

FARMINGTON CITY COUNCIL MEETING

June 5, 2018

WORK SESSION

Present: Mayor Jim Talbot; Councilmembers Rebecca Wayment, Doug Anderson, Brigham Mellor, Brett Anderson; Planning Commissioners Kent Hinckley, Rulon Homer, Alex Leeman; Assistant City Manager Keith Johnson, City Development Director David Petersen, City Planner Eric Anderson, City Recorder Holly Gadd, and Recording Secretary Tarra McFadden

Excused: Cory Ritz

Mayor **Jim Talbot** called the meeting to order at 6:07 p.m.

Land Use Issues

Paul Johnson, Utah Risk Management Mutual Association, provided training to Councilmembers and Planning Commissioners related to Land Use Issues. He advised the Council to review the conditional uses for each zone in the City and remove any that are ambiguous. **Paul Johnson** presented information about Fair Housing laws and the Americans with Disabilities Act related to group homes in residential areas. **Paul Johnson** noted that the opportunities for public hearings occur when changes are made to zoning or ordinance text.

Municipal Ethics

Paul Johnson provided training on ethics covering topics such as use of information, gifts, and conflicts of interest disclosures.

Jim Talbot suggested that the training be repeated in the fall when more time can be devoted to the topic. **Keith Johnson** committed to scheduling additional training.

REGULAR SESSION

Present: Mayor Jim Talbot; Councilmembers Rebecca Wayment, Doug Anderson, Brigham Mellor, Brett Anderson; Assistant City Manager Keith Johnson, Chief Wayne Hansen, City Development Director David Petersen, City Planner Eric Anderson, City Recorder Holly Gadd, and Recording Secretary Tarra McFadden

Excused: Cory Ritz

CALL TO ORDER:

Mayor **Jim Talbot** called the meeting to order at 7:08 p.m.

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

The invocation was offered by **Keith Johnson** and the Pledge of Allegiance was led by **Andrew Butler**, of Boy Scout Troop 1238.

PRESENTATIONS:

Introduction of 3 New Police Officers and Administration of Oath of Office

Chief **Wayne Hansen** presented three new officers and **Holly Gadd** administered the Oath of Office. Johnathan Johnson, Christian Cole and Adam Hansen all expressed appreciation for the Department and look forward to serving in Farmington.

Recognition of Eric Johnsen for 10 Years of Dedicated Service to the Police Department

Chief **Wayne Hansen** presented a ring from the Department to mark Eric Johnsen's ten-years with the Department. Eric Johnsen said that there is something special about the Farmington Police Department and he enjoys working with the Department, teaching DARE and serving in the City as it continues to grow and develop. He acknowledged the energy of the new officers and said he appreciated them always doing the right thing. Parrish Snyder said that Eric Johnsen is a leader in the department and has showed initiative with a Citizens Academy. Eric Johnsen handled a difficult search and rescue case and was a fantastic liaison between the department, volunteers, and the family. **Jim Talbot** thanked Eric Johnsen for his efforts on behalf of the family.

Presentation of City Council "Top Shooter" Awards

The City Council has an event each year with the Police Department where a shooting competition is held. Katie Anderson and **Jim Talbot** were the winners for this year and were each presented with a plaque to commemorate the event.

PUBLIC HEARINGS:

Boundary Adjustment with Kaysville City - Ken Stuart Property

David Petersen noted that Ken Stuart applied for a lot split to allow for a single-family home to be built which would face 350 East in Kaysville. Because of issues related to utility delivery and physical address, the City Council adopted a resolution in April to de-annex the property to Kaysville City. The remaining property fronts 950 North and the right of way is the location of the future connector road for the WDC interchange.

Ken Stuart, 1305 North 1700 West, said that the primary reason for annexation was to make his address unambiguous for ambulance, fire, mail delivery, etc. The usable acreage is about one acre. The acreage along 950 North will remain in Farmington.

Mayor Jim Talbot opened the public hearing at 7:35 p.m.; with no one signed up to address the Council on the issue, he immediately closed the public hearing.

Motion:

Doug Anderson moved that the City Council approve the enclosed ordinance adjusting the City's common boundary with Kaysville City at 1000 North and 2000 West (or 350 East in

Kaysville) subject to the petitioner preparing a de-annexation plat acceptable to the City, and the City recording the same at the office of the Davis County Recorder and Findings a-b.

Rebecca Wayment seconded the motion which was approved unanimously.

Findings:

- a. On February 22nd the Planning Commission approved Mr. Stuart's request to subdivide his property into two parcels by metes and bounds, of which the smaller northwest parcel is approximately 0.68 acres in size (or 29,920 s.f.) and the other parcel is 1.96 acres. Some discussed at the time that it may be a good idea if the smaller parcel is de-annexed into Kaysville because it exclusively fronts a Kaysville street.
- b. Mr. Stuart desires to build a single-family home on the smaller parcel. Farmington City, as with most city's, cannot issue a building permit for the same unless the lot fronts a fully improved street. He is willing to install the curb, gutter, sidewalk, asphalt extension, etc., even though the entire 350 East r.o.w. is in Kaysville-and Kaysville is willing to work with him (and Farmington) to accommodate building permit requirements; however, if the property remains in Farmington, but the street is in Kaysville, even simple things like garbage pick-up can become cumbersome.

Youth City Council

Two representatives of the Youth City Council introduced themselves. Maggie Paget, will be a sophomore at Farmington High School. She has enjoyed making new friends as part of the YCC. Caroline Regis, will be a junior at Farmington High School and has also enjoyed meeting new friends and being involved in the community.

Plat Amendments to Farmington Meadows Phases I and II and Rice Farms Phase V and Pheasant Hollow

Eric Anderson noted that as no protest letters were received, a public hearing does not have to be held. He noted that a Brian Lifferth, a property owner in Farmington Meadows, wants to expand his garage into adjacent property he owns in another phase, but because it is against building code to build over a property line action is needed by the Council to eliminate the property line.

Taylor Dean, an owner of property in Rice Farms and Pheasant Hollow, would like to build a sport court on the vacant property. Similarly, action is needed by the Council to eliminate the property line, because a sport court is an accessory use and cannot be the only use on the lot. With the boundary adjustment the Rice Farms subdivision increases, and the Pheasant Hollow subdivision decreases creating a double-frontage lot.

Staff recommends approval of both adjustments.

Brigham Mellor noted that often with dual frontage lots, owners neglect the park strip behind the property. He reiterated that snow removal and weed abatement in the park strip were still the property owner's responsibility.

Mayor Jim Talbot opened the public hearing at 7:46 p.m.; with no one signed up to address the Council on the issue, he immediately closed the public hearing.

Motion:

Brigham Mellor moved that the City Council approve the Farmington Meadows Phases I and II Subdivision Plat Amendments as set forth herein, subject to all Farmington City ordinances and development standards and the following condition: the applicant shall not build a fence greater than 4' in height within the required front yard setback on Loveland Court and Findings for Approval 1-3.

Doug Anderson seconded the motion which was approved unanimously.

Findings for Approval:

1. By combining lots, the plat amendments are either reducing density or not creating additional density in these neighborhoods.
2. Although these plat amendments will create double frontage lots, the impact of those double frontages will be minimal.
3. The plat amendments are allowing both applicants the full use of their property in a manner that has little to no impact on the surrounding neighborhood.

Motion:

Brigham Mellor moved that the City Council approve the Rice Farms Phase V and Pheasant Hollow Subdivision Plat Amendments as set forth herein, subject to all Farmington City ordinances and development standards and the following condition: the applicant shall not build a fence greater than 4' in height within the required front yard setback on 700 South and Findings for Approval 1-3.

Brett Anderson seconded the motion which was approved unanimously.

Findings for Approval:

1. By combining lots, the plat amendments are either reducing density or not creating additional density in these neighborhoods.
2. Although these plat amendments will create double frontage lots, the impact of those double frontages will be minimal.
3. The plat amendments are allowing both applicants the full use of their property in a manner that has little to no impact on the surrounding neighborhood.

Series 2018 Bonds

Keith Johnson summarized that the bond is for money to be used on the construction of the 650 West Park. The Bond will be paid from monies that the City will continue to receive from the US 89 RDA area for recreational purposes. The utility franchise and excise tax is being used for

collateral for this bond, and such is called an Excise Tax Revenue BondBonds. There will be no changes to excise taxes which are being used to secure the bond.

Brett Anderson noted that this would allow the City to complete the construction of the park quickly, rather than dragging the construction process out as RDA monies are accrued or impact fees are paid. He asked if the improvement of trails could be funded through these recreational dollars from the RDA. **Keith Johnson** said that the original agreements specify parks, recreational facilities and the community center, but not trails.

Mayor Jim Talbot opened the public hearing at 7:57 p.m.; with no one signed up to address the Council on the issue, he immediately closed the public hearing.

Keith Johnson noted that as the Council had previously passed the resolution, no motion was needed after holding the public hearing.

NEW BUSINESS:

Rock Mill Estates Subdivision Street Light Proposal

David Petersen said that Symphony Homes is seeking approval of yard lamps as an alternative to overhead street lights for the Rock Mill Estates Subdivision.

Jared Schmidt, 526 North 400 West, North Salt Lake spoke on behalf of Symphony Homes. He noted that the light fixtures would be on pillars with garden planters with rock work similar to historic homes in Farmington.

Jim Talbot asked if the maintenance would be tied to an HOA and CCRs and expressed concern that in the future the residents may want more light and expect that the City would install overhead lights. Jared Schmidt clarified that it would be an HOA responsibility to cover costs of any changes in the future, and noted that the light fixtures would have a photocell to turn each light on and off a the same time.

David Peterson noted that the Planning Commission expressed concern about lighting at key intersections. Jared Schmidt noted that the intersection at 600 North has an existing street light. He said that the Rocky Mountain Power had previously planned two streetlights for the community, but this alternative proposal has just as many or more lumens with a better distribution of the light.

Rock Mill Estates Subdivision Memo of Understanding and Development Agreement

David Petersen said that a development agreement was signed in 2010 related to street improvements in the area as well as development standards. The agreement had a termination clause that the City could exercise, and as it is not good practice for these agreements to hang on forever, the parties have agreed to a memorandum of understanding to terminate the agreement once all items set forth in the MOU have been accomplished.

The original development agreement included easements for trail, modified, illustrations, and construction materials were specified. The City agreed to improve Rock Mill Lane, including curb, gutter, and an asphalt overlay for the entire lane, while ensuring proper drainage. The City Engineer evaluated the project and recommended completely redoing the road rather than completing the asphalt overlay. There was a concern that the long paved surface would have to be widened to meet Fire Code and trees would have to be taken out. Neighbors were concerned about the loss of privacy and the ambiance of country road. Symphony and the City modified the development agreement to leave the lane as is and add an asphalt lip on the west side of the street from the bend in the road to 600 North. This was well received by affected property owners. The agreement would require that fencing installed along the lane would have to be wrought iron with masonry pillars interspersed.

Motion:

Doug Anderson moved that the City Council approve the enclosed memorandum of understanding and amendment to the development agreement for the Rock Mill Estates Subdivision.

Brigham Mellor seconded the motion which was approved unanimously.

Tom Owens, the owner of the Rock Mill, said that he would like to maintain the historical significance of his property and he needs the City's support. He is concerned that multi-family housing would be allowed and dramatically change the area. He wants to make sure that the City is holding Symphony to the agreement and minimizing the impact to his historic property.

SUMMARY ACTION:

1. Approval of Minutes from May 15, 2018
2. General Plan Amendment Enabling Ordinance - Woodside Homes

Motion:

Rebecca Wayment moved, with a second from **Doug Anderson**, to approve summary action item 1 and 2 as contained in the staff report.

The motion was approved unanimously.

DISCUSSION ITEMS:

Possible Code Enforcement Action - 335 East 830 South

David Petersen stated that a single-family residence at the above address has changed ownership twice since the original building permit was issued. The City now believes that the original owner altered the building and site, by adding kitchens, expanding the width of the

driveway(s), etc. and turning it into a multi-family dwelling without appropriate permits or rezoning. With the approval of the Council, the staff is prepared to inspect the building and enforce and/or abate any code violations.

Brett Anderson noted that if it is not a permitted use, that the code has to be enforced. **Jim Talbot** suggested the staff move forward with inspection and fact gathering at the property.

Possible Notification Process Changes to Land Use Applications

David Petersen said that after a number of high profile public hearings and land use applications the staff studied how well the City gets notices out. Staff outlined the hearing process and notification protocol and indicated that in many areas the City provides greater notice than is required by law. The Council reviewed suggested improvements and asked that the new A-frame signs have codes that could be scanned by mobile phones and redirect to the staff reports about various public hearings. The Council supported the idea of a section in the newsletter being dedicated to noteworthy upcoming agenda items as well as information about opting-in to receiving public notices via email.

David Petersen said that Farmington has always had high levels of public involvement, and that after heated discussions citizens would come talk with staff in person and resolve concerns. He noted that with the rise of social media that is happening less often. **Rebecca Wayment** suggested that the City add public information and links to staff reports or agendas to the neighborhood pages so that the information is coming directly from the City.

High School Road Striping

The City Engineer and Public Works staff were asked to prepare information about striping various roads that are predicted to be traveled by those attending the new high school. The staff report indicates that no additional striping be done on 650 West, 1100 West, 1525 West, and Glovers Lane. **Jim Talbot** asked that striping be done on 650 West, and anything east of 650 West on Glover, so that appropriate traffic patterns be established before the High School is opened. **Jim Talbot** said that police will be patrolling and ticketing as necessary for traffic violations.

GOVERNING BODY REPORTS:

City Manager Report

1. Fire Monthly Activity Report for April
2. Executive Summary for Planning Commission held May 17, 2018
3. **Ray White** was made the new Public Works Director, **Larry Famuliner** Assistant Public Works Director and **Cory Brazell** Street Superintendent

Mayor Talbot & City Council Reports

Councilmember Doug Anderson

Doug Anderson asked if the well issue had been resolved. **Keith Johnson** said that it was shut down, restarted and checked and it is now functioning properly.

Councilmember Brett Anderson

Brett Anderson said that there was an issue with a right-of-way with a trail in his neighborhood. **Jim Talbot** suggested that a meeting should be held with **Cory Ritz, Brett Anderson, David Petersen**, a trails committee member and others concerned to have a discussion about the issue.

Councilmember Rebecca Wayment

No updates to report.

Councilmember Brigham Mellor

Brigham Mellor said that the West Davis Corridor will be scenic byway when the committee meets on July 10.

Brigham Mellor said that he was approached by **Dave Millheim** and offered the position of the new Economic Development Director for Farmington City. He will resign from the Council after June and begin as a staff member in July. He said that it will be a good fit for his skills and his family. He acknowledged that as a staff member he will work for the Council and will move from having 20% decision making authority to having none. He is willing to do that because he trusts that the Council has the best interests of the City at heart.

Keith Johnson said that the City approached **Brigham Mellor** after discussing recruitment for the new position.

Jim Talbot said that applicants for the vacancy will be chosen through the process outlined in the City ordinances.

Mayor Jim Talbot

Jim Talbot reviewed the schedule for Festival Days and asked for a vote on potential Grand Marshals for the parade from George Chipman, Max Forbush, and Glen Leonard. The Council recommended George Chipman be approached with the opportunity.

Jim Talbot mentioned participating in the Golden Spoke relay. He said that the Utah Web.com golf tournament will be held the week of Festival Days.

Holly Gadd suggested September 17 as the next Council Shoot day. She said she would confirm the date with the Council via memo.

CLOSED SESSION

Motion:

At 9:35 p.m., **Brigham Mellor** made a motion to go into a closed meeting for purpose of employee competency. **Doug Anderson** seconded the motion which was unanimously approved.

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.

Jim Talbot, Mayor

Motion:

At 10:25 p.m., a motion to reconvene into an open meeting was made by **Brett Anderson**. The motion was seconded by **Doug Anderson** which was unanimously approved.

ADJOURNMENT

Motion:

At 10:26 p.m., **Brigham Mellor** moved to adjourn the meeting.

Holly Gadd, City Recorder

Posted 06/21/2018