

## FARMINGTON CITY – CITY COUNCIL MINUTES

JANUARY 21, 2020

### WORK SESSION

*Present: Mayor Jim Talbot; City Manager Shane Pace; City Councilmembers Brett Anderson, Scott Isaacson, Shawn Beus, Amy Shumway, and Rebecca Wayment; City Recorder Holly Gadd; Community Development Director Dave Petersen; Finance Director Greg Davis; Economic Development Director Brigham Mellor; City Attorney Todd Godfrey; City Engineer Chad Boshell; UDOT Environmental Impact Statement Manager Randy Jefferies; UDOT Project Director Rex Harris; UDOT Public Involvement Brianne Bigelow; Dan Young, UDOT Consultant managing the Shepard Lane project; and Recording Secretary Deanne Chaston.*

### UTAH DEPARTMENT OF TRANSPORTATION PRESENTATION

Councilwoman **Amy Shumway** offered the invocation. Mayor **Talbot** mentioned that the city is sending flowers to a funeral for the wife of developer Rich Haws.

The work session was held to consider a presentation made by Utah Department of Transportation (UDOT) about the alignment of the West Davis Corridor.

Included in the presentation was UDOT’s plans for a pedestrian overpass, conservation easements, the Shepard Lane interchange, and a connector road between Farmington and Kaysville City.

UDOT Project Director **Rex Harris** spoke about the design-build process as well as the project scope. Four contractors have already responded with letters of intent. The Request for Qualifications is due at the end of this week. At the end of February, a draft of the Request for Proposal will be sent out, with a final expected in April. Proposals will be due in August of 2020 for the design-builder proposals. UDOT plans to select a design-builder for the West Davis Corridor project in September, with a Notice to Proceed in October. Construction is expected to go from the Spring of 2021 through the Winter of 2024. UDOT has been working on the preliminary design, identifying risk and considering mitigation. To help speed up the process, between 15 and 30 percent of the concept design has been put together. The design-builder selected will do all the final design work to ensure efficiency and innovation. **Harris** said UDOT can look at all the proposals submitted by design-builders to identify innovations. Although there are some design aspects of the project that are not yet known and there is limited “wiggle” room in the footprint, **Harris** said the alignment is set in stone. He said some flexibility allows for a better, cheaper product. A public open house is expected to be held in March.

The scope of the project includes Parrish Lane in Centerville with auxiliary lanes similar to those going from ramp to ramp in Layton and Kaysville. With the widening of I-15 being finalized, UDOT is identifying the areas that qualify for noise walls. In an area that qualifies, 75 percent of residents must respond, and 75 percent of those responding must agree to the wall before the

noise wall will be constructed. If such approvals are granted, **Harris** said the Centerville Park near I-15 will be surrounded by noise walls in the future. The frontage road will continue to function as it currently does now, but some slight shifts may become necessary. The existing freeway exits that allow motorists to enter Farmington will remain.

**Harris** also addressed connections for I-15, Legacy, West Davis Corridor, railroad tracks, 650 West, and trail systems, which collectively is a “little spaghetti bowl.” To maintain access to the stream system, he said the trail will turn back and go back east, a configuration that Farmington City Community Development Director **Dave Petersen** said staff was disappointed with. Options would include a 150-foot tunnel, which City Manager **Shane Pace** said may become a nightmare safety- and reputation-wise. **Harris** said he was open to viable options, but there are budgetary concerns. City Engineer **Chad Boshell** said that the sheep road between Farmington and Centerville will not connect. Instead, 650 West is desired as a connection between Farmington and Centerville.

**Harris** said a pedestrian crossing over Park Lane on the south side is estimated to cost \$12 million dollars, which UDOT’s region director is trying to find a way to fund. If UDOT doesn’t have the money to build it, **Harris** said UDOT will commit to try to find the money to build it. He mentioned pedestrian access on Shepard Lane would include a bike lane outside of the road way and an eight foot shoulder. **Harris** said UDOT would like to mitigate utilities by casing in place, only rerouting if necessary.

**Harris** addressed Glover’s Lane, 1100 West, wetlands access, the park and road location with a trail head, and a potential future I-15 interchange at 1550 West. Room must be preserved for ramps, as well as pedestrian and equestrian crossings. Impacts to the 14<sup>th</sup> hole of the golf course and Shepard Lane, including the possibility of a noise wall, were discussed. **Harris** said that UDOT does want this project to coincide with the 2024 Shepard Lane interchange.

**Harris** said the environmental document is expected to wrap up in June and that UDOT would like to avoid interchange room problems such as those on Park Lane. He said the purchase of some residential homes will be necessary to make way for the project.

Mayor **Talbot** said that UDOT has worked well with the city regarding city-owned excess ground that will remain as greenbelt. **Petersen** said that the plan to connect the Farmington Creek Trail to the bird refuge does not carry forward with UDOT’s plan. **Harris** said that since that was not in the master plan, UDOT’s hands were tied. On the city trail committee for over three years, **Shumway** said that she thought the Farmington Creek Trail was on the master plan. Mayor **Talbot** said there is heartburn about that connection.

UDOT Environmental Impact Statement Manager **Randy Jefferies** said that UDOT will work with the City to eliminate easements in the alignment area after appraisals are completed in March. **Jefferies** said that condemnation of easements would wrap up before construction is started.

## **REGULAR SESSION**

*Present: Mayor Jim Talbot; City Manager Shane Pace; City Councilmembers Brett Anderson, Scott Isaacson, Shawn Beus, Amy Shumway, and Rebecca Wayment; City Recorder Holly Gadd; Community Development Director Dave Petersen; Finance Director Greg Davis; Economic Development Director Brigham Mellor; City Attorney Todd Godfrey; City Engineer Chad Boshell; and Recording Secretary Deanne Chaston.*

### **CALL TO ORDER:**

Mayor **Jim Talbot** called the meeting to order at 7:00 p.m.

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

Councilman **Scott Isaacson** offered the invocation, and the Pledge of Allegiance was led by Councilman **Brett Anderson**. Mayor **Talbot** welcomed the three newly-elected councilmembers, as well as Youth City Council Members **Taylor Thomas** and **Anita Barnett**. **Thomas** is a sophomore at Viewmont High School and **Barnett** is a sophomore at Farmington High School. Both have been on the Youth City Council for one year.

### **NEW BUSINESS:**

#### **Resolution Approving an Interlocal Cooperation Agreement with RDA regarding Tax Increment within the Station Park RDA Project Area**

Economic Development Director **Brigham Mellor** said the money for this has been coming in since 2011 from taxes collected in Station Park. The city's portion of the property tax will all go into the RDA, which can be bonded against and earmarked to fund construction of infrastructure. **Mellor** said it is helpful to illustrate to the State Legislature and Wasatch Front Regional Council that the city is setting these funds aside. **Mellor** and City Manager **Shane Pace** recently spoke with the Davis County Clerk/Auditor **Curtis Koch** and Chief Deputy Clerk/Auditor **Heidi Voordeckers**. They both didn't see any downsides or unforeseen circumstances to use RDA money in this way, **Mellor** said. **Pace** said **Koch** likes to support RDA projects that invest and reinvest in infrastructure.

**Kyle Fielding**, an attorney who helped the City draft the RDA documents, attended the meeting telephonically.

The Council is considering today if to continue setting those funds aside, to the tune of about \$600,000 each year. **Mellor** said the Council can dissolve the RDA and turn the money back to the City and its general fund at any time. The City is the only taxing agency paying into this RDA fund, as the school district is not. Mayor **Talbot** said this RDA money helps the City greatly. The City can only have up to 25 percent of their general fund money liquid. If they have more, they would be forced to spend those funds down. **Talbot** said that this is a way to keep funds available and continuing to grow somewhere other than in a "checking account." He said the time limit is when it maxes out at 2032. **Pace** said this is a way to use money wisely to reinvest in Station Park, to keep that facility vibrant and increasing in its sales tax.

**Fielding** said that tax increment monies can be used within an RDA project such as Station Park where it is collected—or anywhere the RDA Board chooses to use it—to build, improve, or rehabilitate buildings; buy land; or incentivize business growth, jobs or business expansion. It can also be used for affordable housing and for public-owned infrastructure that benefits the RDA project area.

**Mellor** said there are several development portions in Farmington: Station Park, including the University of Utah Medical Center and the Avanti apartments by the Public Works building; and the development around the Cabella’s building including Wendy’s, McDonald’s, and the first set of apartments.

Councilman **Scott Isaacson** proposed minor changes to the resolution including changing Salt Lake County to Davis County and filling in a fax number.

**Motion:**

**Shumway** moved to approve the Resolution approving an Interlocal Cooperation Agreement with the Redevelopment Agency, allowing the City’s portion of tax increment within the Station Park Redevelopment Project Area to continue to flow to the Redevelopment Agency until the originally established sunset date of the project area in year 2032. **Beus** seconded the motion, which passed unanimously.

**REDEVELOPMENT AGENCY MEETING**

*Motion:*

**Wayment** made the motion to adjourn to the Governing Board of the Redevelopment Agency meeting. **Anderson** seconded the motion, which was unanimously approved.

The ull RDA board was present.

**Resolution Approving an Interlocal Cooperation Agreement with Farmington City regarding Tax Increment within the Station Park RDA Project Area**

**Motion:**

**Shumway** made a motion to approve the Resolution approving an Interlocal Cooperation Agreement with Farmington City, allowing the City’s portion of tax increment within the Station Park Redevelopment Project Area to continue to flow to the Redevelopment Agency until the originally established sunset date of the project area in year 2032.

**Anderson** seconded the motion, which passed unanimously. **Fielding** said notice will be published now that the interlocal agreement was approved.

*Motion:*

**Wayment** made a motion to adjourn and reconvene the City Council meeting. The motion was seconded by **Anderson**, which was unanimously approved.

**Pace** said that if the economy tanks in the next six months and the city needs that RDA money in the general fund, the fund can be redirected. **Beus** said that staff has come up with a good solution.

**Fee in Lieu of Conservation land Dedication Agreement – Flatrock Ranch Subdivision (600 South 1525 West)**

**Petersen** said that the developer recently provided a new drawing of what the entrance to the development would look like. The yield plan for the 32 acres was 44 half-acre lots. The schematic plan was 49 lots including five Transfer of Development Rights (TDRs). After going back to the Planning Commission for preliminary plat approval, they got 40 lots, not the 44 and 49 like earlier. Therefore, the lots are larger and the developer wants to ask for a partial waiver of the 12.82 acres needed for conservation land. The developer is asking for a waiver on half of that. The Planning Commission approved it with the condition that the City Council also approves the partial waiver. Staff is recommending approval of the \$47,500 fee in lieu agreement.

**Anderson** said he had some initial heartburn and appreciated that it was coming back for a City Council vote. **Isaacson** asked what the alternative would be for the developer if the City Council did not approve. **Petersen** said it would cause the developer to go back to the drawing board. **Shumway** asked if staff could produce a map of Farmington to clearly show all the open space and parks, in order to clearly identify if more open space is needed in the future. She said she would like a guide to determine if the City should push open space or not.

**Pace** said that 85 percent of the city is already built out in single-family homes, and the City needs to determine their need for future open space. He said he feels good about this fee in lieu request because of the size of the lots and the amount of open space already in the community.

**Beus** asked how the price point for the fee in lieu was determined. **Petersen** said that the City doesn't have a set methodology currently, and the developer has to be profitable to want it. At the same time, the City has to show something for the waiver as well. He said the waiver is not the value of the improved item, but the value of land that can never be developed. **Petersen** said he would like to see how other municipalities have determined that amount. **Talbot** said that in the past, he has been frustrated when developers use the TDR method and use the worst piece of ground as open space. He said the money has gone to trails and things associated with the trails, and the City should be picky with how to use that money.

Developer **Mike Brodsky**, 84 West 4800 S., Murray, Utah, said that the ground is under contract with Ivory Homes, who will be communicating with the City in the future. He said that the Utah Department of Transportation owns portions of this property that may have a connection into the trail system. He said the entrance to the development will have stone monumentation and rock walls, and a community trail on the west side of the subdivision. He said open space could be provided across the back of all the lots.

**Pace** said the developer is proposing alteration of the sidewalk, storm drain system, and curb and gutter. This would require a code change or resolution by the Council. Staff is not

recommending either. **Talbot** encouraged the City Council to make sure there would be sidewalks, because it is tough to put them in later. **Beus** said he is fine with a meandering trail replacing the sidewalk. **Pace** said he does not have strong opposition as long as there is a walking path of some kind.

**Motion:**

**Beus** moved to approve the Fee in Lieu of Conservation Land Dedication agreement enclosed in the Council packet for the Flatrock Ranch subdivision. **Anderson** seconded the motion, which was unanimously approved.

**SUMMARY ACTION:**

**Minute Motion Approving Summary Action List**

The Council considered the Summary Action List including approval of minutes from December 17, 2019; Chestnut Farms Phase 4 Improvements Agreement; Resolution Appointing City Council Members to Various Committees; and City Purchasing Card Program.

**Motion:**

**Wayment** moved to approve the Summary Action list items as noted in the staff report, items 1-4. **Anderson** seconded the motion, which was unanimously approved.

**GOVERNING BODY REPORTS:**

**City Manager Report**

**Pace** presented the Monthly Fire Activity Report for November and the Building Activity Report for December.

He said that although the City doesn't have money in the general fund to cover it yet, the Fire Department is looking at purchasing a used engine for \$150,000. It is a newer version of heavy rescue with capabilities such as 1,000 gallon water storage and the ability to use foam on auto fires that the City doesn't have with its current equipment. The engine has only 28,000 miles on it. If the City were to purchase this new, it would cost about \$1,200,000. It is needed on the west side for residential and commercial uses. He anticipates that fire impact fees could cover the cost of the additional engine. It is currently owned by a fire district back east, which is looking to replace it with a smaller piece of equipment.

**Pace** mentioned that the City is working with managers to transfer paramedic services from Davis County to the municipalities. There is now a \$3.2 million per year mill levy that started in 1978, with half of it going to South Davis Metro and Layton, and the rest divided among the other municipalities. Now there is talk of a certified tax rate mill levy to pay for more services. All the municipalities agree that sheriff deputies shouldn't be providing paramedic services since it is inefficient to get on an ambulance then try to get back to their law enforcement vehicles afterward. **Pace** said fire paramedics are better than a deputy providing initial lifesaving. He said Farmington is one of only two in the whole nation that have sheriff paramedics.

## **Mayor Talbot and City Council Reports**

Mayor **Talbot** discussed committee assignments. **Beus** said he may have scheduling problems attending the Historic Preservation Committee.

**Wayment** brought up a sound and volume problem between the pickleball players and high fitness work out participants in the gym. Parks and Recreation Director **Neil Miller** is handling the concern, asking participants to keep music to 85 decibels and making spot audits. **Pace** said it is a conflict because it is two very different types of activities coming together in the same gym at the same time. There are also walker/joggers and basketball players in the gym at times. He said City Councilmembers should direct all concerns to **Miller**, who is considering limiting pickleball to only Farmington residents if problems continue in the future. **Wayment** said while it is nice to see the gym so packed, it may be indicative that an expansion is needed. **Shumway** said the City may want to consider moving high fitness to the Community Center, as it is easier to move that class than to move pickleball courts. She said that all 50 to 100 of the pickleballers are getting a bad rap for the actions of only a few.

In reference to the fee in lieu discussion earlier, **Anderson** said he would like to see a flat TDR fee in the future instead of ad hoc negotiations. He said sooner or later a developer is going to challenge those decisions, and he wants a better process in place in the case that the City is challenged. **Pace** said that would be difficult as costs fluctuate. Currently it is really expensive to develop right now, and profit rates for developers are lower. In addition, the City may want to revisit what they want in future conservation space given the current inventory in the City. **Talbot** said that a flat fee might be more comfortable. However, ground costs are high and the City doesn't have a lot of TDRs left. Also, he said that Public Works already has a hard time maintaining the open space the City already has, and has asked that the City not approve any more pocket parks.

**Isaacson** said he was concerned about a resident email regarding a speed limit change on the freeway. **Pace** asked that the email be forwarded to him for a response.

**Shumway** said that the trails booklet will hopefully be completed this spring.

Mayor **Talbot** said that it was good to get to know all the new Councilmembers at the recent retreat. He also presented plaques of appreciation to **Wayment** and **Anderson** for their past service on the Planning Commission.

## **ADJOURNMENT**

### **Motion:**

**Wayment** made a motion to adjourn the meeting. **Isaacson** seconded the motion, which was unanimously approved.

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**Holly Gadd**, Recorder