

## FARMINGTON CITY – CITY COUNCIL MINUTES

DECEMBER 17, 2019

### WORK SESSION

*Present: Mayor Jim Talbot; City Manager Shane Pace; City Councilmembers Brett Anderson, Doug Anderson, Alex Leeman, Cory Ritz, and Rebecca Wayment; City Recorder Holly Gadd; Community Development Director Dave Petersen; Finance Director Greg Davis; Economic Development Director Brigham Mellor; Police Chief Wayne Hansen; City Councilmembers-elect Scott Isaacson, Shawn Beus, and Amy Shumway.*

### OPEN HOUSE THANKING OUTGOING CITY COUNCILMEMBERS

The work session was held to thank outgoing City Councilmembers **Doug Anderson**, **Alex Leeman**, and **Cory Ritz** for their service to the community.

### REGULAR SESSION

*Present: Mayor Jim Talbot; City Manager Shane Pace; City Councilmembers Doug Anderson, Alex Leeman, Cory Ritz, and Rebecca Wayment; City Recorder Holly Gadd; Community Development Director Dave Petersen; Finance Director Greg Davis; Economic Development Director Brigham Mellor; Police Chief Wayne Hansen; City Councilmembers-elect Scott Isaacson, Shawn Beus, and Amy Shumway; and Recording Secretary Deanne Chaston.*

### CALL TO ORDER:

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

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

Mayor **Jim Talbot** offered the invocation, and the Pledge of Allegiance was led by Finance Director **Greg Davis**.

### PRESENTATIONS:

Mayor **Talbot** recognized and appreciated outgoing City Councilmembers **Doug Anderson**, **Alex Leeman**, and **Cory Ritz** for their service to the community. He said it was unusual that four seats were up for election at one time. Usually it is two or three. This happened because one Councilmember was hired as economic development director, and his position was filled with an appointment from the Planning Commission, **Alex Leeman**. **Leeman** served for 18 months on the City Council after serving for three years on the Planning Commission. Councilman **Doug Anderson** served for six years on the Council. Councilman **Cory Ritz** served the City for 18 years, including three terms on the City Council. Both Mayor **Talbot** and **Ritz** served on the planning commission together in the past. Mayor **Talbot** presented plaques to the outgoing Councilmembers. He also presented a globe to **Anderson** and a ring to **Ritz**.

**Ritz** said it had been a labor of love to serve, although he didn't start out planning to be a Councilmember as long as he did. He praised the officials and staff of Farmington City, as they have a good reputation statewide.

**Anderson** said it was hard on his family while he served for two terms on the City Council, so he thanked them for their support. Since he had not served on the Planning Commission prior to being elected to the City Council, he said he had to do a lot of homework in preparation for his decisions while on the Council.

**Leeman** said he applied along with over 20 people for the City Council vacancy a year and a half ago, and was honored to be chosen. He enjoyed working with the other Council members even through their differences of opinion.

Audit Manager **Kaela Cornwell** from Ulrich & Associates, PC, presented the audit report. She said the audit didn't encounter any difficulties or problems with City management. There were no findings or issues to report. The independent auditor's report for June 30, 2019, was unqualified, or a clean opinion.

While municipalities are advised to have a fund balance of 5 to 25 percent of their budget, Farmington has 23.9 percent, or the upper level that can be saved for a rainy day. It is good to see positive fund balances across the board. All revenues and expenditures show a positive net change in the fund balance except for the RDA, which had budgeted for and expected the U.S. 89 project. The City brought in more revenue than expected, and all departments stayed under budget. The enterprise funds all have a positive net change. Water utility, storm water and recreation ran an operating loss because of depreciation of equipment over the years. Debt service and capital project funds have positive fund balances.

Mayor **Talbot** said he appreciates capable finance directors keeping things in the black. He said he loves that the fund balance is 23 percent, which is phenomenal compared to other municipalities like Provo, a municipality considering doubling property taxes. This shows that Farmington is fiscally responsible and curtailing costs. The City is borrowing less than their capacity to bond. **Talbot** said Farmington will be financially sound for many years to come.

**Motion:**

**Doug Anderson** motioned to accept the audit report for 2019. **Leeman** seconded the motion, which passed unanimously.

**PUBLIC HEARINGS:**

**Consideration of a Rezone and Subdivision Schematic Plan "Decision Tree" for the Cook Property**

Mayor **Talbot** said this property is part of the business park area. **Petersen** said that the Planning Commission held a meeting in August to consider the zone change, and in September a public hearing was held before the City Council for the rezone. At that time, the City Council asked the applicant to submit an application for schematic plan and receive a recommendation from the Planning Commission then return with a schematic plan of the subdivision along with the rezone to be considered concurrently as part of the subdivision schematic plan. The applicant is proposing seven parcels, with three of the seven on the other side of Shepard Creek to be developed in the future. Lot 2 is conceptually showing a hotel site, with another hotel site on

Lot 1. Lots 3 and 4 would include townhomes, for a total of 60 townhomes. Discussion focused on the rights of way and their alignment with neighboring developments. The GMU zone allows for residential uses, but the OMU does not. The Planning Commission recommended that the City Council approve the subdivision schematic plan.

The Planning Commission also considered a schematic site plan, but tabled this for 14 reasons, some of which were major, **Petersen** said. These included a dead-end street for 24 residential units that need a second point of access; parking in front of the hotels is not allowed by the zoning ordinance; and road alignment. **Petersen** also spoke about the size and shape of the open space buffer around the creek, alignment of the trail, and flood plain issues.

Applicant **Taylor Spendlove**, land acquisition and development with Brighton Homes Utah, 152 North Havenwood Drive, in Kaysville, said that originally they had considered GMU for the whole project for townhomes, but they later got some interest in commercial uses and hotel sites. Marriott is interested in putting a hotel on the site. Although primarily a home builder, the applicant said his company has also done several industrial and commercial projects. He said it would take 50 townhome units to make the development financially feasible for them, although the alignment and width of the road will dictate the final residential count.

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

**Anderson** questioned if 50 residential units support the City's vision in that area, or if that was too many units. Economic Development Director **Brigham Mellor** said the question should be what kind of residential development the City wants in that area, as townhomes seem less dense than what was originally anticipated. He said it does fit in with the City's vision due to the demand for hotels in the area, and that the RDA boundaries could be reduced without going back to the voters. He likes that the entire project is not townhomes but is rather a mixed use. Mayor **Talbot** said it is a good compromise with the developer that there would be no residential on the north end. He said the trail systems are important to the City, as is the need to align the road on both ends for safety.

The applicant said as far as phasing, they would like to start with the townhomes right away, and that the hotel would follow in another phase and would also start as soon as possible. Mayor **Talbot** said the townhomes is the low-hanging fruit. **Leeman** expressed concern that the applicant would develop the townhomes and then finish, not carrying out the rest of the plan. Mayor **Talbot** agreed, and expressed his desire to see the townhomes and the hotel being developed at the same time. The applicant said that since they aren't a hotel developer—and that part of the project may be up to a new landowner in the future—he would like the two not to be tied together.

**Doug Anderson** said he is not as worried about one part of the project being done and not the other. While he is concerned about the number of rooftops, he is fine with the City Council approving the rezone effective when the right of way is dedicated and the open space boundaries are set. **Wayment** said she is excited to see a plan come in for this area, but she doesn't like the housing component because 50 townhomes in 2 acres seems too dense, especially on a dead-end

road. She would rather see it developed as office. **Leeman** said he was apprehensive of giving away rooftops too quickly. He likes the northern half of the development, but would like the number of townhomes to be in the 40s, as he believes that realigning the road may not leave enough room for much more. He said that the General Plan has this whole area designated GMU, and he wants to make sure the City Council knows that this is an opportunity to shape the business park. He would like to see the commercial development prior to the residential development. **Ritz** said that the density of the residential component is a concern, but he is comfortable with the rezone being contingent on the road alignment and open space determination, which will drive the footprint of the remainder of the project.

**Motion:**

**Anderson** moved that the City Council approve the proposed zone map change as set forth in the staff report and direct staff to draft an enabling ordinance for consideration at an upcoming meeting, with findings 1 through 4 and 6, striking out 5. Also, nothing will move forward until the road right of way dedicated and the open space boundary is established. **Petersen** said that because road dedication is far down the road, he would rather the motion be that the road alignment is set rather than dedicated. **Anderson** said that he would change his motion to alignment of the road instead of dedication.

**Pace** clarified that it would be GMU below the road, and OMU for the two lots above the road. **Ritz** commented that he likes the concept presented of a hotel there, and he would love two hotels on that side even better, as the hotels would be the heart of the office park. **Ritz** seconded the motion.

**Wayment** opposed the motion. **Leeman, Ritz,** and **Doug Anderson** voted affirmatively to pass the motion.

Mayor **Talbot** would like to see the developer and **Petersen** sit down to further discuss the housing component of the project. **Petersen** said staff is content to wait for a new design that shows the realignment of the road, confirming that if the new design deviates significantly from the schematic, it would come back to the City Council again. **Leeman** said it may be better to table this item to wait for the new schematic.

**Motion:**

**Leeman** moved to table the schematic plan portion of this item to allow time for the “Development Plan Review Schematic Plan” process to progress far enough along to better determine the area necessary for both the OMU zone and the GMU zone. **Doug Anderson** seconded the motion, which passed unanimously.

**Pace** expressed his concern of the ability of the bottom portion being used for office space, as there is a sewer district pump nearby. He said the more staff speaks to office builders, they are clear that there is a need to have housing nearby in order for the office projects to be successful. He said a third of the project being GMU and two-thirds of it being OMU is a good mix.

## **SUMMARY ACTION:**

### **Minute Motion Approving Summary Action List**

#### **Motion:**

**Ritz** moved to approve the Summary Action list items 1-5 and 7, including approval of minutes from December 3, 2019; Memo of Understanding with Davis County to memorialize and clarify the scope of the expansion at the Davis County Correctional Facility to include construction of a medical unit; Cash Form Improvements Agreement with Brookside Hollow, LLC bond release; Cash Form Improvements Agreement with Elite Craft Homes, LLC bond release; final plat and final PUD Master Plan approval for North Cottonwood Creek Final PUD Master Plan – 368 W. State; and Ordinance Establishing Dates, Time and Place for Holding Regular City Council Meetings.

**Wayment** seconded the motion, which passed unanimously.

**Leeman** asked to discuss item number 6 separately, the Schematic Plan approval for Farmington Crossing Condominiums – 991 W. Shepard Lane. **Petersen** said that the state-required public hearing on this item had already occurred on the Planning Commission level. It was only a change of one lot and a question of who pays the utilities. Mayor **Talbot** said that while the City doesn't do a lot of these, they are done regularly elsewhere. **Leeman** said that if this is not approved by the end of the year, the applicant could have some SBA financing problems. **Pace** said the storm water bill was the main issue. **Leeman** said that if the City Council approved the final plat tonight, it would be subject to the staff verifying that all conditions had been satisfied.

#### **Motion:**

**Leeman** moved to approve the final plat for Farmington Crossing Condominiums with two conditions, including subparts A-E listed in the staff report and that the Council delegates staff to verify that all conditions are satisfied; and that the applicant did not have to appear before the City Council again for an additional hearing. **Ritz** seconded the motion, which was unanimously approved.

## **GOVERNING BODY REPORTS:**

### **City Manager Report**

**Pace** noted that staff is getting ready for the upcoming legislative session. He is particularly watching a public safety retirement proposal that may create more expense for the City on Tier 2. Another item he is watching is the SB34 from last year dealing with guidelines and funding for affordable housing.

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

**Wayment** asked that the binders be updated with new pictures, a current staff list and new employee directory. She also asked that Public Safety look at the light crossing at the junior high

because traffic in the mornings backs up on to the freeway due to it going off so often. She said it is on more often than not, and that maybe it would be better if the crossing guard manages it instead.

**Ritz** said that a member of the Citizen Committee approached him to tell him that the developer of the residential project where Burke Lane crosses the Denver Rio Grande Rail Trail hasn't touched base with the citizen group. He also reported numbers for West Nile Virus for the year. Utah had two deaths this year from West Nile, the most recent one in St. George. Nationally, the CDC reported 885 cases and 77 deaths. He shared statistics from neighboring states. He said the money spent on active control in Utah is money well spent.

**Leeman** said he has heard that the right turn lanes on Creekside Drive have helped traffic flow, except on school days.

Mayor **Talbot** said the feedback on the recently installed unique horse artwork in the roundabout has been positive. He said that despite rumors on social media to the contrary, not one penny of that came from city funds or taxpayer money, but rather from donations. He said there is another installment planned for the area. There is also lighting planned for the area in order to prevent vandalism.

## **ADJOURNMENT**

### **Motion:**

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

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**Holly Gadd**, Recorder