

FARMINGTON CITY COUNCIL MEETING

Wednesday, March 20, 2002

CITY COUNCIL WORK SESSION/EAST CONFERENCE ROOM

PRESENT: Mayor Pro tem Haugen, Council Members Hale, Holmes, and Johnson, City Manager Forbush, and Deputy Recorder Chipman. Mr. Hasenyager was excused and Mayor Connors was unable to attend due to a COG meeting.

Mayor Pro tem Haugen began the meeting at 6:30 P.M. He turned the meeting to Matt West who directed a discussion prioritizing action items which in turn would indicate needs for broad action programs. The Council addressed each item in detail, making suggestions for language changes and categorization.

Mr. Forbush led a discussion about upcoming directives to implement UPDES (federally mandated, unfunded regulations regarding storm water management).

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor David M. Connors, Council Members David Hale, Larry W. Haugen, Susan Tanner Holmes, Edward J. Johnson, City Manager Max Forbush, City Recorder Margy Lomax, City Planner David Petersen, and Deputy Recorder Jeane Chipman. Bob Hasenyager was excused for the first part of the meeting.

Mayor Connors called the meeting to order at 7:20 P.M. The invocation was offered by Max Forbush and the Pledge of Allegiance was led by Jeane Chipman.

APPROVAL OF MINUTES OF PREVIOUS MEETING

The minutes of the City Council Meetings held February 27, 2002, were read and corrected. **Larry Haugen** *MOVED* to approve the minutes as corrected. **David Hale** seconded the motion. The voting was unanimous in the affirmative.

Minutes of the March 6, 2002, meeting were considered. **Ed Johnson** *MOVED* to approve the minutes as written. **Susan Holmes** seconded the motion, which passed by unanimous vote.

SWEARING IN OF YOUTH CITY COUNCIL MEMBERS (Agenda Item #3)

Mayor Connors welcomed the new members of the Youth City Council and congratulated them on their accomplishments. Tammy Boyce, Youth City Council adviser, was

present to assist. Ms. Boyce introduced Jessica Loveland, the Mayor of the Youth City Council, who in turned introduced each member of the new Youth City Council. Mayor Connors encouraged them to work hard and enjoy their service to the City of Farmington. He conducted the swearing in ceremony for the Youth City Council.

Susan Holmes encouraged the Youth Council also and stated they would likely be able to use the experience as an asset to their future endeavors.

CONTRIBUTION TO AMERICAN CANCER SOCIETY (Agenda Item #4)

Agenda Item #4 will be rescheduled.

PLANNING COMMISSION REPORT (Agenda Item #5)

David Petersen reported proceedings of the Planning Commission meeting held March 14, 2002. He covered the following items:

1. The Planning Commission and the City Council met together to hear public comments regarding the proposed expansion of the Justice Center Complex. The Planning Commission tabled their consideration of a conditional use approval.

2. The Planning Commission considered 3 discussion items. Two citizens asked them to consider rezoning in what the Commission considered inappropriate areas, and they were denied. Dr. White approached the Commission and asked that they consider approval for him to relocate his animal hospital east a few blocks of his current location. UDOT needs the property where his business currently stands. The Commission is moving expeditiously regarding Dr. White=s request, since UDOT wants him to move by May.

3. The Planning Commission also discussed the General Plan including calendaring and identification of issues.

PUBLIC HEARING: CONSIDERATION OF A RESOLUTION AMENDING THE CAPITAL FACILITIES PLAN FOR USE OF PARKS AND RECREATION IMPACT FEES TO INCLUDE A PARKS STORAGE BUILDING AND EXPANDED LEISURE SERVICES OFFICE AND STORAGE (Agenda Item #6)

Mr. Forbush introduced the agenda item and reviewed rules and regulations of capital facilities impact fees. The City Council was asked to consider an amendment to the Farmington City Capital Facilities Plan to include the addition of a Parks Department storage building and the expansion of the Leisure Services Department offices and storage space.

Mayor Connors explained the necessity of having to build the second new Public Works/Leisure Services building so soon due to the Legacy Highway route. He opened the meeting

to a *PUBLIC HEARING* . With no forthcoming comments he *CLOSED* the public hearing and asked for consideration from the Council.

Ed Johnson *MOVED* that the City Council adopt resolution 2002-20, a resolution amending the capital facilities plan of Farmington City, Utah, to provide for additional system improvements including a parks storage building and the expansion of the Leisure Services offices and storage space. **Susan Holmes** seconded the motion which passed by unanimous vote.

For the record, **Mayor Connors** stated that the City Council had taken a tour of the new building on March 6th and had the opportunity to discuss the issues at that time.

**FARMINGTON CITY FIRE DEPARTMENT RULES AND REGULATIONS
REPORT/AUTHORIZATION TO SELL AMBULANCE TO CLINTON CITY/CHIEF
LARRY GREGORY (Agenda Item #7)**

According to packet information, it had been five years since the City began ambulance service. The City recently paid off the first ambulance purchased. The Fire Chief recommended the first vehicle be sold to Clinton City, who had agreed to pay \$30,000. In addition, the City had savings which could be used towards the purchase of a new ambulance. Lease purchase for the additional two years would be required before the new ambulance would be paid for. The finance director, Keith Johnson, the City Manager, Max Forbush, and the Fire Chief, Larry Gregory, recommended the City Council authorize the sale of the existing ambulance and to authorize the ordering of a new ambulance. Purchase and delivery of the new ambulance and sale of the old would occur in the next fiscal year.

Max Forbush reviewed the agenda item consisting of two issues. The first included items and questions raised in a previous meeting by Council Member Johnson regarding Fire Department rules and regulations. Mr. Forbush responded to specific sections of the Rules and Regulations as had been targeted by Mr. Johnson. He had reviewed the issues with the City Attorney and Fire Chief. All three recommended no changes.

Mayor Connors reminded Council members that the Rules and Regulations had been adopted by the City Council subject to review of the items. By consensus, the City Council approved what had been done and allowed the previous action to stand.

Chief Gregory expressed appreciation to the City Council for the manner in which the Rules and Regulations had been considered. He said that Department personnel were grateful for the opportunity to give input. Although the document may not be perfect, the Chief felt it was well done and workable.

Mayor Connors stated because the City Council decided not to reconsider the motion taken on March 6th approving the Rules and Regulations, the motion would become effective April 1 as indicated.

Mr. Forbush explained the second issue on the agenda item which had to do with the sale of the old ambulance for the sum of \$30,000 and the purchase of a new ambulance. He reviewed options for funding.

[Bob Hasenyager arrived at 7:50 P.M.]

Mayor Connors stated the City had purchased the ambulance five years earlier and that all Fire Department volunteers were EMT certified. The City=s ambulance program had proven successful.

Mr. Forbush stated the Fire Department is a part-time department and not full time, even so they do an extremely good job.

David Hale *MOVED* that the City Council authorize staff to enter into a purchase and sales agreement with Clinton City to buy the City=s used ambulance and authorize staff to order a new replacement ambulance conditional that formal approval is subject to Council action following the official budget hearing. **Susan Holmes** seconded the motion which passed by unanimous vote. **Mr. Forbush** stated funding for the purchase would be reflected in the next fiscal year=s budget proposals..

WATER LINE EXTENSION REQUEST IN WEST FARMINGTON FROM 650 WEST GLOVER=S LANE WESTERLY APPROXIMATELY 350 FEET/PAUL AND DEENA CHRISTENSEN AND MR. AND MRS. PHIL SQUIRES (Agenda Item #8)

Mr. Forbush reviewed the agenda item for the City Council. The property owners, Mr. and Mrs. Christensen and Mr. and Mrs. Squires requested the extension of the culinary water line from 650 West Glover=s Lane going west about 350 feet. The City Manager reviewed the request with Walt Hokanson and both concurred that the City should extend the lines if the property owners pay for the cost of the materials. The water line would be upsized from a normal 8 inches to 10 inches. Farmington City usually pays for the cost of upsizing.

Susan Holmes *MOVED* to approve the culinary water line extension request for an upsized line to run from 650 West along Glover=s Lane west approximately 350 feet. The property owners will pay for the cost of the materials including related street restoration costs. **Larry Haugen** seconded the motion which passed by unanimous vote.

REQUEST TO PURCHASE CITY PROPERTY ADJACENT TO 1075 WEST NEAR THE FIELDSTONE DEVELOPMENT/ROBERT K. HALL (Agenda Item #9)

Packet material indicated Robert K. Hall had expressed an interest in purchasing a parcel of land currently owned by the City. The parcel is located at approximately 1500 North U.S. 89. The intent of the purchaser is to build a 5,000 to 6,000- square-foot office building on the property. The Council was asked if they wished to keep the land for open space or sell the land and use the proceeds for acquiring RDA property in the Downtown Project Area, mainly in the area north of the bank.

Mr. Forbush stated that there would be a meeting between himself, the Mayor and UDOT officials on Friday, March 22, in which the property would be discussed. If UDOT needs more land, the parcel would be unsalable. It was the decision of the City Council to wait until after the Friday meeting to determine any action.

REQUEST TO EXTEND WOODLAND DRIVE APPROXIMATELY 100 FEET SOUTH OF HUGHES ESTATES PLATTED SUBDIVISION/DAVID HALE (Agenda Item #10)

The agenda item was deleted.

PROPOSED NEIGHBORHOOD CONSERVATION ORDINANCE PRESENTATION/ARLO NELSON/DAVID PETERSEN (Agenda Item #11)

Mr. Petersen explained City officials had been interested in creating an AInfill@ ordinance especially for the downtown area. The City had received a grant to fund the project. Arlo Nelson had been retained to help with the project.

Arlo Nelson gave an overview of the drafted Chapter 23 entitled ANeighborhood Conservation Overlay (NC) Zone.@ He and Mr. Petersen discussed the issues including the following points:

- \$ An overlay zone is a tool used only as needed. When it is used it relies heavily on the written plan created with a great deal of local citizen input.
- \$ Approval of the ordinance would follow existing City procedures.
- \$ The plan is the method for compatibility between what exists and what future desires and needs occur.
- \$ Mr. Nelson targeted an area that could be used as a sample. Mr. Petersen reviewed criteria for selecting a sample neighborhood.
- \$ A Apermissive@ ordinance allowing citizens to follow regulations at will would not be effective. The City Council and the Planning Commission must be an active part of enforcement.
- \$ The neighborhood chosen as the sample was the ARock Chapel@ area. The area included many different issues, such as Lagoon and foothill regions.
- \$ The City Council, Planning Commission, or citizens group could initiate action.
- \$ The ordinance would be used to preserve what exists in Farmington. It would not necessarily be a Ahistorical preservation@ ordinance. It would take into consideration architectural features and neighborhood interests.

§ The ordinance could enhance property values within the neighborhood.

§ Such an ordinance could give staff a tool to help preserve the unique character of Farmington.

Susan Holmes felt that citizens needed to be encouraged not just invited to participate.

Mayor Connors stated that in order to make the ordinance effective, the neighborhoods would have to have a great deal of participation and approval. It would not be successful unless the majority of the residents in the neighborhood agreed.

Arlo Nelson stated the documents provided for the citizen input process.

Larry Haugen felt that if the ordinance had been in place there would have been a way to avert mistakes that had been made. Citizens especially in the downtown area would feel more a part of the decision-making process.

After hearing responses, **Mayor Connors** stated the consensus of the Council was approval for the concept and that City Staff should move forward with the project.

MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #12)

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

- 12-1. Ratification of Construction Bond Agreement previously signed by Mayor Connors.
- 12-2. Approval of new inspection services agreement with Rose Cove Senior Housing L.P. for extended building inspection services. The city Council approved a similar agreement earlier. The developers are willing to pay additional money to hire the City=s consulting Building Inspector, Merrill Roberts, to work approximately four hours a day so that their building scan be inspected and completed in an expeditious manner. The city pays Merrill Roberts \$50/hour as a consultant to get this done. The developers advance 75 percent of the cost. The other 25 percent is paid by normal building inspection permits from the developers paid much earlier. With the workload that the City=s Building Inspector has, there is no way he could keep up with the expectations of the developers of Rose Cove Senior Housing. Hence, the need for this agreement. The City Manager and Community Development Director, David Petersen, recommend adopting the agreement.
- 12-3. Authorization to hold AShow Pride in Farmington@ day on May 11th. The City Manager recommends approval of the concept. Mr. Chipman is preparing a letter to be sent to different clubs and religious organizations inviting them to come help

clean up a trail, build a trail, or some similar project.

- 12-4. Authorization to pay Weber Basin water charges through water revenues. This action is necessitated by Weber Basin=s request for the City to decide how it will pay its water bill. The other alternative is through taxation paying totally for the water or property taxation paying partially for the water. For years the City has paid this bill through its normal water revenues. The city Manager recommends continuation of that practice.
- 12-5. Approval application for Eligibility to Participate in Federal Surplus Property Program. The City Manager recommends approval and authorization for the mailing of the application.
- 12-6. Approval of reassigning Miss Farmington Special Event function from Tammy Boyce to Jo-Ann Callahan.
- 12-7. Approval of Resolution designating March 23 as AScouting for Food Day@ in Farmington.
- 12-8. Approval of Pavement Management Services Agreement with SDS. This agreement was approved in concept earlier. This service is being obtained in order for the city to meet the GASB 34 regulations.

David Hale seconded the motion, which passed by unanimous vote.

AUTHORIZATION TO SEND LETTER TO KAYSVILLE CITY OPPOSING THEIR ANNEXATION PLAN AND REQUESTING THE NEGOTIATION OF A COMMON BOUNDARY LINE (Agenda Item #13)

After a brief discussion of Mr. Petersen=s letter to Kaysville City Planning Commission regarding annexation policy plan and expansion area, **Mayor Connors** stated he had a few suggested changes.

Bob Hasenyager *MOVED* that the City Council authorize the Mayor to sign the letter subject to his changes and to send it to the Kaysville City Planning Commission. **Susan Holmes** seconded the motion, which passed by unanimous vote.

DAVIS COUNTY/FARMINGTON CITY/INTER-LOCAL AGREEMENT REGARDING EXPANSION OF DAVIS COUNTY JAIL/DISCUSSION ITEM (Agenda Item #14)

Mayor Connors reminded the City Council of the field trip taken to the Justice Center and of the previous public hearing where County officials requested an amendment to the Inter-local Agreement regarding an expansion of the Davis County Jail. The County=s tour was as brief as possible which City officials appreciated. The public hearing was also brief as the Mayor and others had to leave after one hour of comment. The Mayor expressed his desire to

receive a list of all the comments given at the hearing. The City Planner had compiled a list of issues and concerns raised by officials and citizens. The Mayor stated that the City Council must now decide the process to be followed and the response to the request of the County.

The County was anxious for a quick response because of the time limit they faced. The Mayor had told the County officials that the earliest possible response by the City Council would be on April 3. Planning Commission action regarding conditional use permission would take place after that.

Mayor Connors felt issues germane to the Inter-local agreement should be addressed irregardless of other City/County issues. A mechanism should be created to deal with the other issues which were critically important to the citizens of Farmington. A lengthy discussion of issues ensued, including the following points:

- \$ One place that would be beneficial to address pertinent City/County issues would be the Sheriff=s Council. In discussions with the County Sheriff, he expressed willingness to add Farmington citizens to the council. Such a forum would provide for on-going and new issues to be addressed.
- \$ The County officials seemed supportive of Farmington=s desire to have a commuter rail station stop in the City. Such a station would be beneficial to the Justice Complex as well, since inmates could leave Farmington quickly and efficiently.
- \$ Buffering was an issue that had a great deal of support especially from west Farmington citizens. City officials felt it would be important to have some kind of buffer zone between residents and the jail. It was agreed that this issue should be addressed in the Inter-local agreement.
- \$ It was also agreed upon by the City Council that there was a need for appropriate inhibitors to expansion beyond the current property available to the jail. The boundary which seemed most vulnerable to expansion was the creek corridor. Mayor Connors and other officials suggested measures to preserve the creek corridor such as a conservation easement. Mayor Connors reminded the City Council that the County Commission expressed they had no intent to expand beyond the current request. But in reality, no promises could be made. It was mentioned that a conservation easement would exist in perpetuity unless eminent domain was implemented for some unforeseeable reason.
- \$ Some Council members felt that City issues were largely unheeded by County officials and that this was an ideal opportunity to have the issues resolved. Such issues should be clarified in writing and addressed by the County officials in consideration of the cooperation given by Farmington.
- \$ Other officials felt that including non-jail issues in the Inter-local Agreement

would be detrimental to the City/County cooperative effort.

- \$ Ms. Holmes felt there were mechanisms in place that could handle the concerns felt by Farmington officials. Available to them were the County Commission meetings to which citizens and municipalities could take grievances and concerns. She had researched other communities in the County which hosted facilities that may seem unpleasant to their citizens. Most communities did host such facilities, e.g, the burn plant, gravel pits, dumps, etc. She felt citizens of Farmington were citizens of the County as well and needed to be mindful of how public money is spent on the County level as well as the City level. She stated that there were pertinent issues that should be addressed in the Inter-local Agreement and that the agreement should be as binding as possible. Work done should be done so in a positive manner.
- \$ It would be important to decide which issues were germane to the Inter-local agreement and which should be identified as concerns that need to be resolved before conditional use permission is granted and a building permit is issued.
- \$ A certain degree of frustration existed among some City officials regarding long-term issues with the County which do need to be resolved in a timely fashion. Council members also stated that the citizens= comments should be respected.
- \$ There were actions that the County could move forward with while the City is proceeding with necessary approvals.
- \$ Issues needing resolution included accountability and an action plan regarding inmate releases and accommodations made for transportation needs of the inmates.
- \$ A standard should be established and objectives listed that could be addressed by both the County and the City. Implementations of the plans could be accomplished by citizen committees.
- \$ It was reported that the jail had improved inmate release times to avoid children coming and going to school.
- \$ Details that should be included in the Inter-local Agreement should be conservation of the creek corridor, improvement of operational issues (releases, etc.), and transportation.

Mayor Connors suggested that the Council should respond to the County and let them know that the process is moving forward. The City Attorney could be directed to draft a new Inter-local Agreement with guidance given by the Council. The draft could then be reviewed by

both the City and the County.

Mr. Hasenyager suggested that issues pertinent to the conditional use approval could go forward simultaneously.

Ms. Holmes suggested that the County be allowed to go forward with good faith efforts to begin the project.

CONSIDERATION OF RICH HAWES= LETTER REQUESTING CITY TO COURT COSTCO (Agenda Item #15)

Mr. Forbush introduced the agenda item and recommended that the City contact Costco giving them three possible alternatives and inquiring which of the three sites would be the most favorable.

Mayor Connors posed the question regarding whether or not a store type like Costco would even be wanted in Farmington in any location under any circumstance. It was decided that the City Council would discuss the issue in further detail during their special meeting on Saturday, March 23rd.

Mr. Hasenyager asked the County Planner if the County had resources that could assist the City in making such decisions.

Mr. Summerkorn responded that the County would very much like to help educate and facilitate discussions regarding economic development within the County, specifically at this point in Farmington. A brief discussion regarding an office-campus type development similar to the one in Fort Union along with controlled retail support ensued.

DISCUSSION OVER UDOT=S LETTER RESPONDING TO CITY=S REQUEST FOR A TUNNEL UNDER U.S. 89/REVIEW OF SHEPARD LANE/MAIN STREET SIGNALIZATION PROJECTS (Agenda Item #16)

Mr. Forbush reported that UDOT had responded negatively to Farmington=s request for a tunnel near the Smith=s retail area. A meeting has been scheduled for City officials to further negotiate with the UDOT officials.

Mr. Hasenyager raised the concern about keeping the Abig box@ retail stores from becoming abandoned. A brief discussion of access and viability followed.

Mayor Connors reported that it was the preference of Smith=s to remain on their current property. Circulation through the area would improve conditions for Smith=s and would likely be a benefit to the area.

Mr. Forbush stated UDOT was considering two signals for the north part of Farmington. The signals will be discussed at a meeting on Tuesday, March 26th at 8 A.M.

MISCELLANEOUS

Larry Haugen reported a call from a citizen who wanted the City to provide a recreational center. When told the cost, the citizen did not seem to realize the City could not afford such a project.

Mayor Connors stated Bountiful is considering rebuilding their recreational center and creating a county-wide facility.

Susan Holmes received a letter from a local artist who is displaying his work at the City Hall. He attended the Olympics and is willing to donate his Olympic packet to the City. She also reported proceedings of the Davis County Sewer District board. The board indicated development in south Farmington would require the replacement of the sewer line which is inadequate for projected build out.

Ed Johnson stated citizens are requesting a safe pedestrian passage on the frontage road just south of Glover=s Lane. School children are especially affected. For their safety something needs to be done.

Max Forbush reported the Suicide Prevention Committee will be meeting March 21st at 7 P.M. in the City Hall. He reviewed very briefly some financial issues and then asked the Council about their preferences regarding the Celey Baum home relocation project. By consensus the Council directed Mr. Forbush to move forward with the Celey Baum project. Mr. Forbush also handed out material covering bonding issues. After discussion, it was decided the bonding issues could be further discussed during the special meeting on Saturday, March 23rd.

Mayor Connors reported proceedings of the Davis County COG meeting. He had been appointed chairman of the review committee. He said the Shorelands overlay project had been so favorably accepted that COG has decided to do a similar project regarding the hillsides. There is a need to have a representative from Farmington to sit on the County Transportation Task Force. The Mayor asked that Council members think about volunteering for the position. The Davis County Cultural Arts Committee has invited Jo-Ann Callahan to become involved.

ADJOURNMENT

Bob Hasenyager *MOVED* that the meeting adjourn at 11:10 P.M.

Margy Lomax, City Recorder
Farmington City