

FARMINGTON CITY COUNCIL MEETING

Wednesday, July 17, 2002

CITY COUNCIL WORK SESSION/EAST CONFERENCE ROOM

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

The Mayor began the meeting at 6:30 P.M. The following items were discussed:

- Farmington Greens request for approval of an amended final plat and related agreements was discussed. It was hoped the project could be expedited since it had been delayed several months while the developer was working with other agencies.
- Farmington Festival Days activities had been very successful. Problems such as electricity and parking for the theatrical production in Woodland Park had been resolved. Leaders and volunteers were to be commended.
- Mr. Forbush reported an accident involving a private car, wherein the owners had requested the City pay for damages. Further discussion would be conducted during regular session.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

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

Mayor Connors called the meeting to order at 7:05 P.M. The invocation was offered by David Petersen and the Pledge of Allegiance was led by Max Forbush.

The Mayor commented that Festival Days had been very successful. On behalf of the Council he thanked those involved and suggested that Rick Dutson, Festival Days Chairman, be invited to report to the Council during some future meeting.

APPROVAL OF MINUTES OF PREVIOUS MEETING

The minutes of the July 2, 2002, City Council Meeting were read and corrected. **Ed Johnson** *MOVED* to approve the minutes as corrected. **David Hale** seconded the motion. The voting was unanimous in the affirmative.

REPORT OF PLANNING COMMISSION (Agenda Item #3)

David Petersen reported proceedings of the Planning Commission meeting held Thursday, July 11, 2002. He covered the following items:

1. The Planning Commission granted preliminary plat approval for the Farmington Bay Business Park I Subdivision located at approximately 1200 South 650 West. They also granted conditional use and site plan approval to develop a self-storage business, including accessory living quarters at the Business Park.

2. The Planning Commission extended the expiration date for application C-8-01 to July 26, 2003, as requested by the LDS Church for a meetinghouse to be located on 3.02 acres at 14 South Bonanza (approximately 1700 West). Mr. Petersen stated the LDS Church planned to start construction in the spring of 2003.

3. The Planning Commission had discussed traffic circulation around the County Library, which needed improvement.

4. The Planning Commission also discussed the need to water trees along the creek beds in the City. They felt that the dry trees created fire and safety hazards and that a request should be made of FAPID and Weber Basin to open the creek flows at least once a month during the summer.

REQUEST TO AMEND FINAL PLAT AND RELATED AGREEMENTS/FARMINGTON GREENS SUBDIVISION/PRO TERRA (Agenda Item #4)

David Petersen described changes that had been made in the original plat due to wet land preservation. The original plat had been previously reviewed by the Council.

Mr. Forbush presented staff-recommended conditions for approval of the amended final plat.

Mayor Connors invited the developer, Gerry Tulley, to address the Council.

Mr. Tulley requested and received clarification that payment of water development fees and advances stated in proposed conditions referred to all phases of the water project and not to all phases of the development. He explained that delays in the subdivision had been due to the Army Corp of Engineers. His hope was that the project could proceed as early as August of 2002.

Mr. Tulley expressed concern with conditions #4 pertaining to the payment of

\$86,017.01 to The Boyer Company as Farmington Greens cost share of 1525 West Street improvements. He said the developer's interpretation of the Development Agreement is that the amount is not due until they construct a phase of their development which abuts 1525 West. The current Phase I proposal doesn't do that.

Susan Holmes *MOVED* to approve the amended final plat for the Farmington Greens PUD Subdivision, plat 1, conditional upon and subject to the developer complying with the following conditions prior to recordation of the approved final plat:

1. Developer's compliance with Planning Commission list of conditions found in letter to developers by David Petersen dated 8-27-01.
2. Developer's compliance with City Council list of conditions as spelled out in City Council minutes of September 5, 2001.
3. Payment of water development fees and advances on all water project phases up to the developer's proposed date of plat recordation and payment of Invoice #799 for \$4,919.00 pertaining to reimbursement of extraordinary legal fees (August 1999 thru April 2000).
4. Submittal of proof of payment of Farmington Green's share of costs of 1525 West Street to the Boyer Company (\$86,017.01) as per review and direction by the City attorney and the developer's attorney.
5. Approval and execution of mutually acceptable amendments to Development and Reimbursement Agreement.
6. Payment of all development fees including \$700 per lot for temporary storm sewer fees and all additional engineering deposit fees if any.
7. Approval of the final plat is only good until October 31, 2002.

David Hale seconded the motion.

In discussion of the motion, members of the City Council made the following points:

- **Mr. Hasenyager** felt that the City attorney should be consulted regarding interpretation of both the Farmington Greens and the Farmington Ranches development agreements as pertaining to the timing of when the \$86,017.01 was to be paid in order to protect the City and to resolve any conflicts that may be found therein. He felt that approval should be conditional upon the attorney's

review of both documents.

- The pioneering agreement, which pertains to the street improvement reimbursement, was discussed wherein initial developers were guaranteed reimbursement for expenses of improved roads abutting more than one developer's project. Such a situation existed here, where the Farmington Ranches development had paid for road improvements abutting future Farmington Greens subdivisions. Farmington Greens intended to pay for the reimbursement but not until they began construction of the property abutting the road.
- The Mayor asked the developer to consider reimbursing Farmington Ranches developers prior to recordation of the Farmington Greens, Phase I, final plat.

Several options were discussed in detail by the Council and the developer, after which the Council by consensus decided to eliminate the original condition #4 and amend #5 to read: ■Approval and execution of mutually acceptable amendments to Development and Reimbursement Agreement including any potential conflict with pioneering and any agreements with any other adjoining property owners as reviewed by the City attorney.• Both Ms. Holmes and Mr. Hale agreed to the motion amendment. The vote was unanimous in the affirmative.

STRATEGIC PLAN REVIEW AND ACCEPTANCE (Agenda Item #5)

Susan Holmes commented that in review of the **■Strategic Action Initiatives 2002-2006**• she noted the work load of the City staff was enormous. She felt that at some future point the plan should be reviewed again and prioritization take place so that the staff could reasonably handle the action initiatives. She also felt that the highest priority should be economic development for the City.

Mayor Connors stated flexibility was important in handling the action initiatives and was in agreement that staff work load should be considered. However, he felt reevaluation of the Strategic Plan could be accomplished during a future work session, possibly in December or January.

David Hale *MOVED* that the City Council accept the **■Strategic Action Initiatives, 2002-2006**" as presented. **Ed Johnson** seconded the motion, which passed by unanimous vote. The Mayor suggested that a letter be sent to the Stromberg Group to commend them for the job done on the Plan.

MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #6)

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

1. Ratification of construction bond agreements previously signed by Mayor Connors.
2. Approval of Legacy Parkway Betterment Agreement with UDOT. This agreement has the City paying \$125,000 for the water line running around Lagoon Drive and for an additional \$9,500 for the vinyl-coated fence to be installed on State Street. All other changes in the previous contract are addressed in the document. UDOT wants the money 60 days after signing the agreement. The funds are budgeted.
3. Approval/adjustment to the FY 03 budget as per Viola Kinney request.
4. Authorization to pay \$233.60 back taxes to Davis County for street dedication property. Roy Love dedicated a certain amount of land of the street leading back towards Tom Owens property. The street is now 42 feet wide. Council Member Haugen also dedicated part of the land. Taxes are owed in the amount as stated. The City Manager believes that the City should go ahead and make this disbursement to clear any questions of title to the road.

Bob Hasenyager seconded the motion, which passed by unanimous vote.

**APPOINTMENTS TO THE SHERIFF'S CITIZENS COUNCIL AND UTOPIA
ADVISORY COMMITTEE (Agenda Item #7)**

The Council discussed names of people who may be invited to participate in the Sheriff's Citizens Council and the UTOPIA advisory committee. The Mayor asked for more information regarding the Sheriff's Council, including the length of members' terms. Mr. Johnson will chair the UTOPIA advisory committee. It was stated that the UTOPIA advisory committee would be created to advise the Council regarding cost effectiveness, potential pitfalls, and future benefits or detriments to the citizens of Farmington. This was to help inform the Council so that educated decisions could be made regarding the project.

**AGENDA IDEAS FOR FUTURE CITY/COUNTY/SCHOOL DISTRICT MEETING
(Agenda Item #8)**

Mayor Connors stated Farmington City as the County seat and as the host of the Davis School District Offices had felt a need for better communication with both the County and the School District officials. The proposal had met with cooperation from the other agencies and regular meetings had been planned. The Mayor asked for agenda items that could be covered in the meetings. The following were suggested:

- Resolution of downtown parking issues, including traffic circulation around the

County Library.

- Implementation of Downtown Street Lighting Plan.
- Somerset open space sale.
- Renewal of the Shepard Creek corridor.
- Master Planning for the Woodland Park area, including County participation in approving improvements.
- Implementation of different aspects of the Downtown Master Plan.
- Suggestions for new locations for the County Library.
- Promotion of light rail through Farmington City.

The Mayor asked that as other topics arise, they be forwarded to him at any time.

CHANGE ORDER/FLUORIDATION CONSTRUCTION PROJECT/FLUORIDATION REFERENDUM/POTENTIAL IMPACTS (Agenda Item #9)

Max Forbush reported progress of fluoridation implementation construction. He showed pictures of the City's wells and explained how much of the work had been done and how much there was left to do. Not all improvements being made were connected to fluoridation implementation. Some projects were being done for the safety of City personnel and for the efficiency of the wells. Considering the extent to which the projects had been completed, it could be more expensive to terminate construction at this point than to continue.

By consensus, the Council directed City staff to move forward with the construction projects.

Bob Hasenyager *MOVED* to approve the change order dated 6/20/2002 regarding Woodland Park Pump Station as requested by staff. **Larry Haugen** seconded the motion, which passed by unanimous vote.

LIGHT RAIL CORRESPONDENCE DISCUSSION (Agenda Item 10)

Mayor Connors reported that the six mayors of southern Davis County had been meeting. Among other topics of discussion was the hope that the State would fund light rail through the area. Revenues from recent tax increases would be used first to improve bus

transportation, then commuter rail, and then consideration of light rail connections in different areas of the State. Right-of-way acquisition was an issue.

Ms. Holmes stated that in her recent meeting with the League of Cities and Towns, light rail had been discussed. The League supported light rail for south Davis County.

MISCELLANEOUS (Agenda Item #11)

Rick Robinson Commendation

Mr. Hale felt that Mr. Robinson, a 72-year-old Farmington citizen who had worked on Farmington trails for the past year and a half, deserved commendation from the City. Mr. Robinson had recently developed a terminal case of cancer. Mr. Hale suggested FAPID be asked to write a letter of commendation, that the City Council present a plaque of appreciation, that the City write an article in the *City Newsletter* about Mr. Robinson, and that the Forest Service officials be involved in recognizing Mr. Robinson. The trail committee will also be asked to participate. August 21st was suggested as the date to honor Mr. Robinson.

Festival Days Volunteers Appreciated

Ms. Holmes commented on the tremendous amount of time volunteers had spent in organizing and making Festival Days possible. It had been a very successful event.

Equestrian Safety

Ms. Holmes reported near accidents involving horses in west Farmington due to vehicles not slowing when passing the animals. She suggested that signs be placed in the area directing cars to slow when around horses on the road.

City Watering Schedules

Mr. Johnson commented that when the City's crew waters properties between the hours of 10 A.M. and 6 P.M., it is noticed by citizens who themselves are trying to conserve. The upcoming bond will include funding for a telemetry system for the City's watering program. The system will help control watering times for City property.

Jersey Barriers Near Glover Lane

Mr. Hasenyager asked that budgeted Jersey barriers be placed for the safety of pedestrian school children well in advance of the school year so that they will be there when children begin to walk to and from school in the fall.

Water Fountain Repair

Mr. Hasenyager stated several of the City's water fountains (South Park and Cemetery) were not functioning and asked that Staff look into the matter.

Public Meeting Regarding Traffic Needs

Mr. Forbush reminded Council members of the public meeting being held at Knowlton Elementary on July 18 from 5 to 8 P.M. Council members were invited to attend and make comments.

Three-way Stop at Northridge Road

Mr. Forbush showed an illustration of traffic signage implementation for a three-way stop at the intersection of Northridge Road and Mountain Road. He reported UDOT will place a three-way stop at the intersection near Cherry Hill to solve the line-of-site problem created by the new intersection if the City Council gives final authorization. It was the consensus of the Council to move forward with the plans. Max Forbush was directed to make contact with UDOT advising them of the Council's decision.

Stage Rental

Mr. Forbush had been approached regarding renting Farmington's portable stage. The Council discussed the proposal. Renting it could help defray the cost of the stage. However, Council members wanted City employees to be in charge of transportation and setting up. Rental would have to include employee time and transportation. By consensus, the Council approved the proposal. The proposal was made by Bill Avis of Eden Park Balloon Festival. They are willing to pay at least \$1,000 for renting the stage three days in August. Mr. Forbush agreed to report to Mr. Avis the Council's desire to add an additional cost for employee time.

Lagoon Concerns Regarding UDOT Reconstruction

Mr. Forbush reported that David Freed of the Lagoon Corporation had corresponded his uneasiness regarding access to the Park during UDOT reconstruction of U.S. 89 and I-15. The plan to divert traffic during construction would negatively impact Lagoon business. Mr. Freed is asking for assistance from the City's traffic engineer to help them convince UDOT to modify their plans. The Council seemed generally favorable to the request.

Mayor Connors expressed the City's support of the Lagoon Corporation and suggested he meet with Mr. Freed and discuss the issues involved.

Farmington Newsletter

Contents of the upcoming Farmington *Newsletter* were discussed.

Car Accident During Festival Days

Mr. Forbush reported that a City employee had been asked to transport supplies from the swimming pool to Woodland Park when the driver hit a rock and damaged her parents' car she was driving. The owners of the car had contacted the City Manager and demanded the City pay for the cost of repairing the vehicle. In discussion of the issue, Mr. Forbush was asked to review the incident with the City attorney. The Council was willing, if directed to do so by the attorney, to pay for the \$500 deductible. However, the City Manager expressed concern about setting precedence.

Sound Wall Maintenance

Mayor Connors asked that City Public Works Department look into maintenance of the west side of the sound wall in south Farmington. Weeds are destroying the aesthetic look of the wall.

Farmington Festival Days Letters

The Mayor requested that Staff prepare letters of appreciation for volunteers working on Festival Days as a way to express the City's gratitude. It was commented that the Oakridge area of the City is usually not well informed of City events through the use of signs, etc. The Mayor also acknowledged significant cash contributions by commercial entities towards events during Festival Days.

ADJOURNMENT

Larry Haugen *MOVED* that the meeting adjourn at 9:40 P.M.

Margy Lomax, City Recorder