

FARMINGTON CITY COUNCIL MEETING

Wednesday, April 16, 2003

ECONOMIC DEVELOPMENT COMMITTEE/CITY COUNCIL WORK SESSION/WEST CONFERENCE ROOM

PRESENT: Mayor David M. Connors, Council Members David Hale, Bob Hasenyager, Larry W. Haugen, Susan T. Holmes, Edward J. Johnson, Planning Commission Chairman Kent Forsgren, Planning Commission Members Bart Hill, Cory Ritz, and Sid Young, City Manager Max Forbush, City Planner David Petersen, and Deputy Recorder Jeane Chipman. Planning Commission Members Cindy Roybal, Jim Talbot, and Jordan White were excused.

Mayor Connors began discussion at 5:00 P.M. The following general topics were discussed in depth:

- ▮ Mr. Petersen visited Interloken Business Park in Colorado and several proposed TOD's along Denver's I-25 corridor. It was helpful to note successful business parks had received significant community investment in study and funds prior to development.
- ▮ The General Plan amendment process should receive priority.
- ▮ Specific zoning would follow the General Plan amendments. The area now under moratorium needs to be addressed soon.
- ▮ It would be helpful to jump start the area just west of Lagoon with an RDA.
- ▮ The Committee discussed a possible connection to I-15 coming from Kaysville to the area south of Shepard Lane. There is a likelihood this connection could be funded by grant. The road would lesson the impact of traffic at the Burke Lane exchange and the Shepard Lane area.
- ▮ The City is considering different consultants to help with land use and other issues.
- ▮ The possibility of a monorail-like system to connect a commuter rail stop and specific areas in the City was discussed.
- ▮ Woodside Homes proposal regarding the Legacy North construction was discussed. Also briefly discussed was the Cowboy Partner proposal for a luxury apartment complex north of Lagoon.
- ▮ The Committee decided the next steps would be 1) amend the General Plan; 2)

retain an appropriate consultant; and 3) move forward with the RDA process.

CITY COUNCIL WORK SESSION/KITCHEN

PRESENT: Mayor David M. Connors, Council Members David Hale, Bob Hasenyager, Larry W. Haugen, Susan T. Holmes, Edward J. Johnson, City Manager Max Forbush, and Deputy Recorder Jeane Chipman. The following agenda items were reviewed:

- ▭ Item #4, consideration of amendment to BR zone text permitting small auto dealerships, needed to be deferred at the request of the major proponent. The item had been noticed as a public hearing, therefore the meeting would be opened to a public hearing in consideration of those who may have come to give input, but the hearing will need to be continued to the next City Council meeting on May 7th.
- ▭ Item #5, consideration of Boyer-Wheeler Farm, LLC request to vacate portions of Clark Lane (100 North), was discussed. Phase IV of Farmington Ranches could not be recorded without vacation of at least a portion of the right-of-way. Vacation of the rest of the right-of-way going west would be a matter for discussion.
- ▭ Item #7, Roger and Emma Hinds request for permission to have temporary use of a mobile home, was reviewed. The City does not allow the use of mobile homes. The Hinds would like a special exception to live in the mobile home temporarily while they build a new home on the property.
- ▭ Item #8, Paul Seiger's request to use the City Attorney for a question regarding personal property rights, was addressed. Mr. Forbush had informed Mr. Seiger that the City cannot fund personal use of the City Attorney for private matters. However, Mr. Seiger insisted that his request go before the Mayor and City Council. It was the consensus of the Mayor and City Council that the City Manager had given Mr. Seiger the correct information and that the subject should not be brought before the City Council. The Mayor offered to talk to Mr. Seiger personally.
- ▭ Item #9, requests for adjustments to capital projects, was reviewed by Mr. Forbush.
- ▭ Item #10, support our local heroes idea, had been presented by staff after receiving a letter from Judy Rice suggesting the City support fire fighters, police officers, and military personnel. The City Council suggested the City's flags be posted to show support. Other ideas would be discussed in regular session.
- ▭ Item #11, Liberty Lane Apartment development discussion, was an agenda item brought by Cowboy Partners, LLC, who wanted to know the feeling of the City Council regarding the project. Since it was not an official proposal, the City Council questioned the validity of having the item brought before the Council. It was

suggested the developer meet with the Council's Development Committee, who could then report back to the full Council.

- ▮ Item #13, request for water conservation ordinance, was briefly reviewed.
- ▮ Item #14, County-wide animal control ordinance, was briefly reviewed.
- ▮ Item #15, consideration of creating an S.I.D. in the City, was not ready for City Council consideration and would be postponed until the special City Council meeting on April 30th.

(Note: The City Planner, David Petersen, held a special meeting with the Planning Commission in the East Conference Room to discuss vacation of portions of Clark Lane.)

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, and Deputy Recorder Jeane Chipman. City Recorder Margy Lomax was excused.

Mayor Connors called the meeting to order at 7:10 P.M. The invocation was offered by the Mayor and the Pledge of Allegiance was led by David Hale.

APPROVAL OF MINUTES OF PREVIOUS MEETING

Bob Hasenyager *MOVED* to approve the minutes of the April 2, 2003, City Council Meeting as corrected. **Ed Johnson** seconded the motion. The voting was unanimous in the affirmative.

OUTSTANDING PARKS AND RECREATION CITY DEPARTMENT OF THE YEAR

Mayor Connors introduced Steve Carpenter and Fred Tamagua of the State Parks and Recreation Association.

Mr. Carpenter was present to present an award to Farmington's Leisure Services Department of the outstanding work they do in the City. It was the second time the City has received the award. No other city has received two such awards. The award was received by Viola Kenney, Director of the Leisure Services Department. The award was given in recognition of the contribution to recreation in the State and the fact that the City promotes healthy life styles among its citizens.

In accepting the award **Ms. Kinney** stated that her department was staffed by highly qualified and dedicated people who care about Farmington and the work they do. She was

grateful for the award and said it was a combined effort of all those involved.

PUBLIC HEARING: CONSIDERATION OF AMENDMENT TO BR ZONE TEXT PERMITTING SMALL AUTO DEALERSHIPS (Agenda Item #4)

Max Forbush briefly reviewed the agenda item. He stated the Planning Commission had considered the request and was recommending denial of the request. Because Don Hokanson was not able to attend the meeting, staff recommended that the hearing be continued until the first City Council meeting in May.

Public Hearing

Mayor Connors opened the meeting to a public hearing.

Chad Greenhalgh (downtown resident) felt that an auto dealership and residential use of the downtown area should not be mixed. Because of the lights and traffic the business would require it would impact the homes in a very negative way. Auto dealerships would also detract from more appropriate businesses who may be interested in locating on Farmington's Main Street. He requested that the application be denied.

Mayor Connors noted there were no other forthcoming comments but that the hearing would not be closed. The public hearing would be continued until May 7th.

REPORT OF PLANNING COMMISSION (Agenda Item #3)

David Petersen reported proceedings of the Planning Commission meeting held April 10, 2003. He covered the following items:

1. The Planning Commission conducted a public hearing regarding the proposal for a new zone for the central area of Farmington known as the "Original Townsite Residential Zone" (OTR). Mr. Petersen presented what had been adopted in a 4-block area, paragraph by paragraph. Ten people had volunteered to be members of a new steering committee who would address the OTR for the rest of the original townsite. The subject area for the proposed zone change was generally located between 600 North and 200 South and between I-15 and the neighborhood around the Monte Vista Elementary School. The City Council may receive the agenda item by mid-summer.

2. Susan Holbrook requested conditional use and site plan approval to establish a temporary nursery retail sales business in the parking lot of the Shepard Pointe II Office Condominiums located at 630 West Shepard Lane. Because the condominium owners were in favor of the proposal, the Planning Commission approved the conditional use.

3. Boyer Wheeler Farm. L.C. and S. David Plummer requested conditional use and site plan recommendation for approval to develop the "Buffalo Ranch," an upscale commercial thoroughbred horse breeding operation, on 316 acres located west of the Farmington Ranches

subdivision at approximately 2100 West Clark Lane in an agriculture zone. The Planning Commission approved the request.

4. Boyer Wheeler Farm. L.C. also requested recommendation for vacation of the Clark Lane right-of-way from approximately 1950 West going westerly to the Great Salt Lake. The Planning Commission tabled consideration of the request until trail issues could be resolved. They had met earlier in the evening and recommended vacation of the portion of the right-of-way that lay under Phase IV of the Farmington Ranches.

PUBLIC HEARING: CONSIDERATION OF BOYER-WHEELER FARM. LLC REQUEST TO VACATE PORTIONS OF CLARK LANE (100 NORTH)(Agenda Item #5)

Mr. Petersen stated that the Boyer Company was prepared to record the Farmington Ranches Phase IV plat. However, a portion of the Clark Lane right-of-way was located in lots within the plat and the applicant could not record the plat until this right-of-way was vacated. The Clark Lane right-of-way extended all the way from the Farmington Ranches to the Great Salt Lake, cutting through property being considered for sale to David Plummer. Mr. Plummer wanted to establish the Buffalo Horse Ranch on the property but would not be interested in the project if the trail dissected the ranch. There are safety concerns for pedestrians and horses. The right-of-way has been in place since the 1870's. In reviewing the issues, the Planning Commission wanted to make sure trail issues were resolved and so tabled the agenda item. Staff, developers, and members of the Farmington Trail Committee met Saturday morning to negotiate trail location. Monday night, all interested parties walked the suggested trail route. Mr. Petersen described the trail route. To help mitigate problems encountered because of the relocation, Mr. Plummer (Buffalo Horse Ranch developer) offered to remove concrete slabs and grade portions of the property, and Mr. Summerhayes (Farmington Ranches developer) offered \$10,000 to aid with improvements. Mr. Petersen had just met with the Planning Commission to discuss the issues. The Planning Commission were informed of the recent negotiations and recommended that the portion of the Clark Lane right-of-way within the Farmington Ranches Phase IV be vacated so that the phase can be recorded. Some of the Commission Members wanted to walk the suggested trail route.

Mr. Forbush stated there may be a problem with a portion of the trail to the east near the new elementary school. It may have to be moved a few blocks to the southwest.

Mr. Petersen said there were elevation challenges as the trail nears the Great Salt Lake shoreline. Elevations above 4210 feet were acceptable for trail routes. When the elevation went below that mark, water problems would exist. There was about a 600 foot stretch of the trail that would be below 4210 feet. In trade, the Boyer Company was willing to convey an easement to the north of the development to allow equestrian use.

Public Hearing

Mayor Connors opened the meeting to a public hearing and invited the applicant to address the City Council.

Lynn Summerhayes had walked the trail and stated he was willing to contribute an amount of \$10,000 to the City for their use in improving the trail however they saw fit. He felt the amenities of the trail on the suggested route were outstanding. He was impressed with the beauty of the area. He stated that with the deletion of the right-of-way across the proposed Buffalo Ranch, it would give a contiguous parcel of improved open space area.

Niels Plant (311 South 650 West) liked the proposed compromise. He felt there would be a good equestrian trail which was even better than the original. He felt the City would be gaining an improved park-like area and a small trail head.

Public Hearing Closed

With no further comments, **Mayor Connors** closed the public hearing and asked the Council for their consideration.

In discussion of the issue, **Mr. Hasenyager** asked if the developer was giving equitable compensation for the vacation of the right-of-way.

Mr. Forbush stated staff had not yet had time to fully research equatability issues.

Mr. Petersen felt there were at least some compensations, including: 1) increased open space acreage, improved by the Buffalo Ranch project, 2) an added access stem off 1525 West, 3) property for a small trail head for equestrian use, and 4) the developer has and does make concerted efforts to work with Farmington City and nearby neighbors. It was noted that the City Council was only being asked to permit recordation of Phase III of Farmington Ranches to consider vacating a portion of the Clark Lane right-of-way.

Motion

Susan Holmes moved that the City Council approve Ordinance No. 2003-13, an ordinance vacating a portion of Clark Lane public right-of-way west of Ranch Road (2045 West) within Farmington City, State of Utah, with Exhibit A (the legal description), and subject to the following conditions:

- An easement shall be reserved for any existing utility located in the vacated right-of-way.
- The applicant shall provide a survey and a legal description of the vacated right-of-way for the ordinance and vacation order.

In discussion of the motion, **Mr. Hasenyager** acknowledged the contribution of the Farmington Ranches developer of \$10,000 to make the trail possible. He wanted to make sure

that conditions of the Conservation Easement were being adhered to and that Farmington City received equitable compensation for the vacation.

Mr. Petersen noted the motion did abide by the conditions of the conservation easement.

Mr. Summerhayes noted the Buffalo Ranch purchase would be going forward knowing the easement went across the property.

The vote on the motion was unanimous in favor.

BOYER-WHEELER FARM DISCUSSION PERTAINING TO PROPOSED AMENDMENTS TO DEVELOPMENT MASTER PLAN AND RELATED TRAIL RELOCATION OPTIONS (Agenda Item #6)

Mr. Petersen reviewed the agenda item. He said lots in the original site plan for Farmington Ranches would need to be relocated in order to make the purchase of property for the Buffalo Ranch possible.

After a brief discuss and by consensus, the City Council gave general concept approval for the relocation of the lots in question, knowing an amended site plan would be forth coming for their consideration. An amended development master plan would also be forthcoming. The concept of moving the trail to the north was acceptable to the City Council by consensus.

After receiving permission from Mayor Connors to address the City Council, **Lynn Summerhays** stated it was his understanding that the Development Agreement intended the bounds under which the development would go forward. He questioned why the developer was being asked to compensate for the vacation of the Clark Lane right-of-way when the Development Agreement had already provided for that vacation. If the City Council chose not to vacate Clark Lane they would be in non-compliance with the Development Agreement. It was Mr. Summerhayes understanding that Mr. Plummer would not proceed with the purchase of the Buffalo Ranch project area if the Clark Lane right-of-way was not vacated.

Mayor Connors stated he was unaware there was a dispute regarding the portion of the Clark Lane right-of-way going west from the Farmington Ranches subdivision.

Mr. Petersen stated it was the intention of the Planning Commission to consider recommendation for the rest of the right-of-way at the same time they considered the Development Agreement with the Buffalo Ranches.

Mr. Summerhays stated he felt not vacating the rest of Clark Lane at this time seemed to indicate a resistance to approve the vacation.

Mr. Petersen stated it was deemed wise by the Planning Commission to hold the

developer to his commitment to record the deed to the public trail by vacating the Clark Lane right-of-way simultaneous to the recordation.

Motion

Susan Holmes moved that in order to facilitate the Buffalo Horse Ranch project, the City Council approve vacation of the rest of the Clark Lane right-of-way subject to all Farmington standards and ordinances and concurrent recordation of the easement for an acceptable trail route to the north of the project, including diking for high water years, the donation of \$10,000 for trail improvements by the developers of Farmington Ranches, mitigation of stated trail problems, the placement of the Buffalo Ranch parcel under conservation easement, and the net gain of 19 acres of open space for the City. Mr. Forbush specifically asked the Council to address the trade value question raised by Council Member Hasenyager. Did the Council want further study completed on this matter?

After much discussion of this issue and discussion of the motion, **Mr. Hale** stated he believed the City was getting a great value for the vacated right-of-way. The trail was a scenically beautiful area; there would be improved equestrian use; and there would be an increase in the open space. Mr. Hale seconded the motion, which passed by unanimous vote.

CLAIMS INC. REQUEST FOR CONSIDERATION OF FINAL PLAT APPROVAL FOR FARMINGTON GREENS PUD PHASE 4 (Agenda Item #6a)

Mr. Petersen stated that the agenda item was not ready for consideration.

REQUEST FOR TEMPORARY MOBILE HOME (RV) USE/ROGER AND EMMA HINDS (Agenda Item #7)

Mr. Petersen said the Hinds would like permission to live temporarily in a mobile home while they build a permanent home on the property in question. It was not in the City ordinances to allow mobile home use. However, the City Council could grant special permission with a time restriction.

Ms. Holmes stated it would be in the City's interest to allow the Hinds to demolish the existing home and build a new home on the property. If a time limit were required, no precedence would be set.

Motion

Susan Holmes then moved that the City Council direct the City Manager to draft an ordinance wherein the Hinds would be allowed to live in a mobile home for 90 days while they construct a new home on their property. The ordinance would then be brought before the City Council for their consideration. **Larry Haugen** seconded the motion, which passed by unanimous approval.

USE OF CITY ATTORNEY TO KNOW OF PERSONAL PROPERTY RIGHTS/PAUL SEIGER (Agenda Item #8)

Packet information explained that Paul Seiger lives on east State Street. Mr. Seiger asked the City Planner if he could have access to the City Attorney to ask him legal questions relative to his property rights pertaining to a neighbor's tree overhanging onto his property. After visiting with Mr. Petersen, Mr. Seiger asked Mr. Forbush the same question. Mr. Forbush informed Mr. Seiger that it was a private matter. The City Attorney is not used for dealing with private consultation. The City manager's response did not satisfy Mr. Seiger. Mr. Seiger wanted to make the request directly to the Mayor and the City Council.

Mayor Connors stated that the City Manager's response to Mr. Seiger was correct. The City could not compensate the City Attorney for his time on private issues. The Mayor offered to talk with Mr. Seiger regarding the matter.

REQUESTS TO MAKE ADJUSTMENTS TO CAPITAL PROJECTS (Agenda Item #9)**Viola Kinney/Purchase of Leisure Services Department Program Registration Hardware and Software**

Viola Kenney and Keith Johnson have been working for months to select a program registration package for sign ups to Leisure Services' activities including swim lessons for the pool. This request will greatly enhance users' ability to sign up for Leisure Services' activities.

Larry Gregory/Change Order to Fire Station Addition to Paint Floor, Ceiling and Walls of Existing Bays

The cost from the contractor to paint the walls and ceiling of the existing Fire Station is \$2,800. To paint the floor of the existing fire bays with the same type of materials used on the addition, it will cost an additional \$2,000 which can be completed by Fire Department personnel. The walls and ceiling in the existing building are exceedingly dirty from eight or nine years of diesel fumes. It appears to be a good time to accomplish this work. The Fire Department has roughly this amount of money for new carpet upstairs. The City Manager is recommending postponing of the carpet until FY 2004 and to complete these improvements this fiscal year.

Historic Preservation Committee/ Additional Painting at Museum

The City Manager was supportive of this request since it finishes off the main room of the Museum. It is difficult to make all the improvements and then not make the painting improvements. Although it is an additional \$3,500, he believed it completes that portion of the building and would be worthwhile for those visiting and working in the Museum.

Motion

Larry Haugen moved that the City Council approve the requests for capital projects adjustments as outlined. **Susan Holmes** seconded the motion, which passed by unanimous vote.

SUPPORT OUR LOCAL HEROES IDEA (Agenda Item #10)

According to a memo by Staff Member Sue Bryce, Judy Rice of the Farmington Post Office suggested ways in which members of the Farmington Police Department and Fire Department and military personnel could be supported by the community.

After discussion of the suggestion, Council Members by consensus felt the action would be appropriate. They asked that the U.S. flag be posted on the standards down Main Street and that suggestions by Ms. Rice be followed.

LIBERTY LANE APARTMENT DEVELOPMENT DISCUSSION (Agenda Item #11)

Mr. Petersen reviewed information indicating that several weeks ago Cowboy Partners, L.C., submitted an application to the City to rezone approximately 8 ½ acres north of Lagoon on the north side of Burke Lane to accommodate the Liberty Lane Apartment development proposal. During the public hearing before the Planning Commission, Lagoon objected to the proposal due to noise and incompatible land use issues. Furthermore, the City was in the midst (and still is) of preparing an economic development/land use plan. After considering all of the evidence, the Planning Commission decided to table the Cowboy Partners' request in order to allow time for Cowboy Partners to resolve their differences with Lagoon in light of the economic development/land use planning process.

Dan Lofgren was present and addressed the Council. He felt the project was the right use for the land, at that right time, and that it was a good project for the property owners. He felt there was a need for the apartment units within the City and that the City would benefit from the increased roof tops. He stated each of Lagoon's concerns could be addressed adequately, including complimenting Lagoon's hope for a hotel across the street. He had come before the City Council to get a sense of the direction they would like to go, thus giving him direction whether or not to pursue the project.

Susan Holmes said that eventually all surrounding neighbors to Lagoon complain about the noise. She asked what the developer planned to do regarding that concern.

Mr. Lofgren stated there were construction techniques that could be used to completely mitigate any noise coming from the park. He also stated the units would be a great buffer for any use to the north.

Mr. Hale said Lagoon had been asked specifically to direct all noises from rides, etc., away from the population of the City, which meant those noises would be directed towards his development. He asked Mr. Lofgren if he was sure he could mitigate that kind of problem.

Mr. Lofgren was confident the noise from the park would not be a problem.

Mayor Connors said he felt the issue would be more appropriately addressed by the Council sub-committee for development. If Mr. Lofgren could contact the City Manager, a meeting could be scheduled. In further discussion, the Mayor commented that it was the timing of the application that was meeting resistance. The City was currently in the process of considering land uses for that area that would impact the property in question.

Jackie Marsden (land owner) requested permission to address the Council and expressed frustration at the recent decision. She stated that her family had owned the land for about 100 years. The City had not dealt justly with the family. Zoning had been changed and intended land use had kept them from selling the property for many years. Ms. Marsden said the family had come to the City several times with what they had understood would be appropriate projects (e.g., the MTC which was eventually built in Centerville) and had been told every time that there was a study underway regarding economic development and zoning. They had been patient to this point, but it was obvious that there would never be an acceptable project, no matter what the City had suggested. She felt the City should buy the property and do with it as they felt appropriate. Her family had been good contributing members of the community. They wanted the property to be a beautiful entry to the City. The property had been cut by roads and had been devalued from time to time by City Officials. Every time there was a change in the City Council, direction for use of the land would change. She wanted some assurance there would be a consistent decision made that future Council would have to abide by. There was no consideration for the property owner.

Mayor Connors conceded there was no way for current City Councils to bind the action of future City Council members. Council members were under an obligation to make the best decisions they could with the information they had at the time. This Council Membership is currently working very hard to master plan use for developable property within the City limits. It was his reasonable belief and hope that future City Councils would give serious considerations to the actions of the present Council. He also believed that because of the current work being done, the Council did not want to eliminate the best possible use for the property by going ahead with the Cowboy Partners proposal without consideration of the big picture.

MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #9)

David Hale moved to approve the following items by consent as follows:

20. Ratification of construction bond agreements previously signed by Mayor Connors.
21. Approval of March's list of disbursements as enclosed in the packet.
22. Approval of May's Newsletter.
23. Approval of UTA Shuttle Bus Agreement. This agreement is between the City, UTA, and Lagoon. It is basically the same agreement that we have had in the past.

The cost has increased by about \$400.

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

REQUEST FOR WATER CONSERVATION ORDINANCE (Agenda Item #13)

Mr. Forbush referenced the letter received April 1, 2003, from the Weber Basin Water Conservancy District. The letter indicated a need to implement water conservancy restrictions to have no outside watering between 10:00 A.M. and 6:00 P.M.

After a brief discussion and by consensus, the City Council directed Mr. Forbush to prepare an ordinance for review by the City Attorney and the City Council during their next City Council meeting.

CITY-WIDE ANIMAL CONTROL ORDINANCE (Agenda Item #14)

Mr. Forbush reported he had received information from the Davis County Animal Care and Control Department, requesting review and adoption of an ordinance for City-wise animal control.

After a brief discussion and by consensus, the City Council directed Mr. Forbush to prepare an ordinance for review by the City Attorney and the City Council during their next City Council meeting.

CONSIDERATION OF A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF FARMINGTON CITY, DAVIS COUNTY, STATE OF UTAH, TO CONSTRUCT IMPROVEMENTS WITHIN SAID CITY CONSISTING OF INSTALLATION AND CONSTRUCTION OF CURB AND GUTTER, SIDEWALKS AND INSTALLATION OF STREET LIGHTS, AND ALL OTHER MISCELLANEOUS WORK NECESSARY TO COMPLETE THE IMPROVEMENTS IN A PROPER WORKMANLIKE MANNER; TO CREATE FARMINGTON CITY, UTAH, SPECIAL IMPROVEMENT DISTRICT NO. 2003-01; TO DEFRAY THE COST AND EXPENSES OF SAID IMPROVEMENT DISTRICT BY SPECIAL ASSESSMENTS TO BE LEVIED AGAINST THE PROPERTY BENEFITTED BY SUCH IMPROVEMENTS; TO PROVIDE NOTICE OF INTENTION TO AUTHORIZE SUCH IMPROVEMENTS AND TO FIX A TIME AND PLACE FOR PROTESTS AGAINST SUCH IMPROVEMENTS OR THE CREATION OF SAID DISTRICT; TO DECLARE ITS OFFICIAL INTENT TO REIMBURSE ITSELF FOR EXPENDITURES PAID BY IT PRIOR TO THE SALE OF BONDS; AND RELATED MATTERS (Agenda Item #15)

Mr. Forbush stated that the agenda item was not ready for consideration but would be at the Special City Council to be held April 30, 2003.

UPCOMING MEETINGS (Agenda Item #16)

Mr. Forbush covered the following schedule of upcoming meetings:

- ▮ Legacy Parkway Public Scoping Meeting, Thursday, April 17, 2003, 4 to 8 P.M. at the Woods Cross High School Auditorium, 600 West 2200 South, Woods Cross, Utah. Mayor Connors strongly encouraged Council Members to attend the meeting and voice their opinions in written form.
- ▮ Meeting with Haws group and Mayor Connors, Susan Holmes, and Bob Hasenyager on April 22, 2003, from 5 to 7 P.M. in the City Offices.
- ▮ The first session to work on the 2003-2004 Fiscal Year Budget on April 30, 2003, beginning at 6:00 P.M. in the City Offices.

MISCELLANEOUS

Jenna McOmber Request Regarding Storm Water Fees and No Parking Signs

Mr. Forbush stated that the McOmber family was requesting they be assessed the Storm Water Fees that will shortly be reduced. It will amount to a significant savings for the two lots in question. The McOmbers were also requesting that the four “No Parking” signs to be placed on their driveway as requested by the Fire Chief be reduced to one. Mr. Forbush stated studies regarding the Storm Water Fee are nearly complete and that public hearings will shortly be conducted. The McOmbers are requesting temporary occupancy permits which could be granted with the stipulation that the Fire Chief affirms the turn around area for emergency vehicles is adequate.

By consensus, the City Council agreed to grant the temporary permit subject to the review of the Fire Chief regarding having just one “no parking” sign and that a permanent occupancy be granted after the reduced Storm Water Fee has been approved by the City Council and paid by the applicant. It was not the intention of the City Council to make a decision circumventing the Fire Chief’s authority. The Fire Chief will need to make the final decision regarding the “no parking” signs.

Farmington Ranches Development Agreement

Mr. Hasenyager felt it should be stated that the City Council was always careful to protect the rights and benefits of the citizens of Farmington. He was cautious regarding the vacation of the Clark Lane right-of-way and making sure the City received just compensation for the action. The developer had recently wanted compensation for upgrading road standards, which was in principle similar to the request of the City for just compensation for the right-of-way compensation.

Bourne Property Issues

Mr. Hasenyager was also concerned that the record show the City had changed the zone for the Bourne Property to BP which was intended to give the owner adequate opportunity to develop the property.

Address Correction

Mr. Hasenyager's address needs to be changed in City information to "515 East Lakeview Way."

Economic Development Consultant

Mr. Hasenyager hoped the Council would be able to find adequate funds to retain a quality consultant that would be able to assist the City in protecting the character of Farmington through this landmark time in its history.

Suggestions Regarding City Council Action List

Mr. Johnson suggested major action items be retained on the list until completed. He also asked that the "Disposition" descriptions be updated and provided to the City Council periodically.

Get Well Wishes to Cori Connors

Susan Holmes suggested the Council send flowers and get well wishes to the Mayor's wife, who has been ill for several weeks.

FABL Challenges

Ms. Holmes reports some difficulties that have become apparent in working with members of the FABL organization. There were several incidents of damage to public property. In discussion of the problems, the City Council by consensus felt it would be wise to meet with the organization heads and work out mutual agreement for communication and responsibilities.

Mr. Hale stated he understood there was no current contract with the organization. Also, that there should probably be a fee charged for the use of public facilities. By consensus, Council Members Hale and Holmes were appointed to represent the City Council.

City Personnel to Be Commended

Mrs. Holmes felt City personnel should be commended for their hard work and efforts because of their attendance at extra meetings and their excellent preparation for several different projects.

Historical Preservation Committee Reviews

Mr. Haugen stated that the Historical Preservation Committee had recently denied recommendation of designs for a home proposed for Main Street. The Committee had also rejected plans for a fence on the Jordan White property.

Signage at 1410 North 1650 South

Mr. Hale asked that the City Manger look into have signage placed at the corner of 1410 North and 1650 South as a means to slow traffic in the area.

Request for Consideration for Payment of an S.I.D. Assessment

Mr. Forbush reviewed the request of Michael Roberts who recently purchased a home at 416 North 100 East. At the time they purchased the home, an assessment had been approved by Farmington against the property for curb and gutter improvements in the amount of \$5,340.29. They were not aware of the assessment until they were given notice that collection proceedings were about to commence. By then they had been charged interest and late fee charges. Mr. Roberts requested they be billed as if it were the first billing and be forgiven late fees and interest.

After discussion and by consensus, the City Council directed Mr. Forbush to forgive the late-fee penalty and the first-year interest. But the rest of the assessment should be paid by Mr. Roberts.

End-of-Year Party for Monte Vista

Mayor Connors had received a request from Monte Vista that the City contribute towards an end of year party of the school since it will be closed permanently at the end of this school year. By consensus, the City Council approved the expenditure of up to \$200.00 for the school at its closing.

JoAnn Callahan Article

The Mayor distributed an article on the work being done by Ms. Callahan in the City especially with the youth in theater productions. It was a very favorable article and gave Ms. Callahan and the theater department due credit for work well done.

MINUTE MOTION ADJOURNING TO CLOSED SESSION

David Hale moved that the City Council adjourn to closed session as provided by law to discuss professional competency of an individual at 9:45 P.M. **Bob Hasenyager** seconded the motion. The vote was unanimous in favor of the motion.

RECONVENE

Ed Johnson moved to reconvene into open session and to adjourn the City Council

Farmington City Council

April 16, 2003

meeting at 9:45 P.M. **Susan Holmes** seconded the motion. The vote was unanimous in favor of the motion.

ADJOURNMENT

Margy Lomax, City Recorder
Farmington City