

# FARMINGTON CITY COUNCIL MEETING

Wednesday, July 6, 2005

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

**PRESENT:** Mayor David M. Connors, Council Members David Hale, Larry W. Haugen, Susan T. Holmes, Sidney C. Young, City Manager Max Forbush, City Planner David Petersen, Youth City Council Member Sarah Montgomery, City Recorder Margy Lomax, and Recording Secretary Jill Hedberg. Rick Dutson was excused.

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

## APPROVAL OF MINUTES OF PREVIOUS MEETING

**David Hale** moved to approve the minutes of the June 15, 2005, City Council Meeting with changes as noted. **Susan Holmes** seconded the motion. The voting was unanimous in the affirmative. Larry Haugen abstained due to his absence at the previous meeting.

**Mike Heining**, a representative for Farmington Festival Days, reviewed the Festival Days schedule and distributed hats and shirts to the Council Members.

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

**David Petersen** reported proceedings of the Planning Commission meeting held June 23, 2005. He covered the following items:

**Agenda Item #3 - Jonathan Hughes requested a recommendation for schematic plan approval for the Hughes Farm Phase 2 subdivision consisting of 3 lots and 2 parcels on 2.76 acres adjacent to the north side of Water Turn Drive in and LR-F zone (S-11-05).** The Planning Commission recommended that the City Council deny the proposed schematic plan due to the low culinary water pressure being proposed.

**Agenda Item #4 - Symphony Homes requested a recommendation to rezone 30.92 acres located at approximately 275 South 1100 West from A to AE, and a recommendation for schematic plan approval for a subdivision containing 53 lots related there.** The Planning Commission tabled the item to allow time to further review the PUD information.

**Agenda Item #5 - Richmond American Homes requested conditional use and site plan approval to establish a temporary sales office in a model home located at 1518 West Longhorn Drive in an AE zone.** The Planning Commission approved the application with certain contingencies.

**Agenda Item #6 - Clayne White and Family requested temporary use approval for a “Shaved Ice” stand situated in the southerly end of a parking lot located at 677 West Shepard Lane in an A zone.** The Planning Commission extended the Clayne White Family temporary use permit for a five year period.

**Agenda Item #7 - JMR Land and Development, Rainey Homes requested a recommendation for a zone designation and schematic plan approval for a proposed development in conjunction with the proposed annexation of 12.9637 acres of property located between 200 East and the Frontage Road, north of Lund Lane.** The Planning Commission tabled consideration of recommendation for a zone designation and schematic approval until certain issues were resolved.

**Agenda Item #8 - Farmington City requested a recommendation to amend Chapter 27 of the Zoning Ordinance regarding Planned Unit Developments.** The Planning Commission tabled the item to allow City Staff to make the necessary adjustments to an Ordinance amending Chapter 27 of the Farmington City Zoning Ordinance regarding Planned Unit Developments (PUDs) within the City including Changes to Open Space and Minimum Parcel Size Standards and the Development Review Process.

**Agenda Item #9 - General Plan amendment discussion - Chapter 10.** The Planning Commission agreed to review the text and to hold a public hearing on July 14, 2005.

**Agenda Item #10 - Blood/Wendel Plat amendment request.** The Planning Commission recommended that the City Council amend the Hidden Meadows Subdivision plat combining Lots 14, 15 and 16 into two lots.

**PUBLIC HEARING: CONSIDERATION OF ORDINANCE ANNEXING APPROXIMATELY 13 ACRES LOCATED IN SOUTH FARMINGTON BETWEEN THE I-15 FRONTAGE ROAD AND 200 EAST AND NORTH OF LUND LANE - TERRANCE F. GLOVER / SUSAN D. TURNER ( Agenda Item #4)**

According to packet information, the Planning Commission voted on June 9, 2005, to recommend that the City Council annex the property as described in application #A-2-05, located between 200 East and the Frontage Road, north of Lund Lane.

In other action, the Planning Commission tabled consideration of a recommendation for a zone designation and schematic plan approval on June 23, 2005, until issues regarding the historic Glover home were resolved.

**David Petersen** displayed the Vicinity Map. He said a portion of the Glover and Turner property was within City Limits. The Planning Commission felt the schematic plan had been well done but they were against the demolition of the old Glover home. They recommended the area be annexed but recommended tabling the zone designation and the schematic plan until the Glover

home could be addressed. He stated the annexation and zoning could be addressed but said schematic plan approval could not be considered until the Planning Commission submitted their recommendation.

### **Public Hearing**

**Mayor Connors** opened the meeting to a public hearing.

**Chris Balling** (Rainey Homes representative) said the schematic approval could be tabled until the zoning issues were addressed. Rainey Homes would attempt to make the Glover home blend with the new development while maintaining its historic integrity. A portion of the property would need to be annexed and Rainey Homes requested it be zoned LR which would be comparable to other developments in the area. The open space would be used as a detention area and would be located near the frontage road.

### **Public Hearing Closed**

With no further comments, **Mayor Connors** closed the public hearing..

The Council Members agreed it would be beneficial to the applicant and the City to address the annexation in conjunction with the zoning.

### **Motion**

**Susan Holmes** moved that the City Council table the item until recommendations had been received from the Planning Commission. **David Hale** seconded the motion, which passed by unanimous vote.

### **PUBLIC HEARING: SCHEMATIC PLAN CONSIDERATION FOR JUDD 3 LOT SUBDIVISION AT APPROXIMATELY 82 WEST 600 NORTH - CHRISTIAN JUDD, ET AL ( Agenda Item #5)**

Larry Haugen recused himself and was seated in the audience.

According to packet information, the FARMINGTON City Planning Commission voted on June 9, 2005 to recommend that the City Council approve the application #S-10-05 for the schematic plan for a three-lot residential subdivision in the OTR Zone on property located at approximately 82 West 600 North.

The motion for approval was subject to compliance with all applicable ordinances and development standards and resolution of the following issues prior to Preliminary Plat approval:

1. Application for access off of Highway 106 is made to the Utah Department of Transportation and is denied.
2. The zoning for Lot 3 is changed to OR to allow creation of a flag lot to avoid safety issues caused by access off of Highway 106.
3. The creation of a flag lot is approved by the City Council

**David Petersen** said the Judd property had three zones. He displayed the proximity map and the schematic plan. The parcel the Judds would like left open for future development should be identified as Parcel A. An additional building lot could be created if a flag lot were created but flag lots are prohibited in the OTR zone. The Planning Commission suggested a portion of the Judd property be zoned LR so a flag lot could be granted for Lot 1 and Lot 2. The Planning Commission had recommended an application be submitted to UDOT to access the property from Highway 106. The flag lot would also have to be approved by the City Council.

### **Public Hearing**

**Mayor Connors** opened the meeting to a public hearing.

**Christian Judd** (82 West 600 North) said UDOT had informed him that there could not be a driveway from the front of the property since another alternative existed.

**John Bradshaw (259 East 100 North)** said his family owned property located at 650 North 100 West. His family favored the proposed plan and felt it would be a good use for the property.

**Gary Rose** said his property was located next to the Judd property. He felt issues regarding the RDA should be openly addressed prior to the development.

**Larry Haugen** (94 East 500 North) said he owned 9.5 acres near the subject property. He suggested the property owners discuss the possibility of selling the properties as a whole in order to increase the sales value.

### **Public Hearing Closed**

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

**David Hale** questioned how a house would be situated if the lot were to become a flag lot.

**David Petersen** said if the lot were to become a flag lot, it would be a unique situation because the front yard would not be facing a rear yard.

**Susan Holmes** asked the size of Parcel A.

**David Petersen** said it was approximately 1.25 acres so there could be a possibility of creating 2-3 lots in the future. The property could also be sold to adjoining property owners.

**Susan Holmes** asked if a stipulation could be made that if Parcel A were developed, it would not longer be a flag lot. The driveway could then become a road.

**David Petersen** said he would not recommend making the driveway a road. The asphalt width on 90 West was approximately 20 feet. The road was a public street but did not meet City standards. The Planning Commission agreed the OTR zone should not be altered. A City ordinance states that driveways must have direct access to a public street.

The Council Members were concerned spot zoning would occur if the zoning were to be altered..

**Susan Holmes** questioned whether the driveway could be used as an alley rather than a driveway.

**David Petersen** said whether it were considered an alley or a driveway, it would still be considered a flag lot since a driveway would require direct access to a public street. Direct access is defined as “fee title”.

**David Hale** questioned why the City Council would delay making a decision regarding the matter since the neighbors surrounding the parcel seemed supportive and the applicant would not negatively affect Parcel A.

**David Petersen** said Lot 1 and Lot 2 could be combined without creating a flag lot but the upper half could not be sold.

**Mayor Connors** questioned whether it would set a precedent to allow additional zone types in the OTR zone.

**David Petersen** said the Planning Commission was attempting to accommodate the Judd’s lot without amending the OTR zone.

**Mayor Connors** asked if there was a reason the applicant needed an immediate response. He suggested the City explore all of the possible alternatives before making a decision.

**Mr. Judd** said they were eager to get approval so they could market the property.

Council Members agreed further study was needed to make sure the development was accomplished in the appropriate manner. They wanted to avoid setting a precedence for the other property owners outlining the OTR zone.

### **Motion**

**David Hale** moved that the City Council table the issue until the City Council was able create a subcommittee to further study the alternatives for the area. **Sid Young** seconded the motion, which passed by unanimous vote.

**Larry Haugen** resumed his position on the Council.

### **PUBLIC HEARING: SCHEMATIC PLAN CONSIDERATION FOR A PHASE II HUGHES FARM DEVELOPMENT - JONATHAN AND CONSTANCE HUGHES (Agenda Item #6)**

According to packet information, the Planning Commission voted on June 24, 2005, to recommend denial of the schematic plan to the City Council for Hughes Farm Phase II on property located at approximately 1050 South Lucky Star Way/ Waterturn Drive. The application was denied by the Planning Commission because of the low culinary water pressure being proposed. The Planning Commission discussed, but did not fully consider, issues related to the schematic plan, including but not limited to, the size and location of the open space, the grade and location of the access road to the water tank, erosion control problems, and the fact that the boundary of the subdivision extended beyond the City limits.

**David Petersen** displayed the vicinity map, the schematic plan and the location of the reservoirs. The issue being addressed was the water pressure. The City's standard was 60 psi. At the time of the first phase of the development, the standard had not been adopted. One of the lots was 36 psi and the other lots was 40 psi. The applicant was requesting a waiver from the City's standard. The Planning Commission agreed the standard should be upheld and the schematic plan approval should be denied due to the low water pressure. He said there were other issues discussed which would need to be addressed but the main focus of the Planning Commission was the water pressure.

### **Public Hearing**

**Mayor Connors** opened the meeting to a public hearing.

**Jonathan Hughes** (927 Mountainside Circle) represented Flatrock, L.C. He said he had received three letters from the City which stated that certain issues needed to be addressed. The issues included the long term drainage solution, temporary access road run-off control, and the need for a gate to provide security for the utility road. His engineer, Ben White, submitted the current proposal because the three lots would be a solution to the three requirements of the City. He

addressed the water issues which had concerned the current home owners. He said 1/4 of an acre would be donated to Farmington City. There would be a trail access which would connect with the City's property. If the proposal were denied, development would not occur until a reservoir were constructed further east.

**Ben White** (Engineer representing Mr. Hughes) said residents at the last public hearing misunderstood the difference between water pressure and water volume. He said larger homes require increased volume, not pressure. He said many of the developments in Farmington had 40-50 psi which would not meet the City's current standard. Adding another phase to the Hughes development would not affect the existing home owner's water pressure. He said he had contacted the State regarding booster pumps. He was told that the State's code was 20 psi so in order to get the State's approval, the City would have to request the booster pump authorization. Two of the parcels could have been developed with the first phase but Mr. Hughes postponed it due to the City's request for access to the water tank.

**Todd Plumley** (16 Cave Hollow Circle) said his water pressure was lacking whether it was due to the water pressure or to the water volume. He said the City's goals could be met without further development. He felt the City's standard of 60 psi should be upheld. The land being donated to the City had a steep topography and the open space had areas that were outside of the City limits.

**Glen Hughes** (1239 North Stevens Circle) said he was a homebuilder. He had built large homes in Holladay utilizing the 40 psi line. He said the proposed water pressure would be adequate and would not affect the residents water pressure if three more lots were developed.

**Jon Bigler** (1384 South 35 East) said he was constructing a home on Lot 15. He felt the City should review the reasons the water pressure requirements were raised and should uphold their decision. He was concerned that the waiver being requested was even lower than the City's previous requirement of 40 psi.

**Paige Walton** (Farmington Trails Committee) said they were opposed to the Schematic Plan since a trail should have been included on the Plan. The Trails Committee would be willing to work with the developer to relocate the trail, if needed. The terrain being proposed by Mr. Hughes was very steep and would present safety concerns.

**Becky Hill** (279 East Lucky Star Lane) said Mr. Hughes had misled her by stating that there would not be additional development within the subdivision. She felt the new homeowners should be entitled to the City's psi standard. She was concerned about future erosion issues since Mr. Hughes was not addressing the erosion that currently existed.

**Kevin Poff** (Planning Commission Member) informed the City Council Members of some of the issues discussed at the Planning Commission. He said the property being gifted to the City was property that was excessively steep. The water tank access was deeply rutted and unsafe for

emergency vehicles due to run off from the hillside. The two lower lots were unsafe for houses. He said he would not have approved the first phase if he had been on the Planning Commission at the time it was approved.

### **Public Hearing Closed**

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

**Paul Hirst** (City Engineer) addressed the Tuscany Cove development which had a lot which was fell below the City's code. He said 40 psi was acceptable but 60 psi was ideal for the Farmington residents. Farmington City enacted the 60 psi standard on March 17, 2004. He recommended the City Council uphold the City's standard. He said the development should be denied until another reservoir is created to prevent future precedence.

**Susan Holmes** asked how the erosion could be controlled in the area.

**Paul Hirst** said there were always erosion issues when hillsides were developed. Engineering solutions could occur without developing the area. He only opposed the development because of the low water pressures.

**Susan Holmes** questioned whether the Phase II lots had been previously approved.

**Max Forbush** said the developer may have had the utilities stubbed into lots of the proposed Phase II, but the City had not approved or platted the lots.

**Susan Holmes** felt the role of the City Council was to review the Schematic Plan. She suggested allowing the proposed lots contingent upon the following:

- 1) The area would have to meet the City's water pressure requirements.
- 2) Detention and storm drainage would need to be addressed.
- 3) A long term solution would need to be found to address the existing issues.

**Max Forbush** said the Schematic Plan should not be approved unless the water pressure requirement could be waived. When Tuscany Cove was developed, the City's current standard was not in place.

**Paul Hirst** said the code for individual booster pumps was different when Tuscany Cove was approved. The current code prohibits individual booster pumps due to the potential of the pump contaminating the public water system if the pump were to malfunction. The State would likely grant an exemption to the City but the City would then be liable. He suggested the developers in the area fund the construction of a reservoir to resolve the water pressure issues.

**Max Forbush** said Mr. Hughes was the first developer to address the City since the psi had been increased. A precedent would be set for future developers requesting a psi waiver if the request were granted.

**Motion**

**Sid Young** moved that the City Council deny Schematic Plan approval and the psi waiver for Phase II Hughes Farm Development. **David Hale** seconded the motion which passed by unanimous vote.

**PUBLIC HEARING: BLOOD-WENDEL HIDDEN MEADOWS PLAT AMENDMENT REQUEST (Agenda Item #7)**

**David Petersen** said the applicants were requesting that three lots be made into two lots. The Planning Commission recommended approving the request.

**Public Hearing**

**Mayor Connors** opened the meeting to a public hearing.

**John Shupe** (1133 East 1675 North, North Ogden) said the lot would be in harmony with the area.

**Public Hearing Closed**

With no further comments, **Mayor Connors** closed the public hearing.

**Motion**

**David Hale** moved that the City Council adopt the Ordinances authorizing the Mayor to vacate a portion of Hidden Meadows Subdivision lots incorporating the combined number of lots in a new lot configuration, as indicated in the letter dated July 1, 2005. **Larry Haugen** seconded the motion, which passed by unanimous vote.

**REVIEW OF LLOYD AND IRENE GREEN INSURANCE CLAIM PREPARED BY URMMA (Agenda Item #8)**

**Max Forbush** said the purpose of URMMA was to give recommendations to the governing body. The adjustor recommended that the claim be denied. URMMA would send a letter to the claimant if the City Council denied the claim.

**Susan Holmes** suggested a waiver of liability be signed so the City could provide help to the claimant.

**Max Forbush** suggested that perhaps another way to help damaged property owners was for the City create a no-fault policy similar to the policy of the Central Davis Sewer District. He believed the City should be cautious in being willing to pay the claim against the advice of the adjuster who reported that even though the claim was currently not significant, it could grow significantly in the future.

**David Hale** felt it would be in the City's best interest to follow the advise of their experts.

**Sid Young** asked how the pipe had broken.

**Max Forbush** said ground movement, which occasionally happens during the freeze and thaw season, may have caused the pipe to break. The City had not been aware of the leak since it occurred during a rain storm and the leak never surfaced which is a normal occurrence.

### **Motion**

**Susan Holmes** moved that the City advise URMMA that it supports this recommendation to deny the insurance claim of Lloyd and Irene Green. **Larry Haugen** seconded the motion, which passed by unanimous vote.

### **Motion**

**Susan Holmes** moved that the City Council request that City Staff research the details of a non-fault contribution policy by surveying what action is taken by other municipalities. **Larry Haugen** seconded the motion, which passed by unanimous vote.

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

**Sid Young** moved that the City Council approve the following items by consent as follows:

- 9-1. Ratification of Construction Bond Agreements previously signed by Mayor Connors.
- 9-2. Approval of Contract Agreement with State of Utah for Critical Land Planning Grant for \$10,000.
- 9-3. Approval of contract with Beatrice Lufkin to provide Historical "Intensive Survey" Services to Historic Preservation Commission.
- 9-4. Approval fo Disbursement lists for the months of March, April, and May, 2005.

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

**CONSIDERATION OF ORDINANCE CONFIRMING THE ASSESSMENT ROLLS AS ADJUSTED BY THE BOARD OF EQUALIZATION AND REVIEW AND LEVYING AN ASSESSMENT AGAINST CERTAIN PROPERTIES IN FARMING CITY, UTAH SPECIAL IMPROVEMENT DISTRICT NO. 2003-1, FOR THE PURPOSE OF FINANCING THE COSTS OF INSTALLATION AND CONSTRUCTION FO CURB AND GUTTER, SIDEWALKS, SANITARY SEWER, STORM DRAINAGE, DECORATIVE STEEL FENCING, CULINARY WATER AND IRRIGATION LINES, STREET PAVING AND INSTALLATION OF STREET LIGHTING AND ALL OTHER MISCELLANEOUS WORK NECESSARY TO COMPLETE THE IMPROVEMENTS IN A PROPER WORKMANLIKE MANNER (COLLECTIVELY “THE IMPROVEMENTS”); ESTABLISHING A SPECIAL IMPROVEMENTS RESERVE FUND; ESTABLISHING THE EFFECTIVE DATE FO THIS ORDINANCE, AND RELATED MATTERS (Agenda Item #10)**

Blain Carlton of Ballard Sphar was in attendance.

Max Forbush said the Board of Equalization meetings were held on June 28, 29, 30, 2005. He passed out handouts outlining the Board’s recommendations. He said the City Staff made a recommendation to the Board, who would then make a recommendation to the City Council. There were 19 adjustment requests, some of which would need to be discussed in a closed session. He reviewed the following adjustment requests:

	<u>Name</u>	<u>Concerns Expressed</u>
1.	Chris Hansen	Was not here when district was created. Did not know about it. Doesn’t feel should have to pay for lights.
2.	Michael Gibby	Was not here when district was created. Did not know about it. Doesn’t feel should have to pay for lights.
3.	Dean Merrill	Was not here when district was created. Did not know about it.
4.	Erwin Zundel	Was not here when district was created. Did not know about it.
5.	Charise Cooley	Was not here when district was created. Did not know about it.
6.	Tim & Jennifer Sharp	They did not think that the light had improved their area or that safety in the area had been increased.

The City Staff recommended that assessments for Chris Hansen, Michael Gibby, Dean Merrill, Erwin Zundel, Charise Cooley, and Tim and Jennifer Sharp not be adjusted.

- 7. Virginia Welch Did not receive a light in her cul-de-sac and doesn't think she received any benefit from the lights.

**Max Forbush** said the City Staff did not recommend adjusting Ms. Welch's assessment.

**David Hale** addressed the concerns of Virginia Welch and said of the 4 homes in the cul-de-sac, three residents were opposed to the additional of another light. The light that had been installed needed to be inspected because it was flickering and was blocked by trees.

- 8. Jonathan Hughes Would like to have the as-builts for sewer and water laterals.

**Max Forbush** said Mr. Hughes asked about how the assessments were computed but did not complain about the amount due.

- 9. Qui Luu Was not here when district was created. Did not know about it. Did not know if water or sewer were available to his property.

- 10. Paul Christensen

**Max Forbush** reported that this area was included within the Special Improvement District because Paul Christensen and two other owners of the three parcels had wanted a water and sewer main installed so their respective lots could become buildable. Mr. Luu purchased the property after the District was created. The lines were extended west from 650 West to the Questar gas lines. Leland Myers, Manager of the Central Davis Sewer District, reportedly had told Paul Hirst that the lots on the south side of Glover's Lane would have to be pumped. Water and sewer laterals were placed on most of the properties but not on the Qui Luu property (sewer and water) or on the Christensen property to the east (sewer). The cost of all laterals installed was added to the cost of main line installation. This total cost was divided by acreage. Mr. Forbush stated he didn't believe the Luu or Christensen lots received an equal benefit. Therefore, he recommended that the assessment be reduced on these parcels by the value of the laterals. The assessment adjustment (reduction) for Mr. Luu would be \$2,452.81. The assessment adjustment (reduction) for Mr. Christensen would be \$1,051.46.

- 11. Robert Straatman Voted against the district, the costs are to high.

- 12. Jeff Sidwell Did not come to Board of Equalization meeting.

- 13. Curtis Jones Did not come to Board of Equalization meeting.
- 14. Davis Education Assn. Did not come to Board of Equalization meeting.

The assessment for Robert Straatman, Jeff Sidwell, Curtis Jones, and the Davis Education Association was higher than the estimate as reflected in the S.I.D. Notice of Intent document because the abutting road is a State road and their construction requirements were much more extensive than what was anticipated. At a previous City Council Meeting, it was agreed the City should cover the cost above the original estimate of \$41.50 per linear foot. Mr. Forbush also stated that the sidewalk improvements was heavily used by school children in the area and perhaps this was adequate justification for the City (school safety route) to participate. The assessment adjustment for the area would be \$8,583.51.

- 15. Dan Cook Only ordered two irrigation hookups for his property, three were installed and is being charged for three connections.

City Staff recommended Mr. Cook only be charged for the irrigation hookups he had requested. The assessment adjustment for Mr. Cook would be \$435.57.

- 16. Gary Gines Deeded some property to the City for the street right of way along 1100 West and in so doing does not now have the full 403.25 feet of frontage along 475 South as he did before the project started. (Part of his original property legal description included part of the right of way which was not correct.) Should only be charged for the 343.94 feet of frontage that he now has.

**Max Forbush** said Mr. Gines had been assessed for area in the right-of-way. The reduction would be \$6,998.56.

- 17. Lloyd Tidwell The sewer line already had the Y in the line for the lateral to be hooked to, so does not think he should have to pay for the total cost of the lateral as he had that installed when the line was put in. He believed construction effort to extend the laterals was far less effort than to connect directly to the mains. Also would like the property corner stakes to be put back in



**Motion**

**Sid Young** moved that the Board of Equalization approve City Staff's recommendation regarding the Special Improvement District assessment adjustments which excluded any adjustments to the Chris Swedin assessment. **Larry Haugen** seconded the motion, which passed by unanimous vote.

**Motion**

**Sid Young** moved that the City Council approve ORDINANCE 2005-26, AN ORDINANCE CONFIRMING THE ASSESSMENT ROLLS AS ADJUSTED BY THE BOARD OF EQUALIZATION AND REVIEW AND LEVYING AN ASSESSMENT AGAINST CERTAIN PROPERTIES IN FARMINGTON CITY, UTAH SPECIAL IMPROVEMENT DISTRICT NO. 2003-1, FOR THE PURPOSE OF FINANCING THE COSTS OF INSTALLATION AND CONSTRUCTION OF CURB AND GUTTER, SIDEWALKS, SANITARY SEWER, STORM DRAINAGE, DECORATIVE STEEL FENCING, CULINARY WATER AND IRRIGATION LINES, STREET PAVING AND INSTALLATION OF STREET LIGHTING AND ALL OTHER MISCELLANEOUS WORK NECESSARY TO COMPLETE THE IMPROVEMENTS IN A PROPER WORKMANLIKE MANNER (COLLECTIVELY, THE "IMPROVEMENTS"); ESTABLISHING A SPECIAL IMPROVEMENT RESERVE FUND; ESTABLISHING THE EFFECTIVE DATE OF THIS ORDINANCE; AND RELATED MATTERS. **David Hale** seconded the motion, which passed by unanimous vote.

**SILVERWOOD SUBDIVISION REIMBURSEMENT AGREEMENT AND AMENDMENTS TO OTHER RELATED AGREEMENTS AND EASEMENTS (Agenda Item #11)**

**David Petersen** said the Agenda Item was not ready for discussion.

**AMENDMENTS TO MCKITTRICK / HUNTER'S CREEK REIMBURSEMENT AND OTHER AGREEMENTS (Agenda Item #12)**

**David Petersen** said the Agenda Item was not ready for discussion.

**RESOLUTION APPROVING TRAILS COMMITTEE CHECKLIST / CONSIDERATION OF CITY COUNCIL COMMITTEE TO REVIEW PROPOSED TRAILS COMMITTEE BY-LAWS (Agenda Item #13)**

**David Petersen** said the Trails Committee check list was being reviewed since there had been mistakes in alignment, etc., occur while trails were being constructed. It was difficult to correct trails after construction. He suggested the items be reviewed again in another year.

**Susan Holmes** questioned whether final inspections were done prior to the expiration of the warranty period.

**David Petersen** said there were two inspections done, one of which was after the expiration of the warranty period.

**David Petersen** said the check list would be used for neighborhoods that had a trail or was near a trail. A resolution would be adopted, not an Ordinance.

**Motion**

**Susan Holmes** moved that the City Council adopt Resolution No. 2005-27, A Resolution Adopting a Trails Review Process Check List for Development withing Farmington City. **Sid Young** seconded the motion, which passed by unanimous vote.

**Max Forbush** said the Trails Committee was anxious to get the by-laws passed and recommended that a committee be formed. The Trails Committee by-laws were part of the packet information. He also passed out a letter by Tom Morgan regarding his opinion about the trail within his development.

**Sid Young** and **Susan Holmes** volunteered to be on the committee to review the by-laws.

**Mayor Connors** suggested a Committee form a recommendation regarding the trail above the Tom Morgan development and present it to the Council at a later date. The Committee is to try and resolve to what extent the developer is required to improve the trail east of his development. Council Members Larry Haugen and Rick Dutson were appointed to this committee.

**STATUS OF PROJECTS: (A) 1075 WEST SHEPARD ROUNDABOUT; (B) 400 WEST TUNNEL; AND (C) CDBG WEST STATE STREET/300 WEST PROJECT (Agenda Item #14)**

**Paul Hirst** said the design for the 400 West tunnel had been completed and was being reviewed by UDOT. The City needed to acquire 244 square feet of property from Mr. Clark, who suggested the City install two man holes and a pipe for service in trade for the 244 square feet of land. Mr. Hirst said the cost would be \$2,500 per manhole plus the cost of the pipe. A meeting was to be scheduled including the Mayor, Charles Clark and Paul Hirst.

**Paul Hirst** addressed the CDBG West State Street / 300 West Project. He said a meeting would need to be held soon in order to stay on schedule. The roundabout at Shepard Lane and 1075 West was approved by the State who then asked that a new form be submitted. The State recommended waiting to begin the improvements until the next season but Mr. Hirst recommended the City proceed.

**STATUS OF PARK LANE/CLARK LANE PRELIMINARY SAFETY IMPROVEMENTS / CLARK LANE WIDENING (Agenda Item #15)**

**Paul Hirst** said cameras were being considered for the signal at Park Lane and Clark Lane. It was being determined whether a contractor could be involved.

**Max Forbush** said he thought the developer had entered into a contract with his contractor, MC Green, but the Agreement had not been received by the City.

**COUNTY BUSINESS DEVELOPMENT FUND LOAN (BDF) (Agenda Item #16)**

According to packet information, the City Manager went to a BDF Committee meeting comprised of several mayors throughout the County and Commissioner McKonkie. The City needs to decide whether or not to apply for the funds. Another meeting is pending in FARMINGTON in July. Discussion needs to occur as to whether or not we apply for the funds. It doesn't appear that this County Committee is willing to loan the full million dollars that the City wanted to borrow.

**Max Forbush** said he had met with the Business Development Fund Group (BDF). The County had a loan fund available. He made a preliminary presentation but it was determined that some of the Mayors would not approve the \$1.2 million loan asked for. He was informed that it would be possible for the City to receive a loan between \$250,000-\$500,000. It might also be possible for the City to receive a loan for \$800,000 so **Mr. Forbush** suggested another presentation be made if the City Council planned to pursue the funds.

**Rich Haws** said his group was hiring an independent traffic engineer. He preferred the alignment of the road be addressed in conjunction with the funding. The initial budget was approximately \$3 million. It was anticipated that the road could be built over the gas pipelines near Park Lane without excessive costs. He said the tenants on the south side of Park Lane wanted a fully integrated intersection. John West said it would be a business venture to develop the road since there was a substantial interest in northern development. He suggested a work session be held with the Haws Group prior to a meeting with BDF.

**PROCESS FOR REVIEWING / TAKING ACTION ON DAVIS COUNTY COMPREHENSIVE HILLSIDE PLAN (Agenda Item #17)**

According to packet information, in the fall of 2003, the Davis County Council of Governments unanimously approved the Davis County Comprehensive Hillside Master Plan. The Hillside Plan is the culmination of an 18 month process that included a public survey conducted by Dan Jones and Associates, three public workshops, and input from local city representatives. At this time, COG Chairman Joe Johnson and Committee Chairman Rick Miller cordially request that every community review this plan and consider one of the following options:

1. If the community currently includes areas discussed in the Plan, or has the potential to annex such areas, that the Plan be adopted as part of the community's general plan.
2. If the community doesn't include areas directly affected by the Plan, that it pass a resolution supporting it.

**Max Forbush** said there were three steps that needed to be taken.

1. The plan would need to be reviewed by the Planning Commission.
2. A public hearing would need to be held.
3. A recommendation could then be forwarded to the City Council.

**AUTHORIZATION FOR AUDIT ENGAGEMENT LETTER FOR 2005 AUDIT (Agenda Item #18)**

**Max Forbush** said City Staff recommended using the services of Ulrich and Associates for the 2005 audit. Commitment for audit services beyond the 2005 audit year is subject to further recommendation of the City Attorney.

**MotionzZ**

**Susan Holmes** moved that the City Council authorize the signing of the Engagement Letter for a one year period for the 2005 audit. **David Hale** seconded the motion, which passed by unanimous vote.

**"PRESERVE AMERICA" AWARD RECOGNITION CEREMONY DATE (Agenda Item #19)**

According to packet information, Farmington City was one of only 24 cities nationwide to be designated as "Preserve America" communities in a Washington, DC ceremony. The Historic Preservation Commission wanted to arrange a local ceremony and requested input regarding the placement of the sign and the timing of the event.

**Max Forbush** displayed the sign which would be placed within the City. He suggested the ceremony be held prior to the City Council meeting on August 3, 2005. He recommended placing the sign in front of the Museum so it would be out of the right of way and it would receive additional attention.

**Mayor Connors** suggested the ceremony be coordinated with Congressman Bishop's office. No decision was made as to when the sign should be placed.

**“STATION PARK” DEVELOPMENT REVIEW STRUCTURE CONCEPTS AND RECOMMENDATIONS (Agenda Item #20)**

According to packet information, the City Council’s general approval was requested regarding the development review process as discussed by Council Members Sid Young and Susan Holmes with Mark Mazuran, Mark Johnson (Civatas), John Alley representing Stonehenge, David Petersen and Max Forbush as per their meeting held Friday, July 1, 2005.

**Max Forbush** emailed the City Council Members a summary of the discussion that had taken place on July 1, 2005, and a cost proposal. He recommended the cost be funded by the RDA to prevent future conflict.

**Susan Holmes** said she had attended the meetings and felt the City would benefit by hiring Mr. Johnson for consulting services.

**Sid Young** said the outline suggested by Mark Johnson was reasonable. A project manager would not be needed.

**Max Forbush** said the City Council could approve a structure, could authorize Mike Mazuran to work with Mark Johnson, and could authorize an agreement with Mark Johnson for his consulting services.

**Rich Haws** said Mark Johnson would be a wonderful facilitator. He questioned whether Mark Johnson had recommended amending the General Plan and the TOD Ordinance.

**Max Forbush** said there were items in the General Plan that would slow down the process.

**Rich Haws** suggested Mark Johnson and Mike Mazuran work on the Ordinance while he refined the MDG, the Camp and drafted the Master Development Agreement.

**Max Forbush** said Mike Mazaran should be consulted as to who drafted the Master Developer agreement. There were minor alterations that may require hearings. Mike Mazuran and Mark Johnson would make sure there would not be any conflicts while doing the Master Development Agreement. Mark Johnson would be drafting the rules and regulations.

**Rich Haws** asked if there would be any improvements to enhance the continuity of the Planned Use Map. He said he would bullet point the items his group would like addressed.

**Motion**

**Susan Holmes** moved that the City Council authorize consulting services to be performed by Mark Johnson and to work with Mike Mazuran, City Attorney, on the ordinance development,

and approve the basic structure subject to further review by the City Council. **Sid Young** seconded the motion, which passed by unanimous vote.

**MISCELLANEOUS (Agenda Item #21)**

**David Hale** said there was a street sign missing in his area. He also requested the street light in his area be addressed.

**Susan Holmes** said she had met with Comcast and suggested the cable service be available prior to the Station Park Development. She said she had received complaints regarding the taste and color of the water in the 650 West area.

**Sid Young** said a member of the Historic Preservation Board, Pat Achter, would like to resume service.

**Max Forbush** said bids for street resurfacing had been opened for the Somerset area. He recommended the bid be awarded to Kilgore Paving.

**Motion**

**David Hale** moved that the City Council award the Somerset area street paving bid to Kilgore Paving. **Larry Haugen** seconded the motion, which passed by unanimous vote.

**Max Forbush** said a letter had been drafted, a copy of which was included in the packet, asking Fruit Heights to address the drainage issue when the detention basins were removed but response had not been received. He said the fire department had received a record number of calls. City Council Members agreed to pay tribute to the firemen during one of their future meetings.

**Mayor Connors** suggested removing “Historic Beginnings” from the logo on City vehicles since the text was too small and was difficult to read.

**ADJOURNMENT**

**David Hale** moved that the meeting adjourn at 11:30 P.M. **Sid Young** seconded the motion, which passed by unanimous vote.

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Margy Lomax, City Recorder  
Farmington City