

## FARMINGTON CITY COUNCIL MEETING

May 1, 2018

### WORK SESSION

*Present: Mayor Jim Talbot; Councilmembers Rebecca Wayment, Doug Anderson, Cory Ritz, Brigham Mellor, Brett Anderson; City Manager Dave Millheim, City Attorney Todd Godfrey, City Development Director David Petersen, City Planner Eric Anderson, City Engineer Chad Boshell, City Recorder Holly Gadd, and Recording Secretary Tarra McFadden*

Mayor **Jim Talbot** called the meeting to order at 6:08 p.m.

### Agenda Review

**Jim Talbot** invited Councilmembers to review the agenda and ask any questions they may have of staff. **Doug Anderson** asked about when changes could happen to an APA and **Todd Godfrey** clarified that the owner of the property can ask for a review of the designation on the property at any time. **Rebecca Wayment** asked why a property owner would pursue an APA and **Todd Godfrey** offered that the APA designation could make the exercise of eminent domain by the state more difficult, and burdens it with process, but ultimately does not prohibit UDOT from condemning the property. **Todd Godfrey** noted that the applicant indicated that he is not interested in pursuing a Conservation Easement on the property. **Brigham Mellor** said that citizens do not seem to understand that the APA designation does not limit development in the future, but the Conservation Easement would prevent development on the property. Councilmembers expressed frustration about how the process was made public so fast and that it inhibited conversations that are normally had through an application process. **Todd Godfrey** advised that the Council focus on their obligation under the APA statute.

**Jim Talbot** indicated that he planned to read a prepared statement before opening the public hearing. **Brett Anderson** suggested that following the statement, the Council should move to suspend the rules and move to approve the APA. He said that this would demonstrate the Council's intent to approve the APA once the public hearing concluded; he hoped this would positively affect the tenor of the public hearing. **Todd Godfrey** acknowledged that procedurally, the Council could propose a motion and a second, but not call the question on the vote until after the public hearing.

### Budget Work Session

**Dave Millheim** asked for approval by the Council to move forward on two items that require a lot of preparation work prior to approval of the FY2019 budget. The first, was to start the recruitment process for a new Economic Development Director. The second, was to prepare the RFP for work related to the driveway South of City Hall. Both items would include language in the announcements that they are contingent on formal budget approval by the City Council. Councilmembers indicated that they supported staff efforts to move forward on these items.

## REGULAR SESSION

*Present: Mayor Jim Talbot; Councilmembers Rebecca Wayment, Doug Anderson, Cory Ritz, Brigham Mellor, Brett Anderson; City Manager Dave Millheim, City Attorney Todd Godfrey, City Development Director David Petersen, City Planner Eric Anderson, City Engineer Chad Boshell, City Recorder Holly Gadd, and Recording Secretary Tarra McFadden*

### **CALL TO ORDER:**

Mayor **Jim Talbot** called the meeting to order at 7:01 p.m.

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

The invocation was offered by **Brigham Mellor** and the Pledge of Allegiance was led by Boy Scout **Tanner Covey** of Troop 984.

### **Youth City Council**

**Sophie Wayment**, a 9<sup>th</sup> grader at Farmington Junior High, attended the meeting as a representative of the Youth City Council.

### **PUBLIC HEARINGS:**

#### **Bangerter Agriculture Preservation Area Request**

**Jim Talbot** introduced the rules of the Public Hearing and requested those present to limit their comments to three minutes, and be mindful not to repeat information previously presented but rather add new information with their comments. He encouraged all participating to remain respectful. **Jim Talbot** read a prepared statement that reviewed the impact of the West Davis Corridor (WDC) on Farmington City, the need for mitigation related to City owned soccer fields, the APA approval process and the City's efforts to further protect open space through a conservation easement.

#### ***Motion:***

**Brett Anderson** moved that the City Council suspend the rules to allow the Council to consider the APA application. **Cory Ritz** seconded the motion, which was unanimously approved.

#### ***Motion:***

**Brett Anderson** moved that the City Council follow the recommendation of the Planning Commission and approve the Bangerter application for an Agriculture Protection Area (APA). **Doug Anderson** seconded the motion. ***The motion did not get voted on until after the public hearing.***

**Jim Talbot** invited the applicant to address the Council.

**Alan Bangerter**, 1290 North 400 East, Bountiful, expressed appreciation for the Council and their positive consideration of the Agricultural Protection Area. He noted that his family, including sons, daughters-in-law and grandchildren are being supported by the farm. He

described the legacy of farming that has long been a part of his family. **Alan Bangerter** noted that the farm donates produce to the food bank, employs teenagers and teaches them the value of hard work, and contributes to the economy through the payment of wages to local employees.

**Alan Bangerter** shared that the operation of the farm requires a certain level of production to keep things running smoothly and balanced with costs related to warehousing. He noted that they currently have just the right amount of farmland with current property and that moving and needing to start over would gravely affect farming operations. **Alan Bangerter** shared that UDOT has previously taken portions of family land.

**Alan Bangerter** asked that the City Council approve the Agricultural Protection Area without any additional restrictions that would allow him and his family to own and operate the property as they see fit. He expressed appreciation for those speaking on his behalf and he is grateful for the support.

**Randall Edwards**, 188 North 100 West Bountiful, authorized agent of **Alan Bangerter** asked the City Council to approve the Agricultural Protection Area and further commit to directing staff to locate other property for the relocation of the City's soccer fields. He addressed the conservation easement proposal and indicated that he and his client found the restrictions unacceptable and that they feel that the Agricultural Protection Area is the only designation needed on the property. He acknowledged that the APA may not stop UDOT but sends a strong message about not wanting the land taken to expand a public park. **Randall Edwards** presented a petition with more than 8,000 signatures in support of the APA. He asked that the City Council approve the Agricultural Protection Area and look elsewhere for property for soccer fields.

*Mayor Jim Talbot opened the public hearing at 7:30 p.m.*

**Chuck Bangerter**, 640 East Pages Lane, Centerville, identified himself as Alan's son and expressed a desire to continue the family legacy of farming, noting that two brothers are also committed to the farm. He shared that he left a possible career as a family therapist to maintain the family farm. He wants to be able to teach his children to work hard and that they can make a difference in the community by farming. He said that farming has its own unique challenges from weather and outside conditions and was disappointed to face a challenge from a local government entity. He asked that the City Council approve the APA and protect what is working.

**Bryce Crowley**, 1743 West Spring Meadow Lane, Farmington, asked that the City Council vote in favor of the APA and remove all extra stipulations or requests it tried to attach through the conservation easement proposal. He has heard the Council repeatedly express that property owners have rights, so why does the City want to restrict the rights of a property owner through a conservation easement? He said that he has seen the City use the TDR processes to give developers waivers and is not in favor of the conservation easement discussion. He expressed concern as a business owner that he would have to cede rights to the City. He expressed support for working businesses and families and reiterated his request for the City Council to approve the APA without additional restrictions.

**Annette Crowley**, 1743 West Spring Meadow Lane, Farmington, said that she grew up in a small farming community and saw people demonstrate a work ethic that you cannot get in other places. She shared the intangible values that a farm provides to a community. She expressed support for approval of the APA and directed the City to find land for soccer fields elsewhere.

**Rep. Steve Handy**, 1355 East 625 North, Layton, stated that he has served on the Natural Resources and Agriculture committees in the legislature and has as dealt with agricultural issues and regulations including the creation of a local food advisory council. He noted that people are passionate about local foods. There are more than 100 farmers markets throughout the State. He stated that 2-3% of the produce consumed, is grown locally. The advisory council will continue to look at agricultural regulation, preservation, innovation in production, and innovation in distribution. He submitted a handout that shows encroachment on farmland from 1952-2017.

**Lisa Webster**, 732 West 500 South, Farmington, spoke in support of the Bangerter family and their right to farm. She said that residents feel passionate about their multi-generation operations and want them to continue to provide local produce. People have stories about themselves, children or grandchildren that have worked on the farm. They have learned to work hard and produce high quality vegetables locally. She asked that the City Council do the right thing and approve the APA for all 22.37 acres of Bangerter farmland. She noted that city officials have been vocal about property owner's rights, and stated that owners should have the right not to have their property developed. She stated that there are other options for the fields, and the land not be destroyed with sod. She suggested that the reputation, character and integrity of the city planners and managers would be severely damaged if they pursue taking of the property after approving the APA. She said that people, like herself, moved to Farmington for its quaint rural appeal and asked that the City Council keep the farm in Farmington.

**Ted Alexander**, 418 South 650 West, Farmington, identified as a property owner adjacent to the Bangerter farm property and he has enjoyed watching it grow and develop. He asked for accountability from the Council in approving the APA that they would not retract that decision in another meeting. He stated that the conservation easement proposal is "flat wrong."

**Stew Webster**, 732 West 500 South, Farmington, has property adjacent to the Bangerter farm and stated that what was once a weed patch is now a beautiful farm that produces well and meets and exceeds conditions needed for approval of an APA. He said that he had a problem with the conservation easement proposal, and that the property owner should be able to take care of his own property. He said that after the sidewalk debacle he does not have much faith in management to do the right thing, and that the conservation easement scares him.

**Garth Ball**, 717 South 200 West, Farmington, shared that he knew of an individual who previously owned property in Farmington and is glad he does not live in Farmington because the city is hard to work with. He said that he has raised 5 kids in the City and it is disappointing to see the issue come to a head where the City is picking on its own citizens to fulfill responsibilities of management that have caught the City by surprise by allowing apartments and businesses come into the City. He spoke in support of the Bangerter's in keeping the property farmland.

**LuAnn Adams**, Utah Commissioner of Agriculture, 1705 North Highway 38, Brigham City thanked the city for approving the APA, considering alternative properties for soccer fields and working with UDOT on other mitigation options. She spoke in support of the Bangerter's and talked about population growth. She noted that the Bangerter property is prime irrigated farmland that that there is demonstrated public support for increased farmlands. She stated that it is hard to replace the experience and expertise related to growing vegetables.

**Ray Wilcox**, 1111 South 120 East, Farmington, said that he appreciated the efforts of the Council and noted his familial roots within the City. He said that the concern is not over vegetables versus soccer. It is over whether property owners have a constitutional right to life, liberty and property. He stated that eminent domain should be used to benefit the community and not to take someone's private property. He noted that people have fought and died for our rights as citizens, and government should not seek to take rights away.

**Karl Asay**, 850 South 650 West, spoke in support of **Alan Bangerter** and spoke favorably about his family. He suggested that the City had engaged in double talk and extortion over the sidewalks in his area, but citizens fought and came to a satisfactory end. He mentioned the prayer spoken at the beginning of the meeting asked for blessings related to decision making, but that he felt there were half-truths spoken by the City Manager and the Mayor. He asked for more truth and openness from the City.

**Quinten Willey**, 919 Chelsea Drive, Bountiful, testified that **Alan Bangerter** utilizes every inch of his land for his farming efforts and that it was a travesty he now needs to protect his farmlands. He stated that there are many vacant fields for playing soccer. He also suggested that it was less of a resource constraint and more of a scheduling issue. He said that his teenage son had worked on **Alan Bangerter's** farm and learned work ethic.

**Shauna Lund**, 933 Davis Creek Lane, Farmington, stated that she was a grandmother that supports the City's Parks and Recreation programs and supported the construction of the city gym. She did not vote to take someone's land to expand the soccer program. She said that she does not support the conservation easement suggestion and expects the City will not encroach on property owners.

**Brenda Foren**, 594 East 1200 North, Bountiful, she asked the Councilmembers to reflect on how they arrived at the decision to take someone's farm to expand the City's soccer fields. She noted that she has worked on the farm. She asked the Councilmembers how they can say their prayers and go to sleep knowing they want to take a families business so they can have soccer fields. She asked them to look themselves in the mirror and be consider that decision.

**Richard Lund**, 933 Davis Creek Lane, Farmington said that he was a retired federal employee who encountered many who do not trust the government. He worked hard to try to dispel that reality. He said that he does not know **Alan Bangerter**, but he has eaten his produce, and that it was a travesty of justice to try to take someone's land.

**Jim Checketts**, 576 West 350 South, Farmington, he said that there was always something going on without the input or care for citizens. He stated that there is a 12 acre property north of 250

South 650 West that would have been good for soccer, but instead development will happen on that piece consisting of many tiny lots. **Alan Bangerter** is a good addition to the neighborhood. He asked the City to consider other properties for the soccer fields. He stated that, an owner should not have to sell land for the benefit of the city. He suggested that the judgment demonstrated by the City does not pass the smell test.

**DeVan Pack**, 677 West 810 North, West Bountiful, said that he has been farming since the 1970s and has also served on a city council and appreciates the time, effort and worry of the Council. He stated that he serves on the Davis Conservation Board. He said the Board was in support of the Agricultural Protection Area application and said it meets all of the requirements for approval. He said that he knows personally how losing even a little farm ground can cause things not to work out and said that he and his brother are probably the last farmers in their family. He asked the Council to support the Agricultural Protection Area application.

**Dave Millheim** said the West Davis Corridor is affecting a portion of **DeVan Pack**'s property. He publicly thanked Mr. Pack who has worked with the City on a construction detour through his property.

**Rob Ramage**, 466 Honeybee Circle, Farmington, acknowledged that the construction of the West Davis Corridor and that UDOT rules mandate that the land must be replaced somewhere within Farmington. He said that the City was using eminent domain to seize more land. He suggested that although soccer fields are good and the City has the legal ability to take the land that the Council is pursuing the easy way by seizing the farm and that it is not the right thing to do. He suggested that the City pursue property from those that want to sell rather than force someone out of business. He asked the Council to do what is right, not what is easy and convenient. He said that if decisions by the Council are upsetting people and drawing media attention, then the decisions are wrong. He asked the Council to keep the farm in Farmington.

**Dave Reeder**, 991 Country Lane, Farmington, said that he grew up playing soccer. He also stated, the farm in Layton that his mom grew up on was taken to build Hill Air Force Base and the Freeport Center. Her family received 40 acres of abysmal land in Garland, Utah. He said that the swap was for a higher use than soccer fields. He said that he has volunteered on the Bangerter farm with a church youth group to support donations to the food bank. The youth learn about generosity, service and taking care of their fellow brethren. He spoke in support of the Agricultural Protection Area approval and asked the Council to dismiss the conservation easement idea.

**Matthew Seely**, 513 Rigby Road, Farmington, said that he believed the real issue was about frustration with urban sprawl and the elimination of farmlands. He said that the City Manager gets on the news and says insensitive things. He stated that it looks like he is not supporting the town. He asked for the City to allow the Bangerter family to continue to farm and recognize the frustration that people have with the City.

**Phillip Padgett**, 1012 South 650 West, spoke in support of the APA. He asked the City Council to take a retrospective and ask themselves not what they have done *for* the residents, but what they have done *to* the residents. He said that the City claims to preserve open space, but has

allowed for Station Park, multifamily housing, a charter school and a gym with pricy concessions replace open space. He said that although the new high school resembles and IKEA that the mayor's concern was not about how that would look against the mountains, but rather about the mascot. He asked that the City Council do right by the citizens.

**Jake Black**, 908 Davis Blvd, Bountiful, said that as a teenager who worked on farm he was grateful for the lessons learned. He said that the Bangerter farm, the LDS Church and the Boy Scouts shaped his character and he learned about work and integrity. He played soccer, but that only taught him about soccer. He said he had been following the issue since December, and heard accusations that the City Council would be impacted if alternatives were pursued. He said that founders of this country supported limited government and feared government taking property. He asked the Council to grant the Agricultural Protection Area and nothing else.

**Kevin McArdle**, 4930 W. Miles Drive, West Valley City, identified himself as vice president of the American Guard, which works to stand up for people who may lose what is their's. He said that the residents are unhappy and want the Council to do the right thing. He said the American Guard, formed to defend second amendment rights, took action when he heard land was potentially being taken. He said that today it was for a soccer fields, but where does it stop? A pool, a high school or apartment buildings. He said that the farm brings great things to the community and said that the Council should do the right thing.

**Sarah Shumway**, 231 E. 1100 S., Bountiful, said that the Councilmembers are elected and their jobs are to hear from the community. She said that the Bangerter farm grows great produce. She suggested that the lack of planning related to a huge surge in population and the need for playing soccer should not impact a family farm. She said that taking away someone's land and livelihood to fix a mistake should not be the solution. She asked the Council to save the farm and to choose food over soccer.

**Marty Nielsen**, 783 West 500 South, said that the City Government has done more to harm the special feeling that Farmington once had. He said that Farmington was turning into a Layton or a Kaysville and any other town with strip malls and apartments. He said that the Bangerter farm is unique and that he is a good neighbor. He said he does not want the inconvenience of soccer fields and traffic that would be on 500 south. He asked that the Council restore the feeling of what Farmington used to be.

**Thayne Harbaugh**, 2415 North 840 West, Lehi, said that he was scheduled for surgery, but when that was postponed he endured pain and discomfort to drive to Farmington to speak out against the action of the Council. He said that he recognizes the benefits of soccer and has coached for many years, but that he is gob smacked by the use of eminent domain and is saddened that the City Council does not stand up for liberty and property at the local level. He said any Councilmember that was considering taking the farm should not be in office and replaced and he hoped that a future Council condemned their homes and takes them for bottom dollar. Those sites could then be memorial gardens for Councilmembers and their families to reflect on their poor decisions. He said that if they are not willing to point the cannon of eminent domain at their own property than they should not consider it for others. He said that he would

donate to anyone willing to run against Councilmembers that oppose the Agricultural Protection Area.

**Melinda Watson**, 1873 North 950 West, Clinton, said that she grew up near the Bangerter's Bountiful farm. She acknowledged that there are good lessons learned from soccer, but that those learned on the farm are more valuable. She said that she prefers local produce over produce from California or Mexico. She said that she had endured personal hardships and benefited from the generous donations to the Food Bank from the Bangerter farm. She said that she teaches her children to value people's property, and that the government should not be taking personal property. She said that the City has worked to protect historic buildings and landmarks and should protect a historic farm.

**Valerie Moody**, 2875 North Hillfield Road, Layton, said that she grew up in California and saw family farms disappear. She stated that once a farm is gone you cannot replace it, and that soccer fields can be put somewhere else. She said that when she says the pledge she thinks of those who have died for our rights. She referenced the staff report that stated that the City gives up its constitutional police power, and argued that the power should be to protect the citizens. She said that she is willing to do whatever it takes to gather votes for those that run for office against those that oppose the Agricultural Protection Area.

**Daniel Chappel**, 181 Comanche Road, Farmington said that he has children that play soccer, but the soccer fields go somewhere else. He identified as an owner of the Ogden Clinic on Shepard Lane and spoke to the epidemiological problem of obesity and the importance of fresh local produce. He said that the priority should be to keep local farms and spoke in support of the Agricultural Protection Area.

**James Skinner**, 2766 North 2125 East, Layton, said that he has owned and operated Skinner Produce with stores in Bountiful, Centerville, and Layton for 25 years. He said that it is not a matter of *if* but *when* we run out of local produce. He said that **Alan Bangerter** farms out of love for labor and has crops that are not easily farmed. He testified to the hard work needed to keep a farm intact. He said that he has to supplement local produce with produce from other states and countries. He asked that the City Council allow **Alan Bangerter** to stay in business.

**Laura McKeown**, Alpenglow Circle, said that the aggressive stance by the City toward the Bangerter farm demonstrates the greedy mentality and overdevelopment of City. She said that elected officials should be concerned about best interests of citizens and residents. She is disturbed that farms, pastures, and open space, are being converted in to apartments, malls, freeway cut throughs, which increase traffic and take resources while providing little benefit. She chose not to live in California or Layton, and chose to live in Farmington for its small town charm. She said that her children are taught about bullying in school. She also stated to the Council that they should stop the unethical land grab and bullying of local farmers.

**Mayor Talbot closed the public hearing at 8:58 p.m.**

**Doug Anderson** said that he has nothing but respect for **Alan Bangerter** and appreciates his work ethic and his actions to give back to the community. He said that he does not want the farm to go away and would love to keep the farm forever. He stated that there has been a misunderstanding over the conservation easement. He stated that the intent was not to add restrictions, but to honor and respect the statements made in support of keeping the local farm. He said that at the end of the process, someone's property will be condemned by UDOT, not the City. He said that he has never been a fan of the West Davis Corridor and has seen how the freeway has already negatively impacted the City. UDOT is required to replace the City's soccer fields and the Council is trying to do the best it can to mitigate the issue. He stated that the Council is not trying to be malicious. He said that he does not know where the allegations of a shady, back room process came from, and does not know who is stirring those rumors. He reiterated that he wants the property to stay farmland forever and hopes that the Bangerter family has success forever. He stated that he supports the Agricultural Protection Area.

**Rebecca Wayment** said that the UDOT/WDC issue happened before she was elected. She said that she was caught off guard to hear that UDOT was taking the farm and had a conversation with **Alan Bangerter** where she committed to preserve his farm. She acknowledged that citizens find a lot of development frustrating, discouraging, and that citizens do not feel much control. She wants to preserve things that are important to Farmington, and keep the farm in Farmington. She said that she has been a supporter of the Agricultural Protection Area all along. She expressed concern that the Agricultural Protection Area did not go far enough and that UDOT would still be able to condemn the property. With this understanding she supported the offer of a conservation easement as a way to add another layer of protection. She said from the City's perspective the Agricultural Protection Area protects the property owner, but that it does not stop the property owner from selling the farm for development. She said there was nothing nefarious about the City's actions and was surprised at the reaction from citizens. She said that she supports the Agricultural Protection Area but without the conservation easement she is concerned that the property will someday be developed.

**Cory Ritz** said that he gave **Alan Bangerter** his word that he would fight for his right to farm in Farmington. He said that he makes his living off of agriculture and knows the importance of local farming efforts. He said that he wanted to defend the Council from the idea that Farmington was using eminent domain and clarified that the issue was a UDOT driven process and that City has been working hard to propose another alternative. He said that taking the farm for soccer fields was not the easy and convenient way out as had been suggested during the public hearing. He stated that he had received many emails critical of the Council. He said that he takes pride in the work that he has done as he has served on the Planning Commission and on the City Council. He has tried to be forward thinking and do what is right by the citizens of Farmington. He said of the accusation that the City wants to take land for development that the landowners are approaching the City with applications about developing their properties and that those applications follow a process set by law.

**Brett Anderson** said that he has that the citizens had not had a chance to hear both sides of the issue until tonight. He said that what had been portrayed in social media made it seem like the Council had already made their decision, but in reality they were waiting to hear comments and deliberate, and make a decision. He said that several people had mentioned the sidewalk issue, and noted that issue went through a public hearing process and it was resolved so that grants will pay for a portion of the sidewalks. He said that UDOT has to replace the park property and his understanding is that they have to replace it within close proximity. The options that were presented for consideration were property far out west where mosquitos would be a concern, east of 650 which would force soccer participants to cross the street from the recreation center parking lot, and the Bangerter Farm. He said that all options were lousy. He said that he hates the use of eminent domain, but that the fight against eminent domain was lost a long time ago, constitutionally speaking. He said that he was in favor of finding a better way to save the farm and was in favor of the conservation easement. He said that the conservation easement suggestion has been twisted and put into the media as a back room deal, but it was meant to keep the farm land a farm forever. He said that the concern about only granting the APA was that if **Alan Bangerter** decides not to farm anymore the land can be sold for development of multi-family or other housing. He said there will always be a conflict between property rights and preservation. He said that the public comment about the Bangerter farm issue has been about allowing a property owner to do what they want with their property, where opposition to development near the Mercedes Benz dealership is asking for the City to not allow property owners to exercise those same rights. He said that the Agricultural Protection Area will not prevent UDOT from taking the property. He said there was a lot of misinformation on social media, and sometimes it is done on purpose as part of a legal strategy. He shared the following quote from Abraham Lincoln “Discourage litigation. Persuade your neighbors to compromise whenever you can. Point out to them how the nominal winner is often a real loser — in fees, expenses, and waste of time. As a peacemaker the lawyer has a superior opportunity of being a good man. There will still be business enough.” He said that none of the side-fighting advanced the ball as the Council was always in favor of the APA, but it has stirred up anger and emotion. He said he hopes that the property will be a farm forever and that he never sees rooftops on the acreage.

**Brigham Mellor** said that the public process may seem inconvenient or impractical, but that it is a refiner’s fire. He said that some developers and property owners have made attempts to make property more valuable before it was taken by UDOT. He said that he was not an expert on 4F designation or condemnation or highway alignments, and when first presented with the APA issue, his reaction had been that the applicant was trying to enrich the property to get a higher price through condemnation. As he now understands the issue that is not the case, and he apologized to **Alan Bangerter** for the erroneous assumption. He said that the conservation easement suggestion was not intended to be deceitful, but was put forward as a way to keep the property farmland forever. He said that it would have been a voluntary action to accept a conservation easement, and he understands that the applicant determined that was not a good fit for his property. He said that the Council works best with direct conversations and works with individuals to settle disputes. He said that public process needed to play out, and that the process

took time. He stated that if UDOT decides to condemn, that it has nothing to do with Farmington City. To answer a question raised during the public hearing, he mentioned that the Bangerter farm property was presented by UDOT to Councilmembers in an informal manner at a Utah League of Cities and Towns meeting, with an alternative property across 650 West. He thanked **Alan Bangerter** for his contributions to the community and wished him success. He thanked the citizens for providing input on the process.

***Motion:***

**Doug Anderson** called for a vote on the previously made motion.

**Brett Anderson** moved that the City Council follow the recommendation of the Planning Commission and approve the Bangerter application for an Agriculture Protection Area (APA) and Finding 1.

**Doug Anderson** seconded the motion which was approved unanimously.

**Finding**

1. It meets the evaluation criteria set forth in the Bangerter petition (which petition references state code), and it is consistent with Farmington City's long history of causing the protection of open space.

Mayor **Jim Talbot** called for a break at 9:33 p.m.

The meeting reconvened at 9:45 p.m.

**NEW BUSINESS:**

**Resolution Adopting the Tentative Budget for Fiscal Year 2018/2019 and Setting the Public Hearing for June 19, 2018**

**Doug Anderson** stated that the budget had been reviewed in detail in a previous work session and the Council is comfortable moving forward on the item.

**Doug Anderson** moved to approve the resolution adopting the tentative budget for fiscal year 2018 to 2019 and to set the Public Hearing for June 19, 2018.

**Rebecca Wayment** seconded the motion which was approved unanimously.

**Bond Resolution for the 650 West Park**

**Jim Talbot** he said that this item had been reviewed in the work session and said that the money from the RDA will satisfy the bond over the next 7 years. **Brigham Mellor** commended the staff who set up the RDA years ago.

***Motion:***

**Brigham Mellor** moved to approve the enclosed Bond Resolution, which the proceeds will be used for the construction of the 650 West park. The bond will be paid from the US 89 RDA proceeds that the City will receive over the next 7 years.

**Cory Ritz** seconded the motion which was approved unanimously.

**SUMMARY ACTION:**

1. Approval of Minutes from April 17, 2018

**Rebecca Wayment** moved, with a second from **Brett Anderson**, to approve summary action item 1 as contained in the staff report.

The motion was approved unanimously.

**GOVERNING BODY REPORTS:**

**City Manager Report**

**Dave Millheim** asked Councilmembers to review the Fire Monthly Activity Report for March. He said that the staff will move forward with recruitment of an Economic Development Director and the RFP for the lot bypass south of City Hall, per direction given in the work session. He reminded Councilmembers of the budget work session scheduled for May 8 at 6 p.m. **Brigham Mellor** indicated that he would be participating by phone. **Brett Anderson** asked if meeting notifications could be sent by e-mail and text and staff agreed to look into that option to notify Councilmembers.

**Mayor Talbot & City Council Reports**

**Councilmember Cory Ritz**

**Cory Ritz** followed up regarding surplus property being pursued by resident Brian Call. **Dave Millheim** updated the Council about the status of the property. He noted that in a previous closed session, the Council discussed surplus .502 acres of property at the northern end of the City. The interested party is under contract on the neighboring piece and has obtained an appraisal on the property. The action for the Council would be to declare the property surplus and then approve the contract for purchase by the adjacent property owner. The buyer wants the contract to be contingent on getting the property rezoned for dental office use. The contract will be submitted as a summary action item in the future.

**Councilmember Doug Anderson**

No updates to report.

### **Councilmember Brett Anderson**

**Brett Anderson** asked about the park strip width on the west side of 650 West and south of Glover. **Dave Millheim** said that he will have **Chad Boshell** provide a memo to the Council that address the issue.

**Dave Millheim** noted that the sidewalk construction should start shortly. UTA is coordinating the schedule and Farmington City's project is at the top of the list. The funding has been secured and matching funds are coming from the high school.

**Brett Anderson** said that he had been asked by residents about building a pedestrian bridge from the gym to potential soccer fields. **Dave Millheim** stated that it would be cost prohibitive and said that the pedestrian overpass on Park Lane will cost approximately 12 million dollars.

**Brett Anderson** mentioned that he attended the Miss Farmington service pageant and said that the contestants and their service commitments were impressive.

### **Councilmember Brigham Mellor**

**Brigham Mellor** asked if the letter of support for the Northern Utah regional economic development initiative had been sent. **Dave Millheim** said he will draft the letter and send it to the Council for review.

**Brigham Mellor** said that the sign exhibited during the public hearing calling for the firing of the City Manager was uncalled for. He complimented **Dave Millheim** and his professionalism and the work that he does on behalf of the City.

### **Councilmember Rebecca Wayment**

**Rebecca Wayment** complimented the Farmington Youth City Councilmember for being present and professional.

**Rebecca Wayment** said that the Trails Committee will be promoting the Adopt a Trail program in the city newsletter. The program's purpose is to encourage families, businesses, clubs, etc. to sponsor a trail and help in its maintenance. They currently have two sponsors at the Platinum level and are hoping for additional engagement.

### **Mayor Jim Talbot**

**Jim Talbot** noted that Miss Farmington was being held Saturday night at Davis High. He stated that royalty does a lot with parks and recreation activities, volunteer often, and assist in service projects.

**Jim Talbot** thanked the Council for their participation. He said that he hoped that those that are most critical of what the City does decide to run for office. He said that he has worked to keep his name associated with the best things and it is difficult to have critical comments that affect his family. **Jim Talbot** expressed appreciation for the City Council and the good work they are doing for the City.

**Jim Talbot** said that there is an opening on the Planning Commission and is looking for nominations from residents that live in the area around Oakridge. For a separate vacancy, **Jim Talbot** asked the Council to consider Russ Workman.

***Motion:***

**Cory Ritz** moved that the City Council approve the appointment of Russ Workman to the Planning Commission. **Doug Anderson** seconded the motion which was approved unanimously.

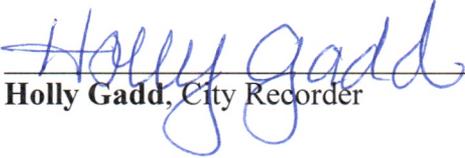
**David Petersen** noted that his appointment would be for a full four year term.

**Doug Anderson** said that the Nike grand opening was successful. **Rebecca Wayment** said she was planning to attend the grand opening of Café Torino.

**ADJOURNMENT**

***Motion:***

At 10:17 p.m., **Doug Anderson** moved to adjourn the meeting.

  
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**Holly Gadd**, City Recorder

**Posted 05/17/2018**