FARMINGTON CITY COUNCIL MEETING
April 16, 2013

WORK SESSION

Present: Mayor Scott Harbertson, Council Members John Bilton, Cindy Roybal, Jim Talbot and Jim Young, City Manager Dave Millheim, Development Director David Petersen, City Engineer Paul Hirst, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Cory Ritz was excused.

UDOT Project on Park and Clark Lane

City Engineer **Paul Hirst** reported that the City and UDOT decided to delay the advertising and construction of this project until October 2013 for the following reasons:

- Design elements project wide should be modified to build-out capacity and not current traffic capacity;
- Roundabout at Clark and Park should be designed to full build-out capacity;
- Project tie-in along Park Lane must extend further to the east due to a horizontal and vertical roadway curve super-elevation;
- An amendment to the environmental document will require 6-12 weeks;

Consideration of Ordinance regarding the demolition of buildings and structures

David Petersen used Salt Lake City's Ordinance regarding the demolition of buildings and structures as a guide to rewrite Farmington City's process for demolitions. Salt Lake City has a unique criteria that requires a replacement structure for both single-family residential and commercial projects and a temporary landscape plan for commercial demolitions.

Discussion of Street Light Study

Dave Millheim said a representative from Siemens Industry, Inc. will give a presentation during the regular session, and the Council should decide whether or not the City should move forward with a full performance audit.

City Manager Report

Dave Millheim reported that the City's Historic Commission received a $10,000 grant. He congratulated Chair **Alyssa Revel** and her committee for their efforts and said the funds will be used for various historical sites and/or markers in the City. Former City Manager **Max Forbush** will be recognized for remodeling his historic home at a dinner hosted by the Utah Department of Heritage and Arts, and **Jim Young** agreed to attend.

REGULAR SESSION

Present: Mayor Scott Harbertson, Council Members John Bilton, Cindy Roybal, Jim Talbot and Jim Young, City Manager Dave Millheim, City Development Director David Petersen, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Cory Ritz arrived at 7:25 p.m.

CALL TO ORDER:

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

The invocation was offered by **Jim Young** and the Pledge of Allegiance was led by local Boy Scout **Connelly Dickerson** of Troop 144.

REPORTS OF COMMITTEES/MUNICIPAL OFFICERS:

Executive Summaries for Planning Commission meetings held March 14 and 28, 2013

The Summaries were included in the staff report.

PUBLIC HEARINGS:

Zone Text Change and Rezone of Property (on the southwest corner of Main Street and Park Lane) from BP to CRT and an amendment to the Electronic Message Sign area related thereto

David Petersen said the Planning Commission considered three issues as they reviewed the proposed amendments: (1) is the proposed amendment reasonably necessary; (2) is it in the public interest; and (3) is it consistent with the General Plan and in harmony with the objectives and purposes of the Zoning Ordinance. The City Attorney reviewed and approved the proposal. The primary purpose of the new CRT zone is to serve as a transition area between commercial recreation uses and residential and non-commercial uses.

The Public Hearing opened at 7:12 p.m.

Nola Nielson, 607 North Main Street, said she is the only resident who owns property in the Lagoon loop, and Lagoon represents what is good in life. They are good neighbors, and for generations they have thrilled the youth and made people happy. The sign will not bother her, and it will help Lagoon.

Jessica Platt, 510 North 200 West, Apt. C said she is in favor of the sign. She has spent time learning about it and feels that it will be an asset for Lagoon and the City.

Katharine Krengel, 625 North Main Street, has only been a Farmington resident for a short time, but she has no problem with the sign.

Adam Leishman, 254 East 200 South, works for Lagoon will be creating the content for this sign. Lagoon wants to be a good neighbor, and they plan to operate this sign respectfully. He thanked the Council for their consideration and said staff has been strict but

helpful during this process. There are many objectionable electronic signs in the valley, but Farmington's ordinance has been set up to eliminate that risk by creating parameters for illumination, operational hours, motion and animation. Lagoon will be able to change messages easily without being offensive to neighbors.

The Public Hearing closed at 7:15 p.m.

Mayor Harbertson thanked Lagoon for their patience during this process and said this new sign will benefit both Lagoon and Farmington City.

Motions:

Jim Young made a motion to adopt the Ordinance 2013 repealing Chapter 21 of the Zoning Ordinance titled "Special Use Restricted (SR)" and enacting a new Chapter 21 "Commercial Recreation Transition (CRT)" of the same title. The motion was seconded by **John Bilton** and approved by Council Members **Bilton**, **Roybal**, **Talbot** and **Young**.

John Bilton made a motion to approve the Ordinance amending the Zoning Map to show a change of zone for property located at 653 North Main Street (0.99875 acres) from BP to CRT. **Jim Talbot** seconded the motion which was approved by Council Members **Bilton**, **Roybal**, **Talbot** and **Young**.

John Bilton made a motion to approve the Ordinance amending the electronic message sign area as set forth in the Farmington City Sign Ordinance to include property located at 653 North Main Street (0.99875 acres). **Jim Talbot** seconded the motion which was approved by Council Members **Bilton, Roybal**, **Talbot** and **Young**.

Findings:

1. Based on a demonstration by YESCO (1-31-13) and the standards adopted as part of recent amendments to the Sign Ordinance, an Electronic Message sign is reasonably appropriate at this location.
2. Other areas on the periphery of the existing CR zone are also appropriate for the CRT zone if the City chooses to rezone these areas in the future.
3. The expansion of the Electronic Message Sign area to include the proposed CRT zone implies that this sign area may be appropriate for this zone but not for other non-CRT zones with office uses, or the potential for office uses.
4. Business and professional offices are a conditional use in the CRT zone, and this use is consistent with the text and the land use designation of O/BP (Office/Business Park) of the General Plan for the southwest corner of Park Lane and Main Street.

Cory Ritz arrived at the meeting at 7:25 p.m.

Consideration of Ordinance regarding the demolition of buildings and structures

The Public Hearing opened at 7:26 p.m. There were no comments, and it closed at 7:26 p.m.

Jim Talbot made a motion to adopt the Ordinance enacting Section 11-28-230 and definitions in 11-2-020 and amending Chapter 39 (Historic Buildings and Sites) regarding the demolition of buildings and structures as set forth in the Zoning Ordinance and with the following amendments: Edit, address, and define the landscaping issue on page 3, paragraph 2 and correct two typographical errors on page 3. **John Bilton** seconded the motion which was approved by Council Members **Bilton, Ritz, Roybal, Talbot** and **Young.**

Findings:

1. The Ordinance promotes the public welfare by maintaining the integrity and continuity of the urban fabric and economic vitality;
2. It establishes standards and an orderly and predictable process for the demolition of buildings and structures in Farmington;
3. It ensures that demolitions occur safely;
4. Utilities and other infrastructure will be better protected from damage during demolition;
5. It provides for enforcement of timely completion of the demolition and for improvement of property following demolition to ensure the site is not detrimental to the use and enjoyment of surrounding property;
6. The City avoids demolition, or partial demolition, of buildings and structures in a manner that disrupts the character and development pattern of established neighborhood and business areas, which is in the public interest, by:
    a. Requiring existing buildings to be maintained in a habitable condition until replaced by new construction, except as otherwise permitted by ordinance;
    b. Stopping the demolition of existing structures until a complete building permit application is submitted (or in some cases issued) for new construction, except as otherwise provided by the ordinance; and
    c. Avoiding the creation of vacant demolition sites with minimal or no landscaping or other improvements.

NEW BUSINESS:

Discussion of temporary revision to the Miss Farmington Pageant

Parks & Recreation Director **Neil Miller** said there are only 3 contestants for Miss Farmington this year. There is a provision in the contract with the Miss Utah Board which allows a pageant to remain part of the Miss America program without holding a traditional pageant. The Parks Department's proposal includes three areas of competition: talent, interview, and essay. The three contestants will be scored by judges in each of the areas, and the person with the highest overall score will become Miss Farmington. The Council approved the proposal and thanked the Parks Department for their efforts.

Discussion of Street Light Study

Siemens Industry Inc. representative **Mark Cram** said they could help Farmington save energy and reduce the operation and maintenance costs of its 901 light poles. In 2010 legislation was passed to allow public agencies to enter into energy contracts without the need

for capital expenditures. Benefits include long-term savings in both costs and energy, uniform and consistent lighting throughout the City, reduced maintenance expenses, a longer fixture lifespan, and improved night-time visibility, safety, and security. Farmington's annual energy and maintenance expenses are $81,000, and the estimated annual savings with this plan would be between $49,000 and $52,000. Following a brief discussion, the Council authorized Siemens to perform an Investment Grade Audit with the understanding that the price of the audit ($10,000) will be credited to the overall cost if the City decides to move forward with the project.

Facility Use Agreement with Farmington Area Baseball League (FABL)

Mayor Harbertson said the last contract between the City and FABL was signed in 2004 and several items are outdated. **Neil Miller** asked for approval from the Council to have the City Attorney draft a new agreement. The Council discussed related issues: a $500 security deposit, garbage cans and trash removal, adequate lighting, dandelions, maintenance of the fields, and the use of the Community Center one time each year and authorized City staff to move forward with a new agreement.

SUMMARY ACTION

1. Approval of Minutes from the March 19, 2013 meeting
2. Ratification of Approval of Storm Water Bond Logs
3. Farmington Creek Estates Phase IV (PUD) Reimbursement Agreement
4. Improvements Agreement for Farmington Creek Estates Phase IV
5. Storm Drain Master Plan update Contract
6. License Agreement with UTA re: Denver & Rio Grande Western Railroad Corridor
7. Mow Trailer
8. Arbor Day Proclamation
9. Revocation and Abandonment of Easement – Farmington Ranches, Phase 7A

Motion:

Jim Young made a motion to approve the nine items on the Summary Action List. **John Bilton** seconded the motion which was approved by Council Members **Bilton, Ritz, Roybal, Talbot** and **Young**.

GOVERNING BODY REPORTS:

City Manager – Dave Millheim

- Upcoming Agenda Items, the Fire Monthly Activity Report for February, and Building Activity Reports for February and March were included in the staff report.

- The City is planning a short program at the Cemetery on Memorial Day, and he asked for suggestions for a speaker.

Mayor – Scott Harbertson

- He received a letter from W.B. Gatrell who commented on the excellent service provided by Robinson Waste Service during the last wind storm. **John Bilton** suggested that the City send a copy of the letter to Robinson Waste.
- He received a letter from residents **John & Liz Green** who live across the street from the police station, and they think the new Verizon cell tower looks great.

- THC is hosting an open house at the Park Lane Commons Apartments on April 23, 2013. Council Member **Cindy Roybal** volunteered to attend.

- The Clipper changed the procedure for 2013 Mother of the Year. Residents will make nominations until April 25, and one mother will be chosen by the City Council. The deadline for submitting a nominee is May 1st.

- **Jay Hess** agreed to be the grand marshal in the 2013 Festival Days Parade.

- He spoke with a landscape architect from MGB&A who opened his eyes as to the cost of future park property.

City Council

Jim Talbot:

- He commended staff for their clean-up work following the wind storm.

John Bilton:

- The Farmington Area Baseball League services 750 kids in Farmington. They use two City fields and share several fields with the Davis School District. He suggested that 15 garbage cans be placed on the fields near Farmington Elementary and that 5 be placed on the Knowlton fields and that several light issues be resolved. FABL is a great program that has produced many state champions.

Cory Ritz:

- Several residents have requested water for their animals in a pasture located near 1100 West, and **Dave Millheim** agreed to follow through on the request.

- There was a car accident on the bridge crossing Farmington Creek on 500 South 1100 West, and the bridge railing (jersey barriers) were pushed off to the edge which is unsafe. **Candland Olsen** said the gas company replaced the barriers.

- Several residents have complained about street cleanup near the construction area in west Farmington, and developer **Candland Olsen** said it will be cleaned up soon.

There was a 5-minute recess.

CLOSED SESSION

Motion:

At 8:30 p.m. **John Bilton** made a motion for the Council to go into a closed meeting to discuss the character and competence of an individual and potential property acquisition of real property. The motion was seconded by **Jim Talbot** and unanimously approved.

Sworn Statement

I, **Scott C. Harbertson**, Mayor of Farmington City, do hereby affirm that the items discussed in the closed meeting were as stated in the motion to go into closed session and that no other business was conducted while the Council was so convened in a closed meeting.

Scott C. Harbertson, Mayor

Motion:

At 8:50 p.m. a motion to reconvene into an open meeting was made by **Jim Talbot**, seconded by **John Bilton**, and unanimously approved.

ADJOURNMENT

Motion:

Jim Talbot made a motion to adjourn the meeting. **John Bilton** seconded the motion which was unanimously approved, and the meeting was adjourned at 8:50 p.m.

Holly Gadd, City Recorder
Farmington City Corporation

FARMINGTON CITY
CERTIFICATE OF POSTING

I, the duly appointed and acting Recorder for the City of Farmington, Utah, hereby certify that copies of the **Farmington City Council Minutes for April 16, 2013** were posted on the Farmington City Website and the State Public Meeting Notices website this 15th day of May, 2013

DATED this 15th day of May, 2013.

FARMINGTON CITY

By: Holly Gadd
Holly Gadd
City Recorder