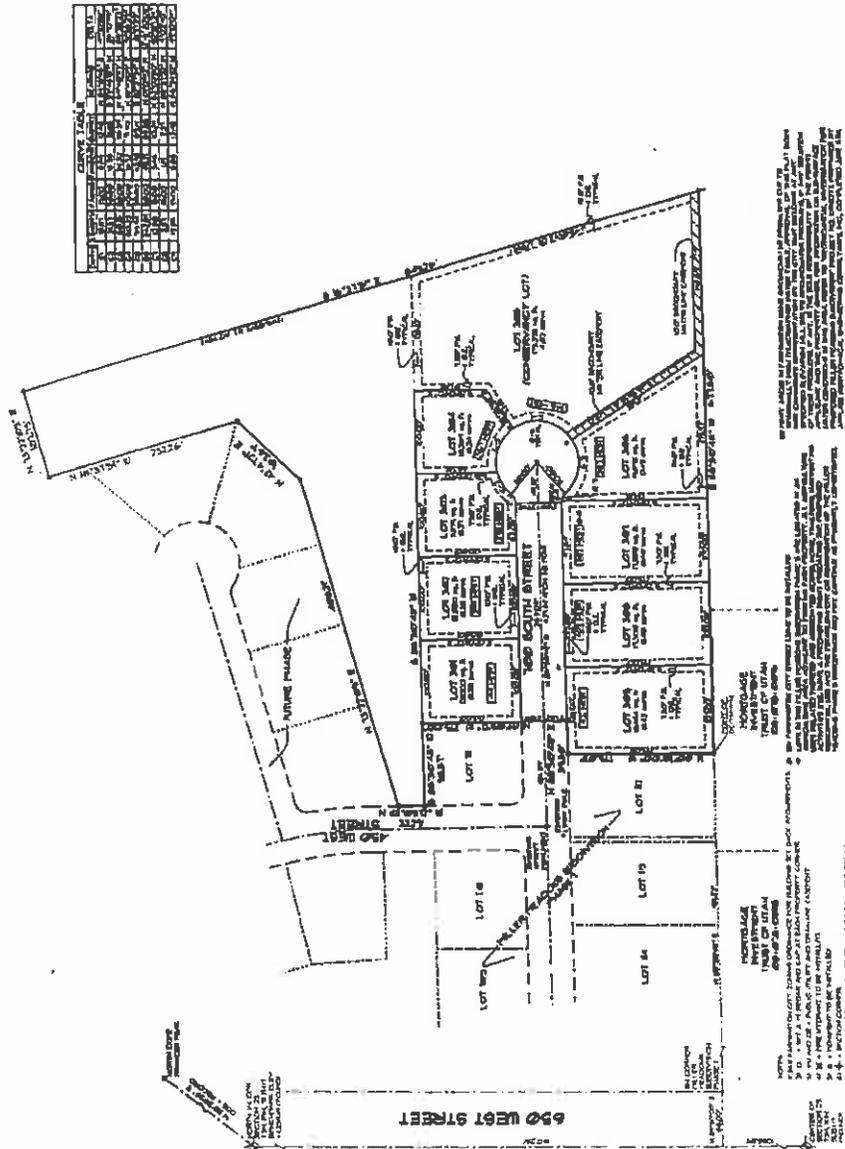
LOCATED IN THE NORTHEAST QUARTER OF SECTION 25 TOWNSHIP 3 NORTH, RANGE 1 WEST, BALT LAKE BASIN AND MERIDIAN FARMINGTON CITY, DAVIS COUNTY, UTAH

PREF IX
08-401
LAST #
0309

N
SCALE: 1" = 100'

DEVELOPMENT: MILLER MEADOWS PH. 3
CITY: FARMINGTON LOTS: 301 THRU 309

NE 1/4 SEC. 25 • T.3N. R.1W
S.L.M. DAVIS COUNTY, UTAH
FILE # 4498
R 07-28-06



LOT	OWNER	P/D
301		0301
302	William P. LaMason	0302
303	Jeffrey W. Jay	0303
304	Chris Spangolis	0304
305	West Lake Corporation	0305
306	West Lake Corporation	0306
307	Paul Stambore	0307
308	Rayne L. Osby	0308
309	Ray Parrish, et al	0309



CITY COUNCIL AGENDA

For Council Meeting:
August 2, 2011

S U B J E C T: 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

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
RICK DUTSON
CORY R. RITZ
JIM TALBOT
SID YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Ken Klinker, Planning Department

Date: July 21, 2011

SUBJECT: Revision of Subdivision Grading and Drainage Plan Development Standard Detail

RECOMMENDATION

Approve Resolution 2011- _____ revising the subdivision Grading and Drainage Plan Development Standard Detail.

BACKGROUND

There have been some issues with subdivision grading plans that need to be addressed in our Development Standards detail. These include:

1. Not accounting for the natural flow from adjacent land crossing the subdivided property.
2. Not enough detail showing how individual lots are supposed to drain.
3. Not showing floor elevations relative to top back of curb (TBC) so they can be checked by the inspectors in the field.
4. Not requiring the developer to grade the lots to the finished grades shown on the plan. This can cause problems in the flood plain and where individual buyers have had to bring in large amounts of fill that they were not anticipating. The revision requires the developer to bring up lots above the base flood elevation in the flood plain, and makes them bring in required fill to create the proper drainage from the lots. A survey of the final grades will be required before the subdivision goes into warranty.

The proposed changes will address these issues. These changes have been discussed and approved by the Development Review Committee. The revised standard detail, 851 SP, is attached.

Respectfully submitted,


Ken Klinker
Planning Department

Review and Concur ✓


Dave Millheim
City Manager

RESOLUTION 2011 - _____

A RESOLUTION ADOPTING AMENDED DEVELOPMENT STANDARDS PROVIDING AN EXHIBIT ILLUSTRATING REVISION TO SUBDIVISION GRADING AND DRAINAGE PLAN DEVELOPMENT STANDARD DETAIL FOR FARMINGTON CITY.

WHEREAS, the City Council of Farmington City has previously adopted development standards which were last amended on August 5, 2008; and

WHEREAS, the City Council has determined that it is necessary or desirable to protect and promote the health, safety, and welfare of the citizens of Farmington City to adopt amended development standards; and

WHEREAS, the City Engineer has recommended development standards for the orderly operation and development of the City and the protection of its facilities for the benefit of the residents of the City and the City Council has accepted those recommendations;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Farmington City, State of Utah, as follows:

Section 1. Adoption. The City Council of Farmington City hereby adopts a revision to Subdivision Grading and Drainage Plan Development detail attached hereto as "Exhibit A" and by the reference made apart hereof, which detail shall be incorporated as part of the Farmington City Development Standards last amended on August 5, 2008. Copies of the amended Development Standards shall be made available to City staff and other interested persons in accordance with the policies and procedures of the City regarding records.

Section 2. Severability Clause. If any section, part, or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of his Resolution, and all sections, parts, and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED by the City Council of Farmington City, State of Utah, on this 2nd day of August, 2011.

FARMINGTON CITY

Scott C. Harbertson
Mayor

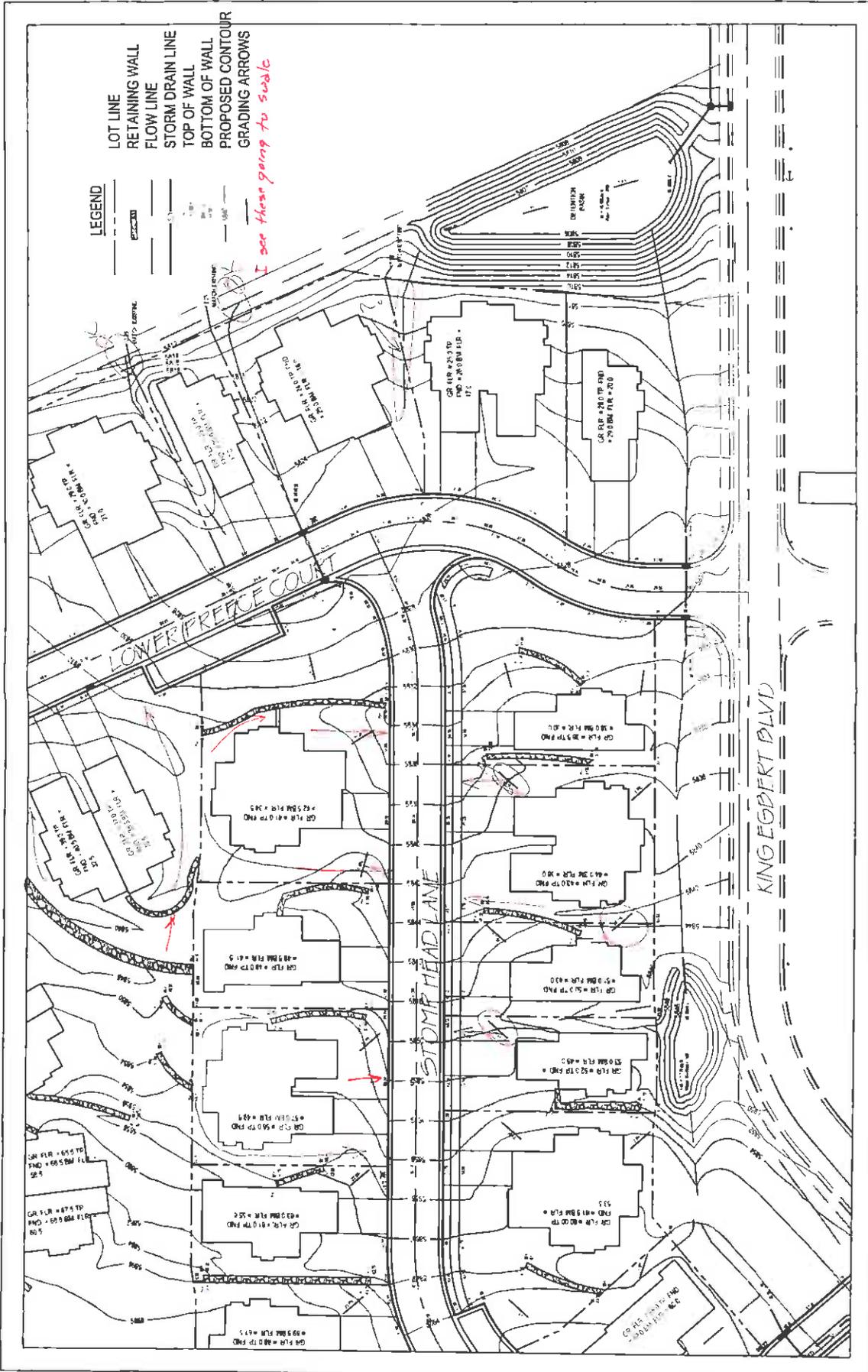
ATTEST:

Holly Gadd, City Recorder

EXAMPLE DETAILED GRADING AND DRAINAGE PLAN

NOTES:

1. PROVIDE A DETAILED GRADING AND DRAINAGE PLAN THAT IS LOT SPECIFIC. INCLUDE THINGS SUCH AS BERMS, SWALES, DRAINAGE ARROWS, STORM DRAIN PIPING, EXISTING AND PROPOSED GRADING, FINISH FLOOR ELEVATIONS, DETENTION OR RETENTION BASINS, ETC.
2. WATER IS NOT ALLOWED TO CROSS OTHERS PROPERTY WITHOUT A DRAINAGE EASEMENT.
3. FINISH FLOOR ELEVATIONS ARE TO BE GIVEN RELATIVE TO THE TOP BACK OF CURB ELEVATIONS ALLOWING FOR 6" OF EXPOSED FOUNDATION, A 6" DROP IN THE FIRST 10' AND A 2% SLOPE TO THE AREA WHICH IT IS DRAINING. SHOW ALL ELEVATIONS AT LOT CORNERS.
4. SUBDIVISION SHALL BE GRADED TO THE APPROVED GRADING PLAN PRIOR TO ACCEPTANCE BY THE CITY AND BEFORE ANY PERMITS ARE ISSUED.
5. DEVELOPER SHALL PROVIDE AN AS-BUILT SURVEY TO THE CITY AT THE COMPLETION OF GRADING CERTIFYING ELEVATIONS.
6. ELEVATIONS AT ADJOINING PROPERTIES ARE TO MATCH EXISTING GRADE OR PROVIDE THE NECESSARY SLOPE EASEMENTS.
7. THE DEVELOPER SHALL PROVIDE FOR THE NATURAL DRAINAGE.



EXAMPLE DETAILED GRADING AND DRAINAGE PLAN

PLAN NO 851 SP
DRAWING 1 OF 1

REVISED 07/19/11



FARMINGTON CITY

SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
RICK DUTSON
CORY R. RITZ
JIM TALBOT
SID YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Eric Miller, Building Official

Date: July 27, 2011

SUBJECT: PROPOSED MEMBERS FOR "THE BUILDING BOARD OF APPEALS."

RECOMMENDATION

Approve the names listed on separate page to serve on the Building Board of Appeals.

BACKGROUND

Per the 2009 International Building Code and City Code of Title 10, Chapter 8, the City is required to have a Board of Appeals in place. The purpose of the Board of Appeals is to hear and decide appeals of order, decisions and determinations made by the Building Official relative to the application and interpretation of the Construction Codes and of Title 10. Members of this Board shall consist of five with two alternates. These members shall be qualified by experience or training to pass matters pertaining to building construction and who are not employees of Farmington City. Members of the Board of Appeals shall be appointed by the Mayor with the advice and consent of the City Council to staggered terms of (4) years, provided that members may be appointed to terms shorter than (4) years when necessary to provide for staggered terms. These terms shall expire on December 31.

Respectfully Submitted,

Eric Miller
Building Official

Review and Concur

Dave Millheim
City Manager



FARMINGTON CITY

SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
RICK DUTSON
CORY R. RITZ
JIM TALBOT
SID YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

BUILDING BOARD OF APPEALS

Board of Appeals

Ed Domian 4 Year Term
1361 North 1700 West
Farmington, Utah 84025
801-451-6319
Building Official

Jerry Preston 2 Year Term
347 East 100 North
Farmington, Utah 84025
801-451-6525
Building Contractor

Paul Hayward 4 Year Term
1663 West 1410 North
Farmington, Utah 84025
801-451-6343
Code Consultant

Jerry Thompson 2 Year Term
1391 South 300 East
Kaysville, Utah 84037
801-451-6110
Building Official

Gary Payne 4 Year Term
911 North Oakridge Drive
Farmington, Utah 84025
801-451-6332
Architect, Building Official

Alternates

Dave Kershisnik
383 South 650 West
Farmington, Utah 84025
801-347-2862
Building Contactor

4 Year Term

Jim Hefner
931 Lands End Road
Farmington, Utah 84025
801-940-1211
Building Contractor

2 Year Term



FARMINGTON CITY

SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
RICK DUTSON
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JIM TALBOT
SID YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council
From: David E. Petersen, Community Development Director
Date: July 22, 2011
SUBJECT: **DEVELOPMENT AGREEMENT MATRIX UPDATE**

RECOMMENDATION

Terminate the following agreements by authorizing the Mayor to send written notice, which notice should be drafted by the City Attorney, to the respective parties responsible for the agreements.

1. Development Agreement between Smith Brubaker Haacke and Perry & Associates, 1999-36 (Cave Hollow, Plat K).
2. Smoot Properties Development Agreement, 1996-13 (Smoot Ranch Estates).

BACKGROUND

The Community Development Department is in the process of reviewing the status of 197 development agreements dating back to 1994, the "Matrix". Over the next few months the City Council will receive periodic staff reports similar to this one which will provide updates to the Matrix and recommended action related to specific development agreements. Thus far, we removed 13 agreements from the list, which agreements are clearly expired and no longer valid. Meanwhile, regarding termination for other agreements, dozens of these documents contain the following language:

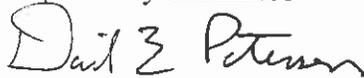
Notwithstanding anything in this Development Agreement to the contrary, it is agreed by the parties hereto that in the event the Subdivision, including all phases thereof, is not completed within three (3) years from date of this Agreement or in the event the Developer does not comply with the General Plan, development Ordinances of the City and the provisions of this Development Agreement, the City shall have the right, but not the obligation at the sole discretion of the City to terminate this Agreement and/or to not approve any additional phases for the Subdivision. Any termination may be effected by the City by giving written notice of intent to terminate to the

Developer at the address of the Developer set forth herein. Whereupon the Developer shall have sixty (60) days during which the Developer shall be given an opportunity to correct any alleged deficiencies and to take appropriate steps to complete the Subdivision. In the event Developer fails to satisfy the concerns of the City with regard to such matters, the City shall be released from any further obligations under this Agreement and the same shall be terminated.

Therefore, such agreements really are not terminated until the City sends a notice to the developer apprising him of such. We are now in the process of making sure as to whether or not conditions relating to these agreements are complete. The City should terminate the two agreements set forth in the recommendation above. You will receive more recommendations in the weeks to come which will include those agreements which should be terminated, those with a list of outstanding work still needed to be done, and those with conditions that are on-going.

Specific to the two development agreements referenced above, all requirements and conditions have long been met, and therefore, the agreements should officially come to an end. And this cannot be done without a notice from the City. [Note: it does not make sense to have these agreements "hanging around" even if they are complete. For example, if the agreements are not terminated, persons may question in the future why the City did not do so and may erroneously imagine all sorts of incorrect answers].

Respectively Submitted



David Petersen
Community Development Director

Review and Concur



Dave Millheim
City Manager

CITY COUNCIL AGENDA

For Council Meeting:
August 2, 2011

S U B J E C T: City Employee Satisfaction Evaluation Survey Results

ACTION TO BE CONSIDERED:

None

GENERAL INFORMATION:

Erin Vogeler will be present to discuss results.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

City Council Staff Report

SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
RICK DUTSON
CORY R. RITZ
JIM TALBOT
SID YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

Honorable Mayor and City Council

Erin Vogeler, Farmington City intern

Date: June 29, 2011

SUBJECT: City Employee Satisfaction Evaluation Survey results

RECOMMENDATIONS

1. Discuss reason for the survey.
2. Review results from the survey.
3. Hear observed themes in the responses.

BACKGROUND

Per the request of the city manager, Dave Millheim, and under his direction, I created a short survey to be distributed to all full-time and permanent part-time city employees. Of approximately 85 employees asked to complete the survey, 44 (52%) actually completed it. If the fire department is factored out (because due to confusion about whether they were included in the survey, just one person completed it), the percentage of completed surveys rises to 83%.

To foster honest responses, the survey was kept anonymous so employees would not feel their responses would incriminate them in any way. The purpose of this survey was to obtain a better understanding of the employee satisfaction levels, and also to receive input and feedback from the employees. Completion of the survey was voluntary, and some departments did not receive as much feedback as others.

This discussion is to inform you of the results of this survey so you can be aware of how employees are feeling generally. It is also to inform you of the trends observed after reading through employee's responses, and the action planned by department heads to remedy those responses.

The first attached sheet is a blank copy of the employee satisfaction survey. The second attachment is a summation of general comments received from more than one employee.

Respectfully Submitted


Erin Vogeler
Farmington City Intern

Review and Concur


Dave Millheim
City Manager

Employee Satisfaction Survey

Please complete and return to your Department head by **Friday, June 10th at 5:00 p.m.**

****This survey will remain anonymous to the extent that you would like it to. You may choose to identify yourself, but it is not necessary to do so.**

Suggested changes that can be applied to all departments are more helpful than suggested changes that can be applied only to specific departments.

Please keep in mind that this survey does not guarantee suggested changes will take place; its purpose is to help city management better understand how employees are feeling so as to make more informed decisions in the future.

Department: _____

1. Please rate your job satisfaction on a scale of 1-10 (with 1 being “not satisfied” and 10 being “very satisfied”).

1 2 3 4 5 6 7 8 9 10

2. Please state **why** you answered the way you did in the previous question (why you are either satisfied or unsatisfied).

3. Does your department have a process in place for you to provide feedback?

4. If so, have you used it?

5. What changes regarding your job would you make, and why?

6. What changes would you **like** to see city management make, and why?

City Council Summary Report
 Employee Satisfaction Evaluation Results
 Tuesday, August 2, 2011

Discussion:

Trends noticed in the responses

Department	Strengths	Areas for improvement
Fire	<ul style="list-style-type: none"> • Enjoy having direction from Chief Smith 	<ul style="list-style-type: none"> • Promote camaraderie among employees so they feel they can trust each other
Police	<ul style="list-style-type: none"> • Enjoy aspects of job (coworkers, training, boss, challenges, diversity, and environment). • Feel city is fair • Employees kept informed 	<ul style="list-style-type: none"> • Review schedules to ensure employees can take vacation when they are allowed to and not feel guilty because they're leaving the rest of the officers in a tight spot. • Room for advancement? • Conduct wage study of other cities' police officers
Public Works	<ul style="list-style-type: none"> • Enjoy: job, coworkers, variety of job, and other city employees • High satisfaction rating 	<ul style="list-style-type: none"> • Check out sheet for equipment usage • Consider 4/10 shift work week • Possible opportunities for advancement
Community Development & Planning	<ul style="list-style-type: none"> • Very satisfied with job, work environment, variety of tasks 	<ul style="list-style-type: none"> • Check out sheet for equipment usage
Parks and Recreation	<ul style="list-style-type: none"> • Enjoy: coming to work, coworkers, jobs, supervisory support • Great atmosphere 	<ul style="list-style-type: none"> • Consider 4/10 shift work week • More praise/recognition for good work
Administration	<ul style="list-style-type: none"> • Enjoy meeting people • Like job 	<ul style="list-style-type: none"> • Front desk organization-ensure front desk knows when planning will be away from their desks. • Time-keeping software?

All	<ul style="list-style-type: none"> • Very high satisfaction ratings overall • Like job, coworkers, directors, and environment • Really appreciate communication from management 	<ul style="list-style-type: none"> • New hire orientation/training • Review with employees your department's process of receiving feedback • Improve communication between staff and management, so employees aren't left in the dark
Management	<ul style="list-style-type: none"> • Communication between management and employees 	<ul style="list-style-type: none"> • Review sick leave accrual issue, as well as paid time off issue • Possible employee benefits committee (HR) • New hire orientation/training

CITY COUNCIL AGENDA

For Council Meeting:
August 2, 2011

S U B J E C T: Status of the Water Quality Testing on the Community Center Well

ACTION TO BE CONSIDERED:

See enclosed staff report for recommendation.

GENERAL INFORMATION:

See enclosed staff report prepared by Paul Hirst.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
RICK DUTSON
CORY R. RITZ
JIM TALBOT
SID YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

TO: Honorable Mayor and City Council
FROM: Paul Hirst, City Engineer
DATE: July 21, 2011
SUBJECT: Status of the water quality testing on the Community Center Well

RECOMMENDATION

Authorize proceeding with design of the well house including equipment and building. Select by Minute Motion one of the three attached design options for the building and adjoining ground to be referred to the Planning Commission for Conditional Use and Site Plan Approval.

BACKGROUND

- Water taste, odor, color tests done on May 4 and May 9, 2011.
- Hydrogen Sulfide levels were reduced with increased pumping quantity of 800 gpm
- Blending with chlorine, which is standard on all City wells, appears to be effective treatment for removing the sulfide odor.
- Other more costly treatment methods are not cost effective given the low concentrations of sulfide
- Water color caused by Turbidity will not be detected unless it is closely examined against other non-turbid water.
- Blending the water with other City water will remove any sulfide and turbidity residue.

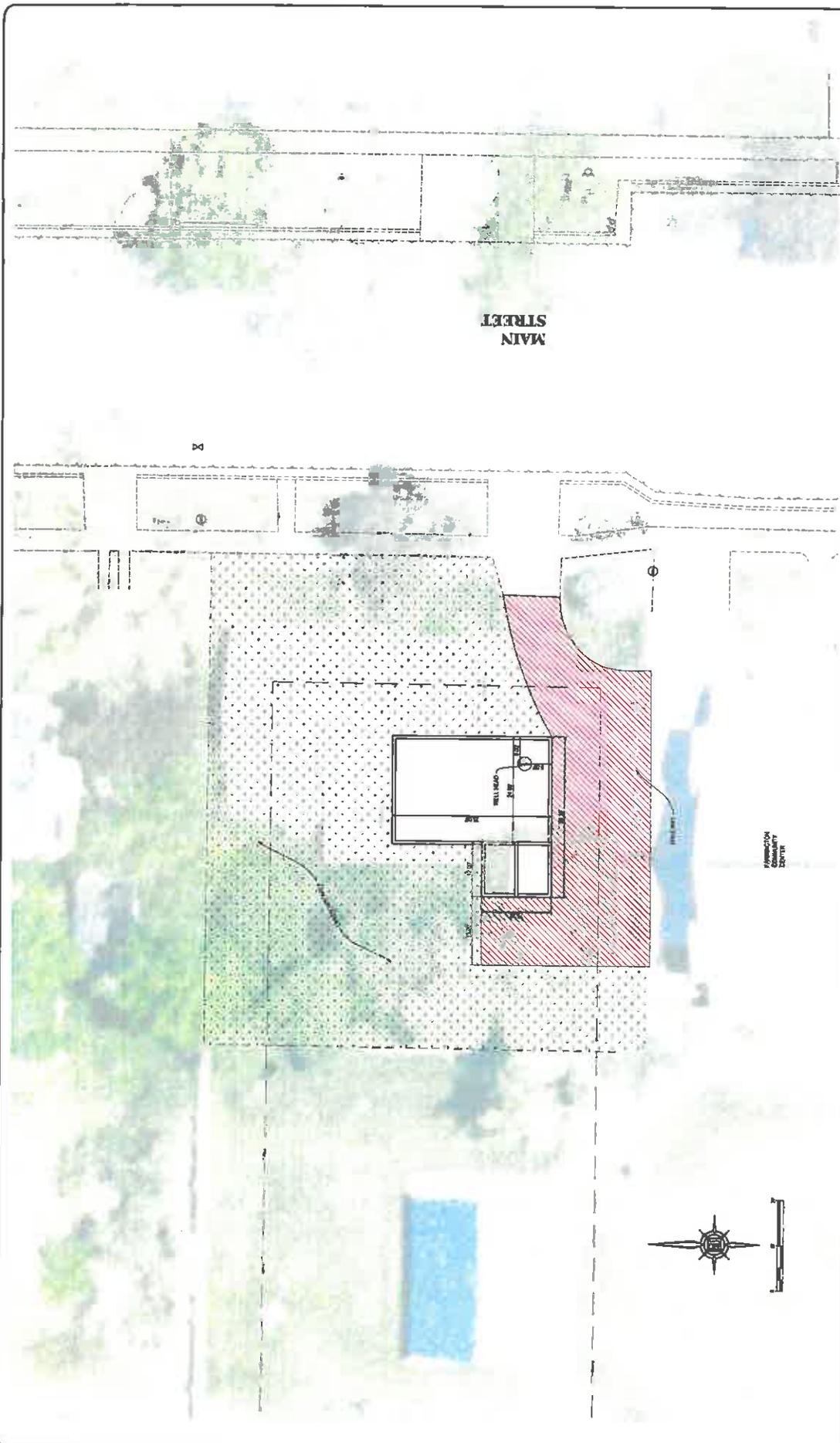
Respectfully Submitted

Paul Hirst, P.E.
City Engineer

Review and Concur

Dave Millheim
City Manager

115 preferred with town to Main St.



10003
 ERI 001
 3
 1

FARMINGTON CITY
 FARMINGTON WELL
 EXHIBIT 001
 APPROX 100 SOUTH MAIN STREET
 FARMINGTON, UTAH

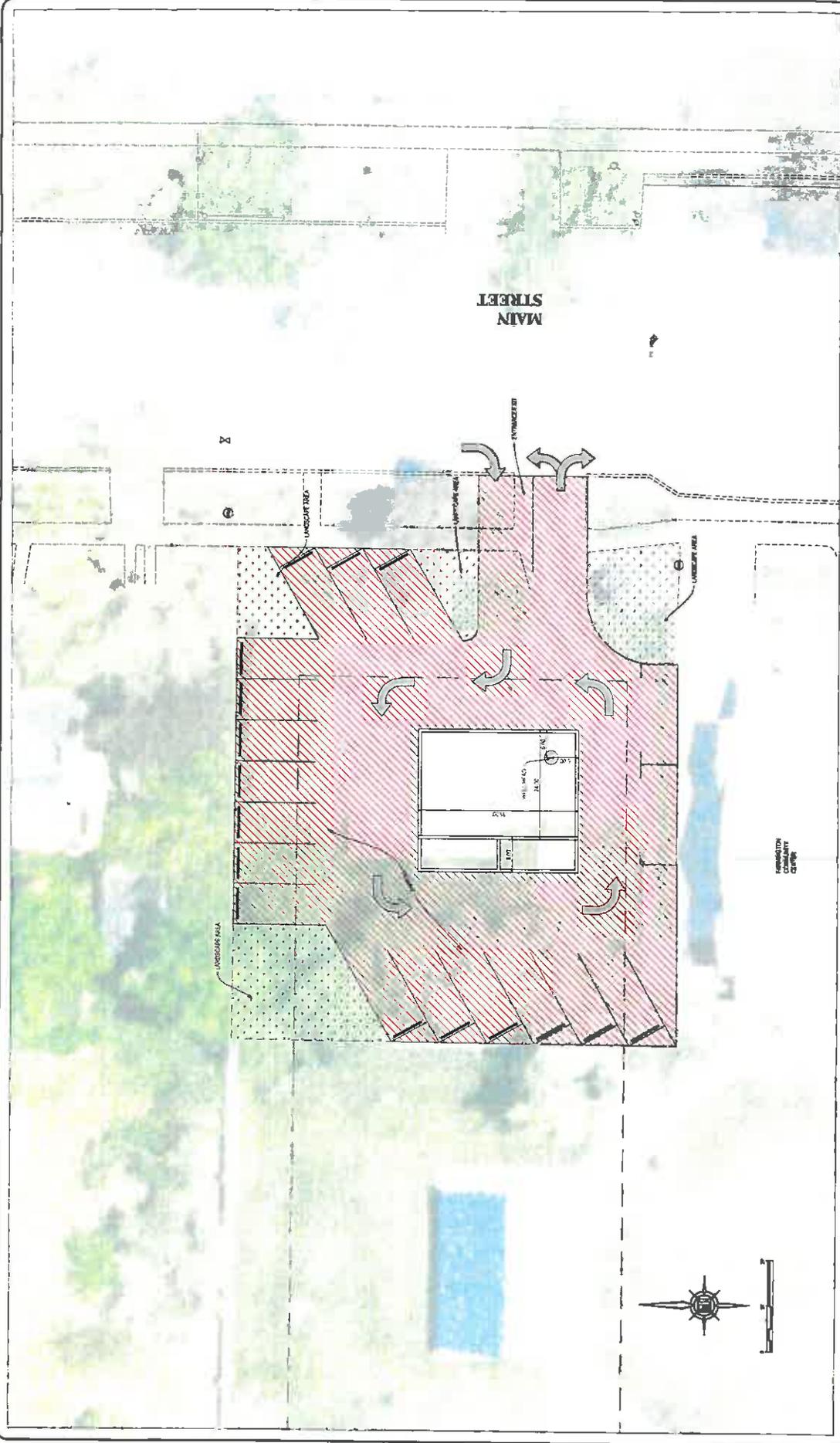
**CALDWELL
 RICHARDS
 SORENSEN**
 ANSWERS TO INFRASTRUCTURE

CS

SALT LAKE CITY OFFICE
 1000 100 SOUTH MAIN STREET
 SALT LAKE CITY, UTAH 84111
 PHONE 801 338 8888
 FAX 801 338 4577
 www.caldwellsorenson.com

DATE: 08/11/2011
 DRAWN BY: J. RICHARDS
 CHECKED BY: J. RICHARDS
 PROJECT: FARMINGTON WELL EXHIBIT 001
 SHEET NO. 1 OF 1

THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.



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FARMINGTON CITY
FARMINGTON WELL
EXHIBIT 002
APPROX 100 SOUTH MAIN STREET
FARMINGTON, UTAH

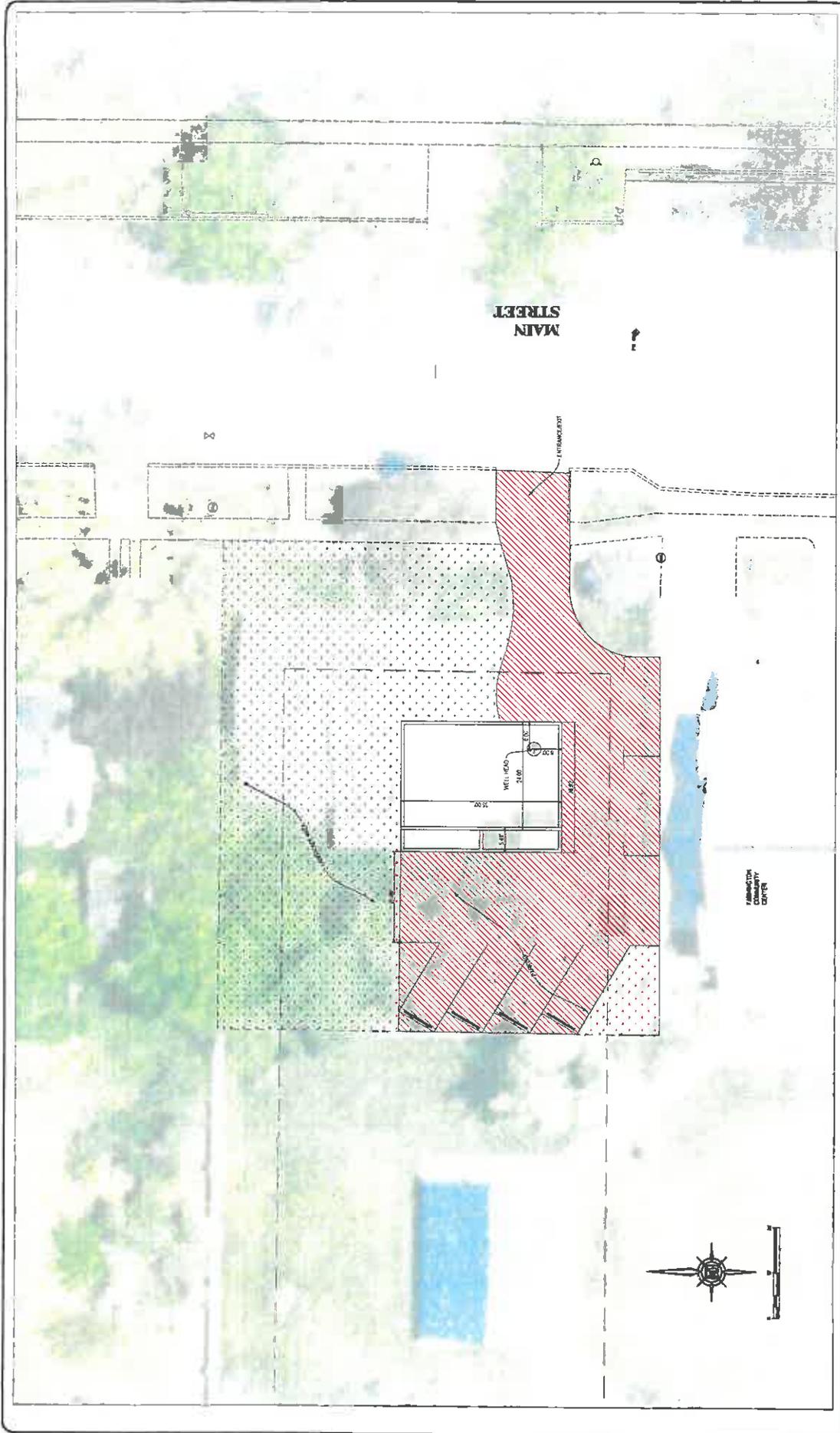
BAY LANE CITY OFFICE:
2001 JAY PARKWAY
FARMINGTON, UT 84201
PH: 801.308.8772
WWW.BAYLANECITY.COM

CALDWELL RICHARDS SORENSEN
ARCHITECTS
ARCHITECTS

DATE: 08/17/11
PROJECT: FARMINGTON WELL EXHIBIT 002
SHEET: 2 OF 2

THIS PLAN IS THE PROPERTY OF CALDWELL RICHARDS SORENSEN ARCHITECTS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY REUSE OR MODIFICATION OF THIS PLAN WITHOUT THE WRITTEN CONSENT OF CALDWELL RICHARDS SORENSEN ARCHITECTS IS STRICTLY PROHIBITED.

DATE: 08/17/11
PROJECT: FARMINGTON WELL EXHIBIT 002
SHEET: 2 OF 2



10000
 500 000
 3

FARMINGTON CITY
FARMINGTON WELL
 EXHIBIT 003
 APPROX 100 SOUTH MAIN STREET
 FARMINGTON, UTAH

SALT LAKE CITY OFFICE:
 300 WEST 1000 SOUTH
 SALT LAKE CITY, UT 84143
 PHONE: 801.486.3000
 FAX: 801.486.3001
 WWW: SALT.LAKE.CITY.UT.GOV

CALDWELL RICHARDS SORENSEN
 ANSWERS TO INFRASTRUCTURE

PROJECT NUMBER: _____
 SHEET NUMBER: _____
 DATE: _____
 DRAWN BY: _____
 CHECKED BY: _____
 APPROVED BY: _____

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CITY COUNCIL AGENDA

For Council Meeting:
August 2, 2011

S U B J E C T: Report on Festival Days

ACTION TO BE CONSIDERED:

None

GENERAL INFORMATION:

Neil Miller will be present to give update.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

SCOTT C. HARBERTSON
MAYOR

JOHN BLTON
RICK DUTSON
CORY R. RITZ
JIM TALBOT
SID YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council
From: Neil Miller, Parks and Recreation Director
Date: July 26, 2011

SUBJECT: REPORT ON FESTIVAL DAYS 2011

RECOMMENDATIONS

1. To have the Mayor and City Council find and appoint two volunteers as the Festival Days Chair and a Chair Elect.
2. To continually monitor the Festival Days budget regarding donor support.
3. To set a deadline for changes and/or additions to the activities and events of Festival Days

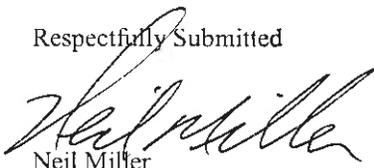
BACKGROUND

Regarding the need for a Chair and Chair Elect, we have found great difficulty in determining a chair person each year to lead the Festival Days committee, which has been determined by the Parks & Rec staff. The Mayor and City Council are more immersed in the community and therefore have a better understanding of those who would be able and interested in performing the level of volunteer work required to have a successful week. Also, regarding the Chair Elect, Historically we have only appointed a main chair person to oversee Festival Days. This creates a situation where, each year, the new chair person must start with no prior knowledge of leading this event. By appointing a Chair Elect, this would allow someone to shadow the current chair for an entire year of planning and execution, which in turn would create momentum.

On the subject of budget and donor support we had a fairly good year for sponsorship participation. We received a total of \$ 23,525 from both cash and in-kind sponsors, with a large donation received by CenterCal in the amount of \$10,000. Budget issues may arise upon the completion of Station Park as it is likely that we would lose our top donor, CenterCal which is a huge piece of our Festival Days budget. Please see attached Festival Days Budget Overview for details.

Finally, regarding input into the events and activities during Festival Days, there is always room for improvements and changes to the schedule. Historically we have not had a formal procedure for requesting changes or additions to the activities and events. Because we begin advertising for Festival Days and registering some events quite a few months in advance we run into issues when asked to add activities without much notice prior to Festival Days. Therefore we recommend that all major changes or additions to the schedule be submitted by February 1st of the same year

Respectfully Submitted


Neil Miller
Parks and Recreation Director

Review and Concur


Dave Millheim
City Manager

CITY COUNCIL AGENDA

For Council Meeting:
August 2, 2011

SUBJECT: City Manager Report

1. Upcoming Agenda Items
2. Power Outage/Generator for City Hall
3. Fire Break Road Issues

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

Upcoming Agenda Items

August 16, 2011 - Staff Reports Due: August 5th

Action Items:

- Easement – Greg Garfield
- Proposed Sign Ordinance Revisions
- Fireworks Ban and proposed Map Modifications
- Approval of Minutes of Previous Meetings

Summary Action Items:

- Verizon Lease
- Approval of Agreement with LDS Church – 1525 West
- Ratification of Approvals of Construction & Storm Water Bond Logs
- Approval of Disbursement Lists

Discussion Items:

- Planning Commission Report
- Mayor & City Council Reports

CITY COUNCIL AGENDA

For Council Meeting:
August 2, 2011

SUBJECT: Mayor Harbertson & City Council Reports

To be given at City Council meeting.

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