

FARMINGTON CITY COUNCIL MEETING

Wednesday, September 15, 2004

CITY COUNCIL WORK SESSION/EAST CONFERENCE ROOM

PRESENT: Mayor David M. Connors, Council Members Richard Dutson, David Hale, Larry W. Haugen, Susan T. Holmes, Sidney C. Young, City Manager Max Forbush, City Planner David Petersen, City Finance Director Keith Johnson, and Deputy Recorder Jeane Chipman.

The City Council began discussion at 6:30 P.M. The following items were reviewed:

- **Agenda Item #7–Rulon Gardner conceptual proposal for a neighborhood retail center on Potter/Leonard properties adjacent to U.S. 89 at approximately 1745 North Main Street.** There would likely be a great deal of public interest in the agenda item. It was a General Plan discussion.
- **Agenda Item #8–1075 West/Shepard Lane intersection treatment.** The City Engineer would be present to give information regarding a possible round about at the intersection and discuss the need to manage traffic from developments to the south.
- **Agenda Item #9– Station Park access roads funding investigation committee.** Rich Haws had proposed creating a committee to investigate funding options for access road other than using tax increment monies.
- **Agenda Item #5–Budget amendment.** The Council had discussed the item previously. Revenues had proven to be higher than projected. The Council would need to decide how the funds would be used. Mr. Johnson, the City Finance Director, would be available to give further information.
- **Agenda Item #11–Interlocal agreement with Fruit Heights.** An agreement had been worked out which was acceptable to both cities. The Council would be asked to consider ratification of the agreement.
- **Agenda Item #15–Somerset request for snow plowing.** Mr. Forbush briefly reviewed the possibility of snow plowing Somerset streets in exchange for other considerations for the City.
- **Agenda Item #12–Eagle Creek Development Agreement.** Mr. Forbush briefly reviewed tenants of the agreement.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor David M. Connors, Council Members Richard Dutson, David Hale, Larry W. Haugen, Susan T. Holmes, Sidney C. Young, City Manager Max Forbush, City Planner

David Petersen, City Finance Director Keith Johnson, City Recorder Margy Lomax, and Deputy Recorder Jeane Chipman. The City Engineer, Paul Hirst, attended later in the meeting.

Mayor Connors called the meeting to order at 7:05 P.M. **Larry Haugen** offered the invocation. The Pledge of Allegiance was led by **Rick Dutson**.

APPROVAL OF MINUTES OF PREVIOUS MEETING

David Hale moved that the City Council approve the minutes of the September 1, 2004, City Council Meeting. **Rick Dutson** seconded the motion. The voting was unanimous in the affirmative.

PRESENTATION OF APPRECIATION COMMEMORATIVE PLAQUE TO JORDAN WHITE (Agenda Item #3)

Mayor Connors thanked Jordan White for his service on the Planning Commission. The Mayor said that Mr. White had served well during his tenure and the City benefitted therefrom. Mr. White was presented with a plaque and a letter of appreciation.

REPORT OF PLANNING COMMISSION (Agenda Item #4)

David Petersen reported proceedings of the Planning Commission meeting held September 9, 2004. He covered the following items:

- The Planning Commission heard a presentation from the City Engineer regarding a possible round-about located at Shepard Lane and 1075 West. Several members expressed their support of the idea. A few members wanted more information regarding a signal light at that location so that they could compare the two options.
- The Planning Commission recommended the City Council approve language changes to the Neighborhood Mixed Use Zone in Chapter 11 of the General Plan.
- The Planning Commission discussed in detail the request from the Division of Motor Vehicles to relocate their facility at 200 West and 200 South. The Commission tabled the issue until they could receive answers to questions they felt had been requested several times, namely information related to traffic increases and the impact on school peak hours in the morning and afternoon.
- The Planning Commission authorized Chairman Ritz to sign the proposed letter to the City Council which provided additional facts supporting the Commission's findings related to their denial of the School District's request for a bus compound in west Farmington.

- Rulon Gardner's proposal for commercial use of property adjacent to Main Street in north Farmington was heard. The Planning Commission responded with mixed reactions. They liked the design itself but were concerned that the location may be inappropriate due to guidelines in the recently amended General Plan.
- The Planning Commission amended the August 12, 2004, Conditional Use Permit granting Oakridge Country Club approval for demolition and new construction work for the Oakridge Country Clubhouse, swimming pool, and related facilities as requested subject to requirements of the international building code, the removal of all three trailers within 10 days of issuance of the certificate of occupancy, and all requirements issued by City Staff and that special care was to be taken with regards to esthetics of the trailers in consideration of the surrounding neighborhood.

PUBLIC HEARING: CONSIDERATION OF RESOLUTION APPROVING AMENDMENTS TO FARMINGTON CITY FY 05 BUDGETS (Agenda Item #5)

Keith Johnson presented the agenda item. The information had been discussed by the City Council in previous meetings. Projected revenues were proving to be more than had been anticipated. It had been decided to amend the budget earlier than June 2005 because there were so many items being changed. Mr. Johnson went over the changes in detail. He reviewed the adjusted projected expenditures and revenues. Estimates of expenses and revenues had been cautiously made with care taken not to go over the budget. Great care had also been taken to plan the expenditures of the increase.

Public Hearing

Mayor Connors opened the meeting to a public hearing.

Public Hearing Closed

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

Motion

Rick Dutson moved that the City Council adopt Resolution No. 2004-52, a resolution amending the 2004-2005 Fiscal Year Budget of Farmington City, Utah, as presented. **Sid Young** seconded the motion, which passed by unanimous vote.

REVIEW OF PLANNING COMMISSION'S FINDINGS/CONSIDERATION OF DAVIS SCHOOL DISTRICT'S APPEAL OF PLANNING COMMISSION DENIAL FOR CONDITIONAL USE AND SITE PLAN APPROVAL FOR A SCHOOL BUS PARKING FACILITY ON GLOVER'S LANE (Agenda Item #6)

Mayor Connors explained that the School District had proposed a bus compound on property owned by them in west Farmington. Upon consideration, the Planning Commission denied the request. When the denial was appealed to the City Council, the Council remanded the item back to the Planning Commission, directing that the Commission provide further facts to support the findings presented.

Mr. Petersen reviewed the findings of the Planning Commission. The Planning Commission considered that the bus compound was basically an industrial use. The Planning Commission had met three times on the issue. The Commission had strong concerns and were unanimous in their feelings that the compound should be denied. Mr. Petersen reviewed the letter submitted to the City Council which explained the extended facts in support of the findings for denial. The letter was included in the packet.

Chairman Ritz of the Planning Commission stated the members of the Planning Commission were unified on the issue. They had definite feelings against the location of the bus compound in west Farmington. He stated that had this request come from a private company, it would have been denied after the first hearing. But because the request was made by the School District, the Commission tried to give the item very careful consideration and study. The Commission felt there would be a better place for the compound that would not negatively impact the citizens.

Paul Waite (representative of the School District) was appreciative of the consideration by the Planning Commission. School District officials had seriously considered other locations. Financially, other sites were not feasible. District officials felt that the bus compound was part of the educational system and therefore appropriate to the location of the future high school. Mr. Waite said the savings to taxpayers was important. It was anticipated there would eventually be 100 buses on the site. The location of the proposed compound is next to the proposed Legacy Highway. Property to the south of the proposed site is already zoned industrial. The majority of the buses would head east and would not impact west Farmington citizens. District officials would work with City Staff to make sure that bus routes would be devised in a way that the citizens would have the least impact. Mr. Waite said the School District would work to mitigate the visual impact of the compound on the neighborhood. The property would be fenced and landscaped. Part of the complex would be a playing field. He reported that School officials wanted the facility to be an attractive and acceptable part of the neighborhood. He also stated that buses are held to a very high standard regarding emissions and safety.

Mayor Connors said the Planning Commission had raised some serious concerns. The City and the School District are sister entities supported by tax revenues. It is important for the two bodies to find a way to work together. He asked for clarification regarding the routes being proposed for the buses. Could buses intended for Kaysville be routed so they did not go through west Farmington? The response from Mr. Waite was affirmative. One of the main concerns of the Planning

Commission was that the high school may never be built. If the high school were not to be built, would the School District relinquish the bus compound?

Mr. Waite replied “yes” to Mayor Connors’s question and stated that the School District was willing to commit to that agreement in writing. He felt that the growth of the area would eventually require the construction of the high school.

Gary Payne supported the statement that the Farmington high school would be needed. He also stated that the District had conducted an eight-year study for an appropriate location for the compound. Other neighborhoods that had experienced a bus compound had not complained about the use.

Mayor Connors asked if a buffer could be created to protect the residential areas surrounding the site of the bus compound.

Mr. Waite briefly reviewed the site plan. He stated there would be playing fields and other landscaping techniques that would help the school be a good neighbor.

Mr. Hale commended the Planning Commission and said the letter submitted to the Council regarding the findings for denial had been well done. He discussed the possibility of relocation of the facility if the high school was not constructed and confirmed the School District said they would be willing to change bus routes to make the compound more acceptable to the City. Mr. Hale talked about the possibility of having playing fields that would be an amenity for citizens. He felt that would be a great benefit to the City.

Mr. Dutson asked if there would be adequate parking for bus drivers and those who may use the proposed playing fields.

Mr. Payne said the District would be willing to work with the City to design the site to fill such needs.

Mr. Young also complimented the Planning Commission for what they had done. He felt that the School District had addressed the concerns of the Planning Commission. He still had a concern about the route of the buses and asked that the issue be thoroughly reviewed. He was glad to know that the District was willing to locate the maintenance facility further south into a true industrially zoned area. He asked about the statement by the Planning Commission that the bus use was not part of the existing zone. It was his feeling that buses were part of a school use.

Mr. Petersen said if the City inspector were to examine the use, he would have to classify the compound (without the high school construction) as an industrial use. It was stated that way in the international building code.

Chairman Ritz said that if the high school were to be built at the same time, the issue would have been considered in a different light. However, since the compound was coming in by itself, it had to be considered as an industrial use. When questioned by the Mayor, Mr. Ritz said that the Planning Commission would likely not have been as opposed to the compound if it had come as part of a high school. He said that hearing the District's commitment to build the school could have made a difference to the Planning Commission and their decision.

Mr. Young asked if phasing construction of the bus compound would be feasible.

Mr. Waite said that building the facility in phases may not be efficient or effective.

Mayor Connors asked if there was any other property in south Davis owned by the School District that could be considered for construction of a high school.

Mr. Waite said this was the only site in south Davis that was being considered for the construction of a high school. He related the situation with other high schools in the area and the growth that the student body population areas were experiencing. Planning indicated there would have to be a new high school to manage the increase in students.

Mr. Young felt that the School District's proposals to address the issues raised by the Planning Commission and the City Council should be in a written agreement, including route designs for when future road improvements are completed.

Ms. Holmes reported she had been in meetings with UDOT and County officials regarding proposed future road improvements. There had been a tentative agreement that the "haul road" would be finished prior to the demolition of the State Street overpass. She stated she was also appreciative of the work done by the Planning Commission. They provide very good background and helpful recommendations to the City Council. The City Council and the Planning Commission sometimes do not receive the same information. The request for a bus compound was a very sensitive issue for those who live in west Farmington and for the entire City. She also stated her appreciation regarding the work done by the School District and their willingness to try to be a good neighbor. School Districts, by law, have a fairly liberal hand when constructing facilities. But the District officials had expressed a willingness to work with the City and make the compound acceptable.

Motion

Susan Holmes moved that the City Council grant the appeal of the Davis School District regarding their request to construct a school bus parking facility on Glover's Lane and to give conceptual approval to the application subject to finalization of an agreement between the City and the School District containing, in general, concepts presented in the School District letter dated September 14, 2004, after review and acceptance by a City Council sub-committee and the City Attorney. **David Hale** seconded the motion.

In discussion of the motion, the City Council discussed membership of the sub-committee. It was decided that the Mayor and the School Superintendent, representatives of both the City Council and the Planning Commission, along with the City Manager and the City Planner would serve on the committee. Council Member Hale agreed to serve as the Council representative. Mr. Petersen also reminded the Council that a Conditional Use Permit would need to be drafted and approved.

Mr. Haugen asked questions related to responsibility for the maintenance of the playing fields.

Mr. Waite stated the fields would be School District property, which are typically handled through the School District system.

Mr. Haugen also raised the concern that the fields would likely be used by other communities which may cause a negative impact on surrounding rural neighborhoods. This and other concerns would need to be addressed in the agreement with the District.

A vote was taken indicating unanimous approval.

RULON GARDNER CONCEPTUAL PROPOSAL FOR NEIGHBORHOOD RETAIL CENTER ON POTTER/LEONARD PROPERTIES ADJACENT TO U.S. 89 AT APPROXIMATELY 1745 NORTH MAIN STREET/ GENERAL PLAN PRELIMINARY DISCUSSION (Agenda Item #7)

Mayor Connors said the item was a General Plan preliminary discussion. The City officials had recently reviewed and amended the General Plan for the entire City, including land uses particularly around the interchanges being reconstructed by UDOT. The City was still in the process of drafting language for several new zones being added to the General Plan. The purpose of the agenda item was to allow a developer to present information. There was no official action contemplated for the agenda item.

Mr. Gardner and his associates presented information regarding their ideas for a commercial development on property on the west side of Main Street in northern Farmington. The use would be a mixed use community commercial center which they felt would be consistent with the recently approved Chapter 11 of the General Plan. They wanted to make the City Council aware of the proposal and gain input regarding the idea. It would be developed with “new urbanism” in mind, which meant that it would be a pedestrian friendly, mixed use center not intended as a regional commercial draw. Similar projects included the Sugarhouse Commons, Draper Peaks, and the South Jordan Town Center. Possible tenants included a neighborhood grocer, boutiques, restaurants, office and service uses.

Site plans showed a water feature in the center of the project, walkways throughout, and two major entrances designed to keep as much traffic off of Main Street as possible. One entrance would be directly across from the Somerset Farms entrance and was intended to be a signaled entrance to help alleviate current traffic problems at that location.

The development was designed to be sensitive to the Main Street residential feel. Main Street would be buffered by park-like landscaping, maintaining the current slope of the property. The commercial uses would be lower than the street. The only roof top that would be higher in elevation than Main Street would be a two-story building. The developer intends to retain the old historic coach house and make it part of the northern entrance.

The developer stated that it would be necessary to have enough commercial entities to make the project viable. They would also be supportive of the Smith's commercial center just to the south of the property. It was planned that there would be approximately 150,000 square feet of commercial space. There were also plans for condominiums. Two-thirds of the parking would be near the U.S. 89 corridor. The developers planned to approach the citizens of the nearby neighborhoods and get their input regarding the project.

Mr. Petersen summarized the response of the Planning Commission to the proposal. Members in general felt the plan was good but reminded the developer that the City had just gone through an extended economic study and had amended the General Plan. The proposal would likely be contrary to what had been felt appropriate for use of that property. Also, the Planning Commission reminded the developer of what had happened with a recent proposal for a funeral home on that land. The citizens had been very negative to anything but residential uses along Main Street. However, Commission Members were sensitive to the fact that the City needed more commercial base.

Mayor Connors asked if the City Council wanted to give any general feedback to the developer.

Rick Dutson expressed his concern with having commercial development along any portion of Main Street. The Gardner design included a good buffer against Main Street; however, Mr. Dutson was supportive of the new Neighborhood Mixed Use zone which directed that the property be predominately residential. There could be elements of commercial in the NMU, but the amount of commercial presented in the current design would indicate it should go in another location. The project in his opinion is consistent with the Neighborhood Mixed Use Zone.

Mr. Young said it was a nice proposal but he was committed to the work that had already been done on the General Plan amendment and the findings of the economic study. The intent of the NMU zone directed mostly residential uses.

Mr. Haugen felt the retail uses shown were too close to Main Street.

Mayor Connors stated there seemed to be serious issues regarding compatibility with the recently revised General Plan. It had always been contemplated that both sides of Main Street would remain residential. The intended language of the NMU would likely protect the residential uses of Main Street. Also, City officials had worked hard to protect existing commercial development. The Mayor wondered how this proposed project would impact the existing Smith's grocery store. It was also Mayor Connor's understanding that UDOT had serious restrictions for right-in, right-out access along the frontage road. This would mean much of the traffic from the commercial development would have to use Main Street. It would be important to complete NMU zone language before any land use could be approved.

Mr. Hale commented that the City had had great success using sub committees which included citizens to work out issues and concerns with proposed developments. He suggested that Mr. Gardner and his associates contact residents of all the neighborhoods in northern Farmington and receive input from them.

The developer stated he was open to such a meeting with citizens.

1075 WEST/SHEPARD LANE INTERSECTION TREATMENT (CONSIDERATION OF Roundabout) PAUL HIRST & JERRY RECHTENBACH (Agenda Item #8)

Mr. Forbush introduced the agenda item. The City was under a deadline regarding the decision because requests for funding from the State were due within a few weeks.

Paul Hirst and **Jerry Rechtenbach** (of CRS Engineers) gave a presentation of several options for the intersection of 1075 West and Shepard Lane. Mr. Hirst explained that the City was currently in the process of acquiring funding from the State to make improvements at the intersection of Shepard Lane and 1075 West. He said originally the City had planned to have a signal light at that location. There had been discussion of advantages and disadvantages of a roundabout. As an engineer, Mr. Hirst was usually not in favor of roundabout intersections. However, after study of unique problems at that intersection, he felt a roundabout may be worth considering. Signals near the intersection will be located very close to each other. Having signals in such close proximity are deterrent to effective traffic flow.

Mr. Rechtenbach presented a model of the proposed roundabout project. The model showed that the roundabout would likely fail by the year 2015 because of the added traffic from the proposed Buie project. Had the Buie project remained totally commercial, the roundabout would have been sufficient. However, if the Buie project included an increase in residential units, the roundabout would not be able to handle the load by the year 2015. If the roundabout was considered for approval, other options would have to be provided for access to and from the Buie project. Mr. Rechtenbach reviewed other such options. A signal at the Shepard Lane/1075 West intersection would still have a long cue especially coming from the west-bound approach. The situation would

be worsened because of the closeness of the signals. It was suggested that the Buie property when developed be required to construct a right-in, right-out access onto Shepard Lane east of the proposed roundabout to ensure the roundabout would continue to function.

When asked, Mr. Hirst said construction of a single lane urban roundabout could be enhanced by eventually reconstructing a northbound and westbound channelized right turn. He also said there should be limitations on the Buie development in order to preserve the carrying capacity of the proposed roundabout.

Mayor Connors had several questions. He asked why the signal was not being recommended when the models seemed to indicate the best traffic flow was for the signalized intersection.

Mr. Hirst acknowledged that the model indicated the best level of service was for the signalized intersection but because other signals were in such close proximity, traffic would back up and the scenario would resemble communities to the north which are experiencing congested traffic patterns. The engineers and the City Council discussed questions regarding the roundabout, traffic calming techniques, public education in the use of a roundabout, funding, and the Buie development to the south.

Mr. Buie was asked his opinion. He stated that he favored the roundabout and would work with the City to design traffic patterns within his development to support the flow on surrounding streets. He said, however, that he had concerns about having to reduce the project because he could not tell at this point exactly what the scope of a successful project would be.

The City Council continued to discuss the options presented and other possible options. **Mr. Forbush** suggested the engineers produce a model that would evaluate what would happen for the worst case scenario. The worst case scenario would be if the Buie property to the south developed into residential units at a density of 14 per acre. The engineers were asked to do the analysis and report at the next City Council meeting.

STATION PARK ACCESS ROADS FUNDING INVESTIGATION COMMITTEE (Agenda Item #9)

Mr. Forbush reviewed the agenda item. Mr. Haws had sent a memo to the City Council requesting the establishment of a committee to evaluate funding of infrastructure and betterment cost of the access road going to the rail station. The hope was that the committee could investigate funding other than monies from tax increment.

Mr. Haws (developer) said the purpose of the committee would not only be to investigate funding possibilities, but also to gain a consensus of those involved so that when information was presented to the taxing entities committee, there would be a concerted, cooperative presentation which the entity could find more acceptable. The Council discussed membership of the committee.

Motion

Rick Dutson moved that the City Council authorize Council Members Holmes and Young to be involved with a committee to investigate best funding alternatives for the access road to and from the commuter rail station along with other committee members as generally recommended by Mr. Haws in his memo of September 7, 2004. **Larry Haugen** seconded the motion, which passed by unanimous vote.

MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #10)

David Hale moved that the City Council approve the following items by consent as follows:

- 10-1. Ratification of Construction Bond Agreements previously signed by Mayor David M. Connors.
- 10-2. Approval of Site-Lease Assignment Request by Qwest Wireless. They are selling their cell phone business to Verizon Wireless. Approval of the request authorizes the Mayor to sign the appropriate document.
- 10-3. Approval of October's *Newsletter*.
- 10-4. Approval of the document entitled "Statement of Support for Guard and Reserve" and authorization for the Mayor to sign the same.

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

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT WITH FRUIT HEIGHTS CITY AND FORMALLY APPROVING AN AGREEMENT WITH PATRIOT CAPITAL HIDDEN SPRINGS, LLC, REGARDING STORM SEWER IMPROVEMENTS TO BE INSTALLED IN FARMINGTON (Agenda Item #11)

The City Manager, Planner, Attorney, and Engineer had reviewed both documents. Although the documents had been approved at an earlier City Council meeting there had been minor changes, thus they were being presented for reconsideration. Mr. Forbush detailed each change for the City Council.

Motion

Sid Young moved that the City Council adopt Resolution No. 2004-53, a resolution of the Farmington City Council approving and authorizing the execution of an interlocal cooperation agreement between Farmington City and Fruit Heights City providing for cooperative action in

providing and coordinating certain services in connection with subdivision development and their common boundary adjustment. **David Hale** seconded the motion, which passed by unanimous vote.

Sid Young moved that the City Council approve an agreement with Patriot Capital Hidden Springs, LLC, regarding Storm Sewer Improvements to be installed by Farmington. **Larry Haugen** seconded the motion, which passed by unanimous vote.

EAGLE CREEK DEVELOPMENT AGREEMENT(Agenda Item #12)

Mr. Petersen discussed input given by Mr. Brown regarding the development agreement. Property owners involved had concerns about the trail easement when it had no current connections. They had asked that the trail not be usable until connections were improved. When the City Attorney had been asked to review the issue, he stated the City dictates the use of the easement. After discussion, Mr. Petersen suggested language could be included that indicated construction of the trail would *likely* not occur until other trail connections were available.

Motion

Susan Holmes moved that the City Council approve the development agreement with Eagle Creek Development with changes as discussed subject to approval by the City Attorney. **Sid Young** seconded the motion.

In discussion of the motion, **Mr. Hale** wanted clarification regarding payment of interest accrued due to the delay of the S.I.D.

Mr. Forbush stated the agreement had been written so that the abutting property owners would pay their fair share of the interim warrant costs through September 2004 and the developer would pay the interim warrant interest costs thereafter up to a \$10,000 cap as requested by the developer in an effort to give him fair protection from delays in processing the S.I.D. not caused by the developer.

A vote was taken, indicating unanimous approval.

RESOLUTION CONSIDERING CLARK LANE ANNEXATION FOR STUDY (Agenda Item #13)

Mr. Petersen explained that the resolution was necessary in order to begin procedures for the City to assume ownership of Clark Lane.

Motion

Larry Haugen moved that the City Council adopt Resolution No. 2004-54, a resolution receiving an annexation petition from Davis County and Station Park South, L.L.C. for consideration by Farmington City. **Susan Holmes** seconded the motion, which passed by unanimous vote.

AMENDMENT NO. 4 TO FARMINGTON CREEK ESTATES DEVELOPMENT AGREEMENT (Agenda Item #14)

Mr. Petersen reminded the Council they had discussed the agenda item in a previous meeting where Kim Wallace (representing Davis County) had explained steps being taken by the County to remove west Farmington from the FEMA flood plane designation. The current suggested amendment to the Farmington Creek Estates was consistent with the wishes of the City Council and would allow the developer to move forward.

Mayor Connors stated that in his meeting with County officials it was his sense that the County Commission would likely approve funding for the projects as presented by Mr. Wallace.

Motion

David Hale moved that the City Council approve Amendment No. 4 to the Farmington Creek Estates Development Agreement. **Rick Dutson** seconded the motion, which passed by unanimous vote.

COMMITTEE REPORTS (Agenda Item #14)

FAPID Agreement (to be reported by Mayor Connors, Council Member Hale, and the City Manager)

The item will be discussed in closed session.

Somerset Request to Snowplow Streets (to be reported by Council Members Young and Hale and the City Manager)

Mr. Hale stated that Somerset HOA officials had requested the City snowplow Somerset streets. The Public Works Director suggested doing so for a year and then evaluating the process. There were concerns by staff about drainage because of the road designs. There were detention basins in the development which retained water from the City. There may be a possibility to take over the detention basins in exchange for other considerations from the Somerset HOA.

Mr. Forbush said everything would have to be subject to amendments to a previously signed settlement agreement between the HOA and the City. If the City plows the streets, it would save money for the Somerset HOA. That money could then be put into fixing the swales. As long as the agreement was progressing the City could move forward with plowing. In another matter, there were 3 detention basins in Somerset Farms. The Somerset residents (along with all citizens of Farmington) pay a storm water utility fee. It would seem fair for the City to take over maintenance and ownership of the detention basins and manage them according to directives of the Clear Water Act. The Somerset HOA would have to grant easements in order for City crews to maintain the basins.

Farmington Ranches Cross Project Trail Meeting (to be reported by Council Members Hale and Young and the City Manager)

Mr. Young reported the meeting with Farmington Ranches residents was well attended and worthwhile. Citizens had given good input. Five alternatives had been presented. Residents selected the option which allowed them to make improvements on property abutting the trail for which the City would make reimbursements. Citizens would form a committee which would act as an approval body for the landscaping plans. Residents agreed to sign an agreement which would run with the land.

The City would need to have the City Attorney draft the agreement with the property owners regarding the landscaping improvements and reimbursement by the City.

Personnel Committee Issues (to be reported by Council Members Hale and Young and the City Manager)

The issues included in this agenda item include:

- Incentive awards specifically for the Fire Department– David Hale said the Fire Chief felt there was a need for an incentive program especially for the part-time employees of the Fire Department. The Chief had suggested a ring. The Council briefly talked about funding for the program and agreed with the Fire Chief's recommendation.
- Recommended makeup of the new Employees Appeal Board required by State statues–Mr. Forbush stated he would draft an ordinance for consideration by the governing body. The appeal board could consist of 3 members of the City Council (the personnel committee plus the Mayor).
- Clarification on vacation leave accruals–Mr. Forbush said the clarification was recommended for the purpose of defining part time personnel going to full time and how such a move would impact their vacation and leave time accrual. After a brief discussion, the Council by consensus gave Mr. Forbush conceptual approval for a change in policy.

STORM SEWER PROJECT REPORT (Agenda Item #16)

Mr. Forbush introduced the agenda item. He, Walt Hokanson, and Neil Miller had met with the people of Compton Bench regarding a landscape plan for the detention base in that area. They liked the plan as presented. The basin has been shaped and was currently under construction. Piping was completed along North Compton. Citizens were happy with the progress being made. Mr. Forbush reported the contractor would like an extension until October 15th to complete the work. He stated that work near Moon Circle was moving forward. There had been a 15 foot strip of trees

cleared. South Farmington projects were also moving forward. Much of the work should be accomplished by Thanksgiving. He suggested the Council take a field trip to see what had been accomplished with the storm sewer project.

CORRESPONDENCE REQUIRING POLICY CONSIDERATIONS (Agenda Item #17)

Davis County Commission/Jail Bond Election

The City Council discussed in detail proposed improvements and expansions for the County Jail. The Council directed that the *Newsletter* include information regarding where citizens could obtain more facts about the General Obligation Bond, which will be on the November 2, 2004, election ballot. A complete report was available online at the County's web site.

NRCS response letter to City's request for funds

The Council discussed the denial of the Natural Resources Conservation Service to assist Farmington with funding and technical assistance regarding storm events and resulting damage in the City from the 2004 storm events. Mayor Connors said he would investigate NRCS' response and report his findings to the Council.

Hess/Knowles letter/ parking restrictions on 200 West

Terry Hess and Dennis Knowles had requested the City paint curbs on the sides of driveways at 177 South 200 West and 293 South 200 West. Painting the curbs red would restrict parking along 200 West and would make it easier and safer for residents living near the junior high. The City Council discussed the possibility of erecting signs to limit parking in that area. By consensus, the City Council gave approval for the "no parking" signs or similar measures.

MISCELLANEOUS (Agenda Item #18)

Leisure Services Advisory Board Meeting

Mr. Dutson reported a meeting with the Leisure Services Advisory Board. A resident had approached the Board and proposed buying property behind the jail where he would construct soccer fields. He wanted to offset the cost of the fields by development nearby property in high density living units. Mr. Dutson told the resident such proposals would have to go before the Planning Commission.

Traffic on Shepard Lane Near Oakridge Golf Club

Mr. Dutson referred to traffic situations along Shepard Lane near the Oakridge Golf Club. He wondered if there would be a possibility of purchasing some of the Club's property to redesign the intersection at that location, especially now since the Club is doing major reconstruction.

Mr. Forbush said he would take the idea to the traffic engineer and review the possibility. He would bring the item back to the City Council.

Heritage Park Parking Safety

Mr. Hale reported residents living near Heritage Park have reported safety problems because of people parking in no-parking areas. He asked that the City's Police Department be asked to enforce the no-parking zone on the east side of 1075 West.

Care of Property Near the Community Center

Ms. Holmes reported the house next to the Community Center needed weeds removed.

Mr. Forbush said he would investigate the problem and have the occupants rectify the situation.

Tax Revenues vs. Fees

Mr. Young said there had been creative ways of looking at tax revenues versus fees in communities in other states. In the northwest, transportation fees are charged monthly based on the number of residents in a home and the type of business. The policy is based on the number of trips generated per day. The fees are used for road improvements.

Park and Ride Parking

Mr. Forbush explained a request by Hank Semadeni who proposed the City support a park and ride facility on property located on the south side of Park Lane between the Weber Basin well and the east off ramp of Highway 89 and I-15. City Council Members agreed the City could investigate the possibility of writing a letter of support to the appropriate officials.

Membership in the Economic Development Corporation of Utah

Mr. Forbush raised the question of whether or not the City was benefitting by the membership in the Economic Development Corporation of Utah. It cost \$5000 each year for membership.

Mayor Connors stated the membership availed the City of beneficial information which is not being used.

After a brief discussion, **Mr. Forbush** suggested the City maintain membership for one more year and evaluate the benefits thereafter. The Corporation may be useful especially in light of the

forthcoming Haws development in west Farmington. It would be helpful to know how to better take advantage of membership.

Ordinance Restricting Pocket Bikes

Mr. Forbush referred to a memo sent by Police Chief Hansen. He asked for information regarding bans on pocket bikes and other small motorized vehicles such as scooters.

Mayor Connors stated he felt the Utah State Legislature would likely pass a bill next January that would address the issue.

Park Rules and Regulations

In response to correspondence from Bob Arbuckle, the City Council agreed to hold a public hearing during their second meeting in October to consider issues related to park rules and regulations.

Report of Citizen Meeting with Rulon Gardner

Mr. Gardner quickly reported he had met with citizens during the evening. The group had a positive response towards working with the developer.

Mr. Gardner was asked to work with Mr. Forbush to create a committee.

ADJOURNMENT TO CLOSED SESSION

Larry Haugen moved that the City Council adjourn to closed session to discuss matters regarding possible litigation at 11:20 P.M. **Rick Dutson** seconded the motion, which passed by unanimous vote.

At 11:30 p.m. a motion was made by **Susan Holmes** to go back into open session. The motion was seconded by **Larry Haugen**. With all Council Members voting in the affirmative, the motion passed.

There being no further business and upon motion by Susan Holmes with a second by Rick Dutson the meeting was adjourned.

Margy Lomax, City Recorder
Farmington City