

FARMINGTON CITY COUNCIL MEETING

October 3, 2017

WORK SESSION

Present: Mayor Jim Talbot; Councilmembers John Bilton, Doug Anderson, Cory Ritz, Brigham Mellor; Assistant City Manager Keith Johnson, City Development Director David Petersen, City Engineer Chad Boshell, City Recorder Holly Gadd, and Recording Secretary Tarra McFadden

Excused: City Manager Dave Millheim, Councilmember Brett Anderson

Financial Update with FY 2017 Unaudited Balances

Assistant City Manager **Keith Johnson** provided an update to the FY 2017 Budget. Revenues exceeded budgeted amounts, expenditures were less than planned and all City Departments came in under budget leading to General Fund balance that was more than \$400,000 over the budgeted amount. Revenue increases came from an increased volume of licenses and permits, an increase in the State allotment from the Class C gas tax and growth in sales tax.

Keith Johnson noted that projections indicate a greater use of the General Fund balance and the likelihood of running deficits in future years. The General Fund Balance will be impacted by 650 W Street change orders, 650 W Park construction, landscaping of the roundabout, and potential purchases of real property. As long as revenues are steady and expenditures do not grow, the City will maintain its strong financial position.

Swain PUD Subdivision Schematic Plan and Preliminary (PUD) Master Plan

This item was discussed briefly. City Development Director **David Petersen** indicated that he did not anticipate any objections during the public hearing.

Demolition Ordinance

David Petersen noted that the existing demolition ordinance was adopted following the demolition of the Robinson home on 100 North. The City does not have very many freestanding demolitions, so it is tough to follow the ordinance that is patterned after Salt Lake City's ordinance. The law requires that before demolition of an existing building can be done, a performance bond valued in the amount of the replacement structure has to be obtained. This is burdensome to property owners as it is often \$500,000-\$600,000 on top of a construction loan. The City has allowed letters of credit against construction loans to meet those requirements, or property and outbuildings to be used as collateral if the replacement structure is not built but the demolition is complete. The proposed ordinance remedies the deficiencies of the existing ordinance and allows for cash, letter of credit, escrow, or property performance bond to be in place before a demolition permit is issued.

REGULAR SESSION

Present: Mayor Jim Talbot; Councilmembers John Bilton, Doug Anderson, Cory Ritz, Brigham Mellor; Assistant City Manager Keith Johnson, City Development Director David Petersen, City Engineer Chad Boshell, City Recorder Holly Gadd, and Recording Secretary Tarra McFadden

Excused: City Manager Dave Millheim, Councilmember Brett Anderson

CALL TO ORDER:

Mayor **Jim Talbot** called the meeting to order at 7:05 p.m.

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

The invocation was offered by Councilmember **Cory Ritz** and the Pledge of Allegiance was led by Boy Scout Colton Welch from Troop 4438.

PUBLIC HEARINGS:

Swain PUD Subdivision Schematic Plan and Preliminary (PUD) Master Plan

David Petersen presented information about the approval of the schematic plan and preliminary master plan for the planned unit development at the corner of Compton Road and 1400 North. The lot size is similar to those in surrounding development and the open space is met with monument entries and additional open space at the tip of the development. There will not be an HOA, but CC&Rs in place will dictate that the adjacent lots are required to maintain the landscaping at the entries and the tip of the property.

The applicant, **Lew Swain**, 1688 Canyon Circle, Farmington, spoke regarding the recommendations made by the Planning Commission for the wedge piece at the tip of the property. There will not be an HOA to manage the open space, but the CC&Rs are similar to the Oakwood development north of the parcel. **Lew Swain** has had an engineer redraw Lot 10 to show the superimposition of the deed restriction so that it remains open space. The development will utilize existing sewer, water, and pressurized irrigation put in when a nearby property was developed. One road cut will need to occur if the plan is approved.

Mayor Jim Talbot opened the public hearing at 7:17 p.m.; with no one signed up to address the Council on the issue, he immediately closed the public hearing.

Councilmember **John Bilton** asked if an agreement had been reached between the developer and the City regarding the open space. **Lew Swain** indicated that he and Dave Millheim have had discussions and are in agreement regarding the terms of the waiver for the open space requirement. **Cory Ritz** sought clarification regarding the ownership of the portion of lot 10 to remain as open space. **Lew Swain** indicated that there would be a deed restriction on a portion of the lot.

Motion:

Councilmember **Brigham Mellor** moved that the City Council approve the schematic plan and preliminary PUD master plan for the Swain PUD Subdivision, and the waiver of open space as set

forth in Section 11-27-155 of the Zoning Ordinance, subject to all applicable Farmington City ordinances and development standards and the conditions 1-4, with Findings for Approval 1-10.

John Bilton seconded the motion which was approved unanimously.

Conditions:

1. The applicant shall enter into a development agreement memorializing the approved master plan prior to or concurrent with preliminary plat;
2. The applicant shall meet all of the standards and requirements as set forth in Section 11-30-050 of the Zoning Ordinance;
3. The City Council, through a vote of not less than four (4) members shall approve the waiver for the open space requirement as determined through negotiations with the City Manager;
4. All outstanding comments from the DRC for schematic plan shall be addressed on preliminary plat.

Findings for Approval:

1. The proposed plans meet the requirements of the subdivision and zoning ordinances of an LR (PUD) zone.
2. The proposed development is an in-fill project and allows the property owner the highest and best use of his property.
3. The proposed plans are consistent with the General Plan.
4. The proposed densities and lot sizes are consistent with the surrounding neighborhoods.
5. The attached landscape plan is of a high design quality and meets the standards set forth in Section 11-27-070.
6. Because the homes that are being built within the subdivision are custom, the applicant did not provide elevations; however, by providing photos of similar homes, and CC&Rs that set design standards of a high quality, the intent of the PUD overlay is being met.
7. The foothill overlay zone requirements, as set forth in Chapter 30 of the Zoning Ordinance, will be required at either preliminary or final plat, as is customary in these zones.
8. The applicant is providing 9,621 s.f. of unimproved conservation open space, which will preserve a grove of Gambel oak trees.
9. The remaining open space that the ordinance requires can be better utilized elsewhere in the City to help in the construction of parks or trails.
10. A deed restriction will be reflected on the final plat for Lot 10 to illustrate the preservation of a portion of the lot for open space purposes.

Zone Text Amendment Chapter 28 – Demolition Performance Standards

David Petersen said that the requirement of performance bond being secured prior to a demolition permit being issued is onerous for some and the proposed amendment expands the options from a cash bond only to allow for a cash bond, letter of credit, escrow, or property performance bond.

Mayor Jim Talbot opened the public hearing at 7:23 p.m.; with no one signed up to address the Council on the issue, he immediately closed the public hearing.

Brigham Mellor noted that the City has never had to call on a performance bond in over 10 years and that having additional options beyond a cash bond to guarantee the construction is reasonable.

Motion:

John Bilton moved to approve the enabling ordinance amending Section 11-28-230 D. 1. of the Zoning Ordinance as enclosed in the staff report with Findings for Approval 1 and 2.

Cory Ritz seconded the motion. The zone text amendment was approved unanimously.

Findings

1. The proposed changes allow other options, not just one alternative (cash bond), to ensure performance;
2. More options allow property owners to finance projections themselves rather than choose to finance projects via construction loans and more conventional means.

NEW BUSINESS:

Resolution Amending the Personnel Policies and Procedures regarding Return to Work Policy

City Recorder **Holly Gadd** presented a resolution to amend the Personnel Policies and Procedures regarding return to work following serious injury, illness or medical condition. The change was recommended by the Utah Risk Management and Mutual Association. The policy change allows for those that need to transition back into regular duties up to six months of lighter duty work, as necessary. **Holly Gadd** clarified that this policy does not replace those related to short-term disability.

Motion:

Councilmember **Doug Anderson** moved to approve the Resolution amending the Farmington City Personnel Policies and Procedures enacting a new section 9.155 regarding return to work following serious injury, illness or medical condition as contained in the staff report.

John Bilton seconded the motion. The resolution was approved unanimously.

SUMMARY ACTION:

1. Plat Amendments: Villa Susanna PUD Subdivision and Meadows at City Park Phase I PUD Subdivision
2. Nature Center Water Line Agreement

3. Smith Homestead PUD Subdivision Improvements Agreement
4. Ordinance and Resolution Regarding Home Occupations

Cory Ritz moved, with a second from **John Bilton**, to approve summary action item 1, 3 and 4 as contained in the staff report. Item 2, Nature Center Water Line Agreement, was tabled for a future meeting.

The motion was approved unanimously.

OLD BUSINESS:

Award of Bid - 2 Million Gallon Tank Project

City Engineer **Chad Boshell** presented information about a new two million gallon water tank to be built to replace two smaller deficient tanks and increase storage capacity. The cost for the project will be funded with water impact fees and water utility funds. Gerber Construction was selected because of their experience building post tensioned tanks. Post tensioned tanks leak less and are better able to withstand seismic activity.

Motion:

John Bilton moved to approve construction services and contract for the 2 MG Tank Project to Gerber Construction for the amount of \$1,936,860.

Brigham Mellor seconded the motion which was approved unanimously.

GOVERNING BODY REPORTS:

City Manager Report

1. Farmington Rock Preference Survey
 - a. **David Petersen** reminded Councilmembers to complete this survey included in the packet.
2. Fire Monthly Activity Report for August
3. Personnel Committee
 - a. Assistant City Manager **Keith Johnson** provided an update from the Personnel Committee noting that the Council would be asked to approve an update to holiday and on-call related compensation.
4. **Keith Johnson** shared that Officer Cannon now has a police dog who will be sworn into service at the October 17th Council Meeting. A fundraiser will be held at Station Park to cover associated costs of the dog's service.

Mayor Talbot & City Council Reports

Councilmember Cory Ritz

Cory Ritz related some updates from Councilmember Brett Anderson (excused). The Trails Committee will come to the Council with a proposal to fund a utility trailer for the storage of trail improvement equipment. Additionally, the Bamberger Trail needs some maintenance and the Committee will be asking for support from the Public Works Department to complete the needed repairs.

Cory Ritz drew attention to the statistics in the Fire Department Monthly Activity Report and congratulated Chief Guido Smith and the Department for improving the average response time.

Councilmember Doug Anderson

No updates to report.

Councilmember Brigham Mellor

No updates to report.

Councilmember John Bilton

No updates to report.

Mayor Jim Talbot

Mayor **Jim Talbot** asked for the approval of the Council to invite Roger Childs to serve as a Planning Commissioner beginning October 5 and thereafter having a 4 year term.

Motion:

Cory Ritz moved, with a second from **Doug Anderson**, to approve the selection of Roger Childs as a Planning Commissioner.

The motion was approved unanimously.

Jim Talbot shared that Robinson Waste is seeking to renegotiate the contract terms by extending the terms of the existing contract for an additional three years, with an increase in costs of about 1%. The increase will be handled through garbage funds, and will be presented to the Council for approval in a forthcoming meeting.

Jim Talbot provided an update about the roundabout at 1100 West. The University of Utah has committed to \$250,000 for the improvements on the roundabout. They will also partner with the City at the new regional park and will plan a monument at the park. The University of Utah has agreed to provide \$100,000 donation for the park.

ADJOURNMENT

Motion:

At 8:03 p.m., **John Bilton** moved to adjourn the meeting.


Holly Gadd, City Recorder

Posted October 18, 2017