

# FARMINGTON CITY COUNCIL MEETING

Wednesday, January 22, 2003

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## CITY COUNCIL WORK SESSION/WEST CONFERENCE ROOM

**PRESENT:** Mayor Connors, Council Members Hales, Hasenyager, Haugen, Holmes and Johnson, City Manager Forbush, City Planner Petersen, and Deputy Recorder Chipman.

**Mayor Connors** began discussion at 6:40 P.M. The following items were reviewed:

- ▮ The Council discussed the request being made by Steven Skinner for a truck haul route permit to do work on property owned by Jonathan Hughes in the southern foothills of the City. The request involved truck use of Lucky Star Drive, a City street. The rest of the route would be on State roads. The Council discussed several issues of concern, including: revegetation of excavated land, potential road damage, the amount of dirt to be removed, how long it would take, how many loads would be hauled, the exact route including State roads, the design of the property once excavated, what size trucks would be used, would there be a dust control and clean up plan, would there be safety measures implemented including flagmen, what hours of the day would be involved, would there be erosion tracking measures, would there be consideration of school crossing impact. It was mentioned that it would be impossible to get to the Armstrong property from the location under consideration.
- ▮ Susan Holmes had held a meeting with interested parties regarding the use of Woodland Park. Most participants of the meeting had felt there should be rules which were implemented for all City parks, not just Woodland, and therefore rules should take into consideration the needs of all City parks and all adjacent citizens. Recommendations would be forthcoming.
- ▮ Mr. Forbush said he had contacted the City Attorney in regards to mitigation for citizens impacted by the proposed community center and related park improvements. The Attorney's opinion was that there must be a measurable value to the City if mitigation were funded by the City. Mr. Forbush briefly reviewed some of the suggested mitigation measures and proposed possible benefits to the City such as improved pedestrian safety for school children in the case of the Bass property.

## REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

**PRESENT:** Mayor David M. Connors, Council Members David Hale, Bob Hasenyager, Larry W. Haugen, Susan T. Holmes, Edward J. Johnson, City Manager Max Forbush, City Planner David Petersen, City Recorder Margy Lomax, and Deputy Recorder Jeane Chipman.

**Mayor Connors** called the meeting to order at 7:10 P.M. The invocation was offered by Susan Holmes and the Pledge of Allegiance was led by a local Scout, Trevor Mills.

### **APPROVAL OF MINUTES OF PREVIOUS MEETING**

#### **Motion:**

The minutes of the January 8, 2003, City Council Meeting were read and corrected. **Larry Haugen** moved to approve the minutes as corrected. **Susan Holmes** seconded the motion. The motion passed by a vote of 4 to 0. Mr. Hale abstained due to his absence during the January 8<sup>th</sup> meeting.

### **REPORT OF PLANNING COMMISSION (Agenda Item #3)**

**David Petersen** reported proceedings of the Planning Commission meeting held January 9, 2003. He covered the following items:

1. The Planning Commission approved a rezone of 12.167 acres of property located north of Clark Lane and west of I-15 (property owned by Rich Haws in west Farmington) from BP to A. The request came because the developer was not aware of the BP zone status until he received tax notification. It was anticipated that a request for mixed use zoning would be forthcoming for that property. Mayor Connors commented that it would be wise to have it known that the City does not make zone changes without due process nor for private economic gain. Mr. Petersen stated the zone change had been considered after due process.

2. The Planning Commission granted conditional use approval to establish a community center in the location of the Rose Garden at the City Main Park located at 125 South Main. After thorough consideration, the Planning Commission agreed that the Main Park location was the preferred location for the community center.

3. The Planning Commission granted conditional use approval to develop Heritage Park on approximately 10.5 acres located between the Fieldstone Subdivision and U.S. 89 North of the K-Mart Shopping Center. The motion included the tabling of consideration for the water feature proposed for the park. The Planning Commission planned a meeting with the Leisure Services Committee who could give clarification and information regarding the design and intent of the Oakridge area park.

4. The request to change the name of Burke Lane from Main Street to U.S. 89 and to name the new road from the freeway interchange to 1100 West drew a lot of public comment. Several people commented on the historic nature of the current name and felt changing the name was similar to tearing down an historic home. The Planning Commission moved that the name of Burke Lane not be changed from Main Street to U.S. 89. They also moved to table the issue of naming the portion of the new road between U.S. 89 to Clark Lane and turn the matter back to Staff for consideration of other options. The City Council would receive a recommendation during their meetings in February.

**STATE OF THE CITY ADDRESS BY MAYOR DAVID M. CONNORS (Agenda Item #4)**

**Mayor Connors** gave his State of the City Address, including challenges facing Farmington City and accomplishments of Council Members, City Staff, and Farmington citizens during the past year. A full copy of the address is attached herein.

**PARKS AND RECREATION BOND PROJECT/BUDGETARY DISCUSSION AND RELATED ISSUES (Agenda Item #5)**

**Mr. Forbush** reviewed in detail the “Bond Project Budget Estimates,” including revenues and expenditures, additions and reductions in planned projects, and suggested other funding sources.

The one major element left out of the Heritage Park proposed budget was the water playground. The cost of the water playground feature is cost prohibitive at the current time. However, the Public Works Department had indicated that the utility stubs could be installed so the feature could easily be considered at a future date.

Bids for the entire scope of work except the swimming pool water playground feature, once approved, would go out immediately so that construction could begin as early as May. Mr. Forbush stated it would be better to negotiate the water park amenity associated with the swimming pool separately. It was hoped that feature would be in place by the time the pool opens in May. The large boweries in the Main Park would be left in place until after Festival Days. The community center construction would be fenced to protect those attending Festival Days activities at the Main Park. It was anticipated that work on Heritage Park could be completed by late summer. Public Works staff would like to sod the park in October and November as a water conservation measure. Sod would lay dormant over the winter months and be established by the following spring. Planting new turf in the summer would use large amounts of water in the hot months to get the greenery started.

**Walt Hokanson** addressed the City Council. The Public Works Department would like to do a majority of the work on the grounds of the proposed projects because they would be responsible for long-term maintenance. Equipment for the water playground feature at the Main Park would need to be ordered immediately because there is a 6 to 8 week shipping back-log.

Mr. Hokanson expressed the Public Works Department’s concern regarding the proposed water feature associated with Heritage Park. He said there had been a great deal of vandalism at the South Park (skate park) and felt the water feature proposed for Heritage Park would be a target for similar damages. He also felt there would be safety risks if the water feature were not supervised. Supervision would require an admittance fee.

**Council Member Holmes** appreciated the hard work and cooperation of the Public Works Department in their assistance with the planning of Heritage Park and agreed that water

feature suggested for the Park should be carefully considered regarding safety and financial impacts. She also stated that she appreciated the Festival Days committee for their cooperation. The construction of the community center and the park improvements would affect the summer activity.

Ms. Holmes wanted to clarify that the acquisition of the Mary Meyers property would be funded by park impact fees and not with bond finances. She also stated her opinion that the sale of the northeast lot near the proposed Heritage Park, as proposed by Mr. Forbush for additional funding, would be a good idea.

**Mayor Connors** asked for explanation regarding the water feature proposed for Heritage Park. Was it being eliminated from the plans or merely delayed?

**David Hale** stated the committee of citizens and staff brought together to help plan the park felt the water feature was desired but not absolutely necessary. He hoped it would be considered at some future point if finances would not permit immediate construction.

Council Members discussed the issues, including the following points:

- ▮ If there is not immediate and obvious need to resell the Meyers home when vacated, the issue should be removed from the list of funding possibilities.
- ▮ The addition of the two small pavilions and the special coating for the basketball court in the Heritage Park was approved by consensus.
- ▮ The location of the basketball court away from residences was a good plan.
- ▮ The inclusion of the large flat playing area in the Heritage Park was favorably accepted. The Council asked that it not be identified specifically as a “soccer field” in order to encourage broader use.
- ▮ Ms. Holmes stated league play should not be allowed in the Park.
- ▮ The boweries are located too close to residences.
- ▮ The trail through the park should not be constructed of concrete. A concrete surface is not conducive to walkers. It was suggested the trails be constructed of asphalt even though it was recognized that maintenance would be increased.
- ▮ It was the consensus of the Council to sell the extra lot at the north east section of the park as indicated on the map in the packet.
- ▮ The City Council was in favor of including the telemetry system for City parks if at all financially possible.

- ▮ The Council felt the Rose Garden should be relocated according to the landscape plan for the community center. The roses in the current Rose Garden should be preserved if at all possible for inclusion in the new garden. Some of the roses had come from the Miller Floral Company, an historic part of Farmington's past.
- ▮ The Council asked Staff to consider additional benches in the parks as appropriate.

**Motion:**

**Susan Holmes** moved that the City Council authorize the City Manager to move forward with the parks and recreation bond projects bidding process as presented in the "Bond Project Budget Estimates," including the following specifications and exceptions:

- The resale of the Mary Meyers home at the time of vacancy shall not be considered for alternative revenue options at this time.
- The "Additive Alternates" for the Main Park improvements shall be in the bidding process, including coloring of the concrete for the swimming pool water playground feature, padded chairs, 5' diameter tables, chair carts, and finish basement for the community center.
- The "Additive Alternates" for the Heritage Park improvements shall be in the bidding process, including two small pavilions (no Farmington stone), asphalt paths, benches, and a soft coat for the basketball court.
- The water feature for the Heritage Park will not be considered for the construction bid process at this time. However, utilities stubs will be included.
- Proposed neighbor mitigation adjacent to the Main Park shall be included in the bidding outline.
- The irrigation telemetry system and the Rose Garden included in the "Alternative Reductions in Expenses" list shall be included for now in the project. The playground equipment for the Main Park shall be included in the list to be bid, however, if necessary it may need to be the first item eliminated.

**David Hale** seconded the motion. The vote was unanimous in the affirmative.

**Motion:**

**David Hale** moved to authorize the City Manager to acquire the Mary Meyers property. After some discussion regarding tax and utility liability, Mr. Hale withdrew his motion.

**Mr. Forbush** referred to the agreement for acquisition under consideration. He stated the

Meyers family would be liable for utilities and taxes as long as Mary Meyers occupied the home. If Ms. Meyers vacated the home prior to December 30, 2005, the City would take immediate possession.

**Susan Holmes** moved to authorize the City Manager to move ahead with acquisition of the Mary Meyers home, subject to legal stipulation that the City shall take immediate possession of the home if Ms. Meyers vacates before December 30, 2005, and that the City Attorney review the agreement with the Meyers family. **Bob Hasenyager** seconded the motion, which passed by unanimous vote.

**CONSIDERATION OF RECOMMENDATION FOR MITIGATION PERTAINING TO PLACEMENT OF COMMUNITY CENTER AND RELATED PARK IMPROVEMENT (Agenda Item #6)**

At the previous direction of the City Council, Susan Holmes and Davis Hale had discussed ways to soften the effect of expansion of the park to the north and constructing the Community Center. Among other items, the following was discussed. Packet material explained mitigation suggestions as follows:

- ▮ Placement of a fence adjacent to the Schulties', Forbushes', and Hatches' property. These properties abut the expanded park facilities behind the Mary Myers' home.
- ▮ Restriping parking with appropriate signage on south Main Street.
- ▮ Planting trees adjacent to Scott Basses' property to create a visual screen for both his and his neighbor's to the east. This idea was developed by the Public Works Director.
- ▮ Trade a strip of City property to the north side of Mr. Basses' property in exchange for relocating the driveway onto Main Street instead of directly onto the park. This idea was also developed by Walt Hokanson. Since Mr. Bass may have accrued a use-of-right of his driveway access off the Main Park, it is recommended that any accrued right-of-way access, if it exists, be traded for the new access directly from his property frontage onto Main Street. The elements of the trade would include: 1) moving 200 feet of curb, gutter, and sidewalk, 2) conveying approximately 10 feet of property out of the property to Mr. Bass for a short distance, and 3) construction of a paved driveway leading to his existing concrete driveway. The total cost estimate of both the mitigation and the trade is roughly \$10,000. This assumes that the City will do most of the demolition and preparatory work on the project.

**Mr. Forbush** stated that the project budget included \$20,000 for mitigation costs which includes fencing on the perimeter of the Myers property and improvements adjacent to the Bass property. He also reviewed some of the suggested benefits to the City. In the case of the Scott

Bass property, Mr. Forbush stated there would be a benefit to the City because (1) pedestrian/ auto conflict for school children at the Bass existing drive would be eliminated; and the landscape screen would not only benefit the Bass property, but also his neighbors and would establish a new visual boundary to the south side of the park that would provide relief for visitors against the sea of black asphalt.

**Motion:**

**Bob Hasenyager** moved that the City Council authorize the City Manager to move forward with mitigation proposals, subject to continued negotiations with the involved property owners by Council Members Holmes and Hale and Mr. Hokanson regarding funding participation, signed agreements, and release of the City from further obligations. **Larry Haugen** seconded the motion, which passed by unanimous vote.

**ELKS "CITIZEN OF THE YEAR" NOMINATION (Agenda Item #7)**

After thorough consideration and the suggestion of several qualified names, the City Council, by consensus, nominated Linda Hoffman for the 2003 Farmington "Citizen of the Year" sponsored by the Elks.

**MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #8)**

**Motion:**

**Susan Holmes** moved to approve the following items by consent as follows:

1. Ratification of Construction Bond Agreements previously signed by Mayor Connors.
2. Ratification of EMS Grant Application previously signed by City Manager.
3. Approval of Surety Bond Agreement for Oakwood Estates, Phase II.
4. Approval of Contract Agreement with Home-Tech, Inc. for Brass Comb Building restoration.
5. Approval of February's Newsletter.

**Larry Haugen** seconded the motion, which passed by unanimous vote.

**STREET DEDICATION AGREEMENT FOR AREA WEST OF 1100 WEST NORTH OF 500 SOUTH STREETS (Agenda Item #10)**

Packet material explained the street dedication agreements being proposed. The first

agreement was an agreement to be signed by 13 property owners, who would be dedicating a street right-of-way off of 1100 West. They also agreed to participate in building the road and utility improvements, including their pro-rata share of improving the Nelson frontage.

The second agreement was an agreement for Mr. Nelson to dedicate a street right-of-way across his property in exchange for his improvements being installed through an S.I.D. The agreement stated he would not be assessed for these improvements. The assessments would be covered on a pro-rata basis by the other property owners.

**Mr. Forbush** reviewed alternative street designs and stated that Chris Swedin had indicated he was not in favor of the road improvements and did not want to participate in the agreements.

After discussion, the City Council, by consensus, directed staff to move ahead on the road extension alternative as a preference over the flag lot option.

### **WINDRIDGE ELEMENTARY SCHOOL CROSSING RECOMMENDATIONS (Agenda Item #12)**

**Mr. Forbush** discussed a child routing plan as presented in the packet. The routing plan called for striping of pedestrian cross walks and the installation of an asphalt walkway for temporary access until development of vacate lots, which would provide curb, gutter, and sidewalk at the time of improvement. Mr. Forbush stated the cost of the improvements would be approximately \$2,500. Although the money was not budgeted, the City Manager felt that the project was important and should be done. He stated he could reallocate funds from a less urgent project to make the suggested changes.

#### **Motion:**

**David Hale** moved that the City Council authorize the City Manager to spend up to \$2,500 for making the improvements as suggested, including a paved asphalt walkway shown on the north side of 1800 North. **Ed Johnson** seconded the motion, which passed by unanimous vote.

**Mr. Hasenyager** stated that the same kinds of improvements had been made with State Grant funds on routes for school children on their way to schools in the south part of Farmington.

**Mr. Forbush** stated the reason the City could not fund Oakridge improvements with Grant funds is because the route under consideration to Windridge Elementary is along a City road.

### **MISCELLANEOUS ITEM/ STEVE SKINNER REQUEST FOR TRUCK HAUL ROUTE PERMIT**

**Steve Skinner** addressed the City Council. He wanted to apply for a truck haul route

permit in order to traverse Lucky Star Way in transit to State roads after excavating property belonging to Jonathan Hughes. The hauling period would be a matter of about 4 months before homes would be constructed in the area making access to the area extremely difficult. The area under consideration was in need of clean up, grading, and revegetation in order to make it usable. The County has in approved the operation.

**Mayor Connors** thanked Mr. Skinner for the information and stated that the Council had reviewed the request earlier in the evening. The City Manager had been given a list of concerns from the City Council and would meet with Mr. Skinner to convey those issues.

### **RESOLUTION AMENDING DEVELOPMENT STANDARDS PERTAINING TO STREET CONSTRUCTION (Agenda Item #9)**

**Mr. Forbush** stated that the City Engineer had been working on road section requirements specifically for areas of high water table, i.e., west Farmington, which were intended to improve street quality. The goal was to build good roads that would last longer given the wet soils condition.

#### **Motion:**

**David Hale** moved that the City Council approve Resolution 03-02, a Resolution adopting amended development standards providing an exhibit illustrating alternative asphalt pavement sections for Farmington City. **Larry Haugen** seconded the motion, which passed by unanimous vote.

### **BURKE LANE SIGNING REPORT FROM TRAFFIC ENGINEER (Agenda Item #11)**

**Mr. Forbush** reported that at the request of the City Council he had contacted Russell Youd and another engineer of Horrocks & Associates had reviewed street signage concerns on Burke Lane and "Farmington Parkway." It was their opinion that permitting motorists to turn either east on Burke Lane or west on "Farmington Parkway" would not create any traffic safety problems.

### **CONTINUATION OF ICE FISHING ISSUE AT FARMINGTON POND (Agenda Item #13)**

The City Council discussed whether or not to allow ice fishing on Farmington Pond, including the following points:

- ▭ Mr. Hasenyager stated that the City could only prevent or allow access to the Pond area. Fishing permits were under the jurisdiction of the Division of Wildlife Management.
- ▭ The City may be held liable if someone was hurt if no signs or no precautions were taken.

- ↯ Some members of the Council felt that ice fishing was a good sport if safety could be maintained.
- ↯ There is a fishing derby planned for February. However, since there is no ice, it will likely be cancelled this year.
- ↯ Mr. Haugen stated that from his experience in living nearby that there was danger to those who wanted access onto the ice from the trails all around the pond. Appropriate signage restricting access should be posted on both the north and south sides.
- ↯ The question was asked about how many people would be involved in any given derby and how thick the ice would have to be to support that number of people.

**Motion:**

**Ed Johnson** moved to cancel the ice fishing derby planned for February 2003 and to have signs posted restricting access on the ice during winter months. **David Hale** seconded the motion, which passed by unanimous vote.

**PLANNING COMMISSION/BOARD OF ADJUSTMENT/INTERVIEW SCHEDULING**  
**(Agenda Item #14)**

The City Council discussed membership of a committee to interview potential members for the Planning Commission and Board of Adjustment. The interviews will be held on February 5, 2003, at 6:00 P.M.

**David Hale** expressed his feeling that Planning Commission membership should be determined first by qualification and second by residence location. Although it was very helpful to have members from all areas of the City serve on the Commission, he noted it was more important for the members to be devoted, qualified, and involved in the process.

**Mr. Johnson** concurred with Mr. Hale that location was important but that it should not be the over riding requirement.

By consensus those doing the interviewing should include Mayor Connors, Council Member Hale and the Planning Commission Chair.

**DR. RICHARD WHITE INVITATION TO TOUR FACILITY(Agenda Item #15)**

By consensus, Council Members decided to accept Dr. Richard White's invitation to tour the new animal clinic on Shepard Lane on February 19<sup>th</sup> at 6 P.M.

**FUTURE MEETINGS (Agenda Item #16)**

A special meeting will be held with the Planning Commission on Thursday, January 30, at 5:30 P.M. to discuss economic development issues.

### **MISCELLANEOUS (Agenda Item #17)**

#### **Legislature Day**

Mr. Hasenyager appreciated the opportunity to attend the Day at the Legislature and suggested that the Farmington City Youth Council be encouraged to attend in the future. A brief discussion was held about the possibility of having shirts or patches made available for the youth council to wear to identify them as members of the youth council. The City Council also reiterated their desire for shirts with a Farmington logo on them.

#### **Technology Committee**

Mr. Johnson reported that Rich Haws had been invited to become a member of the committee. Mr. Haws had accepted the invitation with enthusiasm.

#### **Signs on the West Side of Main Street, Across from the County Court House**

Ms. Holmes suggested signs restricting parking to residents and guests be placed on the west side of Main Street across from the County Court House. Such should be done as soon as possible.

#### **Sight Distance Problems on Shepard**

Mr. Hale stated there were problems with sight distance concerns with the new Oakridge decorative fence when coming from 1500 West onto Shepard Lane.

Mr. Forbush stated the Public Works Department was aware of the problem. Paul Hirst would be in contact with the Oakridge Golf officials to make corrections.

#### **Water Line Replacement**

Mr. Forbush stated there was a need to eventually replace the 10" shot coat water line extending northwesterly from North Compton Road through Somerset Farms to the new Cherry Hill interchange. He reviewed a proposal presented by the City Public Works involving replacement of part of the line through the Oakwood Estates development. The developer, Lonnie Bullard, will replace part of the line in the adjacent street right-of-way at his expense and pay for labor to have it extended east of his subdivision along a common lot line. The City would pay the cost of materials which would be around \$8,000 to \$9,000, which could be covered under the miscellaneous budget. By consensus, the City Council approved the expenditure.

#### **Personnel Policy Supplementary Retirement Change**

Mr. Forbush reported that the Personnel Committee had recommended the option which would make it possible for employees to invest in 401K plans with the State Retirement System along with the existing 457 Plan provided by ICMA's Retirement Corporation. The City Treasurer, Gloria Anderson, wants to buy back State Retirement Credit but can't under the 457 Plan from ICMA. Gloria is one employee who has opted to forego City medical coverage in exchange for the City to pay on a supplemental retirement plan.

**Motion:**

After a brief discussion, Bob Hasenyager moved that the City Council authorize staff to contact State Retirement officials in order to implement 401K options for City employees. Ed Johnson seconded the motion, which passed by unanimous vote.

**Moratorium for Proposed OTR Area**

In a memorandum from David Petersen, it was noted that the City recently adopted the OTR zone in a four block area north of 100 North Street. Now it is recommended to adopt this new zone for the rest of original townsite area. This zone change is viewed by many as a down zone because it places restrictions on multi-family development. For this reason it is further recommended that the City Council enact a moratorium on all two-family and multi-family development in the remaining original townsite area from 200 South to 600 North and from the Monte Vista area to 400 West until the rezone process is complete. The issues involved with the last moratorium do not exist with this proposal because the moratorium area is much larger and there are no pending proposals for two-family or multi-family development.

**Susan Holmes** stated there may be an unfair impact on the Al Smith property, since it is the only property that would be considered for multi-family buildings.

After discussion, the City Council asked the City Manager to provide more information before they consider the moratorium. They wanted specific boundaries (using streets as boundaries) and a map of the proposed moratorium area.

**ADJOURNMENT**

**David Hale** *MOVED* that the meeting adjourn at 10:20 P.M.

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Margy Lomax, City Recorder  
Farmington City