

FARMINGTON CITY COUNCIL MEETING

May 15, 2012

WORK SESSION

Present: Mayor Scott Harbertson, Council Members John Bilton, Nelsen Michaelson, Cory Ritz, Jim Talbot, and Jim Young, City Manager Dave Millheim, Associate Planner Christy Alexander, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey

Mayor Harbertson began the meeting at 6:15 p.m. and welcomed those in attendance. The Council reviewed the following agenda items:

Crosswalk Safety Project

Dave Millheim said staff is not opposed to pedestrian flags, but because there are no standards or policies in place, they are concerned that residents will want flags at additional crosswalks. He suggested the possibility of a pilot program to determine the effectiveness of the flags. Concerns raised by the Council included the lack of striping on the 400 W. crosswalk, whether or not drivers will respect flag-carrying pedestrians, if the project will raise awareness, and the maintenance of the flags.

Minute Motion Approving Summary Action List

Dave Millheim said #2 on the List is another section (Title 3) of the Municipal Code ready for review by the Council. Following a brief discussion, several minor amendments were made.

Farmington City Fireworks Restriction Proposals

Dave Millheim strongly encouraged the Council to make a decision on this item in the regular session so that the information could be included in the June newsletter. Fire Chief **Guido Smith** said the City Council approved an Ordinance in 2005 restricting the use of fireworks in east Farmington. It remained in effect until June 2011 when the Council voted to repeal the ordinance for 2011 and asked the Fire Department to provide alternative options for 2012.

Option #1: Reinstate previous ordinance with minor modifications; four personnel during July 1-7 and July 21-27 (14 days); fireworks allowed in City parks located west of restricted areas.

Option #2: Modify previous ordinance by removing lower section of Somerset Farms and Leonard Lane, 1400 N. to include Ridgewood & Ridgeview Circles, and Bennett Circle; six personnel during the 14 days; fireworks allowed in City parks west of restricted areas.

Option #3: Modify previous ordinance by removing the lower section of Compton Rd. & N. Compton Road; six personnel during 14 days; fireworks allows in City parks west of restricted areas.

Chief Smith strongly recommended Option #1. The Council discussed factors such as new fireworks approved by the state in 2011, how wet/dry the summer will be, fuel loads in relation to structures, and the amount of brush/trees in certain areas. **Cory Ritz** mentioned that west side has a different fuel load, and it would not be a wise decision to have all of the fireworks there. He said

residents need to be educated and then take responsibility for their choices. **Nelsen Michaelson** said that if fireworks are not in the City's best interest, they should be banned entirely.

REGULAR SESSION

Present: Mayor Scott Harbertson, Council Members John Bilton, Nelsen Michaelson, Cory Ritz, Jim Talbot, and Jim Young, City Manager Dave Millheim, Community Development Director David Petersen, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Youth City Council Members Abby Mattinson and Cami Paget were also in attendance.

CALL TO ORDER

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

Mayor Harbertson began the meeting at 7:15 p.m. and welcomed those in attendance, including the Youth City Council Members and former Council Member **David Hale**. The opening prayer was offered by **Jim Talbot**, and the Pledge of Allegiance was led by Boy Scout **David Michael Benson** of Troop 278.

REPORTS OF COMMITTEES/MUNICIPAL OFFICERS

Executive Summary for Planning Commission meeting held April 26, 2012

There were no questions and/or comments regarding the Summary.

PUBLIC HEARINGS

Zoning Ordinance Amendment for Tobacco Retailers

Christy Alexander explained that because the State of Utah passed House Bill 95 regulating tobacco retailers, staff and the Planning Commission decided that the City does not need to adopt its own ordinance unless stricter regulations are desired. On May 1, 2012, the Council placed a moratorium upon retail tobacco establishments. If the Council denies the Amendment, the City Manager will prepare an ordinance after July 1, 2012, and the building restriction will be lifted.

Public Hearing:

Mayor Harberston opened the public hearing at 7:20 p.m. There were no public comments.

Motion:

Jim Talbot made a motion not to approve the amendment to the Zoning Ordinance regarding tobacco in lieu of the Utah State bill which will be in effect on July 1, 2012. It was seconded by **Nelsen Michaelson** and approved by Council Members **Bilton, Michaelson, Ritz, Talbot** and **Young**.

PRESENTATION OF PETITIONS AND REQUESTS

Crosswalk Safety Project

Hunter and **Spencer Benson** presented information regarding their Eagle Scout Crosswalk Safety Project. The project was prompted by an accident on March 27, 2012 when resident **Andrew Tolman** was struck and killed by a westbound driver as he walked his bike through a crosswalk on 400 South and State Street. They would like to install 24 pedestrian flags at the following five crosswalks:

1. State Street/400 South
2. Shepard Lane/801 West (Knowlton Elementary)
3. 200 South/200 East
4. 200 South/50 West (Farmington Elementary)
5. 200 West/150 South (Farmington Junior High)

They reported that the University of Utah did a study which showed that 81% of drivers stopped when the orange flags were used, and only 20% stopped when the flags were not used. They chose the flag safety program because it is simple and relatively inexpensive, and they plan to have a school or business near each crosswalk sponsor the crosswalk and assist with flag replacement.

Jim Talbot said the program should raise awareness for drivers—Kaysville City’s flags on Main Street have helped educate residents. **John Bilton** complimented the boys for taking action and said a crucial part of this effort is education—many people do not realize there is a crosswalk on 400 West. **Cory Ritz** commended their efforts and said disappearing flags may be the biggest obstacle. He suggested that they stencil “Farmington City” on each flag and that the City paint stripes within the crosswalk. **Jim Young** told the boys he is proud of their efforts and believes the project is worth trying. The **Mayor** suggested a pilot program for 6 months with an evaluation in early 2013.

Jeff Tolman encouraged the City to implement this program. He stood on the edge of the crosswalk one night after his son’s accident, and out of 10 cars that passed, none stopped and only one slowed down. He believes pedestrian flags will raise awareness, and he suggested placing a police officer near this location during high traffic times. These efforts will not fill the hole in his family’s hearts, but they may prevent other accidents. He thanked the City for their wonderful support.

David Hale, grandfather of the **Benson** boys, expressed appreciation to the **Mayor** and the City Council for their efforts regarding increased safety in the City.

Motion:

John Bilton made a motion to approve the Crosswalk Safety Project to place pedestrian flags at four crosswalks (excluding the 200 South/50 West crosswalk) and to direct City staff to focus on enforcement and education by publishing information in the City newsletter and painting appropriate stripes on the crosswalk at 400 W. State Street. The project will be reviewed by the Council in six months. **Jim Talbot** seconded the motion which was approved by Council Members **Bilton**, **Michaelson**, **Ritz**, **Talbot** and **Young**.

Farmington City Fireworks Restriction Proposals

The **Mayor** advised the Council to determine whether or not there should be a line. **John Bilton** said there is no perfect solution, but education and enforcement are crucial. He listed the following factors as criteria for choosing a line: (1) street width and accessibility; (2) the distance

from BLM land; and (3) areas with more mature growth—typically on the east side. **Jim Talbot** said public streets have typically been used as borders because residents understand them, and this issue will need to be addressed on a regular basis. Fire Marshal **Paul Hayward** said the Fire Department is recommending that no fireworks be allowed in Woodland Park. Residents will be educated through the City’s newsletter and a flyer which will include a map and specific restricted areas.

Tyler Talbot, 1326 W. 2500 S., Syracuse, thanked the Council and Fire Chief **Guido Smith** for their efforts regarding fireworks restrictions. He is a regional manager for TNT Fireworks, and in 2011 there were fewer fires than ever before because people were not lighting illegal fireworks such as bottle rockets and roman candles. The more restrictions a city places on fireworks, the more the rules will be broken. He advised the Council to establish a barrier that makes good sense and offered to assist with the education process.

Motion:

Jim Talbot made a motion to adopt Option #4 for the year 2012 with the understanding that the plan will be periodically reviewed by staff and the City Council. It will be illegal to light fireworks in Woodland Park, and the Fire Department will have additional staffing of six (6) personnel from noon until midnight on July 1-7 and July 21-27 (14 days) at a cost of \$8740 to be paid from the fund balance. **John Bilton** seconded the motion which was approved by Council Members **Bilton, Michaelson, Ritz, Talbot and Young**.

Appeals Board Selection

Motion:

Jim Young made a motion to appoint **Jim Talbot** and **Jim Young** to serve on the Farmington Appeals Board per Section 3-04-050 of the Municipal Code and to appoint **John Bilton** and **Cory Ritz** as alternates. **Jim Talbot** seconded the motion which was approved by Council Members **Bilton, Michaelson, Ritz, Talbot and Young**.

Christmas Decorations

Motion:

Nelsen Michaelson made a motion to approve the proposal for new Christmas decorations and to authorize the use of funds from Account #38-400-420 in the amount of \$37,314 to purchase the decorations. It was seconded by **Jim Talbot** and approved by Council Members **Bilton, Michaelson, Ritz, Talbot and Young**.

SUMMARY ACTION

Minute Motion Approving Summary Action List

1. Approval of Minutes from April 17, 2012 and May 1, 2012
2. Ordinance Amending, Renumbering, and Recodifying Title 3 of the Municipal Code
3. Approval and/or Ratification of Bonds—Garbett Homes and Woodside Hunters Creek, LLC

Motion:

Jim Young made a motion to approve Item #1 with several amendments to the April 17, 2012 Minutes, Item #2, and Item #3 with an amendment to the Youth City Council section on p. 19 of the Municipal Code. The motion was seconded by **Cory Ritz** and approved by Council Members **Bilton, Michaelson, Ritz, Talbot** and **Young**.

CONSIDERATION OF ORDINANCES/RESOLUTIONS/AGREEMENTS:

Yield Plan Discussion

David Petersen said Farmington adopted its Conservation Subdivision Ordinance in 1999, and a key component was the yield plan which determines the base number of dwelling units for any given property developed as a conservation subdivision or a PUD. A definition of the yield plan and Exhibits A-E were included in the staff report. He reviewed each Exhibit in detail, and answered questions regarding the number of lots allowed, the percentage of open space, the configuration of both the lots and the open space. He used the Farmington Ranches development as an example and said it included 740 acres, and although the majority of the lots were 11,000 square feet, a 300-acre parcel of open space along the lakeshore is preserved in perpetuity so it can never be developed. The City felt that it was more important to save the open space (even if it was private) and preserve the countryside.

There was discussion regarding smaller developments and the fact that the market for ½-acre lots is diminishing. **Nelsen Michaelson** owns a Symphony Home and pointed out that many homeowners are willing to have smaller lots because of the community areas. **Cory Ritz** and some of his neighbors are concerned that density has been artificially raised by utilizing land that really should not be part of the equation in the first place because it is not buildable, and as a result, the City has ended up with unattractive open space in some areas. **John Bilton** said it seems that the yield plan has served the City well, but he would like the flexibility to do it either way. The Council agreed that the City no longer has huge tracts of land to develop, but wisdom should be used as the remaining smaller pieces of property are developed.

David Petersen reported that several sign companies are against the City's proposal to prohibit Electronic Message Centers (EMCs). **Dave Millheim** said if the City takes action, it must be prior to the next legislative session in January 2013.

[**John Bilton** left the meeting at 10:10 p.m.]

GOVERNING BODY REPORTS

City Manager – Dave Millheim

1. *Park Lane Safety/Tim Taylor Report*: There have been 3 life flight accidents on Park Lane in the past year and a half. Letters have been sent to UDOT concerning the confusing signage in that area, but there have been no results. He asked for Council approval to have the City Traffic Engineer conduct research which will assist the City as they make a decision regarding possible solutions.
2. *Fire Department meeting with PLAINS*: There is a high-pressure gas line (200 gallons per second) which runs through the Station Park area. The owner of the line is required to contact the various jurisdictions and follow a safety protocol process. Fire Chief **Guido Smith** did not

sign off on it but asked to see their safety plan and how Farmington might be impacted. Staff is working out an agreement with them which will be reviewed in detail at a later date.

3. *Veterans Memorial Day Program*: The program will be held on Monday, May 28, 2012 at 12:00 p.m. (noon), and he encouraged the Council to attend.
4. *Farmington Trail Access and Mapping City-Owned Properties*: A resident asked about a bike trail access point in west Farmington, and the City discovered they own one of the connection points. During that process, staff realized that they do not have an accurate record of how many properties the City own. GIS Specialist **Matt McCullough** is in the process of determining the number of fee simple properties the City owns. Staff will detail these parcels and add two notes to the GIS: (1) intended use or purpose; and (2) current status. **Cory Ritz** suggested a third note: (3) whether or not the original intended use is still valid.
5. *Transportation Project Review*: There will be an extra work session to discuss the City's transportation projects on June 19, 2012 at 4:00 p.m.

Mayor – Scott Harbertson

- Progress is being made on the Red Barn Lane agreement, and he reminded staff to send a copy the Cook family when it is completed.
- He received a call from **Ben Leiver** of Alpine Dental who currently leases a building near Smith's. He asked if the City would allow him to build a small dental office in the Old Farm area. Following a brief discussion, the Council decided they would like to have a master plan for the area prior to any development.
- He received a call from **Doug McDonald** who was canvassing an area in the City, and he was given an earful from a resident who thinks the City Council is in cahoots with Lagoon.
- He received an email from a resident who is concerned about the lack of restroom facilities during baseball games (near Farmington Elementary). **Cory Ritz** agreed and said the Forbush Park restrooms are often locked on weekends—they need to be made available for baseball games and weekends. The City Manager said he will include the issue on a future agenda.
- He suggested authorizing the Planning Department to approve the abandonment of easements when a resident submits a request to build a shed in their back yard. The City Manager said he will prepare an amendment to the Ordinance.

City Council

John Bilton

- The Mayor said **John Bilton** had to leave the meeting early but told him that six sycamore trees were removed from the temple site in Brigham City, and it was discovered that sycamore wood is valuable. The City should keep that in mind as its sycamore trees age and may have to be removed.

Cory Ritz

- No report

Jim Young

- No report

Jim Talbot

- No report

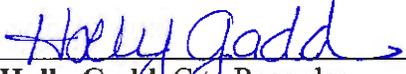
Nelsen Michaelson

- No report

ADJOURNMENT

Motion:

Nelsen Michaelson made a motion to adjourn the meeting. The motion was seconded by **Jim Talbot** and approved by Council Members **Michaelson, Ritz, Talbot** and **Young**. The meeting was adjourned at 10:30 p.m.



Holly Gadd, City Recorder
Farmington City Corporation