

FARMINGTON CITY COUNCIL MEETING

Wednesday, October 16, 2002

OPEN HOUSE ON BOND ELECTION INFORMATION/WEST CONFERENCE ROOM

The City Council held an open house where the public was invited to discuss proposed issuance of parks and recreation general obligation bonds to construct park and recreation facilities. The open house was held from 5:30 to 6:30 P.M. in the west conference room of the Municipal Building.

CITY COUNCIL WORK SESSION/WEST CONFERENCE ROOM

PRESENT: Mayor Connors, Council Members Hales, Hasenyager, Haugen, Holmes and Johnson, City Manager Forbush, and Deputy Recorder Chipman.

Mayor Connors began discussion at 6:30 P.M. The following items were reviewed:

- \$ Citizens whose children attend Farmington Elementary had requested the City hire a school crossing guard for the intersection of State and Main Streets. Council members briefly discussed several areas that could be considered for school crossing guards and how determination should be made which areas should have the guards.
- \$ Mr. Forbush explained an occurrence during the opening of bids for the fire station expansion. E.K. Bailey had requested they be allowed to change their bid prior to opening the bids. Mike Hayes was consulted. It was his opinion that the change could be made as long as there was no collusion and if the change was made prior to officially opening the bids. The change was allowed. Mr. Forbush also explained the alternates included in the bid. When considering the alternates with the base bid with the Bailey Company bid, the apparent low bidder was still E.K. Bailey.
- \$ Mr. Chris Roybal would be present during the regular session to discuss the Economic Development Study about to be conducted for the City. Mayor Connors stated he felt that the scope of the study should be more focused in order to obtain a more useful tool. Time was a problem, since the City was in need of the information as soon as possible. Council members felt a need especially for information regarding mixed use developments and marketing.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor David M. Connors, Council Members David Hale, Bob Hasenyager, Larry W. Haugen, Susan T. Holmes, Edward J. Johnson, City Manager Max Forbush, City

Recorder Margy Lomax, and Deputy Recorder Jeane Chipman.

Mayor Connors called the meeting to order at 7:00 P.M. The invocation was offered by Ed Johnson and the Pledge of Allegiance was led by David Hale.

APPROVAL OF MINUTES OF PREVIOUS MEETING

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

REPORT OF PLANNING COMMISSION (Agenda Item #3)

Agenda Item # 3 was deleted.

REQUEST TO HIRE SCHOOL CROSSING GUARD FOR THE INTERSECTION OF STATE AND MAIN STREETS AND RELATED REQUESTS/SHIRLEEN WISCOMBE, ET AL, AND REPRESENTATIVES FROM FARMINGTON ELEMENTARY PTA (Agenda Item #4)

Mr. Forbush introduced the agenda item. He and the Police Chief met with Shirleen Wiscombe and representatives from Farmington Elementary regarding (1) the hiring of a school crossing guard for the intersection of State and Main, (2) and the painting of a crosswalk at 200 West State, and (3) the painting of crosswalks at Glover=s Lane and the I-15 frontage road. Horrocks Engineers had been requested to recommend what the City should do at these two crosswalks as well as investigate the rules pertaining to crossing guards. Also, Chief Hansen had called the State Department of Transportation asking officials there to consider the plan. The State=s traffic engineer indicated it is UDOT=s responsibility to approve school crossings on State roads and not the City=s. However, it is up to the City whether or not to hire a crossing guard. The State has determined specific standards pertaining to cities hiring crossing guards.

Mr. Forbush also informed the Council that Monte Vista will be closed at the end of this school year. The crossing guard presently serving the Monte Vista school can be used at another location beginning next school year. It is likely that an additional crossing guard will be needed for the new elementary school in west Farmington. The cost of hiring a crossing guard for the balance of the year is nearly \$4,000. There are currently 55 children who could use the crosswalk. Next year there will be 126 children who could use the cross walk because of the Monte Vista closure.

Chief Hansen stated the Police Department had checked the crosswalk during four different days, before and after school. Between 6 and 9 children use the intersection at State and Main between 8 and 8:40 A.M. Between 2:30 and 3:20 P.M. there were from 6 to 17 children who used the crosswalk. In discussions with the Utah Department of Transportation, they were willing to paint the intersection with cross hatches on two legs. They recommended the north and the west legs.

Shirleen Wiscombe (54 East 200 North) stated the number of children using the intersection sounds small but that was because many parents drive their children because of the safety hazards in the area. Ms. Wiscombe was concerned about the number of people from outside the community who are present near the Court House. It would be good to have an adult present for the safety of the children. She had counted 327 cars and buses going through the intersection during non-rush hour times. There is only 6 months left in the current school year. Next year there will be a greater need for the guard because there will be more children traveling that way. If there cannot be a guard hired for the intersection, Ms. Wiscombe asked if the City could provide flags for use by the children.

Mayor Connors stated the safety issues involved were of great concern.

Mr. Forbush reminded the Council that hire another crossing guard was not included in the budget. There were several places in the City that may qualify as much as the intersection at State and Main. There would definitely be a need for a guard there next year with the closure of Monte Vista. Because of the high incidence of left turns, Mr. Forbush recommended the City fund the crossing guard. It would be wise risk management. The funding would be short term since next year the crossing guard now servicing Monte Vista could be relocated. Mr. Forbush also recommended the intersection at State and Main be painted, that 200 West and State not be painted, and that a letter be sent to UDOT requesting speed at State and Main be reduced to 25 mph.

Mayor Connors said the area is under increased traffic stress because of construction.

Ms. Holmes raise the fact that there is a signal light at that intersection and that there are other intersections in the City which do not have signals where children are at risk. She cited 650 West and State Street as an example. That intersection has no signal nor crossing guard, is used by more children, and is used by heavy construction vehicles constantly. The children walk because they live less than 1 mile from the school.

Mr. Hale asked how the City would fund the extra crossing guard.

Mr. Forbush stated the money would have to come from the General Fund.

Mr. Hale suggested that parents be asked to volunteer for training and be used to finish the year rather than hiring a regular crossing guard.

Mayor Connors raised the concern that wise risk management may not suggest using volunteers.

Mr. Hasenyager stated he felt that the intersection was extremely busy and would get busier. He felt the crossing guard would need to be included in the next year=s budget especially when the

new elementary is in operation. He liked having flags, the guard, painting the crosswalk, and reducing speed.

Mr. Forbush cautioned that speed signs are only effective if constantly enforced.

Mr. Hasenyager *MOVED* that the City Manager=s recommendation be adopted subject to funding. The recommendation included:

1. The intersection at State and Main be attended by a crossing guard hired by the City, that UDOT be requested to paint the north and west legs of the intersection, that crossing flags be provided for pedestrians using the intersection, and that UDOT be requested to reduce speed coming into the intersection to 25 mph.
2. UDOT be requested to reduce the approaching speed at 200 West State to 25 mph.
3. The City cross-hatch paint appropriate legs of the intersections at Glover Lane and the I-15 frontage road that the speed limit at 500 North and Main Street, and 650 West and State Street be reduced to 25 mph.
4. That all speed reductions are contingent on UDOT approving those requested on UDOT-owned roads.

Ed Johnson seconded the motion, which passed by unanimous vote.

MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #5)

In discussion of the agenda item, by consensus the City Council decided to eliminate information in the *Newsletter* which discussed signs erected by citizens for garage sales, etc. Mr. Forbush will study signage issues for future consideration by the Council.

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

- 5-1. Ratification of construction bond agreements previously signed by Mayor Connors.
- 5-2. Approval of amended Emergency Preparedness budget/authorization to sign grant award document. The City has been advised that it will receive \$4,000 of the \$10,000 grant requested. Accordingly, the City Manager and Paul White have met and have come up with an amended budget that allows the City to comply with the 50 percent matching requirement. This can be done without any additional General Fund appropriation. It is recommended by the city Manager that the amended budget for the Emergency Preparedness function be approved and that Mayor Connors be authorized to sign the Grant contract document.
Components of the budget program include:

-Conducting two CERT Training classes at a cost of \$30 for each participant Bone in the spring and one next September.

-Re-writing City Emergency Operations Plan and holding a table top exercise.

-Special training for Fire and Police Departments that is emergency response related.

5-3. Approval of November=s Newsletter.

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

ECONOMIC DEVELOPMENT STUDY INPUT/PLANNING SERVICES PROPOSAL/BRUCE PARKER (Agenda Item #6)

Mr. Forbush had included the agenda item as a matter of on-going economic development research and to help Council members gather information as they decide about the E.R.A. proposal previously submitted. He also referred to a planning proposal submitted by Bruce Parker to help the City in reviewing its proposed mixed use ordinances and developments. Mr. Forbush then reported that he had invited Chris Roybal from the Economic Development Corporation of Utah to comment on his recent review of the E.R.A. proposal.

Chris Roybal (Farmington resident and President of Economic Development Association of Utah) had read the current proposal made by ERA. He felt they were a reputable company and that Bob Springmeyer (local representative of ERA) was well respected. Mr. Roybal, however, had some concerns regarding the process of the study and suggested that the Council create a committee which could first work out the scope of the job after which a consultant could be retained. Such a committee could make the work of the consultant clearer. He felt the proposal presented by ERA was very general in nature.

Mayor Connors stated that if questions were more focused, answers would be more specific. He raised the concern regarding timing. The Council is in great need of information immediately. He was also hopeful that Davis County could be involved and possibly help fund the study.

Susan Holmes agreed that the product needed to be well defined and that several factions needed to be included: Davis County, Mr. Roybal, the City=s Strategic Plan, City Staff, and the City Council. She felt that the City could get public input after the project had been clarified.

Max Forbush suggested that a committee such as the one suggested by Mr. Roybal be organized; that the Council receive input from the committee; and that the Council formalize a cope of work for presentation to ERA. Thereafter, E.R.A. could re-evaluate the cost of doing the study.

Bob Hasenyager felt the Council was still in the learning stages and that they did not have enough information to begin the process. He wanted to hear from the County and other sources. He also believed a large committee may be premature. The City Council needed to meet with

experts in several fields, especially the mixed use and marketing areas. He personally was seeking input. A focus group may be of help, and he would like to include Mr. Springmeyer in such a group. Such a focus group would not be a formal committee but simply provide advice. He questioned what the make up of a formal committee would be.

Mr. Forbush suggested creating a focus group composed of the City Council, EDU, members of the Planning Commission, representatives from the County, and possibly selected City Staff members. Such a focus group could later be expanded to a formal committee.

Mr. Roybal suggested that people with marketing expertise be included in the focus group.

Ms. Holmes agreed with Mr. Hasenyager that the Council needed further training and education especially about mixed use issues. She asked that a meeting be set to gain such training.

Mr. Hasenyager felt the entire Council should be included in the work and not just a sub-committee.

Mr. Haugen felt that the County may have experts that could be used for training.

Mayor Connors summarized what he felt the Council had been saying:

§ A Steering committee@ should be created to help with the initial phase of defining the project and setting perimeters for economic studies. The steering committee could be composed of the entire City Council augmented by specialists and advisers. Such people could include Chris Roybal, select members of the Planning Commission, representatives of the County, the City Manager, the City Finance Director, and the City Planner.

§ A broader committee could be organized at a later date which would be more permanent and which would help implement the findings of the economic study. The broader committee could be an Economic development board.@

It was decided to hold the first of a series of meetings on Tuesday, October 29, 2002, from 5 to 8 P.M. The Council by consensus also suggested having Bruce Parker address the City Council regarding his mixed use planning and zoning services at the next City Council meeting..

DISCUSSION OF THE 2003 CITY COUNCIL MEETING SCHEDULE (Agenda Item #7)

Susan Holmes *MOVED* that the City Council approve Ordinance 2002-42, an ordinance establishing Farmington City Council meetings for 2003. **Larry Haugen** seconded the motion, which passed by unanimous vote.

WEST CLARK LANE IMPROVEMENTS NEGOTIATION STATUS WITH THE BOYER

COMPANY AND LAYTON CONSTRUCTION (Agenda Item #8)

Mr. Forbush gave the latest updated progress report regarding the west Clark Lane improvements on road that had sustained damage during the spring of 2002. In concept, the Boyer Company has agreed to contribute \$22,000 to the City as negotiated by Paul Hirst and as set forth during the last City Council meeting subject to release of bonding guarantee for the portion of the road that was damaged. The Davis School District will patch the portion of the road damage attributed to them or pay the City to make the repairs in the amount of \$1,956.00.

During the 2003 construction season, the City (with the contribution from Boyer and the School District) along with approximately \$9,800 from the City, (previously collected from Boyer for slurry seal) will resurface Clark Lane from the new elementary east to 1525 West.

Susan Holmes *MOVED* that the City Council authorize Mayor Connors to sign agreements with the Boyer Company and the Davis School District after review by the City Attorney. **David Hale** seconded the motion, which passed by unanimous vote.

REPORT ON RESOLUTION RELATING TO DRIVERS LICENSE VERIFICATION/MAX FORBUSH (Agenda Item #9)

No action was needed for agenda item #9. Packet information pointed out that at the October 2nd City Council meet, the Council adopted Resolution 2002-41 pertaining to new risk management procedures regarding review of drivers license verification for those driving City vehicles. The new policy provided for a thorough review of driving records every six months for those who are CDL licensed. This thorough review is allowed by law and provided by the Division of Motor Vehicles at no cost to the City.

The second provision of the resolution provides that all other drivers of City vehicles will have their licenses checked annually for validity. This is also permitted by law. This check is not a thorough review of their driving record, but simply indicates whether or not the driver has a valid drivers license. If the City employee were to have a restricted license, the same would show up on the report. Restricted or non-valid license indication would be reason for ordering a more thorough review of the driving record. Such would be permitted by law.

This resolution was prepared by Michael Hayes of the City Attorney=s office after much discussion between the Police Chief, the City Manager, and Mr. Hayes. Mr. Hayes gave caution about enhancing City risk management methods while protecting the privacy rights of employees. This is an important civil rights issue in the Country, and he prepared the resolution which he thought was about as comprehensive as the city should go at the present time.

Therefore, it was the opinion of the City Manager after again speaking with the City Attorney that, the resolution as adopted should not be changed.

Keith Johnson advised the City Manager that there was previous concern expressed by the City Council that the mow crew drivers be licensed and that they be included in the defensive

driving course. The defensive driving course is scheduled for October 30 for all City employees who drive city vehicles. The City Manager spoke with the Public Works Director about mow crew drivers. Every mow crew driver must provide proof that he or she is fully authorized to drive motorized vehicles before being permitted to drive. Some of the mow crew drivers who return year after year are CDL licensed. Their records can be checked thoroughly every six months if they are working. Those still employed on October 30th will be invited to participate.

BID AWARD TO CONTRACTOR BUILDING FIRE STATION ADDITION (Agenda Item #10)

Mr. Forbush said that the bids were to be opened on October 15 at approximately 4:10 P.M. Three pre-qualified bidders had bid on the project. He presented the Bid Summary indicating that E.K. Bailey, Construction had bid the lowest figure. Mr. Forbush stated that before the bids were opened, a representative from E.K. Bailey asked to change their bid. The City Manager and architect agreed to permit this to occur. Thereafter, the bids were opened. E.K. Bailey was low bid, but wouldn't have been on the base bid if he hadn't changed the bid. E.K. Bailey would have been on his original bid with alternates considered. After consulting with Mike Hayes, E.K. Bailey was allowed to change their bid because there had been no collusion and because the change was made before the official opening of all the bids. The City Manager also said there was enough money in the budget to complete the project including both alternatives.

David Hale *MOVED* to award the bid to build the Fire Station addition including alternates 1 and 2 to E.K. Bailey. **Bob Hasenyager** seconded the motion, which passed by unanimous vote.

MISCELLANEOUS (Agenda Item #11)

County Parking Near the Court House

It was noted by Ms. Holmes that the Davis School District personnel are using the County parking lot on the Court House grounds.

Cannon Sale Information

Mr. Haugen inquired if a letter of information had been sent to the Daughters of the Utah Pioneers. He felt there may be some misunderstandings regarding the proceeds from the sale and its use. Mr. Haugen had heard that the DUP expected part of the proceeds as a gift.

Mr. Forbush suggested Council Members Haugen and Johnson, along with himself, be authorized to meet with DUP executives. Previous discussion amongst Council Members had indicated the City was willing to loan part of the proceeds for work on the republishing of the book, My Farmington. Proceeds from the sale of the book were to be used exclusively for

museum purposes.

Property Concerns Near Shepard Lane

Mr. Hale requested that Ray White respond to a stump grinding project along Shepard Lane. He also stated that a grate was missing over a drainage hole on the old Kmart property and that speed control enforcement had improved along 1500 West.

Ilene Pitch/Cannon Sale

Mr. Forbush requested Mr. Haugen=s assistance in working with Ilene Pitch regarding information about the sale of the City=s cannon.

Traffic Issues along Main Street in North Farmington

In response to a letter by Wayne and Shauna Klein, Mayor Connors requested that the Police Department place the speed trailer along Main Street in the north end of the City.

1075 Closure Issues

Mayor Connors thanked City staff for their work in moving closure barriers so that traffic along 1075 could travel east on 1875. Citizens had mentioned their appreciation.

Sound Wall Landscaping

Mayor Connors said it was a good time of year to re-landscape the west side of the sound wall. There was also an are on the east side where wetlands exist that needs attention.

Mr. Forbush indicated he would request Public Works to develop a plan for cleaning up the detention basin on the east side of the frontage road north of 1340 South.

ADJOURNMENT

Bob Hasenyager *MOVED* at 9:00 P.M. that the meeting be adjourned to *CLOSED SESSION* to discuss strategy as it relates to potential litigation and for the purpose of considering the professional competence of an individual. **Susan Holmes** seconded the motion, which passed by unanimous vote.

The City Council reconvened in open session at 9:40 p.m. upon motion from **Ed Johnson** and seconded by **Larry Haugen**

There being no further business to be brought before the Council, upon motion of **Bob Hasenyager** with a second by **Susan Holmes**, the meeting was adjourned.

Margy Lomax, City Recorder
Farmington City