

# FARMINGTON CITY COUNCIL MEETING

Wednesday, November 6, 2002

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## REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

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

**Mayor Connors** called the meeting to order at 7:05 P.M. The invocation was offered by Susan Holmes and the Pledge of Allegiance was led by members of Scout Troop 1841.

## INTRODUCTION OF MELISSA MOULTRIE, MRS. DAVIS COUNTY/MAYOR CONNORS (Agenda Item #2)

The agenda item was canceled due to misinformation.

## DAVIS COUNTY DEPARTMENT OF AGING SERVICES/J. RICHARD CONNELLY, PHD. (Agenda Item #3)

**Richard Connelly** talked about the demographics of Farmington as reflected in the last census. The aging population was identified by amount and race but not by name. He said there was no current way to identify the specific individuals who may need services provided by the Davis County Department of Aging such as meals and companionship programs. More urgently, some of these people may need help during a disaster. Mr. Connelly suggested ways in which these people may be identified and explained some of the services being offered. He asked for three things from the Council: 1) that the City Council consider a program that would identify the names of the citizens over 60 years of age, 2) that he be given a list of City Council members with their addresses, phone numbers, and email addresses, and 3) that the City Council nominate representatives to the Advisory Board for the Aging.

**Mr. Forbush** asked if there were funds available that could be used to assist Farmington senior citizens in activities that may be sponsored by the City, especially in light of the recent bond approval which will allow construction of leisure services facilities adjacent City Hall. Mr. Forbush expressed his desire to see the City improve services for the aging citizens of the community.

By consensus, the Council agreed to support Mr. Connelly and the efforts of the Davis County Department of Aging Services.

Before moving to the next agenda item, **Mayor Connors** commented on the recent bond election. City Council members had been working very hard to ensure that the City was on solid

financial footing. Several needs had been identified by citizens in a survey taken by the City in which a reliable cross section of opinions were collected. Sixty-two percent of survey respondents indicated a willingness to approve bonding for certain parks and recreational projects. Indeed, the bond issue passed by a 62 percent margin. Mayor Connors also stated that it was a goal of the City Council to decrease City revenue dependency on property taxes and increase revenues through other sources, such as economic development.

**Susan Holmes** stated there had been a great number of volunteers who had worked on the bond election who deserved thanks and commendation. She expressed her enthusiasm for the projects that will be achieved because of the bond approval.

**David Hale** also expressed appreciation for the citizens who had spend many hours in support of the bond issues.

**Max Forbush** praised both Ms. Holmes and Mr. Hale for the tremendous job they both did regarding the bond election. The City Council was unanimously behind the bond election, but Mr. Hale and Ms. Holmes took the lead in getting volunteers organized and in many other aspects of promotion.

#### **APPROVAL OF MINUTES OF PREVIOUS MEETING (Agenda Item #4)**

The minutes of the October 16, 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.

#### **AGENDA AMENDMENT/ISSUES REGARDING STUDENT SAFETY NEAR KNOWLTON ELEMENTARY**

**Carmen Samuelson** (1943 North Kingston Road) stated that to her understanding, when construction of the new veterinarian hospital is completed, there will still remain an 80 foot gap between existing sidewalks where children walk to and from school. Because of the gap, children will literally need to walk out into traffic. The traffic in that location along Shepard Lane is particularly dangerous and is getting worse with time. Ms. Samuelson asked the City Council for \$5,000.00 to connect the sidewalks for the safety of the children.

**Max Forbush** explained the situation existing in that location. The gap between the two existing sidewalks is actually over 100 feet. The area without the sidewalk is occupied by a rental home which sits below the elevation of the street. To construct a sidewalk at that point would require engineering and the permission of the property owner. Also, the City Council had asked staff to research the possibility of hiring an additional crossing guard for the Farmington Elementary students. Neither the crossing guard nor the sidewalk improvement were in the budget. However, Mr. Forbush stated that the sidewalk improvement needed to be done and that now is the best time to do it. His opinion was that UDOT should pay for the improvements but doubted they would be willing to do so. He said upon receiving direction from the City Council, he would look at the current budget and see if monies could be transferred from approved road

projects, which would in turn be cancelled for this fiscal year.

On behalf of the Council, **Mayor Connors** asked Mr. Forbush to research funding source possibilities and report back as soon as possible. He stated the route in question is used by many, many children and safety was a real issue. He asked if anything could be done on a temporary basis to help improve the situation.

**Mr. Forbush** stated temporary fixes would also be costly, and achieving the permanent solution up front would be less costly in the long run.

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

In discussion of the agenda item, **Mayor Connors** asked that Mr. Forbush explain item 6-6.

**Mr. Forbush** stated members of the Leisure Services Department had learned of a very good opportunity to bid on surplus sound and lighting equipment which could likely be used in the expansion of City hall or at Woodland Park. The deadline for the bid came before the City Council meeting, and so Staff decided to submit the bid because other options were possible if the Council decided they did not want to buy the equipment. The City won the bid. If the City Council decides not to purchase the equipment, a \$200 cancellation fee will be required. Mr. Forbush stated if the Council decided to purchase the equipment and it was found that it was inadequate for the new building, it could be resold.

**Ed Johnson** *MOVED* to approve the following items by consent as follows:

- 6-1. Ratification of Construction Bond Agreements previously signed by Mayor Connors.
- 6-2. Approval of PEHP Health Insurance Agreement as enclosed, The City buys its health insurance from this organization and has been receiving services since July.
- 6-3. Approval of August=s and September=s disbursement lists as enclosed.
- 6-4. Approval of contract documents with E. K. Bailey to construct the new addition to the Fire Station.
- 6-5. Conceptual approval of Easement Agreement elements between the City and Gene and Rebecca Mann. The City Manager intends to have this document written up in legal form if conceptually approved by the City Council.
- 6-6. Authorization to purchase sound and lighting equipment from State Surplus for \$3,500. There is an unspent portion of money which was originally set aside for the portable stage that could be used to purchase this equipment. The equipment came up for bid on the internet and was recommended for purchase by the Leisure

Services Department. The City Manager and Finance Director concurred. It can be used at the new building, if approved, or at Woodland Park.

- 6-7. Setting of special City Council meeting to canvass the vote of the November 5 bond election for Friday, November 15, at 8:00 A.M.
- 6-8. Review and approval of December=s Newsletter.

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

**SETTLEMENT AGREEMENT WITH THE BOYER COMPANY, DAVIS COUNTY SCHOOL DISTRICT, AND LAYTON CONSTRUCTION (Agenda Item #7)**

In discussion of the agenda item, **Mr. Forbush** stated the Settlement Agreement between The Boyer Company, Davis County School District, and Layton Construction had remained unchanged from the previous reading.

**David Hale** *MOVED* that the City Council approve the Settlement Agreement as presented in the packet. **Susan Holmes** seconded the motion, which passes by unanimous vote.

**ECONOMIC DEVELOPMENT APPROACHES/INFRASTRUCTURE PROPOSAL FROM METRONET (Agenda Item #8)**

**Mr. Forbush** indicated there appeared to be a significant amount of information the City needed to collect in order to amend its Master Plan. One of the elements of the plan may be an infrastructure master plan to include fiber optics. He and Keith Johnson met with Dynamic City requesting that they submit a proposal which could be completed in phases. The proposal had been included in the packet. Phase 1 and 2 were particularly interesting to Staff members, and Mr. Forbush suggested the Council consider having the UTOPIA Committee headed by Council Member Johnson review the contents of the proposal.

**Council Member Johnson** reported he would take the proposal to his committee for their review.

**OPEN SPACE AGREEMENT WITH SHEPARD RIDGE ENTERPRISES, L.C. (Agenda Item #9)**

**Mr. Petersen** discussed the plat designs for the Oak Wood Estates being developed by the Shepard Ridge Enterprises, L.C. He noted specifically the open space easements being proposed.

**Ms. Holmes** expressed concern that the easement be firmly in place. It was her understanding that a developer could rescind open space easements commitments within 3 days of plat recordation.

Staff stated they would review the agreement and confirm that the easement would be honored.

**Susan Holmes** *MOVED* that the City Council approve the Open Space Agreement with Shepard Ridge Enterprises, L.C., as presented in the packet. **Larry Haugen** seconded the motion, which passed by unanimous vote.

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

**Mr. Petersen** reported the Planning Commission meeting held October 24, 2002. The Commission plans to hear a report from Mr. Petersen and Mr. Chipman on November 14<sup>th</sup> regarding their research into conservation organizations on the east coast. He asked if the Council wanted to attend the meeting on the 14<sup>th</sup> or if they would like to have a report during a City Council meeting. After discussion, the Council agreed to hear the report on November 20<sup>th</sup> at 6:00 P.M.

The Planning Commission voted to grant preliminary plat approval of the Neuman C. Petty application for the Farmington Greens Planned Unit Development, Phase IV, Subdivision located at approximately 200 South 1100 West. The Commission tabled a request by David Griffin for final plat approval of the Griffin Subdivision located at 711 South 1200 West. The reason for the action was to allow time to resolve drainage and other issues.

Mr. Petersen reported work being done on an overlay zoning ordinance for portions of the original town site was near completion and would shortly be presented to the City Council.

#### **BRASS COMB PROJECT/REVISED APPROACH/MAX FORBUSH (Agenda Item 11)**

Packet information indicated that Council Members Haugen and Johnson and the City Manager had previously met with members of the City's Historic Preservation Commission and representatives from the State Historic Preservation Office. The outcome of that meeting was a revised commitment to do everything within the City's power to restore the Brass Comb property. It was doubtful the State would release the City from its previous commitment to remove blight characteristics from the Brass Comb.

Following the meeting, the City received a letter from Chadwick Greenhalgh suggesting an approach for bidding the project which had proven effective in restoration work. Subsequent to receiving the letter, the City Manager, Council Member Haugen, and Denis Butler met with Rod Mortenson of the State Historic Preservation Office and with the Building Inspector. The City Manager authorized the issuance of an invitation for proposals. The approach would require some subsidy from City funds.

**Larry Haugen** *MOVED* that the City Council authorize the City Manager to move ahead with the approach as presented in the letter from Mr. Greenhalgh. **Ed Johnson** seconded the motion.

In discussion of the issue, **Mr. Hale** expressed gratitude to Mr. Greehalgh for his extensive help with the project.

**Mr. Greenhalgh** suggested that money from the City be spent on stabilization of the building=s structure. Purchasers of the building can get a 40 percent tax credit for money spent on interior work.

Voting on the motion was unanimous in the affirmative.

## **MISCELLANEOUS ITEMS**

### **Report on U. S. 89 Off Ramp Discussions with UDOT/ Mayor Connors**

The Mayor reported that as a result of several meetings with UDOT and considerable work by City, County, and State officials, UDOT officials have agreed that the request by Farmington to have an off ramp in the Shepard Lane area is justified and likely workable. The Mayor emphasized that the effort was not complete. Several issues still must be resolved, including access to private property in one section of the property under question. However, the fact that UDOT is now seriously considering the request is welcome news. The Mayor expressed appreciation to UDOT officials for their willingness to work with the City.

### **East Side of Sound Wall**

Mr. Johnson asked for a report regarding the wetland area on the east side of the sound wall and how the City Works Department would be resolving problems in the area.

Mr. Forbush stated the City Works Department had a proposal which would be forthcoming.

### **Fluoridation of Farmington Water**

Mr. Johnson also asked for a report on the progress the City is making towards fluoridation.

Mr. Forbush reported he had contacted the County to check on the November 1<sup>st</sup> deadline. The County stated several cities were unable to meet that deadline but were working towards completing the fluoridation mandate. Farmington City would likely have the process ready for testing in the next 2 to 3 weeks. The Weber Basin Water Conservancy District will be ready in mid-March. Mr. Forbush asked Council members if they wanted to have the City go on line with it=s fluoridation at the same time. By consensus, Council members agreed to have the City begin fluoridation at the same time that Weber Basin Water does.

### **Weed Control**

In response to a question regarding weed control by Ms. Holmes, Mr. Forbush stated the City Public Works Department has asked to come before the City Council for direction regarding the level of service required. With the consent of the City Council, Mr. Forbush will place the matter on a future agenda.

### **Woodland Park Report**

Ms. Holmes reported a recent meeting held with a task committee made up of citizens and other City officials regarding public use of Woodland Park and other City parks. Her report included the following points:

- \$ A report had been completed by the Division of Environmental Health about the sound study conducted in July and August of 2002. The report stated that in no instances did any sound levels present a public health threat or nuisance to the audience participants or residents of nearby homes. @
- \$ The report also noted that all Woodland Park and/or other Farmington City performances were completed prior to 10:30 P.M.
- \$ Members of the task committee remarked that all residents adjacent to city parks experience noise and other inconveniences. It was noted that the City should address issues for all parks, not just Woodland.
- \$ When and if ordinances are considered governing the use of parks, they should be consistent for all parks and not just specific parks.
- \$ A major concern of Chief Gregory was safety in Woodland Park. He stated the design of the park needed to be reviewed to make sure that emergency vehicles had ready access and that the park master plan included a fire and ambulance plan.
- \$ Ms. Holmes stated she would research ordinances from nearby communities for possible use by the City of Farmington.

### **Possible Sidewalk Damage**

Mr. Haugen reported pine trees were growing right next to the sidewalks on Rich Hall=s property and should be examined by the Public Works Department for possible removal. The sidewalks will be damaged if the trees are allowed to grow.

### **Right-of-way Designations**

Mr. Hale raised an issue regarding survey markers along City right-of-ways. In a

discussion with Paul Hirst, Mr. Hale found that the right-of-way along Shepard Lane was very wide. It had been in City control possibly since the 1800s. Because growth and development tend to encroach on such right-of-ways, he asked if the City should consider placing ground monument markers to clearly show where the City=s right-of-ways exist in order to preserve the property and to forewarn those who may unknowingly encroach.

In discussion of the matter, the Council felt that the City retained so many miles of right-of-ways that it would not be likely they could mark all areas. Such right-of-ways were recorded with the County Recorder and could be proven with documents from that office. Also, the City Manager reported that municipalities can never lose property ownership irrespective of abutting property owners using the land.

### **Access to Commercial Entities along U.S. 89**

In response to a discussion by Mr. Hale, Mayor Connors stated that it was the business owners responsibility to request access from UDOT as U.S. 89 is under construction. However, Mayor Connors felt the City should follow up and make sure the business owners were aware of their responsibilities.

### **Bond Election Article by Bob Mickelson**

Mr. Hale commended Mr. Mickelson for the Clipper article featuring Mayor Connors= picture and comments especially by Ms. Holmes. The article explained reason behind the bond election.

### **Recodification Letter from Lisa Romney**

Included in the packet was a letter from City Attorney Lisa Romney regarding the Farmington City Municipal Code recodification. Mr. Forbush asked if the City Council was in agreement with the approach suggested by Ms. Romney. By consensus, the City Council approved Ms. Romney=s suggestions.

### **Farmington Leisure Services Football Program**

The packet included a letter from Kevin Yates regarding what he considered to be a decline in the City=s youth football program. It was suggested that the Leisure Services Committee be given a copy of the letter for their consideration and that they be asked to report back to the City Council with their findings.

### **Cost of Services Study**

Mr. Forbush discussed proposed work to be done by Staff regarding baseline projects of revenue and expenditures (1980 through 2025). The study is being proposed by Max Forbush,

Keith Johnson, and David Petersen. Mr. Forbush suggested the City Council authorize additional pay for Keith Johnson to perform work on the project. It would likely save the City money and would allow City staff to gather important information prior to hiring a consultant. Mr. Forbush suggested Keith Johnson be paid straight time for all hours above 45 per week. He suggested an allocation of \$2,000 for the work and possibly \$500 for consultation with the City=s auditors. Council Members had no problem with the City Manager=s recommendations.

### **Speed Limit Restrictions within the City**

The packet included a draft letter from the City Manager regarding speed limits along 200 East, State Street, 200 West, and Main Street. A map was also included, which Council members reviewed and altered in a few places. After discussion and by consensus, Council members approved the letter with changes as discussed.

### **Grants Applications for Signal at Sheprd Lane and 1075 West and for Pedestrian/Bicycle Trail Crossing at Approximately 400 West and Farmington Creek**

Two grant proposals had been drafted by Paul Hirst, City Engineer, for submittal to the Wasatch Front Regional Council. The proposals requested funding for a new signal at Shepard Lane and 1075 West, where some of the heaviest traffic in the City is experienced. Also requested was funding for a pedestrian/bicycle trail crossing at approximately 400 West and Farmington Creek. The City=s master trails plan calls for the trail to generally follow Farmington Creek and to cross the street to the west side toward the State Street crossing of I-15. The funding is to accomplish the trail connection at 400 West and Farmington Creek.

**Larry Haugen** *MOVED* that the City Council authorize Mayor Connors to sign the letter of request for the two grants. **David Hale** seconded the motion, which passed by unanimous vote.

### **\$1.9 Million Bond Election**

Mr. Forbush stated that since the bonding issue was passed by the citizens, he now believed the City Council needed to move forward in taking steps to sell the bonds and begin planning efforts to bring the projects to fruition. After a brief discussion and by consensus, the City Council directed the City Manager to move forward with the process.

Mr. Forbush and Mr. Hale commented that it would be beneficial for a citizens= committee to continue work on the Heritage Park regarding design and master planning.

### **Insurance for Firefighters**

Chief Gregory submitted a letter to the City Manager regarding life insurance for the

firefighters of Farmington City. The Chief=s letter was included in the packet. After discussion, **Ed Johnson** *MOVED* to authorize the City Manager to enroll the employees of the City=s Fire Department in the Supplemental Firefighter Insurance upon review by Council Member Hale. **David Hale** seconded the motion, which passed by unanimous vote.

### **UDOT Participation in Horrocks Fees**

Mayor Connors requested that the City Manager research the possibility of getting UDOT to participate in remuneration to Horrocks Engineers for studies regarding an off ramp at Shepard Lane.

### **Letter of Appreciation to Jerry King**

Susan Holmes suggested that the Mayor write a letter of appreciation to Jerry King and others who had been instrumental in the bond election. Mr. King had spent hours in informing citizens about the benefits of passing bonding issues.

### **ADJOURNMENT TO CLOSED SESSION**

**Larry Haugen** *MOVED* that the City Council adjourn to closed session to discuss competency of an individual, to discuss strategy as it relates to potential litigation, and to discuss the possible acquisition of property. **David Hale** seconded the motion. The open session adjourned at 9:35 P.M.

At 10:20 p.m. a motion was made by **Council Member Ed Johnson** to go back into open session. The motion was seconded by **Council Member David Hale** and passed unanimously.

A motion was then made by **Council Member Susan Holmes** to authorize the City Manager to look at design options and site plans for the new Community Center with the architects and to negotiate with land owners for alternate sites for land purchases. The motion was seconded by **Council Member Larry Haugen**. The motion passed with a unanimous vote in the affirmative.

There being no further business, the meeting was adjourned at 10:25 p.m. upon motion of **Council Member Larry Haugen**.

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Margy Lomax, City Recorder  
Farmington City