

## FARMINGTON CITY – CITY COUNCIL MINUTES

APRIL 14, 2020

### WORK SESSION

*Present: 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; City Engineer Chad Boshell; City Water Superintendent Larry Famuliner; and Recording Secretary Deanne Chaston.*

The work session was held to discuss concerns the City Council may have on agenda items, the water rate study, and paramedic services.

### **WATER RATE STUDY**

Finance Director **Greg Davis** presented the Water Rate Study prepared by Zions. The study used a revenue sufficiency model approach with funding all expenses in operating and capital, rates covering annual expenses including sufficient debt service resources, keeping 180 days' worth of cash for operations in the water utility fund, and water utility fund assets. Because the City is responsible for those valuable assets found under the streets, the City needs to be financially sound in their water fund. The study took into account current conditions in the water fund including inflation costs and increased operational expenses, considering regular ongoing funding sources and one-time sources.

City water rates have two components: a base rate and usage rate, both of which have not changed since 2010. Costs include staffing (including on-call positions), well operation, and outstanding debt, although the City currently does not have any debt. To address capital projects, the city could bond. The study included a list of capital projects needed to keep the existing service going as well as address future usages. The starting cash balance is \$1.5 million, or 298 days' worth of cash on hand, while the modeling is keeping 180 days' cash on hand. It is the City's policy decision on what level of cash on hand to maintain.

The Zions study looked at four different rate scenarios that would keep the City's water fund afloat in the coming years:

Option 1-An increase of \$18.25 per month to come to a \$34 monthly rate.

Option 2-A 10 percent increase in 2021, followed by an annual increase of 3 percent through 2026. This would include a \$4 million bond in 2021 and a \$4.75 million bond in 2024 to maintain financial stability.

Option 3-A 10 percent immediate increase in 2021, followed by an annual increase of 10 percent in later years.

Option 4-Bond issues in 2021 and 2024, with a 5 percent up front in 2021, another 5 percent increase in 2022, followed by an annual increase of 3 percent through 2026.

Option 5-With the current Coronavirus pandemic, City administration considered a fifth option that eased off of Option 4's rate increases in the first year. Instead of a 5 percent increase in the first year, the administration proposed a 3 percent increase in the first year. **Davis** said a 2 to 3 percent annual increase is needed just to keep pace with inflation and operating costs, and is not putting the city in a better situation overall. Bonds address capital outlay projects, not operating costs, spreading the cost out over several years.

Councilman **Scott Isaacson** asked about the added expenses for bonding, and how necessary the projects on the capital projects list are. Many seemed to be significant, and he wanted the burden to be shifted to commercial water users instead of residential residents of the City.

**Davis** said the bonding process will have some costs of issuance that don't increase in the same proportion as the amount the City is bonding. For example, \$75,000 would be the cost of issuance for a bond, with an annual bond payment of between \$161,000 to \$327,000, which is 2.5 to 3 percent. City Manager **Shane Pace** noted that current rates are lower than 2 percent. **Davis** said with favorable interest rates and the concern about construction costs going up, the school of thought is to get going on construction. He noted that construction costs are rising at a rate higher than what it is costing the City, so it would be better to move forward with construction projects than wait while building up cash. He said that the list of capital projects applies to the business park area of the City.

City Engineer **Chad Boshell** said the City is currently working on the capital facilities plan, hiring JUB Engineers to model the City's system. The CRS Engineers work done previously was accurate and on par with growth. He said he is comfortable with the infrastructure the City has put in in the past, as well as with where the City is headed. Some water projects, especially in the old part of town, are undersized and old, with 4 inch water lines servicing the area. Other projects are related to growth such as the business park with a 10 inch loop. The upsize and loop in the 300 acres are needed, as the City has only three crossing under Interstate 15 and needs flow capacity from east to west in order to maintain fire flow capacities. A negative pressure can crush the pipes. A fourth crossing is vital even without growth, he said. The I-15 crossing project is major, as it crosses gas lines, the Union Pacific, county wetlands, etc.

**Pace** noted that the growth-related costs could be addressed through impact fees. City Staff is planning to bring the impact fee issue to the City Council in the future.

Councilman **Brett Anderson** noted that the base rate and usage rate could be increased at different levels. Increasing the usage rate may motivate residents to conserve water.

City Water Superintendent **Larry Famuliner** said there are State requirements the City will need to meet in the future. The City currently has three to four tiers of an overage rate. These could be increased 5 percent annually to encourage conservation while keeping the base rate even smaller.

**Pace** said that in his past experience in Sandy, increasing water rates 6.5 percent for 10 years resulted in a concerted conservation effort while revenues still went as high as was needed.

Mayor **Jim Talbot** wanted to stress that new water capital projects are not needed just for the business park, but that the City is behind in the water rate increases they should have been doing to also update water infrastructure in the old part of town, as well as to help water flow into the west part of town.

**Famuliner** said that water infrastructure on Main Street is 100 years old. As time goes on, the City is having more problems with the undersized pipes of 4 to 6 inches in diameter. The size is often choked down to half due to corrosion and mineral deposits. He said it is way past time to change them out. **Pace** said 4 inch pipe does not work well today. The demand is too high, making them overworked and more susceptible to damage.

**Isaacson** said he hates to raise rates on citizens unless necessary, but he doesn't feel going from \$18.25 to \$20 a month is asking too much. He hopes the rate increase can be explained to residents so they can be properly educated about the facts. If the City can secure a bond with a good rate, they should do so. **Mayor Talbot** said he thinks citizens will be fine with a price increase meant to keep water and wells clean. Councilwoman **Rebecca Wayment** said her monthly water bill is always in the overage rates, even when her household has tried to figure out why. She doesn't think the residents will have a problem with an increase of a dollar or two on the base rate. **Anderson** said it is a disservice to future councilmembers to have to force a large future rate increase down the throats of residents.

**Pace** said after discussing the issue with City Staff, he thought it is better to do regular, ongoing inflationary increases instead of none for a while, followed by a large increase. Large increases cause residents to lose trust in City government. He saw this in Sandy with the fluoride issue it recently grappled with. Water is something people tend to ignore until something goes wrong, **Pace** said. It is important to keep the system in good shape, along with maintaining adequate staffing to regularly inspect and test the system. He worries that not having an increase in 10 years has stressed the City's water system.

Councilwoman **Amy Shumway** asked how the City will pay for the bond issuance and payments. **Pace** answered that the general fund is not used for this, but that water rates and water impact fees would.

## **PARAMEDIC SERVICES**

**Pace** said along with city managers and fire chiefs from other municipalities, he has been working for nine months on the idea of transferring paramedic services from the Sheriff Department to the municipalities, including Farmington, Kaysville and Fruit Heights sharing joint paramedic services. Davis County Commissioner Randy Elliott has been involved as well. **Pace** said the paramedic services for the cooperating cities could be handled through the two existing Farmington and Kaysville fire stations. He thinks it is a good idea, and numbers are being developed to take back to a subcommittee. In addition, Farmington, Kaysville and Fruit Heights may want to also join fire and EMT departments to create a tri-city department or district that may become known as Central Davis Fire Department. Fruit Heights does not have their own fire department, and Kaysville is currently providing this service for them. As there are advantages and disadvantages to creating joint paramedic services and tri-city fire/EMT

department, **Pace** said he is asking for feedback from the elected officials. So far the staff and city managers of the other two cities are open to it.

Councilman **Anderson** asked what the Fire Chief thinks about it. He said that he is worried that as things are spread out, one city may lose control.

**Pace** agreed that the loss of control is an issue that must be considered. One way other cooperatives have mitigated that is to have two boards: an administrative board and an elective board. He said he has seen such a loss of control in Salt Lake County, where the fire services were able to assess taxes without input from the participating cities.

**Pace** said advantages include staffing. Kaysville's staffing is a bit larger than Farmington's. However, combining them would allow more flexibility and keep shift slots full. Another advantage is coverage with a lot more fluidity. The closest paramedic service would respond to a call, regardless of what city the call originated from. Funding is a third advantage. For example, both Kaysville and Farmington have been discussing the need for a second station on the west side. Now, there may be a possibility that there would only have to be one west side station between the two cities, on the northwest part of Farmington and the southwest part of Kaysville. This would result in an infrastructure cost savings. Also, there would be more equipment between the two stations, allowing for valuable backup equipment.

Councilwoman **Shumway** asked if it was possible to try a test run of it for a year before committing beyond that. **Pace** said that is what is intended: to try it with paramedic services first before a decision is made for fire and EMT services. Councilwoman **Wayment** asked how the other cities are feeling about this. **Pace** said all three cities want to try. They got good feedback from South Davis Metro Fire, one entity serving 90,000 to 95,000 people from four stations. South Davis Metro Fire is made up of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross, and unincorporated South Davis City. **Pace** said that it took South Davis Metro eight years to function the way it does today; they took it one step at a time and didn't rush it. He said the fire chief would rather report to one board, not two boards, both legislative and administrative.

Councilman **Shawn Beus** it would be worth pursuing because it is fiscally responsible. Councilman **Anderson** said Farmington has put a lot of money into its equipment, and he wants to make sure that cost is equalized so Farmington tax payers don't bear the burden for the entire newly formed department. **Pace** said that is an issue that South Davis Metro had to deal with as well. He said Kaysville has as much or more equipment than Farmington does, and their equipment is much newer. **Isaacson** said there should be an evaluation of equipment going in to try to equalize it going forward. He said cost savings and efficiencies are a factor, including the avoidance of the duplication of services. He wants to see a spreadsheet of possible savings. **Pace** said that **Mayor Talbot** had shared some of his concerns, which had to do with the loss of control and tradition. Farmington has had a tradition since 1903 of a volunteer force until 10 years ago. Kaysville has similar traditions.

## **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; City Planner Meagan Booth; City Attorney Todd Godfrey; Planning and GIS Specialist Shannon Hansell; Recording Secretary Deanne Chaston; and applicants Greg Gardner; Jim, Jeanne and Hyrum Bosserman; Guy Haskel; and Taylor Spendlove.*

### **CALL TO ORDER:**

Mayor **Jim Talbot** called the meeting to order at 7:00 p.m. He said it has been an undertaking to hold these meetings electronically. It has had its challenges, and he appreciates IT Administrator **Dennis Allen** and City Recorder **Holly Gadd** for helping in this regard.

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

Councilwoman **Rebecca Wayment** offered the invocation virtually, and the Pledge of Allegiance was led by City Manager **Shane Pace**.

### **PUBLIC HEARINGS:**

#### **Sydney's Corner Subdivision Phase 2 Schematic Plan**

City Planner **Meagan Booth** presented this item. **Gadd** said no public had submitted comment on this item.

Applicant **Guy Haskell** is requesting schematic plan approval for four lots on 0.94 acres of property located on the southwest corner of 650 West and Glovers Lane to create Sydney's Corner Phase 2 Subdivision. The property is zoned Agriculture Estates (AE). The subdivision is planned to mirror the Sydney's Corner Subdivision across the street to the east. The minimum lot size for a conventional subdivision in the AE zone is 1 acre. Therefore, the applicant is entitled to his one (nonconforming) lot. However, an existing dilapidated home exists onsite and the land may be blighted. In an effort to clean up the property to benefit the community, the applicant is requesting three additional lots via a Transfer of Development Rights (TDR) transaction to make his deal work with the property owner. The concept of such TDRs being used for blight rather than open space may only be approved by the Planning Commission as a special exception. If approved as such by the Planning Commission, the TDR transaction is subject to the review and approval by the City Council, by agreement and at the sole discretion of the City Council. The proposed average lot size for the project is 0.22 acres (or 9,583.2 square feet), which also requires a special exception because each lot is less than the minimum alternative lot size of 12,000 square feet as set forth in the AE Zone.

On March 5, 2020, the Planning Commission recommended that the City Council approve the schematic plan for the subdivision. The Commission also approved a special exception for the TDR lots because of blight, subject to approval by the City Council. The City Council previously approved an identical request for the Sydney's Corner Subdivision Phase 1 across the street on the east side of 650 West, which included three TDR lots for the purpose of removing

blight. The Planning Commission also approved a special exception for the smaller lots size during their March 5, 2020, meeting.

**Mayor Talbot** said Sydney's Corner Subdivision Phase 1 is better than what was there before, and it is nice to have that corner all taken care of. Councilwoman **Amy Shumway** asked what the TDRs would go towards in the future. **Mayor Talbot** said the City Council has struggled with doing TDRs to the point that the former Council did not even want to do it anymore.

Community Development Director **Dave Petersen** said the City's TDR bank is the land meant for parks, and it doesn't make sense to sell lots the City has to help clean up blight. While he knows the Council may like the schematic plan in concept, he would like to see if there is a way to allow an exception in order to clean up blight. In the past, the City instituted demolition by neglect. When people take advantage of this to "reward" neglect, it is a violation of the ordinance. Blight is similar. He would like to see an incentive to clean up blight, although the City does not have very many areas that are blighted. It is easy to meet requirements to set up a Redevelopment Agency, at the discretion of the Council.

Councilwoman **Rebecca Wayment** said the City Council can't change the definition of blight, as it is defined by state ordinance. There is a difference between neglect and blight. She said she likes Sydney's Corner Subdivision Phase 1 across the street.

**Guy Haskell**, the applicant, said when the property became available, he made an offer on it based on the City Council giving approval for four lots. He said the lots as designed in Phase 2 are slightly larger than those in Phase 1.

**Mayor Talbot** opened the Public Hearing. Nobody signed up to address the Council on the issue. The deadline for public comment was today at noon. **Mayor Talbot** said the City Attorney is confident in how the City is calling for public comment while the City Council meetings are being conducted online during the pandemic. **Mayor Talbot** closed the Public Hearing.

Councilman **Anderson** said he and Councilwoman **Wayment** were both on the council when they developed Phase 1 across the street. At the time, he recused himself because the developer was a client of his. He has been in the neglected/blighted home in Phase 1 several times, and it certainly qualified as blight due to the number of semi trucks full of garbage that were hauled off from there and shovels full of cat feces that were inside the front room of the home. That was part of the consideration the past Council wrestled with when they decided to grant the TDRs. He said the house in Phase 2 is not as bad as that in Phase 1. It has been uninhabited for two years, since the Sanchez family moved. However, it would look nice to have something similar to the row of houses in the development of Phase 1 on the other corner. **Anderson** said a row of four on each side would look great.

**Petersen** said the City building official could assess if the home is blighted or not. Councilman **Scott Isaacson** said he has seen the house in question, which is certainly run down, but blight is hard to define. **Booth** mentioned that one of the conditions is that a blight study is performed. Councilwoman **Amy Shumway** said she would like to have the building official assess the home

for blight. Councilwoman **Wayment** said she liked the suggestion of the building official assessing the home as well. She said she has heartburn giving away TDRs when it doesn't make sense and would like another mechanism to use to be able to give the developer what he is looking for. She would like to have the property cleaned up and work with the developer, but doesn't think doing it through blight is the proper way to do it.

**Pace** asked if the City Council could approve the schematic plan and then have the applicant come back for a traditional rezone. **Isaacson** said he was going to suggest a rezone as well. **Petersen** said it would be just as quick to change from a TDR to an incentive to clean up blight using a modification to city ordinances. **Petersen** said a rezone would be inconsistent with the City's General Plan, which is used as a guide. Therefore it would be considered spot zoning. Mayor **Talbot** said the City tries not to do spot zoning. Councilman **Anderson** said the City pays allegiance to the General Plan, including with the development just to the north. We go to the General Plan as doctrine, he said, and to ignore it when they don't like it is wishy-washy. As far as Phase 1, the city got a benefit for the TDR transfer, which was to have blight removed. For Phase 2 in question, he would like to see the City get something for granting additional building lots, not just let it go.

Approving the schematic plan at this point does not give vesting, **Petersen** said. The applicant wants something in concept for a jumping off point to reduce his uncertainty. **Isaacson** said he hates making exceptions, but this is an appropriate place to consider it.

#### **Motion:**

**Isaacson** moved that the City Council approve the schematic plan for the Sydney's Corner Phase 2 Subdivision subject to all applicable Farmington City development standards and Findings for Approval 1-5. He also included conditions that the building inspector inspect the property and provide the Council with a report, and that City staff explore a mechanism other than the TDR.

Findings for Approval include:

1. The City will receive compensation for at least one of the additional lots in the form of a TDR transaction through cash payment or some other mechanism.
2. All lots front an existing fully improved public Right of Way (650 West and Glover Lane).
3. The development mirrors the development across the street and is consistent with the General Plan, which development the City also approved three TDR lots to help clean up blight.
4. The subdivision will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
5. The parcel size is comparable to the existing Sydney's Corner Subdivision.

Councilman **Shawn Beus** seconded the motion. Councilwoman **Wayment** cast the only nay vote, which she amended to an aye vote later on in the meeting. Councilman **Anderson** cast an aye vote "for now," he said.

## **Gardner Conservation Easement Amendment Request**

Community Development Director **David Petersen** presented. The subject property, which is unplatted, was set aside as open space in conjunction with the Farmington Ranches development. It is not owned by the Homeowner's Association, but was retained in private ownership. Farmington Ranches Phase 8 wraps around the southern half. The Conservation Easement encompasses 26.28 acres of open space property at approximately 375 South 1875 West so the land can be set aside for pasture and agricultural uses. Conservation Easements exist in perpetuity and are intended to provide permanent protection and preservation of the encumbered property, and may be amended under only a few conditions. Applicant **Greg Gardner** has asked to build a barn in the southwest corner. **Petersen** recommended a simple amendment of the easement with a few recitals, allowing accessory buildings with flexible setbacks in the southwest corner. He said it would limit accessory buildings in all other areas but that one corner, leaving the bulk of the property as open space for crops and animals. It wouldn't be able to be divided into residential lots. The proposed building meets the building height ordinance of 25 feet.

Councilman **Anderson** asked if this could have unintended consequences for other Conservations Easements within the City. **Pace** said Conservation Easements already allow for such a use as **Gardner** is asking for. For example, the Buffalo Ranches Subdivision has horses and barns in an agricultural setting. City Attorney **Todd Godfrey** said there are always concerns when a perpetual easement is amended, as retention of the character and use of the property is important. **Mayor Talbot** said he is nervous to amendment, as Conservation Easements are really special in the City. He wants the City Council to be very comfortable with their decision.

Applicant **Greg Gardner**, 1955 East Laird Drive, Salt Lake City, said he works for the Boyer Company, a real estate development company, and can understand why some may have underlying concerns about his plans with the property. However, he bought the land as an individual and it is in his individual trust. He was a former resident of Farmington before relocating to Salt Lake City. However, he bought the property in question because he needs a place for his horses. He has built a three rail cedar fence on the trail on the south, and rebuilt most of all the other fences around the property. He wants to build a barn to store equipment, hay, and tack. He wants to restore the soil, which may take a couple of years. He has grandchildren nearby and wants this to be a conservation piece with nice pastures fenced off, so the neighbors will look at it as an amenity.

**Mayor Talbot** opened the Public Hearing. Nobody signed up to address the Council on the issue. **Mayor Talbot** closed the Public Hearing.

Councilwoman **Wayment** said a barn would be a nice addition to the area, and she is thrilled someone is willing to fix this property up to be a more appealing neighborhood amenity. Councilman **Beus**, who lives in Farmington Ranches, said this is near his home and he would love to see something done about goat heads on the trails there. He suggested implementing Farmington rock in the design of the barn. Applicant **Greg Gardner** said it would expensive to add that, and may look at a wainscoting piece on the front of the barn. Councilwoman

**Shumway**, who has been on the trail committee, says that even though the trails are sprayed annually, goat heads are eliminated when hay is grown in the area, as goat heads don't like water and only grow in extreme dryness.

Councilman **Beus** moved that the City Council approve the first amendment to the conservation easement document, which will provide a use map for the Conservation Easement. The easement encompasses 26.28 acres of property and is located at approximately 375 South 1875 West. The motion includes Findings for Approval 1-9, adding out buildings and equestrian facilities must be located in southwest portion of the property, with 150 feet area instead of the 100 feet.

Findings for Approval include that the amendment to the Conservation Easement is:

1. A minor or incidental change, which is not inconsistent with the conservation values or purposes of the Conservation Easement and/or provides clarification to aid in the interpretation of the document;
2. Consistent with the overall purpose of the Conservation easement and will not be detrimental to or compromise the protection of the stated conservation values of the property;
3. Substantially equivalent to or enhances the conservation values of the Property;
4. Consistent with the City's goals for conservation of land under the Farmington City Conservation Subdivision Ordinance and will not undermine the City's obligation to preserve and enforce other conservation easements it has accepted;
5. Minimum change necessary to achieve the desired and acceptable purpose;
6. Clearly warranted and in the best interest of the public and the subject property;
7. The granting of the amendment will not set an unfavorable precedent for future amendment requests;
8. The amendment does not adversely affect the City's qualification as a holder of conservation easements or any claimed deduction for donation of the conservation easement; and
9. The amendment does not provide a private benefit for the landowner or any private party or parties no greater than found elsewhere in the community under similar circumstances.

**Shumway** seconded the motion, which received a unanimous vote.

## **NEW BUSINESS:**

### **Plat Amendment – Lot 708 Farmington Ranches Phase 7A**

Planning GIS Specialist **Shannon Hansell** presented this item. Applicants **Jim and Jeanne Bosserman** submitted a petition for approval to amend the Farmington Ranches 7A by subdividing 1.39 acres of property, Lot 708, and creating one additional lot in the subdivision. A mailer was sent to all property owners regarding protest and no letter of protest was received. In fact, all but one neighboring property owner signed a petition in support of the subdivision. The owner of Lot 707 did not sign. The applicants, **Jim and Jeanne Bosserman**, 103 S. Buffalo Ranch Road, along with their son, **Hyrum Bosserman**, addressed the Council. **Hyrum** said one

entire side of his parents' home is sodded, and his parents are no longer able to care for that much grass after purchasing the lot four year ago. The plat amendment would not change the character of the neighborhood, and the two lots would be similar in size to the surrounding lots. The proposed second lot has access, with sidewalks and curbing already in place. The lot would be divided north to south.

City Record **Holly Gadd** noted that the City Council received comments supporting the amendment as submitted earlier by Todd and Valerie Bertosh, Coleen Wall, Mike Wall, Thomas and Tish Lund, and Roger Hall. There were no opposing comments submitted to the Council. Councilman **Isaacson** said the **Bossermans** must be good people to have the support of so many neighbors.

Councilwoman **Wayment** moved that the City Council approve the proposed plat amendment to the Farmington Ranches Phase 7A, thereby subdividing Lot 708 and creating one additional lot as requested by the applicant, subject to all applicable Farmington City standards and ordinances, including the Finding for Approval and that the applicant continue to work with the City and other agencies to address any outstanding issues remaining with regard to the plat prior to recordation.

The Finding for Approval includes: There is good cause to approve the amendment because no public easement, right-of-way, or easement will be vacated or amended.

**Isaacson** seconded the motion, which received a unanimous vote.

#### **OLD BUSINESS:**

#### **Rezone Enabling Ordinance and Subdivision Schematic Plan for Cook Property**

Community Development Director **David Petersen** presented. This item was part of an agenda that was recently cancelled due to new restrictions on public gatherings. **Mayor Talbot** apologized for the delay getting this agenda item before the City Council. **Petersen** said it also previously came to the City Council December 17, 2019. This is an application to rezone the Cook property of 8.41 acres located on the southwest corner of Station Parkway and Burke Lane. The request included rezoning land on both sides of Shepard Creek from Agriculture (A) to Open Space (OS), property located north of a proposed east-to-west street from A to Office Mixed Use (OMU), and land south of the road from A to General Mixed Use (GMU). The Council also elected to rezone all other remaining property west of the OS designation as A. Therefore, everything south of the road is GMU and everything north is OMU. Since, the applicant shimmied the road further to the south, dropped the number of townhome units from 60 to 50, and designated hotel and office space to the north. The area around the creek would be open space.

The Council originally directed staff to draft an enabling ordinance for their consideration at an upcoming meeting, saying nothing would move forward until the road right of way was set and the open space boundary is established. The Planning Commission recently approved the development plan review schematic plan for the townhome portion of the project, and the right of way is now set. The applicant staked the proposed location of the trail and eastern boundary

of the OS area, after which staff walked and verified this as an acceptable boundary for the OS zone. The schematic subdivision plan is now ready for the Council's consideration.

Applicant **Taylor Spendlove** with Brighton Homes Utah spoke about the trail coming off of Station Parkway along the creek. They plan to pave and widen the trail from 8 to 20 feet when the initial buildings are being built there. The paved and widened trail would be drivable for emergency access on a temporary basis until future development occurs to the west, creating a secondary emergency access. The trail goes almost to the new City park. Improvements will be made where the creek turns into the property to the west. This will be public open space to accommodate the trail. **Spendlove** said they have a contract for a hotel to build on the site.

Councilwoman **Wayment** said she was previously uneasy about the density of the townhome housing of the plan, so she appreciates the decrease in the number of proposed townhomes. **Mayor Talbot** said the first plan was difficult to swallow. He is happy with the current plan, and it is a good gateway to the business park.

**Isaacson** asked what is allowed in the OMU zone. **Petersen** answered office and commercial, but not residential and not a big box store. He noted that when this proposal first came to the City in November, plans included almost entirely townhomes on the whole site. The City Council pushed to have more OMU for commercial use following form-based code, built to the street with parking tucked behind. The current proposal is now one-third townhomes and two-thirds other uses, a positive ratio when considering the Council's request. **Mayor Talbot** added that the road meandered at first, and the Council asked to have it straightened out.

Councilman **Anderson** said whenever there is a proposal that land be turned to a commercial use, he gets emails from people who just want to see a residential use instead. He asked how many houses could be built on the 8 acres. **Petersen** answered it would be 14 to 15 houses in an agricultural residential zone, or 32 homes if it was zoned single family. Councilwoman **Shumway** asked who will maintain the trail that the City has an easement on. **Petersen** said the site plan review will consider that later. **Shumway** asked if the hotel would need on-street parking. **Petersen** said the hotel won't need on-street parking, as they have enough parking on site. However, after consulting with other cities, he has found hotels need some kind of parking in the front such as a pull in, although there will be attempts to locate a majority of parking in the back. **Spendlove** mentioned a shared easement that the office would use in the daytime hours, and the hotel would use in the evening.

**Wayment** asked if, based on the Community Reinvestment Act (CRA) designation of the area, this is approaching the residential cap. **Petersen** answered that it will go toward the cap, although the cap has not been exceeded yet. **Pace** said that cap as agreed to by the school district will be reached quickly in the next couple of years. He explained that once the 150 housing unit cap was reached, the school district's contribution would reduce from 70 percent to 60 percent.

Councilman **Anderson** moved that the City Council adopt the enabling ordinance, which enacts the zone change previously approved by the City Council on December 17, 2019; with Findings 1-5 as previously approved.

**Wayment** seconded the motion, which received a unanimous vote.

Councilman **Isaacson** moved to approve the subdivision schematic plan consisting of a future dedicated Right of Way and six parcels subject to all applicable Farmington City Development standards and ordinances, including Findings 1-2.

Findings include:

1. The motion is consistent with the goals and purposes of the General Plan and Zoning Ordinance, including, but not limited to, the City's Regulating plan for the area.
2. Section 12-7-040 D of the City's Subdivision Ordinance states, in part, "Street patterns in the subdivision shall be in conformity with a master street plan for the most advantageous development of adjoining areas and the entire neighborhood for district."

**Wayment** seconded the motion, which received a unanimous vote.

## **GOVERNING BODY REPORTS:**

### **City Manager Report**

**Pace** presented the Monthly Fire Activity Report for February, Building Activity Report for February, and Building Activity Report for March.

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

Councilwoman **Shumway** mentioned that the Farmington Trail Guide had been put out recently. The Trail Committee purposely left the Lagoon Farmington Creek Trail off because it is so heavily used, and they wanted to encourage the use of other trails. She mentioned that a lot of residents aren't aware that kayaks and boats are not allowed on Farmington Pond, although nothing is posted at the pond to inform the public of this. The dam is not secure, and kayaks could go over it if the water level was high enough. She is hoping to have the restriction posted.

**Mayor Talbot** said putting a sign at the pond is a good idea. **Pace** said he would coordinate the effort with City Parks and Recreation Director **Neil Miller**.

Councilwoman **Wayment** asked to amend her vote from a nay to an aye vote on the Sydney's Corner Subdivision Phase 2 Schematic Plan issue earlier on the agenda. She also wanted to voice her support of residents practicing social distancing and making a concerted effort to flatten the curve. She expressed her appreciation of the Parks and Recreation Department for keeping things safe when residents get cabin fever during the quarantine and want to get out in nature.

Councilman **Isaacson** said he would like to analyze the financial impact of the pandemic on the City. **Mayor Talbot** said that **Pace** and Finance Director **Greg Davis** would work on getting that to the Council. He noted that these are strange times, as even that day during the electronic meeting, a 4.2 magnitude earthquake aftershock in Magna was felt in Farmington.

## **CLOSED SESSION**

### ***Motion:***

**Brett Anderson** made the motion to go into a closed meeting for the purpose of acquisition of real property. **Wayment** seconded the motion, which was unanimously approved. Economic Development Director **Brigham Mellor** joined the meeting electronically.

**Sworn Statement**

I, **Jim Talbot**, 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.

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**Jim Talbot**, Mayor

*Motion:*

**Isaacson** made a motion to reconvene to an open meeting. The motion was seconded by **Shumway**, which was unanimously approved.

**ADJOURNMENT**

**Motion:**

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

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**Holly Gadd**, Recorder



Holly Gadd &lt;hgadd@farmington.utah.gov&gt;

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**Bosserman Hearing, Farmington Ranches Subdivision Phase 7**

3 messages

**Todd Bertoch** <toddbertoch@yahoo.com>

Mon, Apr 13, 2020 at 8:39 PM

To: "hgadd@farmington.utah.gov" &lt;hgadd@farmington.utah.gov&gt;

We are writing in favor of the proposal to subdivide the Bosserman property in Ranches Subdivision Phase 7. Our home is directly north across Comanche Rd from the Bosserman property. We have no objection to the proposed subdivision of their property. There is plenty of space, and the resulting properties will both be of adequate size. No additional utilities will need to be brought into the neighborhood. Access to surrounding homes can be maintained. Adding an additional home will help share HOA costs. Any questions, do not hesitate to contact us.



Todd and Valerie Bertoch

2096 W Comanche Rd

Farmington, UT 84025

928-830-7354

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**Holly Gadd** <hgadd@farmington.utah.gov>

Tue, Apr 14, 2020 at 6:58 AM

To: CITY COUNCIL &lt;CITYCOUNCIL@farmington.utah.gov&gt;, Dave Petersen &lt;dpetersen@farmington.utah.gov&gt;, Shane Pace &lt;space@farmington.utah.gov&gt;

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Holly Gadd, MMC  
Farmington City Recorder/HR  
160 South Main  
Farmington, Utah 84025  
801-939-9205  
801-451-2747 Fax  
[hgadd@farmington.utah.gov](mailto:hgadd@farmington.utah.gov)

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**Holly Gadd** <hgadd@farmington.utah.gov>

Tue, Apr 14, 2020 at 7:04 AM

To: Todd Bertoch &lt;toddbertoch@yahoo.com&gt;

Thank you for your comments.

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Holly Gadd &lt;hgadd@farmington.utah.gov&gt;

## upcoming zoning meeting for the Bosserman property Lot 708

3 messages

Colene Wall &lt;cwall@mrscaavanaughhs.com&gt;

Mon, Apr 13, 2020 at 7:54 PM

To: dpetersen@farmington.utah.gov

Cc: hgadd@farmington.utah.gov

To whom it may concern.

I live in Farmington Ranches Phase 7 subdivision at [74 South Buffalo Ranch Rd.](#)

I look out our front window and see Lot 708. I live across the street.

I support the Plat Amendment that has been proposed and presented for approval to split lot 708.

They are great neighbors and keep the property in very good condition.

They have plenty of street frontage. This would be a huge blessing in their lives.

I completely support the proposal to split lot 708.

\* Colene Wall

Holly Gadd &lt;hgadd@farmington.utah.gov&gt;

Tue, Apr 14, 2020 at 6:59 AM

To: CITY COUNCIL <CITYCOUNCIL@farmington.utah.gov>, Dave Petersen <dpetersen@farmington.utah.gov>, Shane Pace <space@farmington.utah.gov>

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Holly Gadd, MMC  
 Farmington City Recorder/HR  
 160 South Main  
 Farmington, Utah 84025  
 801-939-9205  
 801-451-2747 Fax  
[hgadd@farmington.utah.gov](mailto:hgadd@farmington.utah.gov)

Holly Gadd &lt;hgadd@farmington.utah.gov&gt;

Tue, Apr 14, 2020 at 7:06 AM

To: Colene Wall &lt;cwall@mrscaavanaughhs.com&gt;

Thank you for your comments. I will forward them to the City Council.



Holly Gadd &lt;hgadd@farmington.utah.gov&gt;

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**upcoming zoning meeting for the Bosserman property Lot 708**

3 messages

**Mike Wall** <mike@mrscavanaughhs.com>

Mon, Apr 13, 2020 at 7:47 PM

To: dpetersen@farmington.utah.gov

Cc: hgadd@farmington.utah.gov

To whom it may concern.

I live in Farmington Ranches Phase 7 subdivision at [74 South Buffalo Ranch Rd.](#)

I look out our front window and see Lot 708. I live across the street.

I support the Plat Amendment that has been proposed and presented for approval to split lot 708.

They have a huge useless back yard with lots of sidewalks. I think it would be an improvement to our neighborhood.

The second lot would have plenty of street frontage to satisfy any requirements by the city.

I am a strong believer in property rights. There is no logical reason that they should be denied their rights to life, liberty and the pursuit of happiness. Property ownership including property rights are what makes America great and why people have the ability to improve their lives and have some form of stability. Other countries have lords, dukes, kings etc that owned all the property and dictated what they could do or not do on the land. Their desire is to divide their property and should be considered and approved.

Thank you and have a Fabulous Day,

✪ **Michael J Wall**

801-677-8888

mike@mrscavanaughhs.com

Do it right now!



Holly Gadd &lt;hgadd@farmington.utah.gov&gt;

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**RE: Farmington Ranches Phase 7 Plat Amendment (S-4-20)**

3 messages

**Chug12** <chug12@aol.com>

Mon, Apr 13, 2020 at 4:32 PM

Reply-To: Chug12 &lt;chug12@aol.com&gt;

To: "hgadd@farmington.utah.gov" &lt;hgadd@farmington.utah.gov&gt;

Farmington City Counsel, we are writing to you with no objections for Jim & Jeanne Bosserman to add one additional lot to the subdivision Farmington Ranches Phase 7. We live directly across the street in lot 709 to the East. Both lots would be large in size and fit naturally with the already surrounding homes. No new infrastructure would need to be built the roads are already in place. We have no objections & think it would be a great addition to our neighborhood.

Thank you,  
\* Thomas G Lund & Tish Lund  
108 South Buffalo Ranch Rd.  
Farmington, Utah 84025

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**Holly Gadd** <hgadd@farmington.utah.gov>

Tue, Apr 14, 2020 at 7:03 AM

To: CITY COUNCIL &lt;CITYCOUNCIL@farmington.utah.gov&gt;, Shane Pace &lt;space@farmington.utah.gov&gt;, Dave Petersen &lt;dpetersen@farmington.utah.gov&gt;

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Holly Gadd, MMC  
Farmington City Recorder/HR  
160 South Main  
Farmington, Utah 84025  
801-939-9205  
801-451-2747 Fax  
[hgadd@farmington.utah.gov](mailto:hgadd@farmington.utah.gov)

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**Holly Gadd** <hgadd@farmington.utah.gov>

Tue, Apr 14, 2020 at 7:03 AM

To: Chug12 &lt;chug12@aol.com&gt;

Thank you for your comments.

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[Quoted text hidden]



Holly Gadd &lt;hgadd@farmington.utah.gov&gt;

**Bosserman division of property on Lot 703 of Farmington Ranches phase 7**

3 messages

**Hall Family** <irhallfam@gmail.com>

Mon, Apr 13, 2020 at 11:41 AM

To: dpetersen@farmington.utah.gov, hgadd@farmington.utah.gov

Hi this is Roger Hall. My wife (Ilene) and I are part of Farmington Ranches, phase 7, on Lot 703. We are on the corner lot of Farmington Ranch Road and Comanche. Jim and Jeenie Bossermans who are on Lot 708 are our neighbors across the street to the south on Comanche and Buffalo Ranch as well. We hope you will approve the Bowerman's proposal to split their lot 708.

It is a huge lot and has a lot of grass on it which requires a lot of water and mowing to keep it looking nice. There is no way to bag the grass because of the immensity of the grass and so it is left to fall. This means that it blows into the curb gutters. I have to remove this grass each week during mowing season to keep it from getting smelly as it mixes with water that comes down the gutter from the neighbors (since my curb gutter doesn't drain properly).

Since we built here in 2006, the owners of lot 708 have tried to divide the lot but their requests were denied (which we were sorry to hear each time). I have been a member of the Farmington Ranches HOA where I served as phase 7 representative for several years and we have discussed the need for this division in the HOA meetings. I feel there is plenty of land so that contain 2 lots could easily look similar to other lots in both phases 7 and 8 (phase 8 includes the houses south of phase 7). Our lot is ½ acre and we feel we have plenty of room for a large house and a large yard. Dividing lot 708 would create 2 lots that are still larger than ours.

We thank you for your consideration and hope the division of Lot 708 can be approved this time.

 Sincerely Roger Hall**Holly Gadd** <hgadd@farmington.utah.gov>

Mon, Apr 13, 2020 at 11:45 AM

To: Hall Family &lt;irhallfam@gmail.com&gt;

Thank you for your comments. I will make sure they are passed on to the City Council.

Have a wonderful day.

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Holly Gadd, MMC  
Farmington City Recorder/HR  
160 South Main  
Farmington, Utah 84025  
801-939-9205  
801-451-2747 Fax  
[hgadd@farmington.utah.gov](mailto:hgadd@farmington.utah.gov)

**Hall Family** <irhallfam@gmail.com>

Mon, Apr 13, 2020 at 1:19 PM

To: Holly Gadd &lt;hgadd@farmington.utah.gov&gt;