**FARMINGTON CITY COUNCIL MEETING**
Tuesday, March 2, 2010

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## CITY COUNCIL WORK SESSION/EAST CONFERENCE ROOM

***PRESENT:*** *Mayor Scott Harbertson, Council Members Richard Dutson, Cory Ritz, Jim Talbot and Sid Young, City Manager Max Forbush, Assistant City Planner Glenn Symes, and Recording Secretary Cynthia DeCoursey. Council member John Bilton was excused.*

### Spring Cleanup/Leaf Pickup Discussion with the Public Works Department

**Walt Hokanson** and **Ray White** attended the work session to discuss issues related to the spring cleanup and leaf pickup programs which have been in place for several years. They both feel that these programs worked well when Farmington had fewer people and more money. However, money is tight and compliance is difficult. They estimated that approximately 30% of the population receives 90% of the service. As an example, Farmington Ranches is a large area where collection of spring cleanup debris can be completed in one afternoon, whereas the downtown cleanup requires at least three days. Because of the growth in Farmington, the current crews from the Public Works Department, in addition to the City's "cleanup" contractor, cannot handle the additional work load. Also, Central Davis Sewer has taken the entire amount of the City's waste in the past, but they may no longer handle such a large volume of green waste. **Mr. Hokanson** and **Mr. White** suggested two options: (1) discontinue the spring cleaning program or (2) scale it back. They feel frustrated because many residents do not comply with the rules, and they listed some common infractions:

Debris stacked incorrectly
The volume of material set out is excessive
Debris is set out after the deadline has passed
Gutter is used as a dump
Abuse of the Christmas tree pickup
Leaves all year on State Street and Main Street
Abuse of the street sweeper (limbs, leaves, etc.)

Following City Council discussion on this issue, **Ray White** agreed to take pictures of waste that has been properly prepared and of the violations he and the public works staff encounter. Then he will present a slide show to the City Council. City staff agreed to conduct research to find out how these issues are handled by other cities, what types of enforcement may be beneficial, reasonable load limits and how to educate the residents of Farmington.

### Timing issues on the Farmington Ranches Park

**Neil Miller** told the Council that the tennis court is ready for the coating, but the nets will not be installed until later in the year. The grass will be planted in May and should be ready to be mowed for the first time during the first week in July. The picnic tables, playground equipment,

and tennis nets will then be installed, and the park should be ready for public use in mid July. He is concerned about keeping people away from the park until it is complete. The four entrances are blocked with barricades which will assist, but people will need to be educated on the timing. **Mr. Miller** also gave an update regarding the soccer program: approximately 80 soccer teams are signed up, and the Parks and Recreation staff are currently recruiting coaches. Lowering the price and playing soccer in both the fall and spring has increased resident participation.

**Closed Session**

At 6:25 p.m. **Cory Ritz** made a motion to go into a closed session to discuss strategy as it relates to the acquisition of real property and strategy pertaining to pending litigation. **Rick Dutson** seconded the motion, and it was approved by all Council Members.

**Cory Ritz** made a motion to end the closed session. **Jim Talbot** seconded the motion, and it was approved by all Council Members. The closed session ended at 6:45 p.m.

**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.

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Scott C. Harbertson, Mayor

**Agenda Item #6 – Request for authorization to modify placement of a sidewalk at 541 West 1300 North placing a 6-foot sidewalk against the curb without a park strip – Chris Martineau**

**Glenn Symes** said the Planning Commission recommended the approval of this request for a sidewalk amendment, and there was a brief discussion regarding the item. The work session ended at 6:55 p.m.

**REGULAR CITY COUNCIL/CITYCHAMBERS/CALL TO ORDER**

***PRESENT:*** *Mayor Scott Harbertson, Council Members Richard Dutson, Cory Ritz, Jim Talbot and Sid Young, City Manager Max Forbush, City Engineer Paul Hirst, City Recorder Margy Lomax and Recording Secretary Cynthia DeCoursey. Council Member John Bilton was excused.*

**Mayor Harbertson** opened the meeting at 7:00 p.m. and welcomed those in attendance. **Rick Dutson** offered the invocation, and the Pledge of Allegiance was led by **Ryan Cleghorn**, a local Boy Scout.

## APPROVAL OF MINUTES OF PREVIOUS MEETING (Agenda Item #2)

### Motion

**Rick Dutson** made a motion to approve the minutes of the February 16, 2010 City Council meeting with the amendments made in the work session. The motion was seconded by **Sid Young** and approved by all of the Council Members.

## YOUTH CITY COUNCIL – SWEARING IN OF NEW MEMBERS (Agenda Item #3)

**Mayor Harbertson** introduced the Youth City Council Officers for 2010:

- Mayor: **Nick Mason**
- Director of Youth Citizenship: **Tasha Fernley**
- Chair of Publicity: **Jessica Memmott**
- Director of Volunteerism: **Alexa Nelson**
- Historian: **Elli Slagowski**
- Treasurer: **Matt Swanson**
- Secretary: **Marissa Brown**
- Parliamentarian: **Mckenzie Madsen**
- Sergeant of Arms: **Alexon Tiem**

Returning Youth City Council Members:

**Layne McKenna**
**Tanner Phillips**
**Rebecca Smith**
**Emily Welch**

New Youth City Council Members:

**Liz Ashby**
**Jacob Barnett**
**Matt Beck**
**Caitlyn Costley**
**Jessica Harris**
**Tee Jay Jewett**
**Courtney Kattleman**
**Jordan Kattleman**
**Andrew King**

**Zach Schofield**
**Joel Tate**
**Alyssa Utley**
**Christa Wiscombe**

Advisors:
**Kristen Harbertson**
**Katie Curtis**
**Alexis Wiscombe**
**Emily Wahlstrom**

**Rick Dutson** and **Mayor Harbertson** will work with the Youth City Council during 2010.

**PLANNING COMMISSION REPORT (Agenda Item #4)**

**Glenn Symes** gave the Planning Commission report during the work session.

**PUBLIC HEARING: CONSIDERATION OF PUBLIC COMMENTS WITH RESPECT TO THE ISSUANCE OF NOT MORE THAN $3.5 MILLION OF SALES AND FRANCHISE TAX REVENUE BONDS, SERIES 2010 BY FARMINGTON CITY (Agenda Item #5)**

**Mayor Harbertson** explained that this bond money will be used to build the Station Parkway road, and a public hearing is necessary to allow residents to comment on how this project may have a potential economic impact on the private sector.

**Public Hearing Opened**

The **Mayor** opened the public hearing at 7:15 p.m. There was no one to speak concerning this matter, and the public hearing was closed at 7:15 p.m. He said a resolution authorizing the issuance of the bonds will be voted on at a future meeting.

**REQUEST FOR AUTHORIZATION TO MODIFY PLACEMENT OF A SIDEWALK AT 541 WEST 1300 NORTH PLACING A 6-FOOT SIDEWALK AGAINST THE CURB WITHOUT A PARK STRIP – CHRIS MARTINEAU (Agenda Item #6)**

The Council discussed some of the issues regarding this item. The owners are constructing an accessory building and would like additional landscaping, including a berm, and a 6-foot sidewalk against the curb. It was pointed out that the park strip in this subdivision varies in width, and in some areas the sidewalk is located at the back of the curb because of elevation issues, so it is not without precedent.

**Motion**

**Rick Dutson** made a motion to authorize **Chris Martineau**, on behalf of the property in Hidden Meadows Subdivision (541 West 1300 North), to place a 6-foot sidewalk against the owner's curb without a park strip and with the expectation that the owners will properly maintain the area. **Jim Talbot** seconded the motion, and it was unanimously approved.

**CURBSIDE RECYCLING "EXEMPTION" REQUESTS (Agenda Item #7)**

**Mayor Harbertson** said the City received two more curbside recycling "exemption" requests from **Liz Hartman** and **Kim Haggarton**. There was a brief discussion as to whether or not these requests should be granted.

**Motion**

**Sid Young** made a motion to authorize the City to grant the two exemption requests regarding residential curbside recycling. **Rick Dutson** seconded the motion, and it was approved by all Council Members.

**MINUTE MOTION APPROVING SUMMARY ACTION LIST (Agenda Item #8)**

- Ratification of Construction & Storm Water Bond Agreements
- Approval of November's and December's Disbursement Lists
- Approval of Escrow Bond Agreement with Symphony Homes for Chestnut Farms
- Approval of "Extension Agreement with JMR Land Development and Leslie H. Moosman
- Ratify approval of "Offer to Purchase" proposal to First Utah Bank to acquire a small parcel of land (less than 500 square feet) and related slope easement for Station Parkway
- Approval of Budget Review Timeline as recommended by Keith Johnson
- Approval of Temporary Construction Easement Agreement with CenterCal Properties to access road for building Station Parkway.

**Motion**

**Cory Ritz** made a motion to approve the items on the Summary Action List. **Sid Young** seconded the motion, and it was approved by all of the Council Members.

**ENGINEERING SERVICES PROPOSAL/CONTRACT WITH CRS ENGINEERS PERTAINING TO THE REPLACEMENT OF SPENCER RESERVOIR/DISCUSSION ON PLANNING FOR NEW CULINARY WELL LOCATION (Agenda Item #9)**

**Mayor Harbertson** referred to the following items located in the staff report:

(1) map of the proposed Main Park well site and the existing infrastructure
(2) analysis of alternative sites for the proposed well

(3) proposal for the replacement of Spencer Reservoir

He explained that at some time in the future, the City would like to drill a test well to determine if it is an acceptable site, and it would then be capped for use at a future time. City Engineer **Paul Hirst** has identified feasible areas within in the City where a well could be located. Staff believes the City's first priority ought to be to expand the Spencer Reservoir well from 500,000 gallons to 1,500,000 gallons. It is 50 years old and does not meet the current regulations. **Paul Hirst** told the Council he has wanted to do this project for many years. He referred to a proposal submitted by CRS Engineers which identifies three tasks they will perform:

1. Preliminary Design and Investigation of the Project
2. Final Design
3. Construction Management Services

Each of these tasks is explained in greater detail in the proposal. **Mr. Forbush** said the amendment of the City's water rate structure and the collection of impact fees will pay for this project. The replacement cost for the 500,000 gallons will come through the water rate increase, and the additional 1,000,000 gallons will come through impact fees. He stressed that the additional water storage will help Farmington City meet the state requirement for water storage and meet the higher demand for water because of population growth on Farmington's west side.

**Motion**

**Sid Young** made a motion to amend the intent of the municipal water budget authorizing the design of a replacement reservoir for Spencer Reservoir rather than drilling a new well at this time. **Cory Ritz** seconded the motion, and it was approved by all of the Council Members.

**CABLE TELEVISION (COMCAST) FRANCHISE AGREEMENT – 1ST READING (Agenda Item #10)**

**Mayor Harbertson** explained that this franchise agreement with Comcast expires at the end of March. This draft was written by attorney **Lisa Romney**, and it will be reviewed again at the March 16, 2010 City Council meeting when a motion will be made. The Council discussed various points within the agreement, including:

- the term of the agreement,
- possible use of existing conduits,
- excavation permits,
- party responsible for payment of costs related to the relocation of City infrastructure
- aerial and underground construction

**Mr. Forbush** asked Comcast to submit a proposal including a timeline for providing full services in the west Farmington area and present it at the next City Council meeting. The City would like to be able to tie all of their municipal buildings together with both voice and data lines and asked Comcast to study the possibility of using the City's two 4-inch conduits located along west State Street and under I-15 and the railroad tracks. The cost for the installation of the conduit was approximately $40,000, and the hope is that Comcast will present a proposal that will benefit both the City and their company.

**RESOLUTION AMENDING THE CONSOLIDATED FEE SCHEDULE TO ADD AN APPLICATION FEE FOR AMENDING A CONSERVATION EASEMENT AND TO AMEND THE DECORATIVE STREET LIGHTING FEE (Agenda Item #11)**

**Mayor Harbertson** said the City's decorative street lighting costs have increased, and the City's consolidated fee schedule needs to be updated to reflect the correct cost. The average price per pole will be $3,200.00.

**Motion**

**Rick Dutson** made a motion to approve the resolution amending the Consolidated Fee Schedule to include an application fee for amending a Conservation Easement and to amend the decorative street lighting fees. **Cory Ritz** seconded the motion, and it was unanimously approved.

**OAKRIDGE CONDOMINIUM HOA REQUESTS (Agenda Item #12)**

**Mayor Harbertson** said the Oakridge Village HOA has two requests from the City. Residents currently pay $7 per month for the sweeping of City streets but do not receive any benefit, and they have requested that the City sweep their streets. **Max Forbush** agreed to request an easement from the HOA prior to starting sweeping services. The HOA also requested that Farmington City apply for Federal CDB6 funding to assist in the reconstruction of their streets and repair or replace the drainage system within their Condominium project area. They believe they have sufficient members within the HOA to qualify for this grant under the low and moderate income criteria. The HOA is willing to pay for an income survey to determine eligibility. In order to qualify for this grant, 51% of the residents must fall within the low or moderate income bracket. The Oakridge HOA would be required to pay for all of the costs not paid by the grant. The HOA currently handles all of the maintenance on the street.

**Motion**

**Jim Talbot** made a motion to authorize Farmington City to sweep the streets in the Oakridge Condominium area and to have an easement prepared by the Oakridge HOA. **Rick Dutson** seconded the motion, and it was approved by all Council Members.

**Motion**

**Jim Talbot** made a motion to authorize City staff to evaluate the feasibility of conducting a low and moderate income survey in the Oakridge Condominium project. **Cory Ritz** seconded the motion, and it was unanimously approved.

## CITY MANAGER REPORT (Agenda Item #13)

**Max Forbush** reviewed the revenues and expenditures of the new City Offices and said they are in the process of determining priority items. He said it is difficult to determine exact costs on items such as window coverings, Christmas décor and the basketball court. He explained that the basketball court is a joint proposal with the Davis School District (DSD) because the construction of the new City building reduced the number of basketball courts at Farmington Elementary. A plan is being prepared by the DSD landscape architect, and the City will split the cost of the basketball court with them. The elementary school would use it during the day, and the community would use it during the after school hours. He said the DSD is also considering a new playground, and the City may need to help with that cost. The Council agreed that they would like to spend additional money and purchase high quality products. He also mentioned that the City closed on the sale of the old City Hall today.

## GOVERNING BODY REPORTS (Agenda Item #14)

### Mayor Harbertson's Report

1. **Mayor Harbertson** held a meeting with **Kent Nichols** (contractor for the Steed Place) regarding two old pillars that were located on the property. The City requested that the pillars be saved for their historical value, and that requirement was listed in the development agreement. However, the developer, **Todd Bradford**, did not follow through with that requirement—one of the pillars was buried, and the other one was pulled out and thrown aside. The **Mayor** said the matter will come to the City Council to decide what to do because the developer is in violation of the development agreement. He said the developer paid $25,000 to the Historical Society for tearing down the old root cellar, but they do not consider the pillars to have historic value. **Mr. Nichols** has offered to save the remaining pillar if the City Council feels it is important. It was the consensus of the Council that this was not a serious issue.

2. The **Mayor** attended the first EIS meeting which UDOT held to discuss the plans for the West Davis Corridor. The timeline was discussed, and various needs and wants were evaluated. The EIS process was discussed during the first hour, and the second hour dealt with special interest groups. He thanked the City Council members for being at the open house and said UDOT was impressed with the attendance.

3. The **Mayor** and **Rick Dutson** held a meeting last week with **Rich Haws** to encourage better communication with **Mr. Forbush** and other City staff. They hope this will help relieve some of the contention that has taken place regarding various issues involved with his development.

4. The **Mayor** attended an Integrated Waste Management meeting and learned that the pharmaceutical industry sends three truckloads of expired medicines, lotions, and narcotics per day to the burn plant.

**City Council Reports**

**Rick Dutson** said his street is on the blue recycling schedule and was missed this past week. He also mentioned a sidewalk failing on Northridge Road; the dirt/pea gravel is sloughing away, and the sidewalk joints are dipping. Zions Bank has both warm white and cool white lights on the perimeter of the building, and the lights should all be the same. He also spoke with **Craig Trottier** regarding a couple of issues. He was very positive about future tenants and said they hope to have another press release in the next couple of weeks. Some of the existing tenants have announced their desire to increase the square footage they initially requested. However, **Mr. Trottier** is concerned about Utah's liquor laws. There is a possibility that he will lose potential restaurant owners because they are unable to obtain liquor licenses. The Council agreed that it is an economic development issue, and the City needs to be able to accommodate restaurants who serve alcohol.

**Sid Young** mentioned the following items:

1. A list of bills and the policy committee status;

2. Economic report:
   - $700 million drop in travel related spending from 2008 to 2009.
   - 20,000 jobs lost in the construction industry.
   - 23% of US homeowners owe more on their mortgages than their property is worth.
   - Property values in Florida went down 33% since June of 2009.
   - Property value in Utah went down 13 % since June of 2009;

3. Two retirement bills: (1) double dipping and prospective employees; (2) increase from 1% to 1 ½% for fire and police;

4. A new OHV bill expands the use of OHVs in communities with a population of less than 7500;

5. He appreciated the letter that was written to the Davis School District and requested that **Mr. Forbush** send a copy to Superintendent **Brian Bowles**;

6. Ryan Shupe and the Rubber Band will perform at the Utah League of Cities and Towns mid-year Conference.

**Cory Ritz** gave an update of the property the Council discussed in the closed session.

**Jim Talbot** made a suggestion to locate a door between the City Manager's office and the conference room in the new City Hall building and said investing in new furniture for the building should be a priority. He also questioned why there is no Farmington rock on the building. **Mayor Harbertson's** response was that Farmington rock is difficult to find, is no longer quarried, and is expensive.

## ADJOURNMENT

### Motion

**Rick Dutson** made a motion to adjourn the meeting. The motion was seconded by **Jim Talbot**, and it was approved by all of the Council Members. The meeting was adjourned at 9:00 p.m.

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Margy Lomax, City Recorder
Farmington City