

# FARMINGTON CITY COUNCIL MEETING

Tuesday, September 5, 2006

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## CITY COUNCIL WORK SESSION/EAST CONFERENCE ROOM

**PRESENT:** Mayor Scott C. Harbertson, Council Members Rick Dutson, Sid Young, David Hale, Larry Haugen and Paula Alder, Paul Hirst and Matt Hirst of CRS Engineers, City Planner David Petersen and City Manager Max Forbush.

**Mayor Harbertson** began discussion at 5:30 P.M. The following items were reviewed: agenda items 3, 4, and 5 of the September 5<sup>th</sup> City Council meeting. It was announced that Keith Johnson, Finance Director, would not be present at the meeting. His award for Achievement for Excellence in Financial Reporting will be presented at the September 19<sup>th</sup> City Council Meeting.

Mayor Harbertson announced that special recognition would be given tonight for Sergeant Parish Snyder and Officer Bryant Ives of the Farmington City Police Department. These awards will be presented by Chief Hansen. An award will also be presented to the Joy Minears who helped rescue Jaxson Miera out of Farmington Creek earlier this year.

Jim Talbot should be present to give the Planning Commission report tonight.

Agenda Item #6 - Public Hearing - is scheduled to consider an ordinance amending the City's Zoning Map by rezoning the property approximately 5.5 acres of property near 200 North, 300 North and east of 200 East from OTR-F to LR-F. Mayor Harbertson announced that this rezone consideration is a culmination of a lot of work with staff, himself and the neighborhood to resolve an error when the original OTR area was rezoned. This neighborhood was rezoned inadvertently without them knowing it. The rezone corrects the error.

At this point in time Matt Hirst and Paul Hirst explained some challenges and problems the City was having in constructing the proposed roundabout at 1075 West and Shepard Lane. After the last City Council Meeting, Matt Hirst met with UDOT to review the design plans with them. After reviewing the plans, they were not in favor of the roundabout and suggested that the City install a signal with the grant money instead of a roundabout. During this work session, Matt Hirst reviewed a number of alternatives. It was decided that CRS would continue to work in trying to obtain a signal warrant study from UDOT and that Horrocks Engineers would try to do a fatal-flaw analysis on a mini roundabout which is presently being planned. There are constraints at the project which prohibit a standard-size roundabout without spending a lot of money and buying additional right-of-way.

Following the discussion with CRS Engineers, the City Council adjourned to the kitchen to eat a meal prior to the City Council meeting. During this meal, Mayor Harbertson reviewed a number of other items including the request by the Oakridge Legacy "Fieldstone" HOA asking for landscaping, part of the UDOT right-of-way, adjacent to Heritage Park. The City is willing to do part of it. It was suggested by the City Manager that a letter be written to UDOT to spruce up and

to beautify and improve some of the open space in and around Cherry Hill interchange. Max Forbush is to write letters to UDOT. This item will be discussed in more detail during the regular City Council session.

The Mayor also announced that the organization pushing the Legacy Parkway Corridor Management Plan had asked the City for an additional \$500 to fund this plan – from \$1,500 to \$2,000. This money would come from the Council Contingency Account.

Mayor Harbertson also reviewed the voting delegate requirements. He and Sid Young are going to be attending the League of Cities & Towns Convention. The City has a total of five votes which can be cast for different resolutions. It was suggested that the Mayor have delegated to him three votes and Council Member Young will be able to cast the other two votes.

Some discussion regarding The Steed Place Subdivision took place. The developers are requesting an extension of some deadlines for development for an additional six months.

The Mayor also reviewed the suggestion made jointly by staff of Centerville and Farmington to begin master planning improvements to Lund Lane. The first phase of that would include a survey of the land area of Lund Lane by Farmington's engineer, CRS Engineers. Subsequent to completion of that task, Centerville would do a preliminary design to the road. Max Forbush reported that there are a number of developers adjoining Lund Lane who will be coming in for final approvals. It is important that direction be given to them on development requirements. Hence, the study, as mentioned above, is important for the City to be prepared in guiding developers towards their responsibilities.

The Mayor also reviewed with the City Council a letter sent by Gary Payne of the Davis County School District asking for the City's help in sweeping school parking lots. The City Manager is suggesting that the School District hire their own contractor to do this work. If they sweep their own parking lots, they would be eligible for a credit on the storm water utility fees.

The Mayor also shared a memo with the Council written by the Public Works Department asking for an additional \$20,000 of Class "C" road funds to permit them to place cracking sealing during the spring months. This money would be available because of additional revenues in the Class "C" road fund.

Discussion was also held concerning the National Citizen Survey language and the need to find time to interview the Assistant Emergency Preparedness Coordinators. The work session adjourned about 7:00 p.m.

## **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, City Planner David Petersen, City Recorder Margy Lomax, and Recording Secretary Jill Hedberg.

**Mayor Harbertson** called the meeting to order at 7:05 P.M. Max Forbush, City Manager offered the invocation. The Pledge of Allegiance was led by Council Member Hale.

**APPROVAL OF MINUTES OF PREVIOUS MEETING**

**David Hale** moved to approve the minutes of the August 15, 2006, City Council Meeting with corrections as noted. **Paula Alder** seconded the motion. The voting was unanimous in the affirmative.

**RECOGNITION OF KEITH JOHNSON, FINANCE DIRECTOR, FOR ACHIEVING “CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING”**

Keith Johnson was not able to attend the meeting so the presentation was postponed until the September 19<sup>th</sup> City Council meeting.

**POLICE DEPARTMENT RECOGNITION - CHIEF WAYNE HANSEN (Agenda Item #4)**

Chief Wayne Hansen was present to recognize the lifesaving efforts of two of his Police Officers, Parish Snyder and Bryant Ives, and also two citizens, Joy Minears and her son, Jared. Jaxson Miera, a two-year old boy, had fallen into Farmington Creek near the Lagoon Campground Trail on April 27, 2006. The Minears were walking on the Lagoon Trail for the first time when they saw the boy in the creek and pulled him from the water and began first-aid until the officers arrived. They were awarded letters of “Outstanding Citizen Recognition”. Officers Snyder and Ives were awarded lifesaving medals and letters of commendation. Chief Hansen expressed his pride in not only Officers Snyder and Ives, but in all of the Police Department’s officers.

**REPORT OF PLANNING COMMISSION (Agenda Item #5)**

**Jim Talbot** reported proceedings of the Planning Commission meeting held August 24, 2006. He covered the following items:

- The Planning Commission tabled consideration of a request to rezone approximately 9.8 acres located at 48 West 600 North from OTR-F, LR-F, and A-F to R-2-F for purposes of developing a planned unit development consisting of 60 attached owner occupied dwellings (or 30 twin-homes).

The City Council discussed the issues relating to traffic, housing types, and density.

- The Planning Commission did not consider the Nixon & Nixon, Inc. request regarding conditional use and site plan approval for a Class A Self Storage facility located at 549 West Bourne Circle since the applicant was not yet prepared.

**Jim Talbot** requested the Council’s input as to what type of use would be appropriate for the property.

- The Planning Commission approved Nate Shipp/DAI’s request for a recommendation to amend the Original Townsite Residential (OTR) and Buffer (B) Zones (Chapter 17 and 20) of the Zoning Ordinance to allow for single family planned unit developments (PUD’s). The Planning Commission tabled consideration of the schematic plan consisting of 17 lots located at approximately 100 West 600 North.

The City Council discussed issues relating to the proposal, such as the property being located in a flood-way zone, as well as the plans for the historic homes that are located on the property.

- The Planning Commission approved Farmington City’s request to recommend to repeal Chapter 22 of the Zoning Ordinance titled “Special Use (S)” and recodify and enact the “B” portion of Chapter 20 as the new Chapter 22 of the Ordinance.

**PUBLIC HEARING: CONSIDERATION OF ORDINANCE TO AMEND THE FARMINGTON CITY ZONING MAP BY RE-ZONING APPROXIMATELY 5.5 ACRES OF PROPERTY EAST OF 200 EAST STREET IN THE GENERAL VICINITY OF 200 NORTH AND 300 NORTH FROM OTR-F TO LR-F (Agenda Item #6)**

**David Petersen** displayed an aerial photo and pointed out where the property is located. He said the Planning Commission recommends that the City Council rezone the property from OTR-F to LR-F. The Planning Commission gave the following findings:

- *The properties are located in a foothill area and the larger lots (20,000 square feet vs. 10,000 square feet) and/or conservation subdivision restrictions of the LR zone are more consistent with this area. This will enable the City to preserve open space in the foothill area of our City for such purposes as enhanced aesthetic values, recreation purposes, etc.*
- *Individual property owners within the affected area have reviewed standards in both zone districts and prefer the land uses and other requirements set forth in the LR zone as opposed to the OTR zone.*
- *The rezone is still consistent with the goals, policies, and governing principles of the Comprehensive Plan for Farmington City.*

**Public Hearing**

**Mayor Harbertson** opened the meeting to a public hearing and invited the applicant to address the Council.

**Mark McSwain** (245 East 200 North) explained that their neighborhood was inadvertently included in the OTR zone. Eight property owners in the area submitted a petition to the City requesting that the City Council remove their properties from the OTR-F zone and reinstate their residences to the LR-F zone.

**Public Hearing Closed**

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

**Motion**

**Rick Dutson** moved that the City Council amend the Farmington City Zoning Map by rezoning approximately 5.5 acres of property east of 200 East Street in the general vicinity of 200 north and 300 North from OTR-F to LR-F. **Sid Young** seconded the motion, which passed by unanimous vote.

**CONSIDERATION OF OAKRIDGE-LEGACY (FIELDSTONE) HOA LETTER OF REQUEST TO EXTEND HERITAGE PARK LANDSCAPING ACROSS REMNANT UDOT PARCEL AND REQUEST FOR CITY TO LOBBY UDOT FOR SLOPE IMPROVEMENTS ADJACENT TO 1075 WEST STREET NORTH OF HERITAGE PARK (Agenda Item #7)**

**Mayor Harbertson** referred to a letter that he received from the Oakridge Legacy Homeowners Association requesting that the UDOT property east of Heritage Park be made a continuation of the park so it can be landscaped and maintained by Farmington City. Neil Miller of the Public Works Department indicated that it would not be a problem for the property to be landscaped and maintained by the City.

**Mayor Harbertson** said the Oakridge Legacy Homeowners Association also requested that the City request that UDOT landscape the strips of land on the west side of the frontage road and 1075 West. He suggested that the Council direct City staff to contact UDOT requesting that the area be improved, as was agreed prior to the development of the area.

**Max Forbush** reported that Farmington City and UDOT previously entered into an agreement stating that Cherry Hill interchange property would be landscaped by UDOT and maintained by the City. After a year's time, the northwestern portion of the interchange was torn apart for the Legacy Highway improvements. As a result, the landscaping was damaged. He suggested that the Council request that UDOT reevaluate the area and determine if it could be

zeroscaped, as has been done along the freeway interchanges in Utah County.

**David Hale** requested that UDOT Region One Director also be contacted requesting that the property near the Roybal residence also be improved.

**Motion**

**David Hale** moved that the City Council authorize Public Works to extend turf adjacent to Heritage Park and authorize the City Manager to draft a letter to UDOT extending the request made by the Oakridge Legacy HOA and adding thereto a request for UDOT to re-landscape the areas of the Cherry Hill interchange that was damaged as a result of the U.S. 89 construction. **Sid Young** seconded the motion, which passed by unanimous vote.

**AUTHORIZATION TO ALLOCATE \$2,000 FROM COUNCIL CONTINGENCY FUND FOR LEGACY PARKWAY CORRIDOR MANAGEMENT PLAN (Agenda Item #8)**

**Mayor Harbertson** explained that the Council previously approved the allocation of \$1,500 from the FY 07 Council contingency account to be used to participate in the Legacy Parkway Scenic Byway Corridor Management Plan. It has since been determined that Farmington City's pro rata amount is \$2,000.

**Motion**

**Sid Young** moved that the City Council authorize the allocation of \$2,000 of the FY 07 Council contingency account to be expended on the Legacy Parkway Scenic By-way Corridor Management Plan. **Rick Dutson** seconded the motion, which passed by unanimous vote.

**DESIGNATION OF AUTHORIZED VOTING DELEGATES TO THE UTAH LEAGUE OF CITIES & TOWNS CONVENTION (Agenda Item #9)**

**Mayor Harbertson** explained that as a voting delegate, his vote will represent three members of the Governing Body and **Council Member Young's** vote will represent two members of the Governing Body.

**Motion**

**Rick Dutson** moved that the City Council authorize **Mayor Scott C. Harbertson** to vote representing three members of the Governing Body and authorize **Council Member Sid Young** to vote representing two members of the Governing Body. **Paula Alder** seconded the motion, which passed by unanimous vote.

**REQUEST TO EXTEND DEVELOPMENT APPROVAL DEADLINE ON "THE STEED**

**PLACE” SUBDIVISION FOR AN ADDITIONAL 6 MONTHS - TODD BRADFORD (Agenda Item #10)**

**Mayor Harbertson** explained that Todd Bradford/Utah Land Quest have requested that they be granted an extension of the existing zoning to enable Utah Land Quest to complete the platting on the Steed Place property.

**Motion**

**David Hale** moved that the City Council authorize the extension of “The Steed Place” Subdivision Plat recordation deadline for an additional six months. **Paula Alder** seconded the motion, which passed by unanimous vote.

**AUTHORIZATION FOR SURVEY OF LUND LANE FOR PURPOSES OF CREATING A CONSTRUCTION PLAN FOR THE STREET - PAUL HIRST, CRS ENGINEERS (Agenda Item #11)**

According to packet information, the City Manager, City Engineer and City Public Works Department personnel met with representatives from Centerville City. Currently, Farmington and Centerville share common ownership of Lund Lane. Staff from the two cities are recommending that a plan and profile of the street be drafted and an alignment be set. This is imperative since Farmington has two pending developments abutting this street. It is important that a plan be prepared so that the developers can work towards that plan.

Farmington City staff recommended that its engineer do survey work on the street. Centerville will meanwhile do a preliminary design on it. The preliminary design will include alignment and grade.

**Motion**

**Larry Haugen** moved that the City Council authorize the expenditure of up to \$3,000 for the surveying out of the Class “C” road projects budget for the survey work to be done on Lund Lane. **David Hale** seconded the motion, which passed by unanimous vote.

**REQUEST OF DAVIS SCHOOL DISTRICT TO SWEEP SCHOOL PARKING LOTS (Agenda Item #12)**

The City Council discussed the following issues relating to the School District’s request to have the City sweep their parking lots:

- The City would likely charge as much for hourly service for sweeping services as a regular street sweeping contractor.

- The City is busy with its miles of roads to sweep without taking on additional work.
- The School District, if it sweeps its own parking lots, can actually get a credit on the storm water utility fee for doing so.
- A precedent may be set if the City were to contract out the street sweeper.

The issue died for lack of a motion.

**REQUEST OF CITY PUBLIC WORKS TO BUDGET AN ADDITIONAL \$20,000 FOR STREET MAINTENANCE IN LIGHT OF RECEIPT OF ADDITIONAL CLASS “C” ROAD REVENUES (Agenda Item #13)**

**Mayor Harbertson** said Ray White of the Public Works Department sent a memo to City staff requesting that \$20,000.00 of the surplus in Class C Road funds be used for winter time crack sealing throughout the City.

**Motion**

**Rick Dutson** moved that the City Council authorize \$20,000 to be budgeted for street maintenance in light of receipt of additional Class “C” road revenues. **David Hale** seconded the motion, which passed by unanimous vote.

**MINUTE MOTION APPROVING SUMMARY ACTION LIST (Agenda Item #14)**

**Sid Young** moved that the City Council approve the following summary action items as follows:

- 14-1. Ratify approval of Construction Bond Agreement.
- 14-2. Approval of June’s Disbursement List.
- 14-3. Approval of Public Improvements Extension Agreement with Jared Bryson.
- 14-4. Approval of Change Order #1 with Campbell’s Concrete for Farmington City Accessible Handicap Ramps Project.

**Paula Alder** seconded the motion, which passed by unanimous vote.

**RECOMMENDED POLICY AMENDMENT TO RESIDENTIAL FIRE SPRINKLER ORDINANCE (Agenda Item #15)**

According to packet information, **David Hale** met with representatives from the Fire Department, Building Department and **Paul Hayward**. He and **Larry Haugen** were assigned to investigate the feasibility of amending the residential fire sprinkler ordinance. The building department has received numerous requests, as have others, to make amendments to the ordinance because many contractors believe the requirements are onerous.

**David Hale** reported on the proceedings of the meeting regarding the residential fire sprinkler ordinance. He explained that Farmington City has a very strict fire sprinkling ordinance which requires an automatic sprinkling system to be installed throughout every dwelling when any of the following conditions are present:

1. The structure is over two stories high, as defined in the building code;
2. The nearest point of structure is more than 150 feet from the public way;
3. The total floor area of all stories is over 5,000 square feet (excluding from the calculation the area of the basement and/or garage); or
4. The structure is located on a street constructed after March 1, 2000, that has a gradient over 12% and, during fire department response, access to structure will be gained by using such street. (If access is intended to be from a direction where the steep gradient is not used, as determined by the Fire Chief, this criteria shall not apply).

**Council Member Hale** explained that the raised ramblers in west Farmington were meeting the above conditions so a committee (made up of David Hale, Eric Miller, Paul Hayward, David Petersen and Joe Walls/Fire Department) was formed to review the ordinance. It was recommended by Eric Miller that the following amendments be made to the ordinance:

- ~~1. The structure is over two stories high, as defined in the building code;~~
1. ~~2.~~ The nearest point of structure is more than 150 feet from the public way;
2. ~~3.~~ The total floor area of all stories is over ~~5,000~~ 6,500 square feet (excluding from the calculation the area of the ~~basement and/or garage; or crawl space and/or areas under~~ 6 feet 7 inches in height);
3. ~~4.~~ The structure is located on a street constructed after March 1, 2000, that has a gradient over 12% and, during fire department response, access to structure will be gained by using such street. (If access is intended to be from a direction where the steep gradient is not used, as determined by the chief, this criteria shall not apply).

**Paula Alder** said the original ordinance allowed the home to be 5,000 square feet with a basement, so the proposed amendment would actually increase the number of homes that are required to have fire sprinkling. She suggested increasing the square footage criteria to 7,500 square feet.

**Mayor Harbertson** said it should be taken into consideration that the Fire Department only has a 24 foot ladder. He said the Council may wish to consider the amendment after the meeting is held with Center-Cal to review the Development Agreement (which may include a ladder truck). He recommended that **David Hale** meet with **Larry Gregory** and **Max Forbush** to discuss the issues.

**Paul Hayward** said in his opinion, the ordinance amendment was proposed to save the Building Official from explaining the fire sprinkling requirements to property owners and to save him from calculating whether the sprinkling is required for each property. He is not in favor of amending the ordinance.

**Mr. Hayward** responded to the comments given by **Council Member Alder**, by saying that the proposed square footage is similar to North Salt Lake's requirement and will reduce the number of homes that require fire sprinkling. He said he is willing to proceed however he is directed by the City, but recommends that further studies be done prior to amending the ordinance.

**Max Forbush** questioned if the ordinance would be written differently if the City were to obtain a ladder truck.

**Paul Hayward** said he did not think the ordinance would be impacted if the City owned a ladder truck since the code is based on certain thresholds. Although the City's ordinance may have stricter guidelines, it requires one of the least expensive sprinkling systems. He said he would be willing to draft a pamphlet explaining the fire sprinkler requirements and would also be willing to discuss the requirements with property owners, which would reduce the work load for the Building Official. The primary concern should be the life safety of the residents.

The Council agreed that the committee should further study the issues and should invite general contractors such as Jerry Preston and Chris Martineau and possibly Scott Adams an employee of Park City who is very familiar with the fire and building codes, to attend the meeting which may add a more balanced perspective.

#### **REVIEW TEXT LANGUAGE OF NATIONAL CITIZENS' SURVEY (Agenda Item #16)**

The Council and City Manager discussed the National Citizens' Survey and offered recommendations on how the questions could be improved.

The Council directed the City Manager to contact UDOT to determine whether they would be willing to pay for the reverse 911 to inform the residents of the upcoming meeting.

#### **SET INTERVIEW TIMES FOR ASSISTANT EMERGENCY PREPAREDNESS COORDINATORS (Agenda Item #17)**

**Max Forbush** said there have been four people who have expressed interest in serving as one of **Paul White's** Assistant Emergency Preparedness Coordinators.

**Rick Dutson** and **David Hale** agreed to interview the applicants with the City Manager and Paul White on September 21, 2006.

**MAYOR HARBERTSON'S REPORT (Agenda Item #18)**

- **Mayor Harbertson** said he met with **Jonathan** and **Constance Hughes**. They appreciated the fact that the City informed them of the Trails Committee's recommended changes to the Trails Master Plan. The Hughes' appreciated the information and stated they were not aware of the previous change in the Trails Master Plan regarding the location of the trail through their property.
- **Mayor Harbertson** attended a meeting with EDA Architects regarding a preliminary design of the addition and remodel to the City Hall. The architects will create a new floor plan and will provide artists renderings for the open house in October.

**CITY COUNCIL REPORTS (Agenda Item #19)**

**Council Member Alder's Report**

**Paula Alder** informed the Council Members that they were invited to serve at the dinner theater in October.

**Council Member Young's Report**

**Sid Young** passed out a hand out from the League of Cities and Towns convention for the Council's review. He said the Trails Committee meeting will need to be rescheduled.

**ADJOURNMENT**

**Rick Dutson** moved that the meeting adjourn at 9:30 P.M.

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Margy Lomax, City Recorder  
Farmington City