

FARMINGTON CITY COUNCIL MEETING

Tuesday, September 4, 2007

Farmington City Hall

CITY COUNCIL WORK SESSION/EAST CONFERENCE ROOM

PRESENT: Mayor Scott C. Harbertson, Council Members Richard Dutson, David Hale, Larry W. Haugen, Paula A. Alder, Sidney C. Young, City Manager Max Forbush, Assistant City Planner Jared Hall, City Recorder Margy Lomax, and Recording Secretary Kami Mahan.

Mayor Harbertson began the work session at 6:00 p.m. The following items were reviewed:

Agenda Item #4: Public Hearing: Consideration of Resolution authorizing and approving Farmington City to enter into the First Amended and Restated Interlocal Cooperative Agreement of the Utah Telecommunications Open Infra-structure Agency (UTOPIA) to become a non-pledging member of UTOPIA and providing for other related findings and actions.

Jared Hall informed the Council that the City Attorney reviewed the proposed UTOPIA Interlocal Agreement and did not find any legal problems. **Mayor Harbertson** stated his concern about lack of financial benefits. There was a discussion about possible benefits. There is an option of letting UTOPIA come into the City under a franchise agreement rather than the City joining as a non-pledging member. This may especially be a benefit to the west side of the City.

Agenda Item #6: Request for Final Plat Approval and Final Master Plan Approval on Palmer Estates PUD

Councilman Haugen expressed concern about access to the property, which was discussed. Subdivision drainage was reviewed.

Agenda Item #7: Request for Final Plat Approval on Hidden Meadows Subdivision Phases 3 & 4 - Shadowridge Development - Chris Martineau

Max Forbush pointed out that citizens had complained that the developer has not been keeping the commitment to use the unimproved road in the development for construction access as was provided in the development agreement. **Councilwoman Alder** called attention to the possibility that one street name, Hidden Quail Cove Street, may be incorrect, and is actually Bennett Circle. She also said that the names of some homeowners shown on the plat could be incorrect. **Max Forbush** stated that these will be checked out.

Agenda Item #8: Consideration of Request for boundary line adjustment for lots 20 & 21 and parcel 07-027-040 in Sunset Hills #2 Subdivision - Jim Kennard

More information may be needed. It was pointed out that the slope on the property is very steep.

Agenda Item #9: Appeal request on development requirements on Tuscany Village Subdivision - Brock Johnson

Mayor Harbertson explained that the developers claim that the water line required along the I-15 Frontage Road by the City is larger than is needed by the development. **Max Forbush** said that the larger line, a ten inch line is a benefit to the entire water system. Staff recommends that the cost of the upsizing of main lines is usually paid by the City. The cost to the city is estimated to be five to six thousand dollars. The developer is also required to install culinary water piping along the Willow Creek Subdivision (frontage road side). He is appealing the requirement, but is willing to pay half the cost if the City will cover the balance. This was suggested by the City Manager.

The Developer is also not pleased with the requirement to plant street trees. **The Mayor** pointed out this is a conservation subdivision. Preserving existing trees, the type and placement of trees, and putting new trees in the park strips of developments were discussed. He believes the requirement should stand.

Agenda Item 11: Review of optional Handicap Accessible ramp designs

Mayor Harbertson said there are three ADA (Americans with Disabilities) approved designs. Options 1 and 2 are very expensive, which means fewer ramps could be constructed with the CDBG grant funds awarded to the City. The different options were discussed.

Agenda Item #13: Report on Well #2 Rehabilitation - Paul Hirst

Mayor Harbertson said CRS will be at the meeting to discuss the options.

Agenda Item #14: Preliminary Report on Pedestrian Safety Assessments for the Shepard Lane Bridge

Mayor Harbertson said CRS will be at the meeting to discuss the item.

Agenda Item #15: Invitation by Police Department for "Departmental Shoot" Activity at the Davis County Gun Range.

Mayor Harbertson said the shooting range is reserved for September 13th. This may not be a favorable time for the Governing Body because of the Utah League of Cities & Towns convention. All of the options will be considered. All of the Council Members may not be able to attend.

Agenda Item #18: Miscellaneous

Mayor Harbertson said that **Max Forbush** will have some miscellaneous items in the meeting. There will also be a closed session.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor Scott C. Harbertson, Council Members Richard Dutson, David Hale, Larry W. Haugen, Paula A. Alder, Sidney C. Young, City Manager Max Forbush, Planning Commission Representative Jared Hall, City Recorder Margy Lomax, and Recording Secretary Kami Mahan.

Mayor Harbertson called the meeting to order at 7:05 p.m. The invocation was offered by David Hale. The Pledge of Allegiance was led by **Margy Lomax**.

Mayor Harbertson welcomed Allison Christensen and Tia Wesche, members of the youth city council, and expressed appreciation for all they do.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Councilman Dutson moved to approve the minutes of the August 21, 2007, City Council Meeting, with changes as noted. **Council Member Alder** seconded the motion. The voting was unanimous in the affirmative.

Councilman Young moved to approve the minutes of the August 28, 2007, Special City Council Meeting, with changes as noted. **Councilwoman Alder** seconded the motion. The voting was unanimous in the affirmative, except for **Councilman Haugen**, who abstained because he was not present at that meeting.

REPORT OF COMMITTEES / MUNICIPAL OFFICERS

Jared Hall reported proceedings of the Planning Commission meeting held August 23, 2007. He covered the following items:

- The Planning Commission recommended plat approval for Shadow Ridge Development's Hidden Meadows Subdivision Phases 3 and 4.
- The Planning commission recommended final plat approval and Master Plan Approval for DAI's Palmer Estates PUD Subdivision. Several conditions need to be met.
- Several zone applications were considered, only one of which was on the agenda:
(a) America West Developers' application for rezoning of property in west Farmington to TOD (Transit Oriented Development) was considered. The Planning Commission recommended denial to the City Council.

- (b) There was a zone change application from A-F to LR-F on properties located at 82 West and 100 West on 600 North. The Planning Commission voted to recommend approval to the City Council. This will not be heard until October.
- (c) There was a zone change application from BP to LR on 16 acres at 150 South 200 West. The Planning Commission voted to recommend approval to the City Council.
- (d) There was a site plan application from a Challenger School on Shepherd Parkway, which had previously been granted a Conditional Use Permit. Some issues remain to be examined, including a traffic study. The Planning Commission voted to delegate site plan approval to City Staff.
- (e) There was a zone text change to eliminate the allowance for two family dwellings as a Conditional Use in the LR zones. The Planning Commission voted to recommend denial to the City Council.

Public Hearing: Consideration of Resolution authorizing and approving Farmington City to enter into the First Amended and Restated Interlocal Cooperative Agreement of the Utah Telecommunications Open Infra-structure Agency (UTOPIA) to become a non-pledging member of UTOPIA and providing for other related findings and actions.

Mayor Harbertson explained that the City had previously decided not to become a pledging member of UTOPIA because of the extensive revenue bond issuance requirements which would impose a high financial obligation to citizens. Due to some citizen requests for the City to look at UTOPIA, the City has considered becoming a non-pledging member. Financial Director Keith Johnson and Roger Black, CEO of UTOPIA, have done further investigation on the issue. In a previous City Council work session it was decided to place the item on a regular agenda as a public hearing and to invite public comment.

Public Hearing Opened

Mayor Harbertson opened the meeting to a public hearing at 7:21 p.m. and invited public comment; the following was provided:

Ryan Draayer (1386 Longhorn Drive) spoke against joining UTOPIA. He pointed out that Farmington is already served by several carriers of television, high speed internet, and telephone service. He said non-pledging status still seems to be a complicit partner in competing with a private industry, and does not think it is appropriate. He believes Farmington should focus on providing services for the citizens, and that the Internet is not a core business for the city. He said if something goes wrong the City will be left holding the bag with legal and financial liabilities. He would like

the request to be tabled for legal review. He would like to hear from UTOPIA about their successes.

Dave White (1560 North Pinehurst Lane). He said he works for Qwest in managing network operations. He said competing with private industry is not a good idea and that taxpayers dollars should not be pledged. If it's such a great product, why did UTOPIA come to the city for money? Optical network technology changes on a daily basis.

Mark Howard (681 Eaton Court). He cannot get internet. Comcast knows it has a monopoly in his subdivision, and competition would be good. UTOPIA will provide competition. He knows people in Utah County who say UTOPIA is reasonably economic. Fiber optic and high speed internet infrastructure attract business, and the lack of it in Farmington is a problem. These are utility type services, and it is not uncommon to have governments involved in such things. The competition would be good.

Eric Isom works for Qwest and is not a Farmington resident. He discourages the City from joining UTOPIA as a non-pledging member. Qwest makes high speed available to 84 % of the residents. There is competition available in the City. Rather than looking to compete with private industry, the City should seek to expand services. Government should not compete with private business. He asks if there is no risk to the City to join, why is it so difficult to withdraw from UTOPIA. They have underestimated their costs and their competition. There are significant risks even as a non-pledging member. He encouraged the City to talk with the City's insurance carrier and attorney about liability. Salt Lake City, Taylorsville, and Roy have withdrawn from UTOPIA, and they should be asked why. The Interlocal Agreement could last as long as 50 years. He encouraged the City to check into the risk.

Royce Van Tassel is from the Utah Taxpayers Association, which opposes cities joining UTOPIA. He says that the City should not be both a regulator and competitor in an industry. UTOPIA has a significant operating loss, with a projected loss of \$17 million. UTOPIA is premised on four assumptions: (1) the private sector wouldn't provide broadband access; (2) UTOPIA will provide universal build out; (3) there will be a huge demand for the service; and (4) universal broadband service is financially obtainable. All of these assumptions are false. He urged the City not to become a member of UTOPIA.

Roger Black is a UTOPIA representative who presently lives in Cedar City. He said opposition to UTOPIA is driven by lack of information. The word "broadband" does not have a fixed meaning. Broadband networks cannot grow without fiber. Private companies will not spend the money necessary for infrastructure to meet citizen needs. UTOPIA members believe they cannot put reliance on market forces to meet public demand. UTOPIA will not compete with, but will facilitate, private competition. UTOPIA infrastructure will be available to all. Many of the UTOPIA cities will be built out by the end of the year. Others aren't yet, but will be. UTOPIA will work

financially over time. There is no financial risk as a non-pledging member. Greenfield development will enhance Farmington as a place for economic development.

Robert Welch (1352 North 1670 West). He questions whether we want all streets dug up to have fiber optics installed. Private companies will not provide services if UTOPIA is coming. Farmington has more fiber availability than Centerville or areas around Layton Hills Mall, but not as many businesses. Why? Let other cities try it first and see how it goes. He recommends tabling UTOPIA and looking at other alternatives.

Roland Buchanan (1196 North 1100 West). There is a tower behind Smith's that provides service to anyone within line of sight. Digital television is coming. He suggests waiting until the FCC auctions off frequencies to see who will be providing high speed wireless services.

Robb Walter (2011 Stampede Dr.). He doesn't agree that UTOPIA would compete with private business. Comcast has no plans to come into their subdivision. He doesn't agree there is access to all of Farmington. Qwest does not have plans to upgrade. He is concerned that future increased demand cannot be met. Broadband is becoming the utility to use. Wireless service is not as reliable as Qwest or Comcast. As a citizen he sees UTOPIA as the only thing that will meet needs in the future. He is in favor of UTOPIA.

Public Hearing Closed

With no further comments from the public, **Mayor Harbertson** closed the public hearing at 8:10 p.m. and asked the City Council for their consideration.

Mayor Harbertson said he met with Eric Isom to discuss becoming a non-pledging member. Earlier the City was hesitant to become a pledging member because it does not want to impose a heavy financial obligation for citizens. As a non-pledging member, UTOPIA can come into the City on a selective basis (those willing to pay for the service) and there will not be complete build out.

Telecommunication services up until now have not been as good as they should be. Only now that the UTOPIA issue has come up, Qwest is talking about better coverage. Farmington is not obligating its citizens, but rather allowing them another alternative. This will increase needed competition, especially in west Farmington.

Attorneys have examined the Interlocal agreement and have not seen anything potentially harmful. Mayor Harbertson questioned Roger Black about whether UTOPIA has had projects planned or underway in the other Utah non-pledging member cities.

Roger Black said three of those cities withdrew. UTOPIA is negotiating with a developer to do work in Cedar City, which is a non-pledging member.

The Mayor said UTOPIA would have the option to negotiate with any developer in Farmington. As a non-pledging member, the only way universal build out in Farmington would occur is if UTOPIA chose to do so, which would be in the distant future.

Councilman Young declared that he works for a non-telecommunications public utility company, but did not think he needs to recuse himself. He expressed concern about the financial ramifications of joining, based on his observation of other cities when they undertake running a utility. Maintenance costs are not mentioned in the Interlocal Agreement, and it is not clear who would pay for these. Costs could be formidable, but the biggest issue is potential liability. UTOPIA would best be structured on a franchise basis as are other utilities.

Councilman Dutson asked why the other three non-pledging cities withdrew from UTOPIA. **Roger Black** stated that the three cities who withdrew were promised that in case of withdrawal, the incumbent providers said they would get DSL service to 90 % of their residents. South Jordan and Riverton did not have the bonding capacity. In Taylorsville and Roy there was an abundance of caution.

Royce Van Tassell stated that in Salt Lake, Roy, and Taylorsville, the commitments by Qwest about getting service to 90% of residents were kept. He encouraged the City to contact the other cities to see what their concerns were. He suggested looking at entering into a franchise agreement with UTOPIA rather than having a commitment as a non-pledging member.

Councilman Hale asked for clarification on whether UTOPIA would operate under a franchise with the City. **Roger Black** responded that UTOPIA provides services to its members, and has not sought franchises in non-member cities. UTOPIA meets the same standards as franchisees.

Councilman Dutson asked about maintenance responsibilities under the Interlocal Agreement. **Roger Black** said that although it is not explicitly stated in the Interlocal Agreement, UTOPIA maintains the system and has a high degree of reliability.

Councilman Hale said that just having UTOPIA on the agenda has brought in competition. It has brought attention to the subject of service availability for high speed DSL. He expressed concern that, as a non-pledging member, there are not enough advantages to being a member of the Board but not having a vote. The franchise approach is appealing, and the legal and financial advisors have given their blessing, but he still has questions about the Interlocal Agreement.

Councilman Haugen expressed concerns about the liabilities of joining. He does not see the difference between Qwest and UTOPIA. He likes the franchise idea because it takes the City out of any liability.

Max Forbush pointed out that UTOPIA would bring service options to the Greenfield areas (new development), which the City has been trying to do. He said the City doesn't have the technical expertise to install such a system on its own. He reiterated that the City's legal counsel did not see liability exposure to joining. He said it is an advantage for someone other than the City to go into subdivisions and develop and maintain a fiber system. He does not want to burden taxpayers with large bonding, and he believes the option of UTOPIA would be beneficial to the citizens. He mentioned that a few years back the City Council formed a fiber optic committee to evaluate UTOPIA. Although the committee opposed the City joining as a pledging member. The committee thought the City ought to evaluate installing its own fiber conduit.

Councilman Dutson said he agrees with Max Forbush, but would advise contacting the three cities that withdrew from UTOPIA to ask why.

Councilwoman Alder stated that the option of UTOPIA would offer a good opportunity for the City.

Councilman Hale agreed that it would be wise to contact the three withdrawing cities.

Motion

Councilman Dutson moved that the City Council table the UTOPIA issue pending a review by Staff with non-pledging members who have pulled out of UTOPIA, as well as cities who have stayed in. **Councilman Hale** seconded the motion, which passed by a unanimous vote.

Councilman Young, later in the meeting, pointed out that there is nothing in the proposed UTOPIA Interlocal Agreement about requiring permits, but they would recommend construction standards to the member.

Public Hearing: Consideration of Request to rezone property at approximately 150 South 200 West (16 acres) from BP (Business Park) to LR (Large Residential) involving parcel numbers 08-087-0103; 08-087-0081; 08-087-0086; and a small area in the northwest corner of 08-087-0123 (Z-6-07). (Agenda Item #5)

Jared Hall used an overhead display, and pointed out which properties are being considered for rezoning. He stated that this is a 16 acre parcel owned by the school district near Farmington

Junior High. The property is proposed for rezoning because it is already contiguous to LR properties and is more appropriate for school properties. Rezoning to LR will allow for buffering in terms of sign restrictions, etc. Although it is not expected to change hands, rezoning would provide extra buffering. This item comes with a positive recommendation from the Planning Commission.

Public Hearing Opened

Mayor Harbertson opened the meeting to a public hearing at 8:39 p.m. No one appeared to speak on the subject.

Public Hearing Closed

With no forthcoming comments, **Mayor Harbertson** closed the public hearing at 8:40 p.m. and asked the City Council for their consideration.

In response to a question by **Councilwoman Alder, Jared Hall** stated that the request for the rezone was initiated by the City.

Motion

Councilwoman Alder moved that the City Council adopt the Ordinance Amending the Zoning Map to change the zone from BP to LR. **Councilman Dutson** seconded the motion.

Councilman Haugen commented on his concern about the support and maintenance of historic homes in the older part of the City.

The Council voted unanimously to adopt the Ordinance.

Request for Final Plat Approval and Final Master Plan Approval on Palmer Estates PUD (Agenda Item #6)

Jared Hall explained that the Palmer Estates PUD Subdivision is ready for final master plan approval and final plat approval. It will be built in one phase. The Planning Commission recommends approval of both. The development has had some open space challenges. A little over 10 % of the area is in open space. There is an easement for debris flow out to the south in the future. The developer must work with the Historic Preservation Commission about the historic home. The planned trail will not have to be relocated.

Randy Klien of the Farmington Trails Committee said that the County still owns Parcel A, and asked how the developer can dedicate it when they don't own it. He wants to make sure that the property doesn't go to Lagoon.

Nate Shipp, the developer of Palmer Estates, explained that he has a contract with the County to purchase the property of Parcel A. After it is acquired it will be deeded to the City. He explained that the developer is committing to the City's storm water pipe where it comes into their property from the Rudd Creek drainage area and routing the piping through the proposed public streets. It exits the subdivision at its current location. The point of entry and exit are not being changed.

There was a discussion about the historic home on Lot 2, which has had several additions. The original part of the home will be preserved. Also, the City is responsible for preparing a letter agreement between the City and Lagoon pertaining to the Rudd Creek drainage pipe running through the development and a portion of Lagoons property. Max Forbush is to work with the City attorney in preparing the letter agreement. Condition B concerning a flag lot stem has already been met.

Motion

Councilman Hale made a motion to give final plat approval and final master plan approval to the Palmer Estates PUD Subdivision, subject to the conditions as set forth in the recommendation from the Planning Commission on August 23, 2007 (attached hereto as an exhibit) except for condition 3.a. which should not apply because Lagoon has verbally agreed to allow the existing Rudd Creek drainage pipe across their property to remain. Mayor Harbertson has met with David Freed, and Lagoon wants a letter agreement that the City and Lagoon will continue to look for an opportunity to relocate the pipe if it is a possibility. **Councilman Dutson** seconded the motion.

Mayor Harbertson raised the issue of keeping mature trees in the development, and what new trees will be planted. **Nate Shipp** said that, after consultation with an arborist, the road has been aligned to preserve as many mature trees as possible, and the CC&Rs will stipulate that homes be placed so that the largest trees will stay. Some trees will have to come down, but the majority of the larger trees will stay.

Councilman Haugen asked about back yard access for one neighboring property owner, Brad Stevens because access from the front would be difficult because of the steep grade. Access was discussed, and **Nate Shipp** said he would speak with Mr. Stevens about the rear yard access.

The Council voted unanimously to approve the motion.

 Brad Palmer, current owner of the property made the comment that most lot owners access their back yards through the front of the lot.

Request for Final Plat Approval on Hidden Meadows Subdivision Phases 3 & 4 - Shadowridge Development - Chris Martineau (Agenda Item #7)

Jared Hall explained that a few minor changes need to be made. The Planning Commission voted to recommend approval.

Councilwoman Alder pointed out that on the map one road is labeled wrong. Hidden Quail Cove on the map is actually Bennett Circle. **Jared Hall** said it will be corrected.

Motion

Councilman Dutson made a motion to give final plat approval to Hidden Meadows Subdivision Phases 3 & 4. **Councilwoman Alder** seconded the motion.

There was discussion about construction trucks staying on the designated access road as provided for in the development agreement. **Chris Martineau** has notified the contractors and subcontractors to do this, but they are not fully within his control. Buyers purchase lots and hire their own contractors. Also, this road will not be possible to use at times during development of the subdivision hence, there will be traffic through the neighborhoods occasionally. They will do the best they can, but the access road will be closed when utilities in the road are installed and when the road is paved.

The Council voted unanimously to approve the motion.

Consideration of Request for boundary line adjustment for lots 20 & 21 and parcel 07-027-040 in Sunset Hills #2 Subdivision - Jim Kennard (Agenda Item #8)

_____ **David Petersen** explained that the property owner wants to remove one lot by combining lots 19 and 20, and changing the boundary of lot 21. The Utah Code requires that the adjustment be reviewed to make sure there are no zoning violations. There are none. ____

_____ There was a discussion of the involvement of property outside the subdivision being incorporated into the new lot configurations.

Motion

Councilman Young made a motion to approve the boundary line adjustment. **Larry Haugen** seconded the motion. The motion passed unanimously.

Appeal request on development requirements on Tuscany Village Subdivision - Brock Johnson (Agenda Item #9)

Mayor Harbertson explained that Brock Johnson sent a letter to the City stating that there

were three requirements imposed for subdivision approval which he felt were unfair. The staff has reviewed these and agrees with two of the items. On a looping water line that has been required, staff recommends that the City split the \$10,000 - \$12,000 cost with the developer, possibly by a credit to impact fees for covering the cost of installing a 10" water line along the frontage of a neighboring subdivision being developed (Willow Creek). On the required upsizing of the water line from the eight inch standard to a ten inch line along other frontages, staff recommends that the City pay the increased cost of materials for the upsized line. The third condition raised by the developer is the requirement to plant trees in the subdivision. Since this is a conservation subdivision, staff recommends keeping this requirement.

Motion

Councilman Hale made a motion to follow staff's recommendations. **Councilman Dutson** seconded the motion. The motion was unanimously approved.

Minute motion approving Summary Action List

The only item is the ratification of the approval of a construction bond agreement previously signed by the Mayor.

Motion

Councilman Young made a motion to approve the list. **Councilwoman Alder** seconded the motion. The motion was unanimously approved.

CONSIDERATION OF ORDINANCES/RESOLUTIONS/AGREEMENTS/POLICY DEVELOPMENT PROPOSALS

Review of optional handicap accessible ramp designs (Agenda Item #11)

_____The City has previously received CDBG funds for installing accessible ramps City-wide.

_____ **Mayor Harbertson** explained that there are three options. The newest option is the most expensive. The City has been using Option 3 as it's current standard. All are ADA approved. Option 3 is least expensive, so if this option is used more work can be done or more accessible ramps can be constructed with the grant money the City has received.

Motion

Councilman Hale made a motion to stay with Option 3. **Councilman Dutson** seconded the

motion. The motion was unanimously approved.

Appointment of Additional Election Judges (Agenda Item #12)

Mayor Harbertson reported that City Recorder Margy Lomax has recruited six more election judges. Their names are as follows: Kathryn Chipman, Benjamin Chipman, Viola Kinney, Julia Haugen, Mark Ross and Jim Short.

Motion

Councilman Young made a motion to approve appointment of the six judges. **Councilwoman Alder** seconded the motion. The motion was unanimously approved.

Report on Well #2 Rehabilitation - Paul Hirst

Bob Ramsey gave a brief history of identifying problems and solutions for this well. This well is heavily encrusted with an iron bacteria. The well was treated with various chemical treatments, and was shock chlorinated. When the work was finished, the well's water yield dropped to 500-700 gallons a minute. When tested after treatment, the report said there was very light bacteria. When retested a week and a half later, it showed extensive bacteria growth. More extensive testing is needed. Mr. Ramsey reported that the iron bacteria did not constitute a hazard for consumers. It just affects production of water.

Bacteria is still moderate to high. There are three options of how to proceed: (1) abandon the well; (2) re-treat the water to kill the bacteria; or (3) install new pumping equipment, let it pump until the water is clean and then release water into the system. This well is a critical part of the City's water system, and staff recommends re-treating the well. The cost of replacing the well would be 20 to 30 times more than the cost of re-treating it. It is estimated to cost \$75,000 to \$100,000 to retreat. An expert has determined that the well is a good candidate for re-treatment. There is no guarantee retreatment will fix the iron bacteria problem.

Councilman Dutson asked if the expert could have a self-interest in giving this recommendation. **Councilman Hale** suggested talking to Weber Water about the issue. **Councilman Young** asked about the chance of success in re-treating, and **Bob Ramsey** replied that this is a virulent, fast-growing form of bacteria and success cannot be guaranteed. It will cost \$1.5 to 2 million for a new well, and take two years to complete. In response to questioning, **Bob Ramsey** also explained that laboratory testing was for a tiny amount of water, and the Farmington well involves a much larger amount of water. The re-treatment would be much more vigorous than the previous effort. The high level of bacteria reduces the chance of success. Also, hazardous waste could be an issue, and there may need to be re-approval from the State.

Max Forbush emphasized that the iron bacteria is not a health problem but rather a production problem. Due to the large cost involved, alternatives should be examined and financial assessments need to be made. **Paul Hirst** explained that stopping the well flow enhances bacteria growth. This situation happened as a result of the pump going off and on and the motor burning out, causing it to shut down. The mechanical issues need to be solved as well as the bacteria problem. The council asked for a more defined proposal by the engineers. City staff is to evaluate financial impact to the budget.

Preliminary Report on Shepard Lane Bridge

Matt Hirst reported on the Shepard Lane Bridge across the I-15 freeway. He distributed a hand out which showed the details of the bridge and the problems. **Councilman Dutson** raised the issue of whether the bridge was built too small in the first place.

There was a discussion about the alternatives as shown in the handout. Four alternatives were presented with estimated costs. They were: (1) No build (2) Restripe lanes to create a safety barrier on one side (approximately \$500,000). (3) Build canda levered walking on one side of existing structure (approximately \$2 million). (4) Construct new stand alone pedestrian bridge (approximately \$5 million). Alternative 2 would be time consuming and difficult. Alternate 3 is expensive. The time line of when something must be done was discussed, and the City has at least until the year 2020.

Max Forbush stated that Alternatives 2, 3 and 4 could not be afforded. He suggested putting a tall fence up to improve the safety, re-striping the bridge structure, and reducing the travel lane from twelve to eleven feet. Signs should be added for pedestrians and vehicles, such as ‘narrow bridge.’”

A general discussion was held. **Mayor Harbertson** raised the issue of pedestrian safety in crossing the bridge. **Matt Hirst** talked about worst case scenarios, especially in snow conditions. **Councilman Young** asked about getting grants to help pay the cost of improvements, and **Matt Hirst** said Kaysville received \$18 million. He suggested working with our Congressman. **Councilman Dutson** suggested getting legal counsel, and passing a petition with a letter to Cory Pope. He is concerned about past fatalities. **Max Forbush** said the City cannot realistically afford options 2, 3, or 4. **Matt Hirst** said it may be that the State will find the bridge is their responsibility and it will take care of it. **Councilman Dutson** suggested sending a letter to schools and local churches because children will use it regardless of whether signs are posted.

Invitation by Police Department for “Departmental Shoot” Activity (Agenda Item #15)

The date for having a Police Departmental shoot in conjunction with the City Council

members was discussed. It was tentatively decided to do this on Thursday, September 20th. **Max Forbush** will try to reschedule the conflicting trails meeting for another week.

MAYOR HARBERTSON'S REPORT (Agenda Item #16)

Mayor Harbertson reported on his water rights meeting with Weber Basin Water Conservancy District. Construction of the Fire Break Road was also discussed along with the potential of using the Weber Basin aqueduct system for a water supply to fight nearing fire events.

The Mayor also reported on Station Park, which is being developed by CenterCal Properties. The road to the Station and UDOT approval was discussed. **Matt Hirst** reported on recent developments. CenterCal is planning on a high end development of some 70 stores, restaurants and a 16 screen theater. The developers would like an architectural theme to be suggested by the City.

Mayor Harbertson also reported on a meeting with Trophy Homes and the Blomquist family. The Blomquist's were receptive to donating property for a portion of the road that will lead to the City park west of 650 West, when they saw the benefit to their property value. There will be 12 foot park strips for trees.

He also reported that a donor had come forward to pay for the new football scoreboard.

Council Member Alder Report

Paula Alder reported that Youth City Council is going to start a Senior Night at the Community Center once a month. Names of people from the Oakridge area are needed for the human interest section in the Farmington newsletter.

Council Member Dutson Report

Rick Dutson said that in campaigning door to door, he has found that people are frustrated about property taxes. Many people think it is the City's fault.

Councilman Young Report

Sid Young reported on a meeting of the South Davis Transportation Team. There is still a primary route along 200 East for BRT or light rail, and he suggested it be downgraded to a secondary route.

Minute Motion adjourning to closed session to discuss professional competency of an individual and strategy as it relates to pending litigation.

_____ At 10:40 p.m. it was moved by **Paula Alder** and seconded by **Larry Haugen** to adjourn to closed session. The Motion was unanimously approved.

_____ A motion by made by **Rick Dutson** to reconvene into an open meeting. The motion was seconded by **David Hale** and was passed with a unanimous vote. The Council was reconvened in an open meeting at 11:25 p.m.

Parks & Recreation Full-time Receptionist Position

Sid Young moved to authorize changing the part-time receptionist position in the Parks & Recreation Department to a full-time position based upon the proposal given by Mayor Harbertson and the City Manager. The motion was seconded by **Paula Alder**. The motion passed with all Council Members voting in the affirmative.

ADJOURNMENT

The meeting adjourned at 11:35 p.m. upon motion by **David Hale** and with a second by **Rick Dutson**.

Margy Lomax, City Recorder
Farmington City