FARMINGTON CITY COUNCIL MEETING

Wednesday, July 11, 2001

CITY COUNCIL WORK SESSION/WEST CONFERENCE ROOM

PRESENT: Mayor Bell, Council Members Connors, Dixon, Hasenyager, Haugen, and Johnson, City Manager Forbush, City Planner Petersen, and Deputy Recorder Chipman.

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

- Mr. Forbush reviewed damage done throughout the City during an unusually bad rain storm on Monday, July 9th. There were several places in the City that sustained flooding. The City Staff had been very busy during the last 3 days responding to citizen calls. The damage seemed to be heaviest in northern Farmington. Mr. Forbush was not aware of any injuries due to the storm. Erosion in the Shepard Heights area was not as bad as expected.

- An amended agenda had been prepared for the night's meeting.

- The agenda included consideration of the sale of excise tax revenue bonds.

- Mr. Forbush had prepared a thank you for Doug and Teresa Wood who had taken care of the City Office Building for 16 years.

- Kim Haws and Dian Olsen would be present to discuss a prevention program for adolescent suicide in Davis County.

- Mr. Sipes, owner of property near the corner of Shepard Lane and Main Street, would be at the regular City Council meeting to ascertain the Council's disposition regarding his desire to create a flag lot on his property. He wanted to know how the Council felt before he officially applied.

- Council members commented there was a need to establish a policy regarding building permit fee waivers. It was suggested that a committee of staff be organized to review such requests on a case by case basis.

- The Davis County Commission had officially requested a Class B beer license. The request will be considered during the regular meeting. One Class B license is available.

- Mr. Forbush briefly reviewed issues related to the City's option to purchase property from the owners of the Brass Comb.

- Mr. Forbush recommended approval of item #9, which could include a trade for property needed for trail improvements near the D&RG railroad tracks.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor Gregory S Bell, Council Members David M. Connors, David J. Dixon, Bob Hasenyager, Larry W. Haugen, Edward J. Johnson, City Manager Max Forbush, City Recorder Margy Lomax, City Planner David Petersen, and Deputy Recorder Jeane Chipman.

Mayor Bell called the meeting to order at 7:00 P.M. following the Council's work session. The invocation was offered by David Connors and the Pledge of Allegiance was led by Margy Lomax.

APPROVAL OF MINUTES OF PREVIOUS MEETING

The minutes of the June 20, 2001, City Council Meeting were read and corrected. **Larry Haugen** *MOVED* to approve the minutes as corrected. **David Connors** seconded the motion. The voting was unanimous in the affirmative. Ed Johnson abstained due to his absence during the June 20th meeting.

PRESENTATION OF APPRECIATION TO DOUG AND TERESA WOOD

Mr. Forbush commended Doug and Teresa Wood for their good work and willingness to help with building needs over the past 16 years. He said they had taken good care of the building. Gift certificates were given to the Woods as a token of appreciation for their dedication and service.

On behalf of the City Council, **Mayor Bell** thanked the couple for all their work.

REPORT OF PLANNING COMMISSION (Agenda Item #3)

David Petersen reported proceedings of the Planning Commission meeting held June 28, 2001. He covered the following items:

1. The Planning Commission approved an application by Denver Rigby for a metes and bounds subdivision (two lots) located on 6.89 acres at approximately 700 South 650 West. The property cannot be subdivided by metes and bounds again for another 5 years according to City ordinances. If the owner applies for another subdivision on the property before then, a plat will need to be submitted.

2. The Planning Commission recommended that the City Council adopt the Leisure Services and Parks and Master Plan as an element of the Farmington City Comprehensive

General Plan. They had reviewed the document twice. A public hearing on the master plan is scheduled for the City Council meeting on 18th.

3. The application for conditional use and site plan approval to construct a meetinghouse for The Church of Jesus Christ of Latter-day Saints located on 3.02 acres at14 South Bonanza (approximately 1700 West) in an AE zone was approved. The Commission discussed the use of Farmington rock as an element of the building and compared the existing use on other Church building in the City. Wainscot rock was usually hidden by landscaping, so the Commission asked that a design be presented for their consideration which used the rock on the entrances and pillars on the building. The design will be reviewed at the next Planning Commission meeting.

4. Tiffini Smalley had requested conditional use and site plan approval to establish a preschool and dance studio at 1361 North U.S. Highway 89 in the office condominium complex north of K Mart. Mr. Petersen explained that since the Cherry Hill construction, traffic and been cutting through the parking lot of the office condo property to avoid the congestion on Shepard Lane. The owners decided that the drive through traffic had become so bad that they blocked the entry way into the K-Mart parking lot. However, it was not intended to be a permanent closure. Other tenants in the building were present and expressed strong opposition to the preschool operation. The Planning Commission denied the conditional use permit on the grounds that it may be unsafe for children to cross the parking lot to get to their playground. However, they did encourage the Smalley family to locate their business in the Farmington area.

5. The Commission reviewed the City's annexation policy as a public hearing. They will hold a second public hearing on July 26th.

6. A request was submitted by the City and Paul Hayward for a recommendation to the City Council to amend Section 11-28-060 (C) to allow taller fences for tennis courts or other similar playing surfaces. The Planning Commission recommended the amendment.

It was noted that City Recorder Margy Lomax had certified the petition for annexation submitted by The Stonebridge Group, Rich Haws, et al.

KIM HAWS/DIAN OLSEN/PRESENTATION OF DAVIS COUNTY ADOLESCENT SUICIDE PREVENTION PROGRAM (Agenda Item #4)

Mayor Bell introduced Kim Haws and Dian Olsen and invited them to address the Council.

Dian Olsen, member of the Davis County Youth Suicide Prevention Committee, presented statistics regarding Utah's adolescent suicide rate. Utah's suicide rate ranks 10th in the nation. Davis County's youth suicides are four times higher than the national average. Suicide is the number one cause of death in young men between the ages of 15 and 21. Suicide represents a

significant health problem. Ms. Olsen said that at any one time one quarter of the students in Davis Schools is seriously considering suicide. Substance abuse and underlying emotional difficulties and the feeling of hopelessness and helplessness are contributing factors.

Kim Haws, also a member of the prevention committee, discussed the QPR program (question, persuade, and refer). It was the goal to have each city in Davis County provide personnel and funding for training so that people can learn to recognize and act on behalf of youth having these serious problems. Gate Keeper Training is available for about $350 per person. Once trained, these individuals will train others in the community. Camille Ward had volunteered as one of the trainees. Another from the city is needed. Other names were briefly discussed.

Chief Jacobsen said he would like to have one of the City's police officers take the training and act as a liaison between his office and the prevention committee. He reported there are about 2 to 3 suicides in Farmington per year and they were extremely difficult to handle.

Mayor Bell noted the consensus of support from the Council for the work. He asked that Ms. Haws and Ms. Olsen work with City Staff to find the needed volunteers and committed City funds to pay for the training.

PUBLIC HEARING: ISSUANCE AND SALE OF EXCISE TAX REVENUE BONDS AND CONSIDERATION OF ATTENDING RESOLUTION (Agenda Item 3a)

Mayor Bell opened the meeting to a *PUBLIC HEARING*, thereafter *CLOSING* the public hearing because there were no comments. The Mayor introduced John Bronson of Zion's Bank, who was present in case the Council had questions regarding the agenda item.

Mr. Forbush distributed information regarding the debt service schedule, pricing summary, sources and uses, and the net debt service schedule. He briefly reviewed the agenda item.

Larry Haugen *MOVED* to approve the issuance and sale of Excise Tax Revenue Bonds and to adopt Resolution No. 01-24 authorizing the issuance and confirming the sale of Farmington City, Utah, limited obligation excise tax revenue bonds, Series 2001, in an aggregate principal amount of $1,074,000 for the purpose of defraying a part of the cost of constructing additions and improvements to certain Class C roads within the Issue, funding a debt service reserve fund and paying the costs of issuing said bonds, fixing the form and other details and confirming the sale thereof; providing for the collection, handling and disposition of certain excise tax revenues of Farmington City, Utah; approving the execution and delivery of a bond purchase agreement in connection with the issuance of said bonds and authorizing the taking of all other actions necessary to the consummation of the transaction contemplated by this

resolution; and related matters. **David Dixon** seconded the motion which was passed by unanimous vote.

WILLIAM SIPES FLAG LOT PROPOSAL (Agenda Item #5)

The City Planner introduced the agenda item as a discussion item. Mr. Petersen said Mr. Sipes wanted to adjust the property lines of his two lots to allow for a better building lot in the back of the property. He wished to preserve the 1890 home as a rental in the front of the property. In order to gain convenient access to the back parcel, he would need to create a flag lot. The stem could be used as access for both homes. The two parcel do not now comply with City standards. The lot line adjustment would help both parcels come closer to compliance. Mr. Petersen reviewed zoning and lot history. Three different zones cross the Sipes property. The lots were created in 1940.

Mayor Bell commented that since the item was not officially before the Council, all discussion was unofficial and only given as advisory counsel.

Mr. Sipes discussed the issue with the Council. He expressed his desire to create a flag lot as a way to improve the property and provide himself with a new home while preserving the existing 1890 building. He felt there was no other way to accomplish the goal. He said he could destroy the old building but felt that was not the desire of the City.

The Council discussed the issue making the following points:

- Light commercial development will likely fill in both sides of Shepard Lane between Main Street and Highway 89. The property may be more valuable as commercial property rather than residential property.

- The corner lot (on Main and Shepard) is a very small lot and would likely need at least part of the Sipes property to have enough land to make commercial improvements.

- There were somewhat mixed feelings about preservation of the 1890 home. It had been remodeled to 1960 standards and would have to be restored to its original period to be of real value. Some members felt if the Historical Committee could be given time to take pictures and document the home, then it may be wise to demolish it. Others felt it would be worth trying to save the building and have it in the hands of someone who would restore it.

- Main Street at that point will see increased traffic in a few years. Residential use of the area will be impacted.

Mayor Bell summarized by saying it seemed the property owner had 3 options: 1) demolish the existing home and build a new home using both properties, 2) keep the existing property lines where they were and build a new home on the vacate, narrow lot, or 3) wait for commercial development and sell the property for that use. It was likely the current City Council would not approve a flag lot.

LYNN BRADAK/REQUEST FOR WAIVER OF BUILDING PERMIT FEES (Agenda Item #6)

Mayor Bell reviewed the agenda item and commented that the Council's sympathy were extended to Ms. Bradak for her situation. However, the City had incurred costs relative to the project which had to be covered. Therefore, the City could not waive the total amount.

David Dixon *MOVED* to reduce the building permit fee for Lynn Bradak to $600.00. **David Connors** seconded the motion, which passed by unanimous vote.

DAVIS COUNTY REQUEST FOR BEER LICENSE (Agenda Item #6a)

Mayor Bell said the Davis County Commission had officially applied for the remaining Class B Beer License for use at the County Fairpark. He said he had discussed the application with Commissioner McConkie, who had assured the Mayor that the Fairpark Board and the County Commission had policies in place that would tightly control the sale of beer at the Fairpark. The Fairpark Board would be responsible for any future needed regulations.

Jody Gray, Fairpark manager, was present and commented that the sale would be limited to special events, especially those associated with the up-coming Olympics, and would not be sold on a regular basis. She reviewed several of the conditions regulating sale of beer including the beverage must be sold in its original container and opened by sales people so the containers would not be taken from the premises. Also, sales would be halted at a certain period before the end of the event to prevent sales at the close.

Mr. Connors stated he would rather see the County have the license than other entities. However, he expressed concern about the process the application had taken. He felt the Farmington City Council had gone to extra trouble and taken care to cooperate with the County officials and given them what they wanted. But for some reason, in response to City endeavors County Commissioners were displeased with actions taken. He wished the County Commission had been clearer in their desires because the City was very willing to cooperate. He reiterated he felt the County was the best user of the remaining license and was glad they would obtain it.

Mayor Bell emphasized the desire of the City Council to maintain its good relationship with the County Commission and appreciated the efforts and comments of Jody Gray. He again

commented he understood the Fairpark Board would regulate sales under tight control for the protection of County and City citizens.

David Connors *MOVED* to approve the Davis County request for the City's remaining Class B Beer License as per their official application. **Bob Hasenyager** seconded the motion. The motion was approved by unanimous vote.

Mr. Hasenyager stated his desire to assure policies and regulations would be in place for the sale of the beer on County property and that the Fairpark Board would be responsible for such regulations.

Mayor Bell responded that he had been satisfied through his conversations with Commissioner McConkie that such would be the case.

MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #7)

David Dixon *MOVED* to approve the following items by consent as follows:

7-1. Ratification of Construction Bond Agreement previously signed by Mayor Bell.

7-2. Approval of surety bond with Evergreene Construction to assure that public improvements are built in The Estates at Shepard Creek, Phase II.

7-3. Approval of escrow deposit agreement to guarantee construction of improvements at the Rose Cove Senior Housing development.

7-4. Approval of two surety bond agreements for the guarantee of construction of public improvements in both Farmington Ranches Phase I and Phase II.

7-5. Approval of Engineering Services Agreement for designing and construction management of the new well to be drilled near the old City Shop site. The cost is a lump sum of $21,000.

7-6. Approval of Resolution formally amending the cemetery rules. This was conceptually approved at the last Council meeting.

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

OPTION TO PURCHASE REAL PROPERTY AGREEMENT WITH KENT AND MABLE BAILEY/SECOND READING (Agenda Item #8)

Packet material indicated the City Manager recommended the Planning Commission be

requested to amend the "BR" zone requirements to permit the subdividing of the Bailey parcel. It would then be the City Manager's recommendation that the City would buy two parcels, one including the structure and once vacant. After the property is purchased, the City would move in another building on a footing and foundation and perhaps a basement and sell the same as a separate lot. It was proposed that parking be created in the back of the two lots with access through the old corner service station to 100 West. Having parking in the back would greatly improve the stability of businesses in the area.

David Connors *MOVED* to approve the "Option to Purchase Real Property" Agreement with Kent and Mabel Bailey and authorize the Mayor to sign the same. **Larry Haugen** seconded the motion. The motion passed by unanimous affirmative vote.

OPTION TO PURCHASE AGREEMENT WITH LEW NORD AND ROBERT MURRAY/FIRST READING (Agenda Item #9)

Mr. Forbush said the property owners were willing to sell the land if the City could guarantee purchase of all parcels, a parcel at a time. Legally, the City could not make such an agreement without a public vote. It was therefore proposed for the City to purchase the property in total using the line of credit offered by Zion's Bank. By consensus, the Council directed the City Manager to redraft the agreement for consideration at a future meeting.

Mr. Connors said the land purchase would be very important to future park needs in the City.

RESOLUTION DECLARING REAL PROPERTY PURCHASED FROM SHAUNA CLAWSON AS SURPLUS AND PROVIDING FOR DISPOSITION THEREOF (Agenda Item #10)

Packet information stated the sale of the property was required in order to buy the UDOT property in the proposed M-1 zone south of Glover's Lane. Disposition of City property cannot occur without a formal resolution of the City Council declaring such surplus.

Larry Haugen *MOVED* to adopt Resolution 01-26, a resolution declaring and designating certain property owned by Farmington City as surplus and providing for disposition of the same. **David Connors** seconded the motion. The motion passed by unanimous vote.

AGREEMENT WITH OAKRIDGE COUNTRY CLUB ASSOCIATED WITH IMPROVEMENTS ALONG SHEPARD LANE (Agenda Item #11)

Mayor Bell reported Council Members Connors and Haugen had met with Earl Kemp of the Oakridge Country Club Association, and Paul Hirst, City Engineer, and Max Forbush. They

had worked out the agreement inclosed in the packet, which had been drafted by the City's attorney. The Oakridge Country Club Board must also consider approval of the agreement.

David Connors *MOVED* to grant conceptual approval of the agreement as presented. **Larry Haugen** seconded the motion. The motion passed by unanimous vote.

HUGHES ESTATES SETTLEMENT AGREEMENT (Agenda Item #11a)

The City Council spent time reviewing the tenants of the Hughes Estates Settlement Agreement. In response to a question, **Mr. Forbush** said there were not limitations on the use of the property being purchased by the City.

Mayor Bell expressed concern that the City Attorney had not included all the typical reserved rights at the end of paragraph 3 of the agreement and said he would contact Mr. Mazuran and discuss the issues with him.

Larry Haugen *MOVED* that the City Council approve the Hughes Estates Settlement Agreement subject to any changes made due to Mayor Bell's conversation with the City Attorney. If major changes were proposed, the document would be brought back to the Council for consideration. **David Dixon** seconded the motion, which passed by unanimous vote.

PROPOSED EAST BENCH GRAVEL PIT CONCERNS/DISCUSSION (Agenda Item #12)

Mayor Bell began the discussion with the City Council regarding the proposed east bench gravel pit. He made the following points:

- The Mayor had contacted the property owner involved. The owner said no official offer had been made.
- The County had been contacted and stated no application had been submitted for an excavation permit. The County indicated they must remain neutral.
- Other Mayors in Davis County had been contacted by FAK, Legacy contractor, to gain their support for the Farmington gravel pit. The mayors had been told if the pit is not approved, haul routes would go through their cities. The mayors had discussed the issue with Mayor Bell and expressed support for Farmington's position.
- Centerville had been contacted by FAK, but remained opposed to the east bench pit. They have identified an attorney.
- Frank Suiter, attorney, had been retained by FAK.

- Mayor Bell explained that money involved if the proposed east bench pit was allowed would be profit for the contractor. No tax dollars were involved.

- There had been no promises made by UDOT or any other agency that the Farmington pit could be used for the Legacy project. The contractor bid the project with the full understanding that no promises had been made for use of any Farmington east bench gravel. The proposal to use a pit on the east bench was made for the soul propose of improving profits for the contractor.

- Mary Ann Scott has contacted an Alpine resident who has been successful in fighting a gravel pit in the Alpine area.

Bob Hasenyager said some editorials in local newspapers seemed to indicate that Farmington was in favor of the Legacy highway but was unwilling to make necessary sacrifices to accomplish construction. Mr. Hasenyager said to the contrary, both Centerville, which lost a significant commercial property, and Farmington, which is allowing a huge interchange in the north end of the small city, had both made considerable sacrifices for the road. Both cities had contributed heavily. It was now too much to ask Farmington and Centerville to give up the pristine hillside and safety and welfare of citizens for the financial benefit of the contractor. The City cannot accept the 400,000 cubic yard cut in the mountain side. It was unacceptable.

Mr. Hasenyager was also antagonized by the contractor because even after several invitations, the contractor refused to meet with City officials to reveal their intents and plans. They have not been forthcoming nor forthright.

Mayor Bell said the contractor stated the City would gain 300 new homes on the hillside after the pit was abandoned. Such an addition would be problematic for the City's infrastructure and hillside ordinances. The area had been considered for possible annexation into the City.

David Dixon commented that if there is a pit there and if that many homes were indeed built there, the City may not want the area annexed. Water may be a challenge for such a development.

Ed Johnson said a gravel pit would have an adverse impact on the mountain. The scar would be highly visible for all Wasatch Front travelers.

David Connors said he had talked to many citizens about the proposed pit. They were all opposed to scarring the mountain in such a manner. The area was pristine hillside in the narrowest parcel of land between the mountain and the lake. There is also a critical public safety issue. Trucks would be traveling through highly populated areas on very steep roads. School children walk those streets year round to attend Reading Elementary.

Mr. Hasenyager said a study had been made of such haul routes through residential areas where schools were present. None had been conducted without a fatality.

Mr. Connors reminded the Council of the many hours spent working with developers to improve streets to protect children from the constant stream of threatening traffic.

Mr. Hasenyager reported there would be 40,000 trips by haul trucks over a 2 year period through residential areas.

Mr. Connors noted the entire City was opposed to the pit. Even if citizens were in areas of low impact, they were against having the hillside scarred and the citizens put at risk. The issue was critical for the future of the City. City officials had invested a great deal of time and effort in the creation of ordinances to protect open space, Farmington's unique character, and providing an inviting pastoral community. It would be unconscionable for the Council to sit by and let the gravel pit destroy all that had been achieved.

Mr. Hasenyager restated that the question was not a Legacy highway issue. It was an issue regarding FAK and their private profits. He also reaffirmed his anger that the contractor had not met with Farmington City officials. Mr. Hasenyager felt citizens were enraged and ready to fight the proposal.

Mayor Bell reported the contractor would have to apply to the County Planning Commission in order to gain rezone for the property and the go before the County Commission for a public hearing. He said citizens would want to know about the hearing and would probably turn out if notified. The City had requested notification of such a public hearing. At the behest of the Council, the Mayor asked the City Manager to write a letter to FAK asking for information regarding their plans. He also said he would arrange for a joint meeting with Centerville officials to retain counsel. By consensus of the Council, Bob Hasenyager and David Connors will meet with Centerville Council Members to discuss further action. Mr. Forbush was asked to keep the issue on the Council's agenda for an update report every two weeks.

UPCOMING TRANSPORTATION RELATED MEETINGS (Agenda Item #13)

Two meetings were discussed:

1. A meeting of the Legacy Parkway Municipal Advisory Committee is scheduled for July 19th at 6:00 P.M.. Mayor Bell had been serving on the committee but because of his increased busy schedule, he recommended a member of the City Council take his place. David Connors volunteered to attend. The City Manager was also willing to attend.

2. Stuart Adams and Mick Crandall from Layton City and the Wasatch Front Regional Council announced an upcoming three-day working conference with community leaders at the

Salt Palace to deal with future transportation needs along the Wasatch Front. UTA invited several community leader to attend. Mr. Connors and Mayor Bell volunteered to attend the meeting which was scheduled for September 19 through 21, 2001.

MISCELLANEOUS

Kiley Proposal

Mr. Forbush presented a proposal by Michael Kiley in regards to maintenance of a detention area near 1262 North Compton Road. After brief discussion, Mr. Forbush was directed to draft an agreement to be considered by the Council to have Mr. Kiley maintain the property. It was mentioned that any agreement reached should be recorded with the property for future property owners.

Recent Flooding Problems

Paul Hirst, City Engineer, was present and discussed flooding due to a recent storm. He said the storm, according to weather specialists, was a 500 year storm and was therefore highly unusual. Farmington near the Courthouse received 1.68 inches of rain in about 30 minutes. North Farmington received around 2.10 inches in the same amount of time. A 500 year storm would be 1.62 inches in 30 minutes. Most conditions were good throughout the City, but there were places that had a great deal of damage. The Council discussed the issue, including the following points:

- Reaction should be somewhat tempered realizing the storm was a 500 years storm and was therefore highly unusual.
- The City should, however, examine possible areas of improvement, especially in problematic areas. Capital improvements over time should be considered.
- Most homes impacted had engineering problems such as negative grading and low window wells.
- The City inspector should be alerted to such problems so that he can alert builders and help curb some of the problem areas.
- It is the law that property should be maintained to handle its own water and not increase water flowing to adjacent properties.
- It was suggested that City officials meet with impacted citizens to offer suggestions about property improvements that could be made to help protect against future flooding.

- With storms such as the one experienced Monday, much of the problem was increased because erosion and debris added to the volume of the water flow.

- The City's storm sewer system is engineered to handle a 10 years storm. That standard should possibly be readdressed, although it is the same as most cities in Utah and across the U.S. To build systems with a higher standard would be quite expensive.

- Staff was asked to develop a capital improvement plan which would identify problem areas, improvements, costs and priorities.

- Having the fire department available to pump out flooded basements as a matter of public safety was also discussed.

David Connors *MOVED* that the meeting adjourn to closed session to discuss strategy as it pertains to pending litigation at 9:30 P.M. **Bob Hasenyager** seconded the motion. The vote was unanimous in the affirmative.

At 9:40 p.m. **David Connors** made a motion to go back into open session. The motion was seconded by **Bob Hasenyager** and voted on unanimously. The meeting was thereupon reconvened in open session.

MISCELLANEOUS (Continued)

David Connors reported that he had conferred with a representative of MGB+A, the consultant who is helping the City prepare its Leisure Services & Parks Master Plan. He gave them input he felt should be incorporated in the plan, such as acknowledging Farmington's Open Space Ordinance, clarification regarding community parks, neighborhood parks and mini-parks - overlapping to meet the City's needs; considering construction of a multi-purpose performing arts center being done in two phases; acknowledging and recognizing Farmington's unique geographic nature which gives access to the Davis County Fairgrounds, Farmington Pond and Farmington Canyon, etc. Mr. Connors felt that time should be taken to ensure the Master Plan covers all the various needs of the City.

Larry Haugen reported a hole has been dug with a board placed over the top of it in the vicinity of Mr. Rich Hall's property located on 600 North and Main Street which he feels poses a danger.

Bob Hasenyager reported on the progress regarding the committee work updating the General Plan for the west Farmington area in conjunction with the annexation of over 400 acres of property sponsored by Rich Haws, et al., in the northwest area of Farmington. He stated that

Mr. Haws was somewhat frustrated with how slowly the committee work is going.

A meeting had been held with only a few members of the committee -- Susan Holmes, Planning Commission Chair, David Petersen, City Planner, Rich Haws, the developer of a proposed commercial site in the annexation area, and Mr. Hasenyager. Susan Holmes had explained to Mr. Haws how Farmington operates and is very thorough and wants things done right. Part of the property to be annexed would be classified as "commercial" zoning and the area to the north as "agriculture" as a holding zone.

Mr. Hasenyager felt the property could be annexed first and then work could proceed on a marketing study to determine the potential upside and downside the commercial development would have on the City. He reported the Planning Department is working on the City's Annexation Policy Plan which should be ready some time in August.

Bob Hasenyager stated that the Utah Division of Wildlife Resources is interested in constructing a Nature Center in the Farmington Bay area, and they would like to come to a work session of the City Council to present why they think it's important and to show schematic plans. It was decided they should come to the first meeting in August.

There being no further business to bring before the Council, upon motion of **David Connors** the meeting was adjourned at 10:10 p.m.

Margy Lomax

Margy Lomax, City Recorder
Farmington City

FARMINGTON CITY COUNCIL MEETING

Wednesday, August 1, 2001

CITY COUNCIL WORK SESSION/CITY CHAMBERS

PRESENT: Mayor Bell, Council Members Connors, Dixon, Hasenyager, Haugen, and Johnson, City Manager Forbush, City Planner Petersen, and Recording Secretary Chipman. Justin Dolling and Phil Douglass of the Farmington Bay Wildlife Management were also present.

Mayor Bell opened the meeting at 6:20 P.M.

Bob Hasenyager introduced Mr. Dolling and Mr. Douglass and expressed his hope that information regarding the Farmington Bay project would be of interest to the City Council.

Mr. Dolling and Mr. Douglass presented information to the City Council including the following points:

- Marsh lands in the western portions of Farmington are valuable and need protection. They should be enjoyed and appreciated.
- Project benefits include conservation and appreciation, compliance with the Great Salt Lake Comprehensive Plan, linkage of ecosystems and interpretive sites, promotion of ecotourism, education, compliance with open space initiatives.
- The mission statement for the project cites understanding of and pride in the Farmington Bay area as main objectives.
- The process experienced in planning the project included study of audience analysis, needs assessments, visitor service vision, cultivation of inspiration, interpretive component themes, diverse uses, connectivity, geologic diversity, and impacts (positive).
- Facilities plan uses include: tour groups, classrooms, recreation uses, staff and management offices, and space for researchers.
- Design objectives for the building include: important functions, meeting places, room for recreationists, and tourism.
- The site selection process criterion included: conceptual site plan, building design, blending of landscaping and floor plan, and solar sensitive.
- The cost of the project is estimated at $6,176,787.

- The strategic plan will include funding feasibility, fund raising, phasing, and foundation formation.

Mayor Bell stated the air boat ride enjoyed by Council members was very effective in helping members to understand and really appreciate the area. The more opportunity citizens have to enjoy the area the more likely it will be that it can be protected and appreciated. Council members concurred and expressed support for the project.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor Gregory S Bell, Council Members David M. Connors, David J. Dixon, Bob Hasenyager, Larry W. Haugen, Edward J. Johnson, City Manager Max Forbush, City Planner David Petersen, Deputy Recorder Sue Bryce, and Recording Secretary Jeane Chipman. City Engineer Paul Hirst was present for discussion of agenda items #8 through #12.

Mayor Bell 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 Troop 348 of Bountiful.

APPROVAL OF MINUTES OF PREVIOUS MEETING

The minutes of the July 11, 2001, City Council Meeting were considered. **Larry Haugen** *MOVED* to approve the minutes as corrected. **Ed Johnson** seconded the motion. The voting was unanimous in the affirmative.

PRESENTATION TO AMERICAN CANCER SOCIETY/MAYOR BELL AND PAT SORENSON (Agenda Item #3)

Joey Hansen and **Pat Sorenson,** co-chairman of the Farmington Pioneer Christmas activity, were introduced by **Mayor Bell**. They presented $3000.00 received during the 2000 Farmington Pioneer Christmas activities to Ileen Sawyer, Dr. Brian Richman, and Dona Heines of the American Cancer Society.

Ms. Sorenson reported the activity would be moving from Lagoon to the Davis County Fair Park, where there would be more room and better access.

Ms. Heines thanked the City for their donation and invited Council members to participate in upcoming fund-raising activities.

DAVIS COUNTY SAFE KIDS COALITION/SEPTEMBER IS GREEN RIBBON MONTH/AMELIA MUN (Agenda Item #4)

Amelia Mun addressed the Council and said that between 1992 and 1999, 14 Davis

County children under 17 years of age were killed in pedestrian/motor vehicle crashes. Green Ribbon Month has been initiated to help lower and hopefully eliminate the number of children injured and killed in pedestrian incidents. The program is implemented through local schools. It was hoped the City Council would support the efforts of the Green Ribbon activities.

Mayor Bell stated the City Council was very supportive of any public safety standards and especially those implemented to protect the children of the City.

Mr. Hasenyager suggested having a letter of support issued from the City Council. By consensus the Council agreed.

Council Member Connors inquired about when the next meeting of the Davis County Safe Kids Coalition would be held. He suggested there could be an agenda item the City would like to have the Coalition consider.

REPORT OF PLANNING COMMISSION (Agenda Item #5)

David Petersen reported proceedings of the Planning Commission meeting held Thursday, July 26, 2001. He covered the following items:

- The Planning Commission tabled consideration of the schematic plan for Oakwood Estates Phase II containing 30 lots on 16.66 acres located at approximately 1800 North Compton Road in a LR-F zone. One of the main reasons was the non-compliance of the two cul-de-sac roads which exceeded 1000 feet.

- The Planning Commission recommended that the City Council approve application from Lagoon Corporation to rezone 1.833 acres between Lagoon Drive and the freeway northwest of the Lagoon Amusement Park form "A" (Agriculture) to "CR" (Commercial Recreation). The property would be needed for the Burke Lane interchange. Utah Department of Transportation representative, Byron Parker, was present and reported that the zone change would not affect the purchase price of the property. UDOT would purchase the property considering its best and highest use. However, since the meeting, Mr. Petersen said other UDOT representatives said the zone change would definitely affect the value of the parcel.

- Butler and Evans, architects for an LDS meetinghouse proposed for 3.02 acres at 14 South Bonanza (approximately 1700 West), requested that the Planning Commission reconsider a condition approved in a prior meeting to construct masonry pillars as part of a fence surrounding the meetinghouse site. The Planning Commission reconsidered the motion and retracted the requirement for

the masonry pillars. Farmington Rock would be a significant element of the building.

- Because of safety and accessibility issues, the Planning Commission denied a request by Ashco Construction, Inc., for approval to modify conditional use permit C-5-92 by expanding the Arby's dining room (thereby removing 2 parking spaces). The Arby's building is located on the northwest corner of Shepard Land U.S. 89 in a C zone.

- Steve Ames requested and received conditional use and site plan approval to develop a corn maze for the year 2001, including a 5-year extension. The corn maze is located at approximately 750 South on the frontage road in an A zone.

- The Planning Commission recommended approval of the proposed Annexation Policy Plan (A-2-01)

- They also recommended that the City Council amend Section 11-15-050(2) and (3) of the Zoning Ordinance regarding the lot size and lot width standards for office/commercial uses in the BR zone.

PUBLIC HEARING: CONSIDERATION OF ORDINANCE AMENDING ZONING ORDINANCE [11-28-060 (C)] REGARDING FENCE HEIGHT REQUIREMENTS FOR PRIVATE TENNIS COURTS/RECREATION FACILITIES (Agenda Item #6)

David Petersen reviewed the agenda item for the Council. He said Lisa Romney, City Attorney, had reviewed the text and suggested implementation be through conditional use initially. Mr. Petersen also said there are a great many violations within the City. Citizens are likely unaware that they are in violation of City ordinance.

Mayor Bell opened the meeting to a *PUBLIC HEARING*

Paul Hayward (1663 West 1410 North) explained the reason he had initiated the suggested change. He wished to install a parking pad near his garage that could be used for basketball and other sports. In doing so, he found that if he fenced the pad, he would be in violation of the City ordinances. He did not wish to be in non-compliance, so he contacted Mr. Petersen who suggested he draft some language for ordinance amendment. The Planning Commission reviewed the amendment and had recommended approval. Mr. Hayward urged approval to help decrease non-compliance when no other solutions were possible.

With no more forthcoming comments, **Mayor Bell** *CLOSED* the public hearing. He asked if the amendment addressed whether or not fences should be transparent.

Mr. Petersen said such could be part of the conditions set by the Planning Commission in their review of applications on a case by case basis.

The City Council discussed the issue including the following points:

- The standard height of tennis court walls is 12 feet.
- Amending the process to include a conditional use permit would allow public hearings and an appeal process.
- Each application would be reviewed on a case by case basis, including the need for a 5 foot set back.
- There has never been a complaint about tennis court or sports court fences.
- The definition of "sports court" is not specific in City ordinances. However, when such is the case, the dictionary definition is followed.

Ed Johnson *MOVED* to approve Ordinance No. 2001-27, an ordinance amending Section 11-28-060(c) of the Farmington City Zoning Ordinance regarding the fence height standards for private tennis courts and other similar playing surfaces with the following changes:

- "No lighting may be installed in connection with private multi-purpose courts which shall throw any direct rays beyond the property lines on which it is constructed. No application fee shall be charged for conditional use permits."

Bob Hasenyager seconded the motion, which passed by unanimous vote. Mr. Haugen was excused temporarily from the meeting.

PUBLIC HEARING: CONSIDERATION OF ORDINANCE AMENDING BR ZONE LOT SIZE AND LOT WIDTH REQUIREMENTS FOR COMMERCIAL USES [11-15-050(2)(3)] (Agenda Item #7)

Mr. Petersen stated the Planning Commission is reviewing all BR zones and has been working on the project on and off over the past year. The current amendment is taken from the work being done. It involves the Brass Comb property being considered for RDA action.

Mr. Dixon suggested the amendment be implemented with conditional use provisions to allow the City to maintain control over the sensitive BR zone.

Mr. Petersen acknowledged conditional use may be wise. He briefly reviewed permitted conditional uses in the BR zone.

Mr. Hasenyager expressed concern that the downtown area needs to be carefully handled. Maintaining large lots may be best especially for the residential uses. If consideration is given for lots smaller than ½ acre, it should be done in conditional use process. It may be a good idea to analyze all permitted uses and make most of them conditional use.

Mr. Petersen said from a planning perspective, the City would be best served if the ordinances regarding downtown development could be as flexible as possible to allow a variety of uses.

Max Forbush said discussion of the agenda item impacts an option that needs to be exercised very shortly. Timing is critical.

Mr. Hasenyager said the City needed to review permitted and conditional uses in the downtown area and also felt staff should be encouraged to expedite BR zone review

Mr. Petersen said the draft review for BR zoning is almost ready for City Council consideration.

Mayor Bell opened the meeting to a *PUBLIC HEARING*

Harlow Wilcox felt the ½ acre minimum would be too restrictive for a small business. He asked if the City had contacted interested parties and invited them to the meeting.

Mr. Petersen responded that the meeting had been posted.

Mr. Wilcox referred to the small triangular piece of property recently sold by the City to the Davis School District. That parcel was less than ½ acre and would have been perfect for a small business. He urged caution when restricting lot sizes.

Mayor Bell stated the Planning Commission was reworking the entire BR zoning section of the City's ordinances. With no further comments, he *CLOSED* the public hearing.

After a brief discussion by the Council, **David Dixon** *MOVED* to approve Ordinance No. 2001-28, an ordinance amending Section 11-15-050 of the Farmington City Zoning Ordinance regarding lot size and lot width standards for office/commercial uses in the BR Zone with modifications as discussed, i.e.: the end of (2) shall read:

> "The minimum lot size for each separate office/commercial use in the BR Zone shall be decided as part of a conditional use permit."

Larry Haugen seconded the motion. The motion passed by unanimous vote.

CULINARY WATER LINE EASEMENT LOCATION ACROSS SOUTHEAST BENCH (Agenda Item #8)

Bob Hasenyager excused himself from the roster as a member of the City Council and wished to offer comments as a private citizen because his property was impacted by the agenda item.

Mr. Forbush distributed maps of alternative routes for proposed water lines through the southeast bench area. He reviewed the map and pro and cons of each alternative route.

Paul Hirst reviewed the influence of water pressure on the placement and service of the water lines. The blue line (most easterly line) was not the preferred placement because water pressure would be too low. He also said a road would not be feasible over the top of the water placement line directly behind the LDS Church building shown on the map. Terrain there was way too steep for a public road. Water pressure was ideal at between 60 and 80 pounds. However, State code does allow the pressure to be as low as 20 pounds. City standards require at least 40 pounds of pressure for residential users.

Mr. Connors asked if prospective residential users could be notified of the low pressure before they purchase a lot so affected.

Mr. Hirst said such could be done.

Mayor Bell invited those in attendance to offer their input regarding the alternative water placement lines. It was noted that the developer would pay the costs of running the water lines to Tuscany Cove.

Harlow Wilcox asked if water use was high during a specific time, if neighbors would notice a difference.

Mr. Hirst confirmed that there would be a notable difference in water amounts because of the lower volume. That would not be a pressure issue.

John White (1275 South 200 East) appreciated the efforts of the City in notifying neighbors and interested parties. He said he spoke for his family and that they were in support of either of the alternative water line routes. They would be willing to provide easements across their property for the water line.

Ralph Wilcox asked if the water line placement would follow road placement.

Mayor Bell said the process currently under review was for planning and that certain assumptions would need to be made. Although no absolute decisions had been made regarding

road designs, it could be assumed that ideal placement for both roads and water lines would coincide. The maps distributed were conceptual in nature. Engineering for actual development would have to be precise and tailored to the slopes and plat designs.

Mr. Wilcox said he was in favor of the Tuscany development but was reluctant to approve the water line without a road design.

Mayor Bell stated such would make sense.

Mr. Forbush said Paul Hirst had done a preliminary study of water line placement. It was meant as a discussion point. Property owners would be responsible for actual engineering and design of subdivisions. Property owners may want to take the suggestions and refine them according to their specific property needs.

Mayor Bell said land owners seemed supportive of the water lines but wanted to have some assurance of road placement. They were indifferent whether the blue or the red line placement was used. For City purposes, the red line was preferred.

Mr. Jenkins stated his preference to have the water line come on to the Tuscany property at a lot line, which City officials agreed with.

Harlow Wilcox indicated the red line alternative near the LDS Church offered no room for a road.

Bob Hasenyager (1605 South 200 East) stated his property was large enough to be considered horse property. Alternative water lines cut through the center of his property and if a road was placed there it would no longer be large enough to keep horses. If the a road was to traverse his property, he said he would like to have access to the water to be able to subdivide and develop since the property would no longer be valuable as horse property.

In response to a question, **Paul Hirst** stated there is a water line running up 200 East but a bend in the line makes water delivery problematic. In any case, a second service line would be needed for Tuscany Cove.

Mayor Bell concluded discussion by remarking that the City Engineer preferred the more westerly placement for engineering purposes and the property owners wanted a water line in conjunction with a road. He asked Mr. Jenkins if he had enough information to proceed with engineering for the water lines. Mr. Jenkins' response was affirmative. Again, Max Forbush clarified that the responsibility for proposing placement of roads for development purposes should be assumed by property owners.

MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #9)

David Dixon *MOVED* to approve the following items by consent as follows:

9-1. Ratify City Manager's approval of Change Order #4 on 1525 West Water Line project.

9-2. Approval of Chief Gregory's appointment of Fire Officers.

9-3. Approval of resolution appointing the Mayor as the "CDBG" Grant "Environmental Certifying Officers." The appointment of the chief elected official of the City is required by the State officials administering the CDBG Grant Program.

9-4. Approval of Revocable Permit and Agreement with Kiley Family. This agreement pertains to landscaping an existing storm water detention basin on North Compton Road. The agreement pretty much follows the concepts laid out for the Council at a previous City Council meeting. Approval of this agreement formalizes the action.

9-5. Approval of the Option to Purchase Agreement with Robert Murray, et al. Approval of this Agreement formalizes previous Council discussion and decisions and will enable the City to eventually acquire 16+ acres in west Farmington for a park.

David Connors seconded the motion. The vote was 4 in the affirmative. Mr. Hasenyager was excused from the meeting temporarily.

SETTLEMENT AGREEMENT WITH USDS (Agenda Item #10)

Mayor Bell said he had discussed the agreement with the City Attorney. Some changes had been made.

Mr. Forbush said he had also penciled in changes to the document which was in the packet.

Packet material indicated that changes to paragraph 3 had been discussed at a previous City Council meeting and the agreement reflected changes made by the City Attorney. Proposed changes to paragraphs 1 and 2 were outlined by the City Manager. The agreement had been faxed to the City Attorney to draft in legal form the conceptual language added therein. The language changes were housekeeping in nature and were meant to clarify issues that could be points of disagreement.

Larry Haugen *MOVED* to authorize the Mayor to sign the Settlement Agreement with USDS with conceptual changes as outlined in the packet. **David Dixon** seconded the motion. Four members of the Council voted in favor of the motion. Mr. Hasenyager was temporarily excused.

REPORT ON JULY 9 FLOODING EVENT/ACTION IN PROGRESS (Agenda Item #11)

The packet included a detailed report from Mr. Forbush to the City Council pertaining to the severe rain storm on Monday, July 9. Also included was a punch list of items needing to be completed and an appointment schedule reflecting the efforts of the City Engineer, Building Inspector, and Public Works Director in visiting with certain individuals about flood proofing. Packet information indicated that on July 23, 2001, the City Manager, City Engineer, and Public Works Director carefully reviewed those areas that received the most damage where the potential for future flooding may still be a problem. Those visits were to the following locations:

- 830 South and 200 East at the Rawl and Glen Rice properties.
- The Greg Oman residence and his neighbors on Alice Lane below the Shannon Drive area of Compton Bench.
- 1400 North Moon Park area. Additionally, on July 25, the City Manager, City Engineer, Public Works Director and Streets Supervisor met with Meadow Valley, the contractor for the Cherry Hill Interchange, representatives from UDOT, and Leland Myers of the Central Davis Sewer District. Significant discussion ensued amongst the parties relative to the July 9 flood event in the Fieldstone/Oakridge area.

As a result of these visits and discussions, the City Engineer will be preparing recommendations for improved storm water management and flood proofing in these particular areas. The City Manager had asked Mr. Hirst to give cost estimates for improvements to each area.

Mr. Forbush and **Mr. Hirst** presented additional detailed information concerning the July 9th flooding as it pertained to the discussions with UDOT and their contractors at Cherry Hill.

- The redesign of the Cherry Hill interchange impacted the area and may have resulted in damage to homes in the Fieldstone area. UDOT paved over drainage grates on Highway 89.
- Private citizens may look at action against the contractor. It is not the burden of the City to do so.

- If another such storm were to hit in the next 30 days, similar damages may occur. Long term solutions need to be considered, especially when the Cherry Hill Interchange is complete.

- Contact should be made with the Fruit Heights City Officials to make sure they are aware they need to detain their own drainage.

- The Central Davis Sewer District is having to pay citizen claims out of their operation costs. Some homes had sewage backup in their basements. It was not likely there was negligence on the part of the District. In other flooding matters around the City, additional comments were made.

- Faulty site grading contributed to the flooding in a majority of homes.

- There is currently no procedure for checking completed landscaping, which if done could catch problems.

Matt Thornley (1432 West Fairway Circle) said he and several of his neighbors did not get flooding but had sewer backup in their basements causing a great deal of damage to their homes. Health hazards existed. He was concerned about having UDOT make changes so that it would not happen again. UDOT had lost a lot of soil during the flood which ended up on residential lots. He asked that the City please continue their efforts to resolve the problems. (Mr. Thornley had submitted a letter which was included in the packet.)

A discussion ensued. By consensus, the City Council directed Staff to draft a letter of support for the Central Davis Sewer District indicating their suspicion that UDOT had a deficient drainage plan for the Cherry Hill Interchange area.

SOUND WALL ISSUES/REPORT (Agenda Item #12)

Mr. Forbush reported that Weber Basin Water District informed Farmington City that certain liability exposure would result for the City if they construct geofoam over the Bureau of Reclamation's outflow aqueduct near the South Farmington Park. By consensus, the Council agreed that given the expense of the project and the future potential for liability, the sound wall should proceed.

Mr. Forbush informed the Council that U.S. West had encountered difficulty in moving their lines. Two options were presented. The Council, by consensus, approved installation of a key stone retaining wall that would allow U.S. West access to the existing manhole.

WATER METER PROPOSAL/SHORT AND LONG-TERM RECOMMENDATIONS

(Agenda Item #13)

Mr. Forbush explained in detail the need for changes in the way water meters are read in the City. Currently, Doug Parker reads the meters five times a year. No reading is taken in the winter. However, Mr. Parker, who has read the meters for the last 20 years, will be quitting. Residents have indicated they would like to have their meters read monthly. Several options exist.

A short-range recommendation was to purchase a "Solution in a Box" for $5,000. The program comes with equipment that is multi-functional because it accepts various meter-reading methods. All new developments would be equipped with radio-read water meters to enable the "Solution in a Box" to function. To do this the City would need to amend its consolidated fee schedule adding $110 to the water meter cost.

About 800 meters of the City's 3,100 existing meters have touch pad meter covers. This method presently permits the meter reader to touch the pad with a wand and the meter reading appears on the screen of the wand. The meter reader then writes the meter reading from the screen to the meter book. Under the "Solution in a Box" proposal, the touch pad would automatically enter the reading to a computer disk.

The City has about 1,100 meters that are installed inside homes with an outside read-out. These will be the most difficult to replace.

The rest of the meters (1,200) are the pit type of meters without the touch pad capability. The "Solution in a Box" also permits these meters to be read the same way as those mentioned above. All readings are entered onto a computer disk which is then downloaded to the City.

Mr. Forbush said the City will need to develop a long-term solution regarding updating and replacing all of the existing meters with a "radio-read" method which would allow City employees to drive the streets throughout the City, in sequential order, and read all of the meters without getting out of their vehicles. The readings from each house would be automatically entered into computer equipment. Hence, the meter reading could be done in a matter of a few hours or a day, rather than 2 to 3 weeks.

By consensus, the City Council agreed that Staff should proceed with installation of the radio-read meters in all new developments, and purchase the "Solution in a Box" equipment to begin reading the meters as explained.

NOMINATIONS TO LEAGUE OF CITIES/TOWNS NOMINATIONS COMMITTEE (Agenda Item #14)

After a brief discussion, Council Members were invited to notify Max Forbush or Margy Lomax should they be interested in serving on the League's Nominations Committee.

LEGAL OPINIONS/PROPOSALS (Agenda Item #15)

Mr. Forbush briefly reviewed the agenda item. Council members felt standards needed to be developed relative to legal opinion expressed in open meetings. The Council expressed no opposition to Staff proceeding with development of an amendment to Section 11-38-101 of the Farmington City Municipal Code. Annexation policies were planned for consideration during the next City Council meeting.

MISCELLANEOUS

Truck Traffic Impact on Farmington's Historic District

Bob Hasenyager expressed grave concern regarding the heavy truck traffic traveling through the Historic District on west State Street. Trucks hauling dirt for part of the new Legacy Highway have the potential of severely damaging the aging and delicate structures. He asked if there were some way to change the route. The homes were brick and adobe and sit on rock foundations making them very fragile. There are also public safety issues.

Mr. Forbush reported discussions with UDOT and with its Legacy contractor, FAK, regarding the truck routes. He had proposed splitting the haul routes using Main and State Streets during daytime travel until Lagoon closes for the season, at which time the trucks could change their route from State Street to the frontage road in front of Lagoon. Until then, if required, FAK could haul material along Lagoon Drive during the night when Lagoon is closed. UDOT was using the dirt to construct a ramp in west Farmington that will be used to divert traffic while the Legacy interchange at Burke Lane is being constructed. It will take 8 weeks to build the ramp. UDOT is contract bound not to disrupt Lagoon traffic.

A member of the audience reported that the National Historic Preservation and the Utah State Historic Preservation organizations were extremely concerned about UDOT not consulting with them regarding routes when they impact historic properties. He said the Clark Historic District home owners had been urged to become involved and aggressive in the issue. UDOT has been ignoring important historic sites when designing public roads.

Mayor Bell suggested the citizen get together with Mr. Connors to further study possible solutions. The Mayor also commended Mr. Forbush for his work in trying to resolve obvious problems with the UDOT truck routes.

1525 Issues

Mr. Hasenyager said citizens in west Farmington had complained about the problems on 1525 West.

Mr. Forbush reported the road is being worked on by the Boyer Company in conjunction with their development. Paving has been removed making the road difficult to traverse. Improvements will need to be coordinated with the Farmington Greens project. A miscommunication existed between the two developers causing timing problems. However, resolution were forthcoming.

Main Street Issues

Mr. Haugen said he had been approached by some citizens who would like to see the speed limit on Main Street reduced from 35 to 30 MPH.

Mr. Forbush said he would write a letter to UDOT to inquire about the possibilities of doing so.

Mr. Haugen also said a hole near the Rich Hall property was causing safety problems.

Mr. Forbush said he would look into the matter.

Parks Master Plan

Mr. Connors reported that the draft of the Parks Master Plan was nearly completed. It was expected that the City Council could review the document during their August 15th meeting.

Design Committee for Property Adjacent to the Proposed Post Office

Upon request from Mayor Bell, **Mr. Forbush** reported that the design committee were still working on the project. Currently, they are addressing fund-raising issues.

ADJOURN TO CLOSED SESSION TO DISCUSS STRATEGY PERTAINING TO PENDING LITIGATION AND ACQUISITION OF REAL PROPERTY

David Connors *MOVED* that the meeting adjourn to closed session at 10:20 P.M. to discuss strategy as it pertains to pending or possible litigation. **David Dixon** seconded the motion. The vote was unanimous in the affirmative.

At 10:30 P.M. a motion was made by **David Connors** and seconded by **Larry Haugen** to reconvene to open session. The motion passed by a unanimous vote.

Relative to the discussion held in closed session, **David Connors** moved that the City enter into a Settlement Agreement and Release of Claims with Greg Barlow in regards to the Country Care facility in west Farmington. The motion was seconded by **David Dixon** and all were in favor.

ADJOURNMENT

At 10:35 P.M., **David Dixon** moved that the meeting be adjourned, and the motion passed unanimously.

Susan K. Bryce

Sue Bryce, Deputy City Recorder
Farmington City

FARMINGTON CITY COUNCIL MEETING

CLOSED SESSION
Wednesday, August 1, 2001

PRESENT: Mayor Gregory S Bell, Council Members David M. Connors, David J. Dixon, Bob Hasenyager, Larry W. Haugen, Edward J. Johnson, City Manger Max Forbush, and Deputy Recorder Sue Bryce.

Barlow v. Farmington City

A review was conducted of a Settlement Agreement and Release of Claims received from Craig V. Wentz of the Law Offices of Christensen & Jensen, regarding the Country Care facility operated by Greg Barlow in west Farmington. An application for another facility of the same nature could be reviewed by the Planning Commission with an opportunity for the applicant to appeal to the City Council if disapproved by the Planning Commission. Once the City has accepted a site plan, the owners have indicated they would dismiss the lawsuit against the City. Citizens in the area of the existing Country Care facility seem pleased with the steps the City Council has taken in this regard.

Gravel Pit Issues

Due to future construction of the Legacy Highway, a gravel pit is proposed to be located on the southeast bench of Farmington on unincorporated Davis County property. Max Forbush suggested that gravel pit issues could be placed on the agenda for the first meeting in September. David Dixon would like to get a copy of the Davis County regulations regarding gravel pits. There are storm sewer issues connected to the City. David Connors asked if the City would be pursuing legal counsel, and it was the consensus of the Council to do so.

Sound Wall Easement Along Hughes Property

Jonathan Hughes contacted Max Forbush about the City obtaining an additional 20 foot easement along his property on the southeast corner of Glovers Lane and the frontage road, Wild Rose Subdivision, for the installation of the sound wall. David Dixon offered to call Jonathan Hughes regarding this matter and report back to the Council.

Susan K. Bryce

Susan K. Bryce, Deputy City Recorder

FARMINGTON CITY COUNCIL MEETING

Wednesday, August 15, 2001

CITY COUNCIL WORK SESSION/WEST CONFERENCE ROOM

PRESENT: Mayor Bell, Council Members Hasenyager, Haugen, and Johnson, City Manager Forbush, and Recording Secretary Chipman. Council members Connors and Dixon and the City Planner were excused.

Mayor Bell began discussion at 6:40 P.M. The Council discussed issues relative to the development of the southeast bench of the City. A gravel pit proposed for the area is a great concern to the officials.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor Gregory S Bell, Council Members Bob Hasenyager, Larry W. Haugen, Edward J. Johnson, City Manager Max Forbush, City Recorder Margy Lomax, and Recording Secretary Jeane Chipman. Council Members David M. Connors and David J. Dixon and City Planner David Petersen were excused.

Mayor Bell called the meeting to order at 7:10 P.M. follow the work session. The invocation was offered by **Bruce Barton**, retired Pastor of the Bountiful Community Church, and the Pledge of Allegiance was led by **Mayor Bell**.

APPROVAL OF MINUTES OF PREVIOUS MEETING

The minutes of the August 1, 2001, City Council Meeting were read and corrected. **Larry Haugen** *MOVED* to approve the minutes. **Bob Hasenyager** seconded the motion. The voting was unanimous in the affirmative.

REPORT OF PLANNING COMMISSION (Agenda Item #3)

David Petersen was excused for the evening, therefore the report of the Planning Commission meeting held August 9, 2001, was postponed.

PUBLIC HEARING: CONSIDERATION OF ORDINANCE TO REZONE 1.438 ACRES LOCATED AT APPROXIMATELY 550 LAGOON DRIVE FROM "A" (AGRICULTURE) TO "C-R" (COMMERCIAL RESIDENTIAL) (Agenda Item #4)

Representatives of the Lagoon Corporation had requested a delay in discussion of the agenda item, therefore **Larry Haugen** *MOVED* to table consideration of the ordinance to rezone 1.438 acres located at approximately 550 Lagoon Drive. **Ed Johnson** seconded the motion.

Mayor Bell inquired if there was anyone in the audience who had come to give input at the scheduled public hearing. With no forthcoming response, he noted the public hearing would be conducted at the City Council meeting on September 5, 2001.

The motion passed by unanimous vote.

PUBLIC HEARING: CONSIDERATION OF ORDINANCE ADOPTING THE FARMINGTON CITY LEISURE SERVICES AND PARKS MASTER PLAN (Agenda Item #5)

Mayor Bell complimented the work done by the Leisure Services Board and the consultants working on the Master Plan.

Mr. Forbush said many hearings, surveys, open houses, and meetings had been conducted. The Planning Commission had reviewed the document and recommended adoption as an element of the City's General Plan. He reported that the draft had been reviewed one last time by himself, Mr. Connors, David Petersen, Viola Kinney, and the consultants hired to help produce the plan. All changes had been incorporated and Mr. Connors was in favor of adoption.

Christi Robinson summarized the document and said that assessments had been made regarding parks needs, sizes and locations, property acquisition, national standards, and the City's General Plan. The document suggested guidelines and recommendations. Ms. Robinson reviewed types of parks and needs of neighborhoods. With projected growth, the City will likely need 4 or 5 more neighborhood parks (about 5 acres in size) and 2 to 3 more community parks (about 10 acres in size). She said the linear parks or trails planned for the City in the Master Trails and Sidewalk plan should be followed. Ms. Robinson briefly discussed the stated need for a recreational facility and an arts center. The document indicated a priority for land acquisition while land is available and at an uninflated price. Development of the parks could happen later.

Mr. Forbush expressed other items needing consideration. He said as a result of City Council discussion, the document stated that if the arts and the recreation facilities were to be separate, more citizen input would be required. Locations for the facilities was also addressed. Possible resources had been noted in the text. Interconnection of parks was encouraged via trail systems.

Mayor Bell opened the meeting to a *PUBLIC HEARING.*

Paul Hayward (1663 West 1410 North) had identified areas of concern his wished the City Council to note and re-evaluate. His concerns were:

- Woodland park should remain a natural-type outdoor park with no art center taking up space.

- Land values near high schools may prohibit wise investments for park property.

- There should be a carefully considered balance between land purchase and park development. Parks should be developed as property is acquired. Cooperation with developers could provide land possibilities.

- Mr. Hayward noted the small City parks are not being used. It may be wise to concentrate on the larger parks that do attract citizens.

- Storage for props and costumes could be accommodated through inexpensive means.

- The arts center does not have to go in the downtown area. There are other acceptable locations.

- Development of the Oakridge park needs to be as soon as possible. The people in the area have no convenient park. The property has been purchased. Mr. Hayward referred to what he called a good-faith letter March 31, 1994, wherein City officials committed to develop the park at the earlier possible date. He urged the City to follow through with that commitment when funds were available.

Tonna Downing (1548 Swinton Lane) urged the City Council to develop the Oakridge Park as soon as possible. She said she and her neighbors were in need of a park and that the other City parks where difficult to get to because of traffic concerns. The land had already been purchased by the City and should be developed. She also said the park should not be deferred in favor of a recreation center.

Sue Ann Phillips (378 East Spencer Way) thanked everyone for their input into the Leisure Services Master Plan. She had concerns relative to the statement in the document that the location of the arts center and/or the recreation center must be in the downtown area. It was her feeling that such a building should not be limited to the downtown area if that location proved impossible. Other opinions should be kept open so that the facility is not squelched if the downtown location does not work out.

Lisa Haws (150 North 200 East) stated the preforming arts in the City are truly an important part of community life. However, indications found in the survey of citizens showed an extremely keen interest in recreational activities. She asked that City Officials not lose their focus on that area.

With no further comments, **Mayor Bell** *CLOSED* the public hearing. Mayor Bell thanked those who had worked so hard on the document, including the Leisure Services Board and the consultants.

Becky Hayward asked if the issue would be on the November ballot.

Mayor Bell explained that after discussion with Staff, it was deemed wiser to wait until more study had been done and definite propositions could be developed. It was still unclear exactly what the City would be asking. Oakridge Park should probably be a part of the bond, but how much of the park should be developed and what portion should be funded by bonding. Also, it hadn't fully been decided whether or not the art center should be combined with the recreation center. Also, timing would be important. If the issue where to be placed on the November ballot, it may not get the attention it deserves because so many other items are on that ballot. It may be wise to hold a special bond election, with specific and detailed issues. Also, it will be helpful for citizens to have time to debate the issues and become acquainted with the details of what is being proposed. He felt strongly that at least half of the Oakridge Park development should be on the bond proposal.

Mr. Forbush said the Utah impact fee laws required cities to develop capital facilities lists. The City has done so and have listed acquisition of land in west Farmington for a 20 acre park. Negotiations are underway with property owners. Mr. Forbush said it had been his experienced that unless a bond issue is very specific it usually fails.

Ed Johnson commended the Leisure Services Board and others for their work on the Master Plan. He expressed his feeling that a recreational center should be centrally located and not necessarily in the downtown area.

Larry Haugen stated he felt that the Oakridge Park should be at the top of the priority list. The people in the Oakridge area had waited a long time for development of that park.

Bob Hasenyager felt that the City should be open to a balanced approach to park development. That is, the City should carefully consider priorities between land acquisition and park development.

Max Forbush said the northern part of Farmington would likely support the bond issue with Oakridge Park as part of the presentation. He said the downtown issue had not been decided.

Mr. Hasenyager felt emphasis should be given the downtown area for the location of an arts center but that the downtown are should possibly not be exclusive as seemed presented in the document.

Bob Hasenyager *MOVED* to conceptually approve the "Leisure Services & Parks Master Plan" as an element of the Farmington City Comprehensive General Plan with the condition that the following revisions be made:

1. The priority list for the 2001-2003 parks development plan include high priority for improvement on part or all of Oakridge Park.

2. The location of the proposed arts center should be focused in the downtown area with options to move it elsewhere if the downtown area proves impossible.

Ed Johnson seconded the motion which passed by unanimous vote.

PUBLIC HEARING: CONSIDERATION OF RESOLUTION ADOPTING THE FARMINGTON CITY ANNEXATION POLICY PLAN (Agenda Item #6)

Mr. Forbush briefly reviewed the agenda item. He said the policy had been reviewed by the City Attorney.

Mayor Bell raised a concern that the policy state clearly that annexation does not presume development nor does it imply approval, support, or encouragement of any kind of development on the proposed annexation property. Some property may not be developed in perpetuity. Many purposes are possible.

Mr. Hasenyager concurred and said such purposes may include open space preservation, view scapes, and access to mountains and the lake.

Mayor Bell opened the meeting to a *PUBLIC HEARING.*

Shannon Hicks (511 South 111 West) discussed the impact of annexation on current residents and was worried that further negative impact would result on her property if more annexation occurred. She referred to problems with wells, traffic, and drainage systems.

With no further comments, **Mayor Bell** *CLOSED* the public hearing. He discussed the impact of Federal Laws on the traditional annexation practices of cities. Such laws had recently changed and made it possible for cities to presume a natural sphere of influence and thus better plan for future needs and development.

Bob Haysenger *MOVED* that the City Council adopt Resolution No.2001-30, a resolution adopting the Farmington City Annexation Policy Plan including language suggested by the Mayor regarding a clear statement that annexation does not presume development nor does it imply approval, support, or encouragement of any kind of development on proposed annexation property. The second was offered by **Larry Haugen** after which the Council voted unanimously in favor.

Bob Hasenyager asked if an inter-city agreement had been reached regarding boundary differences.

Mr. Forbush noted that the Expansion Area map included in the Annexation Policy Plan specifically indicated that boundaries will be worked out with both Kaysville and Fruit Heights.

Mr. Hasenyager asked that Staff be directed to move forward with those negotiations swiftly.

STATE STREET HAUL ROUTE CONCERNS/CHADWICK GREEHALGH & ALYSA REVELL (Agenda Item #7)

Mayor Bell introduced Chadwick Greehalgh and said there had been concerns about hal route through the Farmington Historic District.

Chadwick Greehalgh (208 West State Street) addressed the City Council and made the following points:

1. Haul trucks traveling down Main Street and State Street are creating vibrations that are likely damaging the fragile historic homes on those streets.

2. Letters had been written to the contractors requesting their cooperation in the protection of the old homes.

3. Some misinformation seems to exist regarding routes through Farmington. In discussions with Lagoon representatives, they indicated they did not care if the trucks passed in from of the amusement park.

4. The Utah Department of Transportation (UDOT) has been repeatedly ignoring legal directives mandated on the state and federal level which requires them to consult with local government and citizens when impacting historical sites.

5. Safety issues exist for school children who will soon be using the same roads as the haul trucks.

6. Chris Lazot (Utah Environmental Coordinator) had been contacted and stated that UDOT is being asked to change their routes.

7. The current design/build policy of UDOT has circumvented procedures which are in place to protect historical buildings.

Max Forbush said when Legacy was first being proposed, a number of hearings and public forums had been conducted. Many discussions over the design, route, alignment, and interchanges were held. The City had hired a transportation specialist to help master plan transportation needs in Farmington. Lagoon was involved in the process and insisted that access

to the amusement park in no way be impacted. They contested that access to the park was vital to its operation and must be protected.

When the current haul route proved problematic, a letter was written by the City to UDOT asked them to consider discontinuing the use of Main and State Streets after August 26th. School begins August 27th. They were asked to change their route to the frontage road in front of Lagoon beginning August 27th. In response, UDOT said tests had ben conducted to determine if the vibrations caused by the trucks were indeed harmful to the historic residences. They determined vibrations were well within acceptable levels. Further, they concluded that most of the noise being experienced in the neighborhood was due to the UTA buses that used the roads.

Mr. Forbush emphasized that he was not representing UDOT nor was he supporting their opinions and actions. Rather, he was reporting information given him. He had invited UDOT representatives to the meeting to present the information themselves, but they were unable to attend.

Mr. Forbush said he had contacted the Farmington Police Department who checked on the speed of the trucks. Police reported the trucks had been well within speed limit restrictions. He had been contacted by UDOT representatives who said they would be willing to stop using State Street after August 16. However, the City needed to recognize the ramifications of such a change. Traffic on the State Street overpass would be heavily impacted. Flagmen would have to be employed on both sides to insure steady and safe passages of the haul vehicles. Trucks would come at 2 minutes intervals. Road repair, traffic impediments, and other issues complicate the problem.

Mr. Hasenyager felt the City should issue a letter to the contractors (FAK) asking them to follow historic preservation processes set by legal mandates. They should come to local governments and discuss in public forum their haul routes and possible impact on historic buildings.

The Mayor also felt it wise to have the City's attorney review the situation and offer his opinion.

A citizen in the audience reported the haul trucks move through the City without the protection of a cover over the dirt.

Mr. Forbush said the City will contact FAK and UDOT, but citizens should also make phone calls expressing their concerns. He said UDOT had indicated they would cooperate with the wishes of the City regarding routes. Mr. Forbush recommended that UDOT be asked to discontinue their use of State and Main Streets after August 26 at which time the City will evaluate the effects of the frontage road route. It may be that the City will want the trucks to use State and Main during the day with crossing guard protection for school children. And then have

the trucks use the frontage road at night. The State Historical Preservation Office should be given the results of the monitoring records taken by UDOT showing levels of vibration.

Mayor Bell reported the consensus of the Council was in concurrence with Mr. Forbush's recommendation and the proposals as set for in the August 9th letter.

Bob Hasenyager *MOVED* that Staff be directed to follow through with action to persuade UDOT to comply with legally mandated processes in regards to the preservation of historical buildings. **Ed Johnson** seconded the motion. The motion passed by unanimous vote.

NEW SHOP CONSTRUCTION APPROACH/OPEN BID OR CONSTRUCTION MANAGER (Agenda Item #8)

The City Council discussed a proposal made by Council Member Dixon that contractors for City projects be pre-qualified and present proof of bonding capabilities. **Mr. Forbush** distributed information regarding the proposal and said actual pre-qualifications for bidding would be due on August 28th. Those contractors who pre-qualify would be invited to submit bids for the project. It is anticipated that a bid award for the project would be made by the City Council on September 19, 2001.

Ed Johnson *MOVED* to approve the document entitled "Request for Contractor Pre-qualification Proposals." **Larry Haugen** seconded the motion. The motion passed by unanimous vote.

HUGHES LETTER AGREEMENT/RESERVOIR ACCESS (Agenda Item #9)

Mr. Forbush explained issues regarding the Hughes agreement and the reservoir access. A letter agreement was presented as developed by Max Forbush and Ron Rash of CRS. The agreement covered points discussed with Jonathan Hughes and his contractor on the hillside above Hughes Farms near the new 2MG reservoir. The Hughes family had not responded to the proposal at the time of Council meeting. The text of the letter agreement is herein enclosed as Exhibit "A" to these minutes.

The Agreement was formulated at the request of Jonathan Hughes to address the need for a new temporary access road (the existing road has been cut off by Hughes' contractor) and to permit him to grade the east side of Water Turn Drive.

In another matter, he said the Hughes had also given verbal approval to install the last 2 sound wall stone fences on their property without first providing an easement. Constance Hughes is currently working on an easement agreement for the wall.

Larry Haugen *MOVED* to approve the letter agreement with changes as indicated and

authorize the Mayor to sign the same. **Bob Hasenyager** seconded the motion. The motion passed by unanimous vote.

ASSIGN COMMITTEE TO RESOLVE GISSMAN BUIDLING PERMIT ISSUE (Agenda Item #10)

Mr. Forbush reviewed issues about the building permit. He said that the Gissmans have already purchased and received a pre-fabricated home for the property. City requirements call for an asphalt road to provide access to the home site for emergency vehicles. To require the access immediately seems a waste of resources since the road will be improved to City standards as soon as future developments occur. The 1000 foot street limitation also impacts the building permit. It is important that a resolution be found promptly to accommodate the difficult situation for the Gissmans.

Mr. Forbush recommended neighbors be contacted to determine the interest level for a Special Improvement District. The S.I.D. would help solve many problems in the area. The Gissman request needed immediate attention, however, and could not wait for an S.I.D.

Ed Johnson *MOVED* to assign Bob Hasenyager and David Dixon to a committee to resolve the Gissman building permit issue and that City Staff research the possibility of creating a Special Improvement District for the area. **Larry Haugen** seconded the motion. The motion passed by unanimous vote.

DISCUSS BOND REDUCTION ISSUE ON FARMINGTON PRESERVE (Agenda Item #11)

Mr. Forbush discussed reasoning behind the request by Dick Prows to reduce the bond amount for Farmington Preserve. He felt as long as the City was covered in case according to the development agreement and if the City Attorney reviewed the bond reduction proposal, the reduction could be approved.

By consensus, the City Council directed City Staff to handle the action.

MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #12)

The Council discussed details of the business of consent. In reference to a proposal to contract independent police officers with Davis County. Council Members all expressed their feeling that the current framework of the Farmington Police Department was adequate, that the Department had done an excellent job, and that no changes were needed. This position was in response to a formal written letter sent by the Davis County Sheriff offering to provide police contract services to Farmington.

Larry Haugen *MOVED* to approve the following items by consent as follows:

12-1. Ratify construction bond agreements previously signed by Mayor Bell.

12-2. Approve September's Newsletter.

12-3. Authorize the Mayor to extend Brass Comb option agreement by one month if needed. The City Manager is concerned that he may not have enough time to get all the environmental review work completed before the time lapses for the city to exercise its option. The City Manager intends to talk to the Baileys to see if they would give the City more time to exercise the option.

12-4. Approval of an Inter-local Agreement with the Davis County School District regarding School Resource Officer. This final draft will be sent by the City Attorney's office for Council review. It has been reviewed by former Chief of Police Jeff Jacobson and the City Manager and also with Shane Whitaker and the Davis School District officials.

12-5. Approve the selection process for new Chief of Police designed by former Chief of Police Jacobson and Max Forbush.

12-6. Approval of Resolution Amending the Consolidated Fee Schedule to permit charging a little more for the radio-read type of water meters.

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

DISCUSSION/FUTURE PERFORMING ARTS/RECREATION BUILDING (Agenda Item #13)

After discussion of the issues, **the Mayor** noted it was the consensus of the Council to delay having a bond election on the proposed building or buildings until November 2002 to permit additional staff and committee work in preparing a proposal for the public to consider.

KILEY'S RESPONSE TO REVOCABLE PERMIT ISSUE (Agenda Item #14)

The Mayor and Council stated that would defer to the City Staff to handle the issue.

BID AWARD/DRILLING OF NEW WELL (Agenda Item #15)

Mr. Forbush reviewed the bid submitted for the drilling project and briefly rehearsed the cost of the project. Council Members concurred that the project needed to be finished and would, in the long run, be a benefit to the City.

Bob Hasenyager *MOVED* to award the bid on the new well drilling project to Lang Exploratory Drilling. The motion was seconded by **Larry Haugen** and passed by unanimous vote.

JOINT CITY COUNCIL/PLANNING COMMISSION MEETING ON AUGUST 23, 2001 (Agenda Item #16)

Mayor Bell said a cooperative plan had been developed by the Salt Lake Shorelands Committee, a body representing the eight cities that border the lake. The Plan was excellent and provided for preservation and controlled development along the shore line. The committee would like to make a 20 to 25 minute presentation during a joint meeting of the City Council and Planning Commission planned for August 23rd. The entire City Council was invited to join with the Planning Commission on the 23rd of August to review the Davis County Shorelands Master Plan as presented by Envision Utah.

MISCELLANEOUS (Agenda Item #17)

On-going Proposed Gravel Pit Issues

A brief discussion regarding proposed gravel pit issues ensued. Mr. Forbush had prepared a draft resolution for consideration by the Council. After reading the resolution, the City Council said they would like to have it on the agenda for September 5th, when Council Members Connors and Dixon could be present.

Mayor Bell reported the City had contacted the law firm of Williams and Hunt to help protect both Farmington and Centerville from the gravel pit excavation and asked the Council for their action.

Bob Hasenyager *MOVED* to approve entering into a retainer with the law firm of Williams and Hunt in cooperation with Centerville City. **Larry Haugen** seconded the motion which passed by unanimous vote.

Issues Regarding the Proposed Greg Barlow Care Facility

Mayor Bell reported a settlement agreement had been reached with Greg Barlow in connection with the proposed care facility for west Farmington. Mr. Barlow would be re-submitting an application for approval to the Planning Commission on August 23rd.

Flood Issues in Northern Farmington

Mr. Thornely (a resident of Fieldstone Subdivision) had received permission from Mr. Forbush to address the Council in the miscellaneous portion of the meeting. He said he

represented 156 citizens in his neighborhood who were extremely concerned over the flooding and sewer backup that occurred on July 9th. He asked that the City Council continue efforts to have UDOT make repairs to the roads in the area that would correct problems experienced during the recent heavy rainfall. Drainage along west Shepard Lane did not comply with required specifications.

Other Miscellaneous Items

Mr. Hasenyager requested a meeting with the Mayor to discuss the Haws development committee and procedures.

Mr. Forbush reviewed a letter submitted by Council Member Dixon in which he offered his services to the Planning Department, after which if accepted he would discontinue his service as a City Councilman. After a brief discussion, by consensus the Council asked that the item be considered by the City Planner before a decision is made.

ADJOURNMENT

Larry Haugen *MOVED* that the meeting adjourn at 10:15 P.M.

Margy Lomax

Margy Lomax, City Recorder
Farmington City

EXHIBIT "A"

August 15, 2001

Flatrock, LLC
c/o Jonathan & Constance Hughes
927 South 250 East
Farmington, UT 84025

Subject: **Letter of Agreement - Access to Farmington City Reservoir Site during Construction regarding 2MG Reservoir Project.**

Dear Jonathan & Constance:

Please consider and sign this letter of understanding and agreement. On August 8, 2001, the City Engineer, Ron Rash, you and your contractor, and I met on site to discuss the issue of access to the City's 2MG reservoir construction site. The meeting was held to determine a new temporary access south to the reservoir site presently under construction. The permitted road access within the established easement leading to the reservoir site was disrupted as a result of your contractor's grading of Water Turn Drive. In addition, the City's contractor graded an access to a more desirable grade to permit concrete trucks to get to the construction site. During our meeting we came to a common understanding that it was in everyone's best interest to move forward in completing the reservoir project as expeditiously as possible. During our discussion you expressed an interest in rough grading the entire slope east of Water Turn Drive from the north boundary of the City reservoir property to the cul-de-sac at the end of Water Turn Drive. The grading would permit eventual development of lots east of Water Turn Drive. Doing the grading now would save the area from being disturbed again once the area is subdivided. We also agreed on the need for establishing a permanent access route to and from the reservoir site east of the access roads presently being used.

Because time is of the essence, it is appropriate that we memoralize our mutual understandings and agreement into this letter of agreement. The points of this agreement that we discussed are as follows:

Agreements of Flatrock, LLC:

1. Hereby grants to the City and its contractor temporary access across the area as illustrated on the attached Exhibit A.

2. The City may use material from the proposed borrow site which will be regraded for future lots. The City may use the material to complete the backfilling of the reservoir. This material will be furnished at no cost to the City.

3. Will provide a permanent access easement to the City to and from the reservoir site at a mutually acceptable location east of the present access routes.

4. Will provide a regrading and revegetation plan for regrading the area east of Water Turn Drive. The City will then regrade a portion of the area and use the material to cover the tank site as provided in paragraph #2 above.

5. Agrees to regrade and revegetate the balance of the area under a mutually agreeable regrading and revegetation plan.

6. Agrees to provide erosion control over the entire regraded area (off site of the City's property) once the City has regraded and revegetated its portion of the site.

Agreements of Farmington City:

1. Will regrade the temporary access road as permitted by Hughes.

2. Will issue an excavation permit to Flatrock for the rough grading of the area east of Water Turn Drive and north of the reservoir property including the area across Parcel A - the conservation area. The City agrees to permit the regrading to occur in spite of certain restrictions in the Conservation Easement over Parcel A pertaining to disturbing and regrading soil. This issuance of the permit is conditional upon Hughes providing a grading plan and revegetation plan for this excavation which plan must be reviewed and approved by the City Engineer and City Planner.

3. Agrees to pay the cost of construction for removing the borrow from the borrow source area and to regrade and revegetate only that portion it disturbs as part of the borrow removal operations.

4. Will abandon the use of the temporary access road to the reservoir site once the new permanent access road to the site is provided and constructed.

In addition to this letter of agreement, there are some issues remaining to be agreed upon in the future that may require a written agreement. Those issues include the approval and lotting of the area east of Water Turn Drive which may include the selection of a new conservation open space area; who pays for the construction of the new permanent access road; and what is its actual location. The City requests that you agree with the provisions of this letter by acknowledging the same below.

This letter agreement will permit you to move forward in preparing a grading plan and revegetation plan which when approved by the City will allow the rough grading of the area east of Water Turn Drive. This letter agreement grants the City the right to cut the new temporary access road and to use the same while the new reservoir is being constructed. The letter agreement will also grant authorization to Flatrock, LLC to prepare a rough grading plan and

revegetation plan for the area east of Water Turn Drive. The plans must be submitted to and approved by the City Engineer and City Planner.

If you do not choose to sign this letter of agreement, the City expects you either to allow the City to use the existing graded access road or provide another access acceptable to the City.

Should you have any questions, please give me a call.

Sincerely,

Max Forbush
City Manager

Acknowledged and agreed to by the City Council this _____ day of _____, 2001.

_____
Mayor Gregory S Bell

ATTEST:

_____
Margy L. Lomax, City Recorder

Acknowledged and agreed to by Flatrock, LLC this _____ day of _____, 2001.

_____
Jonathan Hughes, Managing Member

_____
Constance Hughes, Managing Member

FARMINGTON CITY COUNCIL MEETING

Wednesday, September 5, 2001

CITY COUNCIL WORK SESSION/WEST CONFERENCE ROOM

PRESENT: Mayor Bell, Council Members Connors, Dixon, Hasenyager, Haugen, and Johnson, City Manager Forbush, City Planner Petersen, and Deputy Recorder Chipman.

Mayor Bell began discussion at 6:10 P.M. The following items were reviewed:

- The Council briefly discussed action taken by the Board of Adjustment at their meeting held August 28, wherein Gary Packer's petition for variance was denied.

- Mr. Hasenyager reported discussions of the committee studying annexation of property in west Farmington which Rich Haws is interested in developing. Mr. Hasenyager said there were many questions and issues yet to be resolved. He felt the citizens may best be served if master planning for the area were completed before development plans proceeded. Issues involving lot sizes, open space preservation, traffic impact, tax revenue needs, zoning, land use, and citizen desires, etc., should be carefully considered. Mr. Hasenyager felt professional advise may be of service to the community.

- The Council expressed an interest in determining current and future needs for tax based revenues and also the wisdom of providing an extra margin for unseen future needs. Tax-based revenue sources should be encouraged in as far as they meet but do not exceed City needs.

- The west Farmington area under consideration seems to be ideal for commercial development or higher density housing. However, existing residents are reticent. Also, some Council Members felt commercial development should be restricted. They felt residents would not support more commercial development than absolutely necessary.

- Types of possible commercial development were discussed. The Council were in agreement that certain large stores and factory outlets would not be appropriate for Farmington.

- City officials had explained to Mr. Haws that Farmington is very careful with development and thus improvements take longer in this city than in some other cities.

- Access needs for the Smith's grocery store in north Farmington were discussed. It was likely that with planned improvements to Highway 89, Smith's would not maintain its store in the currently location.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor Gregory S Bell, Council Members David M. Connors, David J. Dixon, Bob Hasenyager, Larry W. Haugen, Edward J. Johnson, City Manager Max Forbush, City Recorder Margy Lomax, City Planner David Petersen, and Deputy Recorder Jeane Chipman. Doug Cromar and Paul Hirst of CRS Engineering were present for most of the meeting.

Mayor Bell called the meeting to order at 7:10 P.M. The invocation was offered by Ed Johnson and the Pledge of Allegiance was led by Larry Haugen.

APPROVAL OF MINUTES OF PREVIOUS MEETING

The minutes of the August 15, 2001, City Council Meeting were considered. **Larry Haugen** *MOVED* to approve the minutes as written. **Bob Hasenyager** seconded the motion. The voting was 3 to 0 in the affirmative. Council Members Connors and Dixon abstained due to their absence during the August 15th meeting.

The minutes of the August 1, 2001, meeting were corrected. **Bob Hasenyager** *MOVED* to approve the minutes as corrected. **Larry Haugen** seconded the motion, which passed by unanimous vote.

REPORT OF PLANNING COMMISSION (Agenda Item #3)

David Petersen reported proceedings of the Planning Commission meeting held August 23, 2001. He covered the following items:

1. A joint City Council/Planning Commission meeting was conducted regarding the Shorelands Master Plan. The Plan was accepted for study. It was the intent of the Commission and the Council to review the Plan for final approval before the end of the year.

2. The Planning Commission voted to recommend the City Council grant final plat approval for the Farmington Greens PUD Plat I.

3. The Planning Commission amended application C-1-00 previously approved by the Planning Commission on February 24, 2000, by approving a new site plan for a proposed residential health care facility for the elderly at 533 South 950 West.

4. The Planning Commission approved architectural elevations and landscape plans for the proposed new Farmington City Public Works and Leisure Services Building located on the northwest corner of 650 West and 100 North.

5. The Commission recommended vacation of a small triangular shaped portion of 100 East Street located at approximately 45 North.

Mr. Petersen stated that a Board of Adjustment member had recently had their term of office expire. He asked the Council to consider either reinstating that Board Member or assigning a new member in stead.

PUBLIC HEARING: (CONTINUED) CONSIDERATION OF ORDINANCE TO REZONE 1.438 ACRES LOCATED AT APPROXIMATELY 550 LAGOON DRIVE FROM "A" (AGRICULTURE) TO "CR" (COMMERCIAL RECREATION) (Agenda Item #4)

Mr. Petersen reviewed the agenda item and said no objections were received from citizens or the Utah Department of Transportation during public hearings held by the Planning Commission. Mr. Petersen said the Planning Commission asked attending UDOT representatives 3 times if rezoning would affect their plans to purchase the property. UDOT response was that the rezone would not impact purchase plans. Since then however, Mr. Petersen said UDOT representatives had contacted him and had said the rezone would impact the purchase price of the property.

David Freed (representative of Lagoon Corporation) explained that the property had been purchased assuming that the zone was "CR." The Lagoon Corporation had paid full price for the property and wanted it for use as part of the park. They were not interested in selling the property to UDOT.

Mayor Bell opened the meeting to a *PUBLIC HEARING*. With no forthcoming comments, he *CLOSED* the public hearing and asked Council Members for their response.

Mr. Dixon said it seemed obvious that Lagoon officials were unaware of zoning at the time of purchase. The situation was an oversight. He *MOVED* that the City Council approve Ordinance No. 2001-32, an ordinance amending the zoning map to show a change on zone for property located at approximately 550 North Lagoon Drive from zone "A" to zone "CR."

In discussion of the motion, **David Connors** asked for clarification about the purchase price.

Mr. Freed said Lagoon had paid a premium price for the property because it was assumed the property would be more valuable the further west it was located. If Lagoon was to expand, it would be to the west.

Mr. Haugen expressed reservations about having the park expand rides closer to the City.

Mr. Freeman said the parcel had been considered as use for a hotel, parking, laundry, or other use, not for rides.

Mr. Petersen was asked to review City ordinances regarding permitted and conditional uses in the proposed zone. Any use in the zone would be open to site plan review and therefore would be subject to City requirements on a case by case basis.

Bob Hasenyager seconded the motion made by Mr. Dixon.

Mayor Bell suggested amending the motion to include language indicating any use must be consistent with the Lagoon Master Plan. The amendment was accepted by both Mr. Dixon and Mr. Hasenyager. The vote was unanimous in the affirmative.

REQUEST FOR FINAL APPROVAL/FARMINGTON GREENS SUBDIVISION (Agenda #5)

David Petersen reviewed the issues for the City Council. He suggested additional conditions be placed on the approval of the Farmington Greens Subdivision as outlined in a letter to Mr. Tulley dated August 27, 2001, including a drainage plan and assurances of road improvements. Mr. Petersen said the City should consider requiring bonding from the Proterra Companies regarding road improvements regardless of whether or not more than Phase I is completed.

Gerry Tulley was invited to address the Council. He said the project had been a joint endeavor involving Proterra, City officials, and citizens and was a mutually beneficial venture. Drainage was as yet unresolved because Proterra was waiting for direction from the City engineers who were developing a master storm drainage system. He said all homes would be at an elevation above the 500-year storm drainage needs. Such elevations would be set and recorded with the property.

Proterra had no objection to making road improvements along Clark Lane, however, the Army Corp of Engineers had not approved plans to pipe the canal water on the far side of the street (the north side). Until such decisions were made, road improvements could not be constructed. Since the development agreement runs with the land, Mr. Tulley felt the road improvements would eventually be completed, regardless of whether or not more than Phase I was built.

Mr. Tulley expressed a desire to cooperate with the wishes of the City. He also expressed some concern with possible commercial development on land adjacent to the Farmington Greens Subdivision, which he said had not been in the original general plan for the area.

Mr. Tulley also discussed the width of the road and encouraged the Council to approve the 18-foot one-way street within the subdivision next to the "Community Green." He said the narrow street made the community safer because it slowed traffic. He showed pictures of a 19-foot wide street which had ample room to allow emergency vehicle access. The sample street was two-way and was safe and effective. The street being proposed for Farmington Greens was a one-way street.

A discussion of bonding, road widths, fire code requirements, and emergency vehicle access ensued.

Bob Hasenyager *MOVED* that the City Council grant final plat approval for the Farmington Greens Planned Unit Development (PUD) Plat I, located at approximately 1400 West Clark Lane subject to all applicable Farmington City development standards and ordinances, and contingent on developers meeting requirements of the Planning Commission as set forth in Mr. Petersen's letter dated August 27, 2001, developers signing an amended Development Agreement and an amended Reimbursement Agreement, approval by the City Engineer of a drainage plan prior to recordation of plat, and developer bonding for 170 feet of improved road along Clark Lane (the Phase I portion of the road). Also, approval included the road width within the subdivision at 18 feet of asphalt on the one-way street as proposed by the developer. **Larry Haugen** seconded the motion, which was passed by unanimous vote.

MICHAEL AND EVA GISSMAN/CONCEPTUAL AGREEMENT/REPORT ON INTEREST LEVEL OF PROPERTY OWNERS IN S.I.D. (Agenda Item #6)

Packet material indicated that the Gissmans had a manufactured home on the site of their property but a permit could not been issued to install the foundation until the issue of meeting with the Fire Code had been addressed. The Fire Chief had said that the permit could be issued but the building could not be occupied until a hard-surfaced road was prepared from Glover's Lane to the Gissman property. Approximate cost of installing the 20-foot strip of pavement would be $20,000. As an alternative to the Gissman's assuming this responsibility, by agreement the City could possibly assume this responsibility as a trade in exchange for deeded right-of-way. The Gissmans as part of the agreement would pay for the total cost of the public improvements fronting their property should an S.I.D. be created.

A meeting regarding the possible S.I.D. was held on August 30, 2001. Most of the adjoining property owners attended and were in favor of the creation of an improvement district conditional upon the City considering a narrower width than a 60-foot right-of-way and conditional upon the City changing its Master Plan and rezoning the area to "R-2."

Mr. Forbush reviewed issues and detailed street improvement estimated costs. Discussion of the issues ensued. Council Members were favorable toward improving the area and solving some problems that existed because the area had been developed without City ordinance

standards. By consensus the Council directed the City Manager to work towards creating an S.I.D. for the area.

David Dixon *MOVED* to conceptually approve the recommendation of the City Manager conditional on the City Attorney's approval as follows: By agreement, the City would assume the responsibilities of the Uniform Fire Code in guarantying access to and from the Gissman property up to and including the installation of 200 feet of asphalt paving if required in exchange for Michael and Eva Gissman and also Milt Gissman dedicating public right of way through their properties to the north edge of the Pack property. **Ed Johnson** seconded the motion. In discussion of the motion, Council Members stated the zone of choice was LR, that waivers of pertinent issues should probably be considered for all lots at once, and that road improvements could be "pioneered." Mr. Petersen was directed to take the issue to the Planning Commission for consideration of a change in the Master Plan for the area. The motion passed by unanimous vote.

CHRIS SWEDIN/PURCHASE OF SURPLUS PROPERTY ON SOUTH SIDE OF GLOVER'S LANE (Agenda Item #7)

Packet information indicated that Mr. Swedin had asked the City to send a letter to the Utah Department of Transportation relieving them of their commitment to sell the remnant parcel of the Elliott property located south of Glover's Lane to the City. The letter would enable UDOT to sell the northern parcel thereof to Mr. Swedin so he can immediately begin the work necessary to construct new storage buildings and an office building at the location.

Mr. Forbush reviewed the issues involved. The action needed to facilitate the move for Mr. Swedin was for the City to give up the informal first right of refusal for the property. Mr. Swedin runs his business from the only M1 zone in Farmington. This property is needed by UDOT for future Legacy construction. Mr. Swedin had been give two months in which to relocate.

Council Members were concerned about the access to the new Swedin property because the proposed enlargement of the over pass at Glovers Lane would place bridge "touch down" passed an easy access. Mr. Swedin was encouraged to work with UDOT regarding appropriate access. He was also asked to provide landscape buffering around his property, especially as the property abuts trail property and the view from the high school.

David Connors *MOVED* to grant Mr. Swedin's request for the City to mail UDOT a letter relieving them of their commitment to sell all of the remnant parcel of the Elliott property located south of Glover's Lane to the City thus enabling Swedin to buy replacement property. However, Mr. Swedin was advised it was up to him to pursue a rezone request and eventual site plan approval for his project. The City makes no commitment regarding the zoning or the development approval. **Larry Haugen** seconded the motion, which passed by unanimous vote.

MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #8)

Bob Hasenyager *MOVED* to approve the following items by consent as follows:

8-1. Ratification of Construction Bond Agreements previously signed by Mayor Bell.

8-2. Approval of addendum to Lease Agreement "Old USU Property" as enclosed. As members of the Governing Body will recall, this is exactly what the City wanted: (2) to add the greenhouse to the red brick building the City is leasing and also (2) to extend the period of the lease.

8-3. Approval of a rental agreement between the City Arts Council and Davis County for a period of several Wednesdays. The rental agreement covers October but there are similar rental agreements for a few weeks in November and December. Max Forbush has reviewed paragraph 11, Special Events Insurance, with Darrell Child. The City's insurance agent, and the requirements of this particular provision will not be difficult for the City meet. It would not cost the City any more money to have the County added as an additional insured. The City'[s policy limits are sufficient to meet the demands of the county agreement.

8-4. Ratify the Mayor's approval of the City Manager's issuance of a purchase invoice to buy the City insurance as enclosed herein. Mr. Child tried to get coverage with a number of companies. United National Insurance Company was the lowest responsible bidder. The City's most recent carrier did not want to continue its contract with the City.

8-5. Authorization of Public Works Department to hire a new part-time Water Meter Reader as explained in the enclosed memo to Max Forbush from Walt Hokanson. This move will cost the City an additional $7,00 not budgeted from the Water Department. However, the appointment is absolutely critical in order for water meters to be read in September. Richard Callister has been selected for the position. It is hoped that Mr. Callister will also be able to install the new type of water meters. It is planned that he will install water meters in new development. A proposal will be forthcoming to the City Council to systematically replace existing meters with the new radio reads.

8-6. Approval Agreement between Farmington City and Utah Retirement Systems for Group Health and Dental Insurance with PEHP.

David Connors seconded the motion. The motion passed by unanimous vote.

CONSIDERATION OF ORDINANCE ADOPTING LEISURE SERVICES AND PARKS

MASTER PLAN (Agenda Item #9)

Mr. Dixon expressed his feeling that the document contains beneficial changes and suggestion made during the previous City Council meeting.

David Connors *MOVED* that the City Council approve Ordinance No. 2001-33, an ordinance adopting a "Leisure Services & Parks Master Plan" as an element of the Farmington City Comprehensive General Plan. **Ed Johnson** seconded the motion. The motion passed unanimously.

CONSIDERATION OF DRAFT ANNEXATION AGREEMENT/RICH HAWS (Agenda Item #10)

The City Council discussed the possibility of retaining a professional planner to help decide the best use of property in west Farmington with regards to development, commercial use, existing resident wishes, and tax base needs. The Mayor and the City Manager will interview possible candidates for the project.

By consensus, the Council directed the City Manager to make some changes in the Annexation Agreement with Rich Haws. By consensus, the Council also approved the draft letter to UDOT dated September 16 and authorized the Mayor to sign the same.

RESOLUTION OPPOSING A NEW GRAVEL PIT (Agenda Item #11)

After discussion of gravel pit issues, the City Council felt the City Attorney should review the resolution before consideration by the body.

SOUND WALL ISSUE/LANDSCAPE PLAN/SOIL GRADING ISSUE (Agenda Item #12)

Packet material indicated that Council Member Dixon recommended a 5 ½ inch reveal of rock on the east side of the wall and a 4 ½ inch reveal on the west side of the wall. A letter from geo-technician Andreas A. Aldave stated that the difference in soil retainage from one side to the other should not be more than six inches. Doug Cromar of CRS Engineers, who spoke with Mr. Aldave, indicated that because the sound wall panel is only three inches thick where the rock wall facade shows has a difference of topsoil of more than six inches from one side to the other could effect the structural integrity of the wall.

Mr. Forbush detailed landscaping plans for the Council and reviewed maintenance challenges. A keystone retaining wall had been proposed which would solve slope problems. The keystone wall, if approved would cost an estimated $15,000. It was the consensus of the Council that the fill material on the wall be placed as recommended by Council Member Dixon and that the keystone retaining wall be installed.

RESPONSE ON HUGHES LETTER AGREEMENT FROM JONATHAN HUGHES (Agenda Item #13)

Because this issue had been reviewed at a previous Council meeting, additional discussion was deferred to a future date.

DAVIS COUNTY PROPERTY SUBDIVISION/PROPERTY SALE/DE-ANNEXATION ISSUES (Agenda Item #14)

Packet material indicated that David Petersen and Max Forbush met with Fruits Heights City Mayor Richard Harvey, the new City Manager of Fruit Heights, Dick Waite, and Kim Wallace recently to discuss the County's plan to sell property above the Somerset Farms area. Part of the property is in Farmington; part of it is in Fruit Heights. Davis County is willing to build a bridge across Shepard Creek and to extend a water service line to the edge of their proposed development. They, however, would like to subdivide and develop lots. After reporting details of the parcels involved, **Mr. Forbush** said there had been cooperation between the governmental entities and things were moving along to appropriately readjust boundary lines.

BOARD OF ADJUSTMENT PROPOSAL (Agenda Item #15)

The Board of Adjustment term for Karlynn Hinman expired on July 2001. Karlynn has finished three 5 year terms. The City Council considered finding a replacement and discussed several possible names.

TRAIL SYSTEM CONSTRUCTION PROPOSAL THROUGH FARMINGTON RANCHES (Agenda Item #16)

The City Manager asked for a proposal from The Boyer Company's general contractor, MC. Green Concrete who is installing curb, gutter and sidewalk in the area. Mr. Green submitted a proposal to install a trail through Farmington Ranches Subdivision with alternatives for a 10-foot concrete trail or a 10-foot asphalt trail. The costs were presented in packet material including the placement of fences on both sides of the trail and concrete mow strips. The City Manager spoke with Dick Moffat of the Boyer Company, who indicated his company was not willing to participate in the cost of the fencing or the mow strips as proposed by M.C. Green & Company.

Mr. Forbush expressed concern that the trail be installed before building permits for housing takes place. Trail construction quality would be assured and lots could then be graded to meet the trail instead of visa versa. He suggested concrete to alleviate maintenance problems which exist with the existing asphalt trails which allow tree roots and weeds to intrude. Proper drainage engineering could be accomplished with trail construction commencing prior to lot development.

In discussion of the issues, the City Council felt that 10 feet may be too wide. Also, staff suggested that the adjoining ground be maintained by adjacent property owners. There was some discussion about the infeasibility of property owner maintaining City property especially if a fence separated private property from the trail borders. Equestrian use was also discussed.

The consensus of the Council was to construct an 8-foot, concrete trail.

MISCELLANEOUS (Agenda Item #17)

Flooding issues

Mr. Dixon had been contacted by Greg Oman who experiences devastating damages during the severe rain storm on July 9th. Mr. Oman felt some responsibility for the ineffective drainage system belonged to the City. Mr. Oman told Mr. Dixon that he felt City Officials had reviewed the problem and were unwilling to be of much help. It was also Mr. Oman's opinion that City Officials were telling him it was his fault because of the way he designed the slope of his property.

Mr. Forbush reported plans of the City to try and correct some of the worst hit places in the City. Some repairs can be made and will be as funding becomes available. He also said there was a great deal that could be accomplished by citizens if they would slope property and landscaping with flood protection in mind. Mr. Forbush said the City Engineers have plans to increase storm drainage manholes and turn appropriate lots into detention ponds when and if such ponds can prove effective. Mr. Forbush reported that the City Engineer was currently refining proposed flood proofing plans for installing improvements from 830 South to northern Farmington. The plans will likely be available for review during the next City Council meeting.

Somerset entrance

Mr. Connors asked for a specific time table regarding improvements on the Somerset Farms entrance.

Mr. Forbush reported the project required engineering which was nearing completion. The project should be underway within the next few months. Drainage systems are in place. The rock for the retaining wall has been ordered.

Other items of miscellaneous business

- David Freed reported Lagoon will be starting the third phase of the Lagoon trail shortly.

- Mr. Hasenyager commended Max for the way he handled the west State Street

difficulty with the dirt trucks. He did report that there are still large haul trucks driving past the historic homes.

- Council Members reported a leakage of raw sewage near the Harlow Wilcox home.

- Ice fishing on Farmington Pond will shortly be banned.

- Work on the water line along 200 East has been unnecessarily disruptive to traffic and very poorly maintained. Mr. Forbush was asked to contact the contractor to see if standards could be improved.

- Mr. Forbush discussed the need for City Council decisions regarding NPDES Permits which are due by the 24th of September. The permitting contains six areas. Three areas should be handled on a county-wide basis and three by the City. In order for the County to handle the three areas in question, the authority to do so must be approved by the City prior to September 24, 2001. As the Council discussed the issues, it was decided the City should not be held responsible for enforcement.

ADJOURNMENT

The meeting adjourned at 11:00 P.M.

Margy Lomax

Margy Lomax, City Recorder
Farmington City

SPECIAL FARMINGTON CITY COUNCIL MEETING

September 12, 2001

5:00 p.m.

Present: Mayor Gregory S Bell, Council Members David Connors, and Bob Hasenyager. Council Member Ed Johnson participated via telephone. City Manager Max Forbush and City Recorder Margy Lomax.

Closed Session

The meeting was called to order by Mayor Bell at 5:00 p.m. A motion was made by David Connors to go into closed session to consider an item pertaining to the competence of an individual. (Review of Police Chief applicants.) The motion was seconded by **Bob Hasenyager.** A closed session was held until 6:20 p.m. when a motion was made by Bob Hasenyager and seconded by David Connors to go back into open session.

At this point in the meeting Council Member Ed Johnson joined the meeting by means of electronic communications.

Election Judges and Polling Places

Lists of polling places and judges for the upcoming primary election on October 2 and the general election on November 6 were presented to the Mayor and Council for review. A motion was then made by **Bob Hasenyager** to approve the proposed polling places and the election judges for the seven consolidated voting precincts throughout the City. **Council Member Ed Johnson** seconded the motion. The motion passed by a unanimous vote.

A motion was then made by **Council Member David Connors** to adjourn the meeting. The meeting was thereupon adjourned at 6:30 p.m.

Margy L. Lomax

Margy L. Lomax
City Recorder

FARMINGTON CITY COUNCIL MEETING

September 19, 2001

7:00 p.m.

Present: Mayor Gregory S Bell, Council Members David Connors, David Dixon, Bob Hasenyager, Larry Haugen, and Ed Johnson, City Manager Max Forbush, City Planner David Petersen, and City Recorder Margy Lomax.

Work Session - 6:30 p.m.

A work session was held prior to the regular City Council meeting to review agenda items. The following items were reviewed:

- Flooding proofing plans for those areas seriously impacted by recent flooding - presentation to be given in regular Council meeting by City Engineer Paul Hirst.

- Gary Packer Issue - Mr. Packer wants to build a detached garage with an apartment above it for his son to live in. City ordinance does not allow this. A zoning text amendment would need to be made in order for this to happen. The Board of Adjustment has denied his variance request.

- Haws Annexation - It was determined that Mr. Haws needs to provide all the background information called for in the General Plan so the Council can make informed decisions dealing with specific information. The City Manager, City Attorney, City Planner, and Mr. Haws and his attorney will be meeting in a study session this week.

- The City Manager reported that the swimming pool has to be replastered at a cost of $25,000. The pool was constructed five years ago by Stacy Enterprises.

Regular City Council Meeting - 7:00 p.m.

Mayor Gregory S Bell called the meeting to order and invited the Council and audience to participate in a moment of silence in light of the tragedy in New York on September 11th. The invocation to the meeting was then offered by David Dixon and the Pledge of Allegiance was led by Bob Hasenyager.

Approval of Minutes of Previous Meetings

A motion to approve the minutes of the regular City Council meeting held September 5, 2001, and the special City Council meeting held September 12, 2001, was made by **Bob Hasenyager** and seconded by **Larry Haugen.** The motion carried by a unanimous vote.

Formal Appointment of Wayne D. Hansen as Chief of Police

Mayor Bell announced the appointment of Wayne Hansen as Farmington's new Chief of Police replacing Jeff Jacobson, who passed away August 2, 2001. **David Connors** moved to ratify the Mayor's appointment of Wayne Hansen as the new Chief of Police. The motion was seconded by **Bob Hasenyager** and passed by a unanimously vote. The Oath of Office was administered by Mayor Bell. Family, friends and co-workers of Chief Hansen were in attendance.

Chief Hansen addressed the Council stating that a new position had been created in the Police Department of "Lieutenant" and that Officer Shane Whitaker had been appointed to fill that position. Lieutenant Whitaker will be the highest ranking officer in the Department next to the Chief.

Planning Commission Report

Information had been provided to the Mayor and Council in their packets regarding planning related matters. **David Petersen, City Planner,** reported that a public hearing had been held on the Jerry Preston PUD. The City Council will review this plan at the Council meeting to be held October 3, 2001.

The LDS Church Stake center located at approximately 700 South and 200 East has submitted plans to enlarge its parking lot by 198 spaces to bring the total to 280. The Planning Commission and citizens agreed the addition is needed. The new parking lot will be built to the north of the existing church where a small home is presently located.

Mr. Petersen reported that the Planning Commission reviewed the Davis County Shorelands Comprehensive Land Use Master Plan. It will be presented to the Planning Commission at their September 27th meeting to be considered for adoption as a proposed addition or element to the City's General Plan.

Mr. Petersen reported that the Richard Haws' annexation proposal had been reviewed and that they had met in a study session with them.

The Planning Commission did not review the M-1 zone. The M-1 zoning ordinance is very old and the Planning Commission is planning to do a major re-write of it.

A schematic plan has been presented to the Planning Department for a residential subdivision to be located south of Steed Creek and west of 200 West. This area is a nice, wooded lot, but concern was expressed that a subdivision would create a "dangling" cul-se-sac; that there is a problem in how the subdivision would be connected to existing neighborhoods.

Public Hearing: Consideration of Ordinance Vacating a Portion of 100 East Street at approximately 45 North

Max Forbush reported that this item was related to the reconfiguration of the 5-Way intersection. The City agreed previously by written Agreement to vacate the triangle portion of right of way to the adjacent property owners -- the Antique Mall (Kent and Tracey Meyers) and Jerry Preston. The larger parcel would go to the Antique Mall and the smaller one to Jerry Preston.

Mayor Bell opened the meeting to a public hearing. Receiving no public comments, the hearing was closed. A motion was stated by **Larry Haugen** to approve an Ordinance 2001-34 vacating a certain portion of the public right of way on the east side of 100 East at approximately 45 North located within Farmington City. The motion was seconded by **David Dixon** . The motion was approved by a unanimous vote.

Gary Packer's Request to Amend 11-2-020(7) of Zoning Ordinance

A presentation was given by Gary Packer of 1366 North Alice Lane, explaining his desire to change the Farmington City Zoning Ordinance 11-2-020(7). His home which was constructed in 1999 is located on a one-acre lot with 300' of frontage, but the buildable area is restricted due to the steep terrain. An exception to CC&R's for this subdivision was made in that it required three-car garages but that no garage door was to face the street. The Packers had to construct two structures both sharing the same driveway with garage doors facing towards the other. This design was approved by the Architectural Committee of the subdivision and the City. Mr. Packer did not complete the upstairs area of the detached garage at the time of construction and now wishes to do so.

. Two months ago he applied for a building permit to construct a "mother-in-law" apartment above the detached garage. The permit request was denied and it was suggested to him by the City Planner that the request be appealed to the Board of Adjustment for a variance because the distance between the structures is longer than 4 feet. The Board of Adjustment denied the request stating that no hardship was shown and that it would be two dwellings on a single-family lot. Under the current Zoning Ordinance if the garage had been attached to the main structure, a building permit could have been obtained for a mother-in-law apartment. Mr. Packer argued his position that his two structures are actually one dwelling stating that they have the same architecture, roof, windows, driveway, utilities, etc., and suggested that the definition of "building" written in the UBC should be followed. Mr. Packer stated he would not be appealing the Board of Adjustment ruling.

Concern was expressed by the Council that if a building permit is issued for the apartment that it could turn into a rental unit.

Mr. Packer formally requested the City Council to amend a portion of the Zoning Ordinance (11-2-020) paragraph 7 pertaining to the definition of the term "Architectural and an Integral Part of" to permit occupancy of a livable area above a detached garage.

This item was brought before the Council as a discussion item to see if this would be a good way to pursue it.

Bob Hasenyager expressed concern that a precedence would be set and that a detached building would be easier to use as a rental unit.

David Connors stated that the Council was not sitting as an appellate court but as a review board of the zoning amendment on the policy issue. He felt that a limitation should be included that only a single family lives in the dwelling. By expanding the definition it then falls under the restriction of a single-family dwelling.

David Dixon stated that at one time Mr. Packer had a permit to build it out. He applauded him for doing the right thing for coming in for a building permit. The buildings are separate but function as one. He suggested that the ordinance be amended to allow this to happen. He also suggested that the amendments be reviewed by the City Attorney.

It was the consensus of all Council Members to pursue changing the ordinance to enable Mr. Packer's construction of the apartment above the garage.

Tithing Office Building Remodel to be used as a City Museum

Larry Haugen reported that the Historic Commission would like to have the old Tithing Office remodeled and able to open as a Museum by January 1, 2002. They have a bid from Phipps Construction to remodel the bathroom and to make an office out of the storage area. There is also painting and general fix-up that needs to be done.

The City Manager reported that there are funds set aside in the amount of $14,000 for the Museum and that the budget just needs to be amended.

David Dixon volunteered to do a drawing for the remodel to ensure that it will meet ADA requirements and standards.

David Connors moved to authorize expenditures of up to $7,000 for remodeling the Old Tithing Office building and to modify the budget to allow for this to happen. The motion was seconded by **Larry Haugen** with all Council Members voting in favor. The motion passed.

Flood-Proofing Report and Recommendations/New EPA Phase II Storm Water Regulations - Potential Budget Impacts - Paul Hirst

The City Manager reported that the July 9th storm experienced in Farmington was the worst he had seen in the 24 years since he has been City Manager. Storms are measured as "events" i.e. 10-year event, even though they might happen more often. Farmington's storm water system is designed for 10-year events with the hope the streets will handle up to 100-year "storm events". The storm of July 9th was classified as a 500-year storm with almost 2" of rain falling in 30 minutes.

Paul Hirst, City Engineer, presented a schematic, conceptual plan for flood proofing entitled, *2001 Storm Drain Improvements "Flood Proofing"*. Those areas of the City that had received substantial flood damage during the July 9th storm were discussed with plans on how to mitigate future flood damage. Those areas were as follows:

Fieldstone Area

Mr. Hirst reported that the detention basin in that area handled the flow coming down 1075 West alleviating any damage to the condos but the detention basin was way over capacity. There is a need for a large grate across 1230 West in addition to a 36" storm drain

pipe installed to flow into the nearby detention basin and removing some curb and gutter. An estimated cost for these improvements is approximately $60,000.

David Dixon suggested the possibility of creating another detention area when the Oakridge Park is developed.

Pointe of View

The City Manager reported that this particular area was a challenge in that there is a transverse grade on 200 West Street which reduces the street's capacity to hold storm water when the storm sewer system reach capacity. In 1978 there were only a few homes on North Compton Road. A special improvement district was created to fund curb and gutter. At the time improvements were installed the street was tipped in order to help the people get in their driveways. This area will be the most challenging because there is no obvious flow path for excess storm water. Suggested improvements as reflected in the report amount to $63,000 for this area.

David Dixon expressed concern that unless there is a bigger pipe going down Compton Road it will not solve the problem. The City Engineer was asked to re-evaluate a solution for the area.

Downtown Area (100 East/400 North)

The proposed flood proofing for this area is to install a 3 foot waterway and modify driveway approaches for three homes along with removing and replacing curb and gutter. The estimated cost for this is $12,000.

1000-1100 North Main Street

There was one home flooded at this location. It is proposed to install a 24" storm drain pipe along the channel, a cleanout box, head wall and dirt for berm along stream channel. The cost would be approximately $13,000.

Shepard Lane and Highway 89

Mr. Hirst stated that UDOT has the responsibility on this one. He reported he has talked to UDOT about this problem for the last two or three years. A 2 x 8 foot box culvert is recommended along with asking UDOT to improve a channel on the east side

of 1075 West. Rod Terry of UDOT reported to Mr. Hirst that they feel it would be better to solve the flooding problem before the intersection is changed. Shepard Lane will eventually go under U.S. Highway 89. This improvement would cost over $100,000.

1400 North Bennett Circle

It is suggested to change the grade on the curb or sidewalk to keep the water in the street, also to modify existing single and double curb inlet boxes, install 15" pipe and junction box. The estimated cost of improvements for this area is $74,000.

Main Street - 1400 North - Shepard Lane - Moon Circle

Mr. Hirst suggested that flood proofing for this area would include raising the sidewalk up one foot; raising the roadway up one foot at Moon Circle so that it confines the flows and directs it down to Shepard Lane; constructing a 2.5' retaining wall; landscaping disturbed areas, etc.. The estimated cost is $97,000.

A resident living next to Moon Park suggested that a berm be constructed at the south end of the park creating a catch basin to keep the water from overflowing into the homes.

830 South

Mr. Hirst and the City Manager had previously met with residents involved with flooding in this area to discuss the changes that need to be made and the residents were in agreement with the conceptual plans. These plans include an 18" storm drain pipe; double inlet boxes, single inlet boxes, raising sidewalk one foot, replacing curb and gutter, surface work, retaining wall, etc. These improvements would be $106,825.

Bennett Circle

Suggested flood proofing improvements as presented in the schematic plan for this area would cost $73,000.

Mayor Bell thanked residents for coming to the meeting and suggested that if any of them had suggestions or comments to please put them in writing within the next 30 days. He would like to involve the neighborhoods before any construction begins. He pointed out that to make all the suggested flood proofing improvements it would cost $750,000. He

stated that the improvements might be made one at a time or that possibly the City could bond for financing to complete them.

Also under this agenda item was discussion regarding the new EPA Phase II Storm Water regulations relative to the storm water management program mandated by the EPA and the State of Utah. Six new regulations have been created to improve water quality for keeping pollutants out of stream channels. These are: (1) Public education and outreach; (2) public participation/involvement; (3) illicit discharge detection and elimination; (4) construction site runoff control (5) post-construction runoff control; and (6) pollution prevention/good housekeeping.

An application for a permit needs to be submitted this fall with the permit being granted in March or April which would show in detail how the City will meet the new storm water regulations over the next five years. Paul Hirst stated it is recommended the first three steps be made by the County. This new mandate will create a huge economic impact on the City. Staff has met to see what can be done to meet steps 4, 5, and 6. He reported that a lot of cities are developing storm water utility fees. The City needs to better monitor construction site runoff control; better grading plans; possibly hiring an additional Building Inspector with an increase in building permit fees or development fees. In addition, EPA wants the City to sweep streets more often, cleaning out inlet boxes; and cleaning storm sewer on regular basis. Meeting these requirements will need to be implemented by the end of this fiscal year.

The City Manager passed out information showing the projected fiscal impact of meeting these requirements. It is estimated that it will cost $170,000 per year to implement this mandate.

Request to Lease "Brass Comb Property

The City Manager reported that the City is trying to purchase the Brass Comb property and that once purchased to subdivide the property upon approval of the Planning Commission. The Davis County School District has offered to give the City the Celey Baum home located north of the Jr. High School to be moved to the Brass Comb property site. Moving the home will be at the City's expense.

The City has received a letter of interest from Rich and Julie DelaMare to rent the Brass Comb property for use as a bakery. The Council was favorable to this use.

Rocky Mountain School of Baseball - Request for use of Shepard Lane Baseball Field

This item was a housekeeping issue. A competitive baseball team comprised of boys from Farmington has to provide playing fields for other league games when playing at their home field. The coach of the team, Cameron Forbush, contacted the City Manager requesting approval for league play.

A motion was made by **Ed Johnson** to approve the request of Cameron Forbush for use of the Shepard Lane baseball fields and to waive any fees associated therewith. A second to the motion was made by **David Connors** and the motion passed unanimously with all voting in favor.

Minute Motion Approving Business of Consent

David Dixon moved to approve the items of consent which are as follows:

11-1. Ratification of construction bond agreements.
11-2. Approval of June's and July's list of disbursements.
11-3. Approval of the City's Section 125 Cafeteria Plan with FCF Benefits Benefits and Administration and authorization for the City to pay $5/month per participating employee processing fee.
11-4. Approval of engineering Change Order for 200 East water line.
11-5. Approval of Change Order No. 2 on the Sound Wall Project.

The Council requested the City Manager to look into item #11-4 regarding increased fees for additional inspections on the water line project. The motion was seconded by **Ed Johnson.** All Council members voted in favor and the motion passed.

Bid Proposal to Sell City's Surplus Property

A motion was made by **Bob Hasenyager** and seconded by **Larry Haugen** to sell 7.5 acres of surplus property located in west Farmington. The motion passed by a unanimous vote in favor of the motion. The City Manager was instructed to send notice of the proposed sale to prospective buyers.

Bid Award for Construction of New Public Works/Leisure Services Building

David Dixon, representing Dixon & Associates, architects for the new building reported that a pre-qualifications of contractors had been held and that as a result of that

the bids received on September 18 were very good with well qualified contractors. E. K. Bailey Construction is the apparent low bidder. He stated that the objective is to not underbuild this new building. The new building will be a higher quality building. The Council had not seen the plans for the building so it was suggested a 11 x 17 copy be sent to them.

The City Manager presented information showing the projected costs for the project. The cost is higher than the budgeted amount. The staff will be meeting on Friday to make changes to the project and to see where funds can come from to complete the project. The City Manager pointed out that there is a critical need for storage space since the City lost its storage area when the old Shop building collapsed. UDOT has informed the City that it must vacate its present building by April 2002.

David Connors made a motion to authorize the Mayor to award the bid to the low bidder, E. K. Bailey Construction, based on the budget approved plus additions and subtractions which the City Manager feels can be funded. **Larry Haugen** seconded the motion. Council Members Johnson, Haugen, Connors and Hasenyager voted in favor with Council Member Dixon abstaining. The motion carried.

Miscellaneous

A motion was made by **Ed Johnson** and seconded by **Dave Connors** to adopt the resolution presented in the City Council packet in opposition to approval and operation of a gravel pit affecting Farmington City, as amended. The motion passed by a unanimous vote.

Bob Hasenyager reported that citizens from Centerville and Farmington have met and organized into committees to focus on safety, health, environmental health, geology and legal aspects and process regarding the proposed gravel pit.

David Dixon reported that Jonathan Hughes has offered the extra gravel and dirt from his development for use by the City at the new Shop site.

Ed Johnson stated that on November 3 trees, shrubs and sod will be planted along the sound wall and that volunteers will be helping.

David Connors said that he has received complaints about people walking their dogs in the cemetery. He suggested signs be placed in the cemetery restricting dogs.

Discussion was held regarding large trucks traveling on City streets. The City engineers are to provide information regarding the design capability of City roads, the impacts of large trucks on residential subdivisions, etc., and to check into the possibility establishing a haul route.

The City Manager reported the plaster on the interior of the pool has failed and will have to be redone. The cost will be $24,000. Also, it has been recommended by the Health Department to cover the concession room floor with an epoxy paint. Funds will come from the Enterprise Fund where it has been accumulating for the last two or three years. The City Manager was directed to proceed with the repairs.

Viola Kinney, Leisure Services Director, reported that a head count had been completed this year of swimming pool patrons and that 35,850 people used the pool this summer.

Agreements were approved by consensus of the Council for Tischler & Associates to do an analysis for storm sewer impact fees for west Farmington and with Diversified Habitats for Wetland Delineation and Section 404 Permit Application for west Farmington Storm Drainage Master Plan. These are necessary to establish storm sewer fees.

A special City Council meeting will be held on Thursday, October 4, at 5:00 p.m. to prioritize items/projects that are needed throughout the City and to discuss funding for them.

There being no further business upon motion of Bob Hasenyager the meeting was adjourned at 11:00 p.m.

Margy L. Lomax

Margy L. Lomax
City Recorder

FARMINGTON CITY COUNCIL MEETING

Wednesday, October 3, 2001

CITY COUNCIL WORK SESSION/WEST CONFERENCE ROOM

PRESENT: Mayor Bell, Council Members Connors, Dixon, Haugen, and Johnson, City Manager Forbush, City Planner Petersen, and Deputy Recorder Chipman. Councilman Hasenyager was excused.

Mayor Bell began discussion at 6:40 P.M. The following items were reviewed:

- Transportation planning for west Farmington, especially in light of proposed developments and likely annexation, was discussed. Residents have expressed interested in protecting quiet neighborhoods from high traffic impact. The need for an M1 zone somewhere in the City (possibly west Farmington) will influence traffic needs in and around it. Curving Burke Lane into Clark Lane was talked about.

- The City's possible financial participation in the Jerry Preston PUD located at 100 North 100 East was mentioned. Mr. Forbush briefly reviewed reasoning behind the proposal.

- David Petersen explained reasoning behind the proposed amendment of 11-10-040 of the Zoning Ordinance, which had to do with construction of accessory buildings in side yards within Agricultural Zones.

- Fire Chief Gregory was present and discussed areas in the City where fire code restrictions have not been followed or cannot be followed because of topography or already existing structures and roads. In some cases, property has been annexed to the City after having been under County jurisdiction, where fire code constraints have not been enforced with the same enthusiasm. In the case of the Gisseman's (agenda item #6) the Fire Chief said he could be given authority to waive some code restrictions upon application and through exercise of a hardship clause. The Gisseman's would have to assure the construction of a 20 foot access with road base, maintain the road, and assume liability, releasing the City from any indemnity. The Chief and the Council discussed writing a letter to the Davis County Commission wherein the City would request more careful compliance with state and federal fire code laws.

- The Chief also reviewed problems with fire code compliance in the Farmington Greens development in west Farmington.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor Gregory S Bell, Council Members David M. Connors, David J. Dixon, Larry W. Haugen, Edward J. Johnson, City Manager Max Forbush, City Recorder Margy Lomax, City Planner David Petersen, and Deputy Recorder Jeane Chipman. Council Member Hasenyager was excused.

Mayor Bell called the meeting to order at 7:10 P.M. following the Council's work session. The invocation was offered by Larry Haugen and the Pledge of Allegiance was led by David Petersen.

APPROVAL OF MINUTES OF PREVIOUS MEETING

The minutes of the September 19, 2001, City Council Meeting were considered. **Larry Haugen** *MOVED* to approve the minutes. **David Dixon** seconded the motion. The voting was unanimous in the affirmative.

REPORT OF PLANNING COMMISSION (Agenda Item #3)

David Petersen reported proceedings of the Planning Commission meeting held September 27, 2001. He covered the following items:

1. The Planning Commission considered in detail a proposed General Plan amendment as prepared by Rich Haws. In response to City concerns, Mr. Haws has since decided to redraft the amendment to present a less specific and more broad scope of land use. As part of the General Plan amendment, Mr. Petersen said Staff had contacted Russell Youd of Horrocks Engineering, who had submitted costs estimates for transportation studies in various part of the City–notably west Farmington. In part, the study would determine the prudence of having Burke Lane curve into Clark Lane to take heavy traffic away from residential areas. Mr. Haws has indicated to staff that a certain traffic pattern would be necessary for him to have success in the commercial development he plans. Such traffic patterns need to be studied in connection with their impact on nearby property owners and other development plans.

2. Mr. Petersen briefly reviewed the Farmington City Master Transportation Plan/Element Update Scope of Work. He felt it would be necessary to study the realignment of Burke and Clark Lanes and that the reconfiguration of the Glover Lane/650 West/1100West area would be important because of the construction of Legacy Highway. He said it would be relatively inexpensive to study traffic calming measure on State Street at this time. He also suggested having Horrocks Engineers look at reconfiguration of the Farmington Interchange but said it may not have the same priority as the other items. By consensus the Council decided to discussion the topic at their special budget session to be held Thursday, October 4, 2001.

3. The Planning Commission recommended that the City Council adopt the Davis county Shorelands Comprehensive Land Use Master Plan as an element of the Farmington City Comprehensive General Plan.

4. The Planning Commission recommended the amendment of Section 11-38-101 of the Zoning Ordinance related to the enforcement authority of City officials for code violations.

5. The Planning Commission also recommended the amendment of the Zoning Ordinance permitting single family dwellings to consist of more than one building under special circumstances.

6. The Planning Commission recommended the M-1 zone text and zoning map be amended as requested by the Pack family who own property in south Farmington.

PUBLIC HEARING: CONSIDERATION OF: (1) PRELIMINARY DEVELOPMENT PLAN APPROVAL; AND (2) APPROVAL OF ORDINANCE ADOPTING A PUD OVERLAY ZONE OVER PROPOSED PROJECT AREA BEING DEVELOPED BY JERRY PRESTON AT 100 NORTH AND 100 EAST SOUTHEAST OF THE FIRE STATION (Agenda Item #4)

Mr. Forbush introduced the agenda item. He said the City had desired urban renewal for the fire station block. Jerry Preston had been approached with ideas which would accomplish the goal. Plans were drawn and presented to difference City bodies and citizens in the neighborhood. Revisions were implemented.

David Petersen discussed features of the preliminary plan and gave reasons for the revisions.

Mayor Bell opened the meeting to a *PUBLIC HEARING* and invited Mr. Preston to address the Council.

Jerry Preston said there had been several changes made on the plans and he felt they were good. He was happy with what had been the product of many meetings and was now hopeful to proceed.

Neils Plant (511 South 650 West) asked specific questions regarding parking and maintenance. He also asked if the Fire Chief felt there would be adequate turn around for emergency vehicles. Response to Mr. Plants questions affirmed that staff had reviewed ordinance compliance and the plan met all requirements.

Clyde Terry (167 East 100 North) said the neighbors had had concerns regarding buffering from commercial development and closed access to 100 North. All their concerns had

been addressed. He was in favor of the plan and encouraged the Council to approve it.

With no further comments, **Mayor Bell** *CLOSED* the public hearing and asked Council Members for their input. The Council discussed the item including the following points:

- The proposed development would give the City more affordable housing if construction expenses were kept within certain limits.

- The plan was to have unit of varying sizes, some with second stories. All would have basements.

- The City intends through its Redevelopment Agency to participate in the cost of the housing project. In turn Preston Construction will purchase all the property, build the roads into the project; repair the Fire Station parking lot; purchase storm sewer materials to correct existing drainage problem on 100 North; and to remodel the exterior of the old Rehabilitation Building to complement the looks of the Fire Station, the Richard E. Kendell Building and the proposed new Post Office.

- Other benefits to the City would include: removal of two blighted homes and blighted home/office building, create additional parking for the Fire Station, provide for neighborhood stabilization, and increased capacity for the RDA to collect tax increment for future projects.

- Council Member Dixon commented he hated to see a decrease in open space. He suggested eliminating some of the extra parking spaces. He was also concerned about the turn around area, feeling it could possibly be better designed to give more green area to the project. He also suggested Staff investigate the possibility of having a crash gate at the southeast corner of the fire station property for access to the PUD.

David Dixon *MOVED* to approve the preliminary development plan subject to conditions as set forth in the Planning Commission letter dated September 18, 2001 and to changing the number of parking stalls from 4 to 2.

In discussion of the issue, **Mr. Connors** commented that the developer had done an admirable job and thanked him for his cooperation with the City and with neighboring property owners. He seconded the motion.

The vote was unanimous in the affirmative.

David Connors *MOVED* that the City Council approve Ordinance No. 2001-36, an ordinance amending the Farmington City zoning map to designate property located in the vicinity of the northwest corner of block 12, Plat "A" Farmington Townsite, from BR and R-2 to BR (PUD) and R-2 (PUD). **Larry Haugen** seconded the motion which passed by unanimous vote.

PUBLIC HEARING: CONSIDERATION OF ORDINANCE AMENDING 11-10-040 OF THE ZONING ORDINANCE REGARDING CONSTRUCTION OF ACCESSORY BUILDINGS IN THE SIDEYARD WITHIN AGRICULTURAL ZONES (Agenda Item #5)

David Petersen reviewed the agenda item. Mr. Olsen had wanted to build a garage on his property and planned the site when still under County jurisdiction. He is now inside City boundaries and therefore is subject to City ordinances. Mr. Olsen cannot place the garage immediately to the rear of his home as currently allowed by ordinance because he recently dug a well at that location. Mr. Olsen established the site for his new well because under County Ordinances accessory buildings are permitted in side yards. Now that Mr. Olsen is in the City he is requesting an amendment to the ordinance so he can build his garage.

Mr. Petersen said the proposed ordinance made sense for agriculture zones because garages are permitted, with site plan approval by the Planning Commission, in single family zones. Many agriculture zones are larger and should more reasonable accommodate accessory buildings in side yards. Mr. Petersen said that the ordinance was a good idea for Farmington in general and that Mr. Olsen's situation was a case in point.

Mayor Bell opened the meeting to a *PUBLIC HEARING.*

Clark Olsen (1825 West) said that when he built his home, the property was in Davis County. He was recently annexed to the City of Farmington. It was not his intention to be non-compliant with ordinances.

With no further comments, **the Mayor** *CLOSED* the public hearing and turned the issue over to the City Council.

Larry Haugen *MOVED* to approve Ordinance 2001-37, an ordinance amending Section 11-10-040(7) of the Farmington City zoning ordinance regarding the construction of accessory buildings in side yards in agriculture zones subject to approval of the Planning Commission. **Ed Johnson** seconded the motion. The motion passed by unanimous vote.

DOBERMAN LANE ISSUES/MICHAEL AND EVA GISSMAN (Agenda Item #6)

According to packet information, the City Manager's efforts to gain support from abutting property owners for the dedication of Doberman Lane and the subsequent creation of a Special Improvement District had failed. Meanwhile, the Gissmans have their house on site and

are going forward with construction. However, occupancy cannot be permitted without a resolution of a 20 foot paved road issue as directed by the Fire Chief.

Mr. Forbush said a section in the fire code does allow the Fire Chief flexibility if requested by the applicant to waive some of the requirements. The City Manager suggested that a 20-foot gravel road would need to be installed and maintained and the Gissman's would have to assume liability for the right of way. Any agreement would have to stipulate that the Gissman's would pay for road improvements when the road became a public road. A turn around for emergency vehicles would also have to be provided.

After a brief discussion ensued pertaining to adequate security to make sure improvements are made, the Council directed that the City Manager formalize an agreement for the future consideration of the Council.

FARMINGTON GREENS DEVELOPMENT ISSUES/LARRY GREGORY/MAX FORBUSH (Agenda Item #7)

Fire Chief Gregory began his comments by saying that the Gissman's had been in a difficult situation. It was not uncommon for property being annexed to the City from the County to reveal problems with non-compliance of fire code restrictions. The County's interpretation of the code was not consistent with that of the City's. The Chief asked if the matter could be discussed in a future Council of Governments meeting.

The Chief reported that the Farmington Greens plan including narrow streets and one-way street that were not compliant with fire code, specifically, Article 0 which deals with required access.

Mr. Petersen said he had talked to state fire officials and found that a 20 foot unrestricted hard surface road way is the minimum required to allow fire fighters access to the emergency vehicles. The area on the park would not be acceptable because it had to be hard surface. Also, there are times when a fire truck must be positioned not in alignment with the road to afford access to various equipment.

The **Chief** commented that he had been advised to follow the fire code with new construction and that risk of legal action from developers was not as great as that which may occur if the City did not comply with code and problems arose.

With the approval of the Council, **Mayor Bell** stated the item would be taken under advisement of the City Council.

TRUCK TRAFFIC ISSUES/WEST FARMINGTON (Agenda Item #8)

Mr. Forbush reviewed the agenda item. A letter from Tonna Bounds precipitated discussion of the need to implement ways to soften the impact in west Farmington of heavy truck traffic in the next few years. Development and road construction in the area has caused and will cause heavy trucks to use the roads in the area.

Neils Plant commented that Salt Lake City has truck haul routes which are signed and the routes are enforced.

The City Council directed Mr. Forbush to review specific recommendations for consideration of the Council at a later date.

STATE OLYMPIC OFFICE GRANTS (Agenda Item 9)

The City had been contacted by the State Olympic Office indicating that grants are available for purchasing of flags, etc. The office would pay 50 % of the cost. The Council, by consensus, declined to participate citing expense and restrictions.

MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #10)

Larry Haugen *MOVED* to approve the following items by consent as follows:

10-1. Ratification of approval of construction bond agreements previously signed by Mayor Bell.

10-2. Approval of August's list of disbursements.

10-3. Authorization to expend storm sewer funds on flood-proofing study. Subsequent to the July 9th rain storm, the City Manager, upon approval by the City Council, directed the City Engineer to develop recommendations for flood proofing those areas most affected in Farmington. The results of the study were shown at the last Council meeting. Expenditures to date are over $9,000. This was not budgeted. previously. The storm water budget narrative says the City Council is to approve projects from time to time out of this fund that are related to storm sewer.

10-4. Approval of Amendment No. 2 to Option to Purchase Property Agreement between the City and Kent and Mable Bailey. Amendment No. 2 extends option period 30 days, shortens period to close on property to 15 days and increase option payment by $500.00 which will apply to the cost of the property.

In discussion of the motion, **Mr. Connors** made special mention of the fact that the City was moving forward with plans to improve flooding protection in the City. He seconded the motion, which passed by unanimous vote.

SPECIAL CITY COUNCIL WORK SESSION/THURSDAY, OCTOBER 4 (Agenda Item #11)

Mayor Bell reminded Council Members of the special work session scheduled for October 4. It was planned that the meeting would begin at 5 P.M.

CANVASS OF PRIMARY ELECTION RESULTS (Agenda Item #12)

Margy Lomax, City Recorder, presented the results of the City's Primary Election held Tuesday, October 2, 2001. Candidates going on to the General Election to be held November 6, 2001, are: For Mayor: David M. Connors & Gary E. Elliott, For City Council: David S. Hale, Susan Tanner Holmes, Cindy Roybal, & Monty Fenwick.

The Primary Election results were as follows:

Mayor	Total Votes
David M. Connors	625
Gary E. Elliott	746
Brad Oldroyd	547
Tyler Phillips	15
Council Member	
Carl W. Downing	192
Monty Fenwick	294
David S. Hale	952
Susan Tanner Holmes	1,086
Cindy Roybal	930

Ed Johnson *MOVED* that the election canvass be accepted. **Larry Haugen** seconded the motion which passed by unanimous vote.

MISCELLANEOUS

David Dixon reported having toured the Farmington Ranches development and noting the street layout was not what he remembered approving in City Council. The City Manager was asked to investigate.

Ed Johnson met with citizens in a neighborhood meeting regarding the disputed gravel pit as evidently proposed for southeast Farmington. Due to a letter written and distributed by the land owner where the pit would be created, citizens were confused about what was fact and what was not. The letter had been distributed the night before the elections. Mr. Johnson suggested

having a small contingency of City officials meet with the property owner to determine their exact intentions about excavation on the hillside.

Mr. Connors stated that the property owner in question had been invited to attend a public hearing regarding use of the land, attended a portion of the meeting, was invited to comment, but declined to do so. Where it may be appropriate for the City to make a formal invitation, the semantics of the mentioned letter still left open the possibility for creation of a large gravel pit, regardless of future intents to develop housing. If the property owners could guarantee there would be no large scale removal of gravel from the area for use on state or any other road or construction, there may be considerable room for negotiations.

Mr. Johnson inquired about the tree planting efforts which will resume on Saturday at 9 A.M. He also inquired about a website for the City. There was discussion about the need for a Farmington City Home Page and what could be included for the benefit of citizens. Keith Johnson will be asked about the site at the special budget meeting to be held on October 4th.

David Connors reported having talked to many citizens during the recent campaign and had found several areas of concern, including the west Farmington storm drainage system especially as impacted by recent road improvements at Cherry Hill. The drainage ditch which was supposed to be created to channel runoff towards the culvert under Shepard Lane is insufficient. There are not available funds for the City to take care of the problem by itself. Mr. Forbush was asked to contact UDOT officials and find a resolution to the problem.

Mr. Connors also asked was the vote was in Farmington City regarding floridation. County numbers were available, but not a specific Farmington count as opposed to the entire County.

Larry Haugen reported the County Burn Plant had been retrofitted and was now in operation with emission numbers well below average. He also reported that not all residents in downtown Farmington had received trees as promised in the recent tree planting program.

Mayor Bell suggested that the City explore the possibility of cooperating with Centerville in their ambitions to build a 10 million dollar performing arts center.

Max Forbush reported the City Works Crew had designed and constructed a small ice skating pond near Farmington Pond. He asked that Council Members visit the site. The Public Works Department was requesting an additional $6,500 for paving a connection trail in the area. They also requested $4,000 out of their existing budget for a new trail which was the difference after trade-in. An amount of $4,700 was requested to complete ADA access requirements in three new parks completed last year. Finally, they requested $5,000 to install power and street lights to the upper portion of the Farmington Pond where landscaping is nearing completion. The City Council was okay with extending the power source, but not the addition of lighting. The

Council felt the lighting would not be acceptable to nearby neighbors. Approval was given on these expenditures. They are to be included in a future amended budget.

ADJOURNMENT

Larry Haugen *MOVED* that the meeting adjourn at 9:20 P.M.

Margy Lomax

Margy Lomax, City Recorder
Farmington City

SPECIAL FARMINGTON CITY COUNCIL MEETING

October 4, 2001

5:00 p.m.

Present: Mayor Gregory S Bell, Council Members David Connors, David Dixon, Bob Hasenyager, Larry Haugen, and Ed Johnson, City Manager Max Forbush, Leisure Services Director, Viola Kinney and Finance Director Keith Johnson

The meeting was called to order by Mayor Bell at 5:00 p.m. and an invocation to the meeting was given by Council Member Ed Johnson.

The City Manager then reviewed a list of 15 capital projects ranging from flood proofing, the feasibility of financing the Performing Arts/Recreation Building and Oakridge Park through the construction of the new Public Works Leisure Services Building. Mr. Forbush and Keith Johnson reviewed available revenues and increased costs and discussed alternative ways to finance these capital improvements. New information was provided on the Somerset retaining wall cost and difficulties in constructing the same with the planned $25,000 budget. A recent bid had been received for $195,000 for the project. The City Council wanted the City Manager to continually evaluate the site to see what else could be done to beautify the entrance to the Somerset Subdivision.

The City Manager and Keith Johnson also reviewed the RDA proposed budget changes to include participation in the Preston housing project.

A letter was shared from an attorney discussing services to try to reclaim cost for the collapse of the old City Shop building. The City Council authorized moving forward with the firm of Snow, Christensen and Martineau in trying to pursue a claim against the insurance company for this loss.

Discussion was held as to a possible date when a meeting would be held to formally amend the budgets. The date was set for the second meeting in December. The meeting was then adjourned at 7:00 p.m.

Margy L. Lomax

Margy L. Lomax, City Recorder

FARMINGTON CITY COUNCIL MEETING

Wednesday, October 17, 2001

CITY COUNCIL WORK SESSION/WEST CONFERENCE ROOM

PRESENT: Mayor Bell, Council Members Connors, Dixon, Hasenyager, Haugen, and Johnson, City Manager Forbush, City Planner Petersen, and Deputy Recorder Chipman.

Mayor Bell began discussion at 6:40 P.M. The following items were reviewed:

- Mr. Forbush reviewed the participation agreement proposed between Farmington City and Preston Chatwin Investments, L.L.C.

- A response had been received from Brent and Gloria Armstrong regarding an invitation extended by the City Council to meet about possible excavation on hillside property. The Armstrongs declined the invitation.

- The City Engineer will be present during the regular session to report on the newest Farmington culinary water well.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor Gregory S Bell, Council Members David M. Connors, David J. Dixon, Bob Hasenyager, Larry W. Haugen, Edward J. Johnson, City Manager Max Forbush, City Recorder Margy Lomax, City Planner David Petersen, and Deputy Recorder Jeane Chipman. City Engineer Paul Hirst was present for agenda item #10.

Mayor Bell called the meeting to order at 7:05 P.M. following the work session. The invocation was offered by David Petersen and the Pledge of Allegiance was led by Max Forbush.

APPROVAL OF MINUTES OF PREVIOUS MEETING

The minutes of the October 3, 2001, City Council Meeting were read and corrected. **David Dixon** *MOVED* to approve the minutes as corrected. **David Connors** seconded the motion. The voting was unanimous in the affirmative.

Minutes for the special meeting held October 4, 2001 were considered. **Ed Johnson** *MOVED* to approve the minutes as corrected. **David Dixon** seconded the motion which passed by unanimous vote.

REPORT OF PLANNING COMMISSION (Agenda Item #3)

David Petersen reported proceedings of the Planning Commission meeting held October 11, 2001. He covered the following items:

- The Planning Commission approved a lot split for the Brass Comb property located at 79 North Main.

- The Planning Commission recommended schematic plan approval for a one-lot minor subdivision located at approximately 100 south 525 West.

- The Stonebridge Group requested the Planning Commission's recommendation to amend the Farmington City Comprehensive General Plan regarding the expansion of the City's commercial and mixed use areas. The Planning Commission took no action on the agenda item. They took public input and gave comments. They wanted to hear the report by Russell Youd of Horrocks Engineering regarding master transportation planning for the area before they gave final recommendations.

- Ashco Construction Inc. Requested approval to modify conditional use permit C-5-92 by expanding the Arby's dining room located on the northwest corner of Shepard Lane and US 89. The request had been made in a prior meeting but was denied. Ascho representatives returned with site plans and plans for additional parking and landscaping. The Planning Commission granted the modification to the conditional use permit but withheld site plan approval until they could review elevations and landscaping plans.

- Mr. Petersen asked the City Council to consider options regarding a sidewalk route in Farmington Ranches. The route of the walkway was blocked by a high power pole. The pole was within Farmington right of way. By consensus, the City Council directed the City Planner to contact Utah Power and Light and discuss options. The Utah Power and Light Company was possibly the cause of the problem, hence Mr. Petersen was directed to ask them for specific solutions.

PUBLIC HEARING: CONSIDERATION OF ORDINANCE AMENDING ZONING ORDINANCE TO PERMIT ACCESSORY DWELLING UNITS AS A CONDITIONAL USE TO SINGLE-FAMILY DWELLING (Agenda Item #4)

Mr. Petersen reviewed the elements of the proposed ordinance amendment. Key elements of the changes related to accessory dwelling size and set backs. The Planning Commission suggested the size (excluding attached garages and/or carports) not be greater than 70 % of the size of the primary dwelling, not to exceed 900 square feet. The Planning

Commission also suggested accessory dwellings should meet setbacks as dictated by zone. However, additional setbacks for accessory dwellings could be required by the City during conditional use permit and/or site plan review. The City Council discussed the issues, including the following points:

- The conditional use process is a beneficial safe guard for the community with regards to accessory building construction.

- The current draft of the amendment was not acceptable to the City Council. Staff was asked to redraft the document with the following guidelines: the ability of residents to care for family members should be safeguarded, rental units should not be allowed within areas zoned for single family dwellings, ordinances should contain language which "defaults" to having *no* accessory dwellings, and separate dwellings should only be allowed if there are compelling reason why such cannot be combined with the primary dwelling.

PUBLIC HEARING: CONSIDERATION OF SCHEMATIC PLAN APPROVAL FOR MINOR ONE-LOT SUBDIVISION LOCATED AT 100 SOUTH 1525 WEST /TROY Mcomber (Agenda Item #5)

David Petersen described the conditions of the minor one-lot subdivision and why the applicant had made the request. Mr. McOmber wished to build a home on property adjacent to the Farmington Ranches. A stub road had been provided which adjoined his property two-thirds of the way back on his three acres. He wished to build on the one acre portion next to the road stub. Mr. Petersen said City ordinances does not allow for development at the end of a street. The street must either be a cul-de-sac or be improved through to the next property. The City Planner said that a nearby property owner, Mr. Olsen, had stated that he had no intentions of allowing the road through his property in his lifetime. Mr. Jung (adjacent property to the McOmber property) however, said he would like to have the road go through his property. To build a home on the property, the applicant has three options. He may either pay for all road improvements through to the next property immediately; he may bond for all improvements; or he may obtain a building permit by agreement. Staff recommended that Mr. McOmber bond for all improvements.

Mr. Petersen said the lot split proposed would create lot #1 and parcel A. Parcel A would have a note on the plat indicating it would be developed in the future with all required improvements.

When the land was annexed to the City it came in as A (Agricultural). The A zone has a minimum 2 acre building lot requirement unless property is preserved under conservation ordinances. Mr. McOmber would like to rezone the property to AE which would allow him to build on 1 acre.

Mr. Petersen said the Planning Commission recommended approval of the schematic plan and also suggested waiving lot size requirements since Mr. McOmber met the intent of the ordinance.

When asked about wetland or other conditions, **Mr. McOmber** said he was unaware of any restrictive topography.

Mayor Bell opened the meeting to a *PUBLIC HEARING.*

Troy McOmber (652 West 3600 South, Bountiful) said he originally intended to build a home on the 3 acre parcel but recognized the City's needs to develop roads for coming development. He stated that the cost of improving the road through his property would be cost prohibitive. He asked for clarification regarding the bonding requirement. He also asked if a certificate of occupancy could be granted.

Mayor Bell stated certificates of occupancy had proved ineffective for the City. The building permit process would need to be followed.

The City Council briefly discussed the issues. The Fire Chief would be consulted regarding need for hard surface access. The applicant would need to bond for improvements and would need to surface the road before occupancy. The note on Parcel A would need to be very definite regarding development requirements and road improvements.

With no further forthcoming comments, the Mayor *CLOSED* the public hearing and asked the Council for their response.

Ed Johnson *MOVED* that the City Council grant schematic plan approval for the creation of one building lot and one parcel to be developed in the future on property located at 100 South 1525 West subject to the eight elements as included in David Petersen's letter to Mr. McOmber dated October 12, 2001. **Larry Haugen** seconded the motion. The motion passed by unanimous affirmative vote.

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

Larry Haugen *MOVED* to approve the following items by consent as follows:

6-1. Ratification of Construction bond agreements previously signed by Mayor Bell.

6-2. Ratification of City Manager's approval of an appraisal agreement between the City and Larry A. Rigby to appraise the Brass Comb property.

6-3. Approval of Legacy Parkway and Utility Third Party Work Agreement Supplemental No. 1. This agreement permits the City to be reimbursed for engineering expenses for reviewing and evaluating various Legacy Highway proposals. The City Manager recommends approval of the same.

6-4. Approval of the November's Newsletter.

The motion was seconded by **Ed Johnson** and passed by unanimous vote.

ORDINANCE AMENDING CHAPTER 12 OF ZONING ORDINANCE REGARDING CONSERVATION SUBDIVISIONS (Agenda Item #7)

The amendments proposed for Chapter 12 of the Zoning Ordinance had been discussed at previous meetings of the City Council. The City Attorney had reviewed the proposals and given response. A subcommittee composed of Mr. Connors, Mr. Dixon, and Mr. Petersen had checked the document and had given input into the current draft.

Mr. Forbush distributed proposed additional amendments regarding Sensitive Area Designation Plan and Entry onto Adjacent Property. The revisions stated that applicants were responsible to obtain any required approvals for entry onto adjacent properties.

The Council briefly discussed the agenda item.

David Dixon *MOVED* that the City Council approve Ordinance No. 2001-38 an ordinance amending and recodifying Chapter 12 of Title 11 of the Farmington City Municipal Code regarding conservation subdivision development standards for development of residential subdivisions within the City. **David Connors** seconded the motion. The motion passed by unanimous vote.

CONSIDERATION OF OAKRIDGE AGREEMENT WITH PROPOSED AMENDMENTS (Agenda Item #8)

Mr. Forbush reported that Earl Kemp, representative of Oakridge, had concerns regarding the Oakridge Agreement and had made suggestions which were included in the current draft. The City Attorney had reviewed the agreement. The City Manager detailed language clarifications and made a few amendments, e.g.: page 2, #2a should read 2,325 feet instead of 1,580.65 feet.

Bob Hasenyager *MOVED* to approve the Oakridge Agreement with proposed amendments and corrections by Mr. Forbush. **Larry Haugen** seconded the motion. The motion passed by unanimous vote.

[City Engineer Paul Hirst arrived at 8:25 P.M.]

RESOLUTION APPROVING THE INTERLOCAL AGREEMENT LOANING $93,000 TO THE REDEVELOPMENT AGENCY OF FARMINGTON CITY. (Agenda Item #9)

Packet material indicated that the action was part of the City's participating through its Redevelopment Agency in the Preston development in an effort to improve and clean up the downtown block next to the Fire Station. The $93,000 loan for the Jerry Preston housing project permits the developer to assemble two parcels of property which contains an old sub-standard house. A portion of one lot will eventually be deeded to the city for the expansion of a future Fire Station with compensation for vacant portion to be paid by impact fees. Since the Redevelopment Agency has no money until it borrows money through a bond issuance, the City would be loaning the money to be reimbursed at 7% interest through the Redevelopment Agency once the bonds are issued.

Members of the Council and the Mayor wanted the minutes to reflect that the motive for granting public funds for the housing project was to eliminate blight, reduce the cost of housing in the area and permit the City to acquire a remnant parcel of the site for Fire Station expansion at a reduced price.

David Connors *MOVED* that the City Council adopt Resolution No. 2001-39, a resolution approving the interlocal agreement loaning $93,000 to the Farmington City Redevelopment Agency. **David Dixon** seconded the motion. The motion passed by unanimous vote.

CULINARY WATER WELL #2 REPLACEMENT (Agenda Item #10)

Paul Hirst reported to the City Council that City Well #3 was going to be a high quality well. The water would be good and the well could produce as much as 1500 gallons per minute, sustained. The depth of the well was 520 feet. Drilling and developing the well has been difficult. Contractors encountered several challenges. Because of this, the cost of the new well would be somewhat higher than anticipated. However, production would be a great benefit to the City. Mr. Hirst explained the type of pump suggested for the well. It would be a variable frequency pump that would allow the operator to control power and flow to conserve energy and meet needs at peak hours.

Mr. Hirst commented on fluoride requirements as mandated by passed elections. He said City Well #3 has fluoride in the water. Other City wells do not. The State has not given standards for fluoride levels and therefore it will be difficult to decide how to proceed. Other communities have decided to wait for State standards. City Council members indicated that Staff had been directed to move forward with fluoridation of the water. It will, however, be helpful when State officials give specific directions. The City Engineer was directed to have the City Attorney

contact other concerned water surveyors (specifically Taylorsville-Bennion Water District) to review their legal concern of providing fluoridation without specific State standards.
Mr. Forbush said the fluoride vote was 2815 for fluoridation and 2232 against.

CORRESPONDENCE FROM THE BOYER COMPANY REGARDING 1525 WEST REIMBURSEMENT AGREEMENT (Agenda Item #11)

Mayor Bell noted the letter contained in the packet from the Boyer Company regarding reimbursement for the1525 West Street improvements. The letter stated the City had an obligation to pay The Boyer Company $85,000 for Farmington Greens' portion of the street improvements even though Farmington Greens had not recorded their development. .No action was taken. Mr. Forbush was asked to review the correspondence with the City Attorney.

RECESS TO CONSIDER REDEVELOPMENT AGENCY AGENDA

Mayor Bell recess the City Council meeting at 8:45 P.M.

RECONVENE TO CITY COUNCIL MEETING

Mayor Bell reconvened the City Council meeting at 8:55 P.M.

MISCELLANEOUS (Agenda Item #12)

Shepard Lane

Mr. Dixon asked that UDOT be contacted to have Shepard Lane restriped on the north lane by the park entrance and the LDS stake center.

Land Use/Old Botanical Park Site

Mr. Forbush said the City did not have sufficient funds to properly develop property previous owned by Utah State University (Botanical Site). He said it may be appropriate for the City to ask UDOT to either give the property to the City outright or to have UDOT provide increased funds for development. The City Council agreed by consensus.

Suicide Prevention

Mr. Johnson suggested inviting the Davis County Youth Suicide Prevention Plan group for training.

Cherry Hill Concerns

Mr. Connors asked regarding plans for a culvert under Shepard Lane. In response, Mr. Forbush said he had not received any commitment from UDOT regarding the culvert but would continue to follow-up on the matter.

Mr. Connors also said the earthen berm placed along the east side of 1075 West Street would not succeed in holding storm water as drainage protection. In response, Mr. Forbush said there may be some discussion about revamping Burke Lane/Cherry Hill connections which would influence the drainage plans for the area.

Mr. Connors also asked that signage to and on Northridge Road from Main Street and "Mountain Road" be installed. People need help finding the "Northridge Road". It may also be necessary to install signs directing traffic to the Cherry Hill interchange.

There also needs to be striping on 1075 West going north on the frontage road at the base of the hill.

Haul Routes

Mr. Hasenyager commented on several problems in regards to the haul route being used for Legacy Highway construction. Neighbors on State Street and near Lagoon Drive have complained and have asked that the City Council restrict the haul trucks from going through the City. Citizens have also asked that the contractor be asked to clean the streets where haul trucks have spilled dirt.

Mr. Hasenyager inquired about City intentions for a general ordinance governing haul routes through the City for any and all construction.

After some discussion about hillside development on County property, the City Manager was asked to have the City Planner get a copy of County ordinances regarding development.

Mr. Hasenyager asked for a report regarding retention of consultants to help analyze future tax revenue needs of the City. Several consultants had been contacted. Expense was a key issue.

Post Office Construction

Mr. Dixon asked that the U.S. Postal Service in Salt Lake be contacted encouraging them to submit plans immediately for the future Post Office in Farmington even if construction was not imminent.

Street Parking Ordinances

Mayor Bell reviewed a letter from Sid Cluff who had concerns regarding City ordinances restricting street parking during winter months.

Mr. Forbush suggested the ordinance could be amended to shorten the time so that restrictions would only apply between November 15 and March 1. He was asked to talk with the Police Department and suggest an ordinance amendment.

Brass Comb Property

Mr. Forbush said appraisals for the Brass Comb property had indicated it was worth $140,000 (including the vacant lot next door). It would cost about $10,000 to move the old Celey Baum house to the vacant lot. By consensus, the City Council directed Mr. Forbush to proceed with purchase of the property.

Grocery Store Need

Mr. Hasenyager asked if projects on the Brass Comb property would hamper the availability of property for a possible grocery store in the downtown area. The Council discussed issued related to getting a store for the area. Parking, location, access, and store size were briefly discussed.

State Street Overpass

Mayor Bell reported he had heard from some citizens who commented on an option to eliminate the overpass at State Street. By consensus, the City Council strongly stated no such option had ever been considered. A State Street overpass was essential for Farmington.

ADJOURNMENT

David Connors *MOVED* that the meeting adjourn at 9:30 P.M..

Margy Lomax

Margy Lomax, City Recorder
Farmington City

FARMINGTON CITY COUNCIL MEETING

Wednesday, November 7, 2001

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor Gregory S Bell, Council Members David M. Connors, Larry W. Haugen, Edward J. Johnson, City Manager Max Forbush, City Recorder Margy Lomax, City Planner David Petersen, and Deputy Recorder Jeane Chipman. Council Members David J. Dixon and Bob Hasenyager were excused.

Mayor Bell called the meeting to order at 6:10 P.M. The invocation was offered by Max Forbush and the Pledge of Allegiance was led by Jeane Chipman. Mayor Bell noted the outcome of the recent elections.

HORROCKS ENGINEERS/MASTER PLAN ELEMENT UPDATE/PROPOSED EXTENSION OF STUDY (Agenda Item #3)

Russell Youd of Horrocks Engineering, presented findings of the Farmington Master Transportation Plan element update as requested by the City. The Council had approved $18,000 for the study. To date $8,000 had been spent.

Mr. Youd reviewed the four areas of concern and reported recommendations as follows:

1. Recommendations regarding realignment of Burke/Clark Lanes. The realignment would work sufficiently. Access to adjacent properties could be provided, although the specific type of access would have to be determined according to need and location. The amount of development allowed should be based on the capacity of the transportation system. The proposed North Pointe commercial development may generate up to 27,000 vehicles per day on the Burke Lane interchange. That number was based on 1.8 million square feet of office/retail development and 350 residential units. Planning for the year 2030 would indicate the Burke Lane build-out capacity at 50,000 vehicles per day. Developments which could be expanded in the area that would add to the load on Burke Lane would include Lagoon, a new high school, other office/retail development, industrial development, and residential growth. It was recommended that the total capacity of Burke Lane not be exceeded, which would put overflow traffic on the local street network.

2. Recommendations regarding reconfiguration of the Glover Lane/650 West/1100 West Area. It was recommended that the current configuration of Glover Lane, 650 West and 1100 West be retained. However, it would help those streets to implement traffic calming devises such as round abouts and intersection treatments. It would also be advisable to instigate a truck route which would divert trucks away from the residential areas.

3. Recommendations regarding reconfiguration of the Farmington Interchange. Mr. Youd suggested that even though there is a need for a full freeway interchange in the south part of Farmington, he did not recommend one just north of Glover Lane. The access ramps would be too close to the Burke Lane interchange. Federal Highway Administration (FHWA) regulations prohibited ramps within certain distances. An interchange at Glover Lane would cause undesirable impacts to residential land uses. The interchange would be cost prohibitive.

Mayor Bell suggested looking at having an interchange in the Lund Lane area. The Council discussed working with Centerville to determine feasibility of constructing a full interchange to provide access for north Centerville and south Farmington, both east and west. The probability of development in the southwest part of Farmington along with residential growth would indicate a strong need for freeway access in the area. It was noted that other communities had not taken advantage of access planning at the time of freeway reconstruction and were negatively affected.

3. Recommendations regarding traffic calming measure on State Street. Mr. Youd said he was aware that the City is anxious to preserve the historical nature of the State Street neighborhood. However, he said that it was necessary to recognize that traffic would need to use State Street because it was a major east/west connection to the City. He recommended traffic calming measures to reduce effects of volume and speed.

Mr. Connors reported having talked to citizens who raised the question about not reconstructing the State Street overpass, thus eliminating through traffic.

Mr. Youd felt the overpass needed to be built to keep the cohesiveness of the City in tact. It should be rebuilt as a local road, not a major collector. Traffic calming devises could be used to achieve the desired effect.

In conclusion, Mr. Youd said there was a need for further analysis on land use and traffic volume to determine allowable development density. The Master Transportation Plan needed to be expanded to the year 2030 and a general traffic calming concept plan needed to be in place. Once capacities were established, developers' engineers could plan specific traffic systems for each proposal and compare it against the Master Plan.

Earl Kemp (representing the North Pointe development) said specific traffic studies were already in progress for the commercial venture.

Susan Holmes (Planning Commission Chairman) said the Planning Commission was very concerned that a full interchange access be constructed in the south part of Farmington to handle the M1 zone being created there. It would also be necessary to provide for the large residential developments in order to keep the traffic away from the center of town.

David Petersen reported the Planning Commission was also concerned about truck traffic through west Farmington residential areas. They felt 1525 West was acceptable for use by trucks for now, but when frontage roads are connected, it would be best to designate them as truck routes. Mr. Petersen raised the question whether or not the North Pointe development master plans proposed amendment to the General Plan should be considered alone or with the Master Transportation update.

Mr. Kemp explained the traffic plans being made for the North Pointe development. He said the developer was anxious to help keep traffic away from residential uses and away from the State Street neighborhood.

It was the consensus of the City Council that Horrock Engineering be asked to complete the study of the Master Transportation element update to the year 2030 and that the hearing regarding the North Pointe proposals for land use be considered as planned during the November 14th City Council meeting.

David Connors *MOVED* that the City Council authorize Horrocks Engineering to move ahead with the increased scope of work as discussed and which was estimated to cost $20,000. Such authorization included modeling updates to be provided by Fehr & Peers. **Larry Haugen** seconded the motion which passed by unanimous vote. Mr. Forbush was directed to budget this change out of road impact fees.

APPROVAL OF MINUTES OF PREVIOUS MEETING

The minutes of the October 17, 2001, City Council Meeting were considered. **Larry Haugen** *MOVED* to approve the minutes as corrected. **David Connors** seconded the motion. The voting was unanimous in the affirmative.

REPORT OF PLANNING COMMISSION (Agenda Item #3)

David Petersen said he had consulted with Lisa Romney, City Attorney, regarding ordinance amendments regulating accessory dwellings. Ms. Romney felt there were 2 options open to the City Council. They could amend ordinances to provide conditional use status for accessory dwelling construction or they could approach the Board of Adjustments and lobby for a hardship waiver for the Packer property.

The Planning Commission held October 26, 2001 covered the following items:

1. The Planning Commission tabled action regarding the North Pointe development until they could review studies made by Horrocks Engineering. Mr. Haws was disappointed in the action and felt that North Pointe Master Plan and the Transportation Master Plan amendment should not go hand in hand.

2. Lagoon Corporation had submitted a request for approval of a new ride, but with economic considerations decided to withdraw the request. However, the ride manufacture offered to finance purchase of the ride and so Lagoon is resubmitting the request. The Planning Commission would like to have the City Council review the request in December.

3. The Planning Commission recommended repeal of Chapter 26 (M1-Zone) of the Zoning Ordinance and suggested changing the M1 title to "Light Manufacturing and Business Zone."

4. The Planning Commission reviewed the Davis County General Plan update. It had not been updated for many years. The Commission responded to the County with a letter supporting changes made to the Plan. Written responses will be accepted by the County until November 30th. Mr. Petersen suggested if the City Council wished to submit a written response they should do so as soon as possible. He also explained the Counties intention to develop a "Hillside Use Plan" similar to the "Shorelands Plan." In response to a question by the City Council, Mr. Petersen reported that the Commission had approved the Shorelands Plan.

PUBLIC HEARING: CONSIDERATION TO ADOPT ORDINANCE AMENDING THE HUGHES ESTATES SUBDIVISION/MICHAEL NEBEKER, USDS DEVELOPMENT (Agenda Item #5)

Mr. Petersen reviewed the agenda item for the City Council. The action continued to implement the Settlement Agreement between Farmington City and USDS Development. Also, Kenneth J. and Geraldine Spencer had written a letter to the City requesting a clarification of the statement on the plat.

Mayor Bell stated the utility easement through the property must be clearly designated and an access easement should be specifically defined and marked on the plat. He opened the meeting to a *PUBLIC HEARING*. Upon hearing no comments, the Mayor *CLOSED* the public hearing.

Larry Haugen *MOVED* that the City Council approve Ordinance No. 2001-40, an ordinance authorizing the Mayor to enter an order vacating and amending lots 105, 106, 123, 124, 125, and 126 of the Hughes Estates and directing that the same be recorded with the Davis County Recorder's Office and that the plat include language indicating utility easement location and specific language for an access easement to Lot 32 of Lakeview Hills Plat "D" Subdivision. **Ed Johnson** seconded the motion, which passed by unanimous vote.

PETITION FOR LOT LINE ADJUSTMENT/RICHARD L. COLEMERE/DARREN E. ORTH (Agenda Item #6)

Ed Johnson *MOVED* that the City Council approve lot line adjustments between lots 12

and lot 13 of the Hughes Hillside Subdivision, Plat B as presented in packet material. **David Connors** seconded the motion. The motion passed by unanimous affirmative vote.

REQUEST TO WAIVE SIDEWALK REQUIREMENT ON A PORTION OF FARMINGTON RANCHES, PHASE II (Agenda Item #7)

The City Council discussed options available regarding the situation in Farmington Ranches where a sidewalk leads direction into a high power line tower. Mr. Summerhays was present and acknowledged the problem was due to an engineering oversight by their engineers. By consensus, the Council decided to have the developer remove the sidewalk all the way to the intersection and install an 8 foot fence around the power line tower. Mr. Summerhays agreed.

REQUEST FOR A DECISION ON LEGACY HIGHWAY BETTERMENTS LIST THAT FARMINGTON CITY WANTS INSTALLED/MAX FORBUSH (Agenda Item #8)

Max Forbush reviewed the agenda item and information presented in the packet which stated:

a) Decorative lights on the State Street overpass would cost approximately $100,000. UDOT will provide standard lighting whether or not decorative lights are provided. The Council felt duplication, especially considering the cost, would be ineffective.

b) Wrought-iron fencing could be installed on each side of the State Street structure. The six-foot wrought-iron fence would cost the City approximately $20,000. The other option was to have UDOT install the basic chain link fence at no cost to the City. The council felt that the State Street overpass was an important entrance to the City. Mr. Johnson and Mr. Connors were in favor of the decorative fence at that important entrance. Mr. Haugen was concerned about safety issues, such as having children through balls at traffic on the freeway through the wrought-iron.

c) It was felt the 3,500 feet of 10-inch diameter culinary water pipe along Lagoon Drive to the 400 West intersection was essential. Mr. Forbush said staff felt the estimated cost of the project at $140,000 was too high and wanted to make a rebuttal to UDOT to reduce that cost.

d) The Council felt the installation of fiberoptic conduit attached to the Farmington Creek bridge structure under I-15 and beyond 650 West was needed. Further details and cost estimates were not yet available.

DEMONSTRATIONS ORDINANCE FEEDBACK REQUEST (Agenda Item #9)

After a brief discussion, the City Council, by consensus, directed staff to review the copy of the Salt Lake City demonstrations ordinance and simplify it according to Farmington needs.

MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #10)

Larry Haugen *MOVED* to approve the following items by consent as follows:

10-1. Ratification of construction bond agreements.

10-2. Ratification of two Utah Power and Light agreements for services as pertain to the new City Shop building. The first agreement is to lay a three-phase power line into the project area. The cost mentioned in paragraph 3 will actually be paid in power costs over the next five years. If the normal power usage does not cover the cost, then the agreement says the City will pay 80 percent of the cost of the billing plus $178.40 each month. The second agreement pertains to the placement of 10 street lights within the Shop area for security purposes. Both agreements were signed and set on to Utah power so as not to slow down the project. The City Manager was asking for ratification of these two agreements.

10-3. Approval of the annual Animal Care & Control contract for the 2002 service year. Charges for these services increased five percent above last year's.

David Connors seconded the motion which passed by unanimous consent.

ORDINANCE ADJUSTING ALL-NIGHT PARKING RESTRICTIONS (1:00 A.M. TO 7:00 A.M.) FROM NOVEMBER 1 TO APRIL 30 TO NOVEMBER 15 TO MARCH 1 (Agenda Item #11)

Mr. Haugen expressed concern for families whose members come to visit during holidays. Discussion among Council members indicated enforcing officers should issue warning tickets in the early part of the season to inform residents of the ordinance.

Mr. Forbush stated the ordinance was needed to assist in snow removal which in turn provides for safety vehicle access and access for postal deliveries.

Larry Haugen *MOVED* that the City Council approve Ordinance No. 2001-41, an ordinance amending section 14-5-101 of the Farmington City Municipal Code pertaining to all-night parking in Farmington City from "November 1 to April 30" to "November 15 to and including the last day of February." **David Connors** seconded the motion. The motion passed by unanimous affirmative vote.

POLICY ENFORCEMENT CONSIDERATION REGARDING OFF-ROAD VEHICLES AND ILLEGAL DISCHARGE OF FIREARMS (Agenda Item #12)

Mr. Forbush reported a letter sent by Council Member Dixon in which Mr. Dixon

suggested providing an ariel photo of Farmington hillsides which shows the areas where off-road vehicles use was prohibited. The photo, along with a letter of explanation, could be sent to all residents of Farmington. Mayor Bell had drafted a proposed letter. Discussion ensued indicating the Council desire to have the letter and photo included in the monthly newsletter sent to every home in Farmington.

Larry Haugen *MOVED* that the City Council authorize the Mayor to sign the letter discussed and send it with the monthly newsletter to each home in Farmington. **Ed Johnson** seconded the motion, which passed by unanimous vote.

RDA TAX INCREMENT BONDS, SERIES 2002/REVIEW OF CALENDAR OF EVENTS (Agenda Item #13)

Mr. Forbush indicated the RDA Tax Increment Bonds material was for information only. The Council briefly discussed the meeting schedule for January and decided to meet on January 2 and January 16.

WATSON/FRANCIS DITCH ISSUE (Agenda Item #14)

Mr Forbush briefly reviewed the agenda item. He suggested the City liability exposure is a concern if the City regrades a channel adjacent to the Watson property to improve drainage. The City Attorney had been contacted and offered the opinion that no legal responsibility exists for the City to modify the channel. The City Attorney said the City does not have jurisdiction over the channel. However, the City Manager indicated commitments were made to help the neighborhood resolve a problem.

A brief discussion ensued. By consensus, the Council directed that the Watsons be asked to raise the elevation of the window wells and that the City Public Works Department provide the channel after the window wells are elevated.

MISCELLANEOUS (Agenda Item #15)

UTA Transit Progress

Mayor Bell stated UTA is working with cities to provide an adequate room in subdivisions for bus access. Pedestrian walking patterns also need to be considered in the design of subdivisions. With the approval of the Council, the Mayor directed that the Planning Commission review design standards with public transit needs in mind.

The Mayor mentioned the need for a covered bus stop on the north side of Shepard Lane and asked that a letter to sent to UTA requesting the needed installation. He commented that there may be some frustration on the behalf of UDOT with Farmington City regarding haul

routes and the gravel pit proposals. There may be a need for the City to be sensitive in future negotiations.

Cherry Hill drainage

Mr. Connors asked for a report regarding the street design at the new Cherry Hill interchange at the intersection of Northridge Road..

Mr. Forbush reported he had met with engineers for the project. Some measures are being taken. Also striping is currently being done in the City in several areas where traffic problems exist. Council members were invited to attend a meeting with UDOT authorities on Wednesday, November 14th at 8:30 A.M.

Museum progress

Mr. Haugen inquired if Mr. Dixon had finished the architectural drawings for the City's new museum.

Somerset Wall

Mayor Bell asked about progress on the retaining wall for the Somerset entrance.

Election Canvas

A special City Council meeting was set for Tuesday, November 13 at 8:00 A.M. to canvas the recent election.

Pioneer Holiday Event

The **Mayor** reported that the Lagoon Corporation had donated $10,000 to the City for use in the Pioneer Christmas event to be held in the middle of November at the Davis County Fair Grounds. He suggested a letter of acknowledgment be sent to Lagoon.

Resident Assistance

Max Forbush reported a request made by a local LDS bishop who reported problems experienced by a widow in the City whose property abutted a City park in Lupine Village. Irrigation water or heavy rain drains towards her home flooding her yard and threatening her home. The bishop, Dan Anderson, suggested if the City could help pay for materials, his ward would donate the labor need to fix the problem. By consensus, the City Council approved the expenditure of $1,100 to purchase keystone blocks which will be used to repair drainage designs in the Lupine Park area since the resident's property abuts City property.

ADJOURNMENT TO CLOSED SESSION

Larry Haugen *MOVED* that the meeting be adjourned to a closed session to discuss acquisition of property at 8:55 P.M. **David Connors** seconded the motion, which passed by unanimous vote.

At 9:20 p.m. a motion was made by **David Connors** to go back into open session. The motion was seconded by **Larry Haugen** and voted on unanimously.

Sound Wall Letter

Discussion was held regarding a letter which had been sent by the City to the Utah Department of Transportation requesting that UDOT evaluate the effectiveness of the recently completed sound wall in south Farmington. The City Manager reported that he had received verbal confirmation from Todd Jensen of UDOT that the sound wall had been built to UDOT standards and that there were no "minimum" or "maximum" requirements.

Ed Johnson reported that the residents living in south Farmington perceive that since the voter initiative on sound walls was defeated by voters two years ago that the City felt it only had to build the minimum required.

The City Manager is to get written confirmation from the Utah Department of Transportation that the City complied with UDOT standards in its construction of the sound wall in south Farmington.

There being no further business, **David Connors** made a motion to adjourn the meeting. The meeting was thereupon adjourned at 9:30 p.m.

Margy Lomax

Margy Lomax
City Recorder

FARMINGTON CITY COUNCIL MEETING

Wednesday, November 14, 2001

CITY COUNCIL WORK SESSION/WEST CONFERENCE ROOM

PRESENT: Mayor Bell, Council Members Connors, Dixon, Hasenyager, Haugen, and Johnson, City Manager Forbush, City Planner Petersen, and Deputy Recorder Chipman.

Mayor Bell began discussion at 6:40 P.M. The following items were reviewed:

- Mr. Petersen explained the request by Troy McOmber to gain approval from the City Council to subdivide his three-acre parcel into one building lot and two parcels with a note attached to the plat indicating the two parcels are not building lots. In the future, when the parcels are brought back to the City for approval as building lots, impact fees will be assessed. Such action would allowed Mr. McOmber to use one lot for his home without having to subdivide the land into three lots and pay all the impact fees immediately. It will also allow the City to collect appropriate impact fees without administrative complications.

- Mr. Petersen reviewed the Shorelands Plan document briefly. Changes had been suggested by the Planning Commission and had been incorporated. Mr. Dixon had additional concerns which had not yet been addressed. Also, Jonathan Hughes (owner of property in the affected area) had contacted Mr. Petersen and questioned his ability to develop shore land property.

- The Planning Commission had reviewed the Davis County General Plan. They had sent a letter to the Davis County officials commending them for the Plan and encouraging the development of a hillside plan similar to the Shorelands Plan. Mr. Hasenyager felt the City should expedite actions towards the development of such a hillside plan.

- Three vacancies exist on the Planning Commission. A committee needs to be appointed to review applicants and make a recommendation to the full Council.

- The Lagoon Corporation is planning to install a new 194-foot ride called the "Slingshot." The Planning Commission reviewed the new ride thoroughly. City Council members by consensus decided that if there were an appeal to the Planning Commission's approval of the ride, they would take time to consider relative issues. However, if no appeal was forthcoming, they would not take Council time other than to hear Mr. Petersen's summation during his Planning Commission report. The color of the ride was briefly discussed.

- The proposed annexation agreement for the Stonebridge project was briefly discussed. The developer had told staff that he felt more work needed to be done. A subcommittee consisting of David Connors, Bob Hasenyager, Susan Holmes, and David Hale was organized to meet with the developer to further negotiate issues.

- The Planning Commission planned to hold a study session on November 29, 2001, to consider the results of research done by Horrocks Engineering regarding traffic conditions in specific locations throughout the City. The City Council was invited to attend.

- A Board of Adjustment meeting has been scheduled for November 30 at 7:30 P.M. wherein Gary Packer plans to appeal recent action of the board. The issue involves City ordinances regulating accessory buildings.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor Gregory S Bell, Council Members David M. Connors, David J. Dixon, Bob Hasenyager, Larry W. Haugen, Edward J. Johnson, City Manager Max Forbush, City Recorder Margy Lomax, City Planner David Petersen, and Deputy Recorder Jeane Chipman.

Mayor Bell called the meeting to order at 7:10 P.M. following the Council's work session. The invocation was offered by Larry Haugen and the Pledge of Allegiance was led by David Dixon.

APPROVAL OF MINUTES OF PREVIOUS MEETING

The City Council considered the minutes of the November 7, 2001, City Council Meeting. **David Connors** *MOVED* to approve the minutes . **Bob Hasenyager** seconded the motion. The voting was unanimous in the affirmative.

REPORT OF PLANNING COMMISSION (Agenda Item #3)

David Petersen reported proceedings of the Planning Commission meeting held November 8, 2001. He covered the following items:

1. After careful consideration, the Planning Commission approved the request made by Lagoon Corporation for permission to install a new 194-foot "Slingshot" ride. The request was necessary because of City restrictions stating any ride over 150 feet had to receive written permission by the Planning Commission. The

Commission also made provisions for City Council review if the Council desired to do so.

2. The Planning Commission approved Jerry Preston's request for preliminary plat for the Farmington Cove Planned Unit Development located southeast of the Fires Station.

3. The Boyer Company gained approval for preliminary plat for Farmington Ranches Phase III consisting of 123 lots located north of Clark Lane and west of 1525 West Street.

4. Because the City Council had approved funding for further study by Horrocks Engineering of traffic issues, the Planning Commission tabled consideration of the North Pointe annexation proposal until they could review findings.

5. The Planning Commission recommended rezoning three acres of property owned by Troy McOmber located at approximately 100 South and 1525 West from A to AE.

6. Mr. Petersen stated the Planning Commission has planned to review ordinances regarding accessory buildings early in 2002.

7. Mr. Petersen had been asked to find references in the General Plan to building limitations affected by elevation on the hillsides. He reported finding three references. Also, the General Plan indicates 5200 feet as the elevation beyond which not building should take place.

8. The City Council scheduled interviews for prospective Planning Commission members on December 6, 2001, at 5:30 P.M. The Mayor, David Connors, and Susan Holmes will conduct the interviews. Council members were asked to encourage qualified citizens to apply.

PUBLIC HEARING: CONSIDERATION OF ORDINANCE REZONING THREE-ACRE PARCEL OWNED BY TROY MCOMBER AT APPROXIMATELY 100 SOUTH 1525 WETS FROM A (AGRICULTURE ESTATES)/CONSIDERATION OF MINOR PLAT APPROVAL FOR 3-LOT SUBDIVISION (Agenda Item #4)

Mr. Petersen reviewed the agenda item and explained the request from Mr. McOmber to subdivide his property into 1 building lot and 2 parcels with a note on the plat that the parcels were not building lots. Doing so would delay the payment of impact fees until the parcels were amended to building lots. The developer was willing to install street improvements, including

sidewalks on both sides of Bonanza Road and enter into an extension agreement with the City to improve 1525 West at the time Parcel B is developed.

Mayor Bell opened the meeting to a *PUBLIC HEARING* regarding the subdivision request and rezone of the property. With no forthcoming comments, he *CLOSED* the public hearing.

Bob Hasenyager *MOVED* to approve Ordinance No.2001-42, an ordinance amending the zoning map to show a change of zone from property located at approximately 100 South and 1525 West zone A to zone AE. **David Dixon** seconded the motion, which pass by unanimous affirmative vote.

Bob Hasenyager *MOVED* that the City Council approve the minor plat from one lot to one lot and two parcels on property at approximately 100 South 1525 West subject to compliance with all applicable ordinance requirements and development standards and the conditions as outlined in the City Planner's letter to the developer dated November 9, 2001. **David Connors** seconded the motion. In discussion of the motion, Mayor Bell emphasized the importance of clearly stating on the plat that the parcels were not building lots and would need approval before improvements could be made. Also, that at the time the parcels were amended to building lots, all impact fees would be required. The motion passed by unanimous vote.

PUBLIC HEARING: CONSIDERATION OF ORDINACE ADOPTING "DAVIS COUNTY SHORELANDS PLAN" AS AN ELEMENT OF THE CITY'S GENERAL PLAN (Agenda Item #5)

The City Council discussed Mr. Dixon's concern regarding map designations in the Shorelands Plan. Mr. Dixon felt there should be definite and enforceable logic behind demarcations restricting development and land use. Points of the discussion included:

- The FEMA line could be used as the demarcation line as amended at the time of requests by developers. However, some felt the FEMA line may be too arbitrary for clarity and enforceability.

- Language in the text of the Shorelands Plan may need to be amended to fit the unique situation found in Farmington.

- Conservation ordinances adopted by the City may be enough to solve any problems that may be encountered.

- The Shorelands Plan was intended to rim the Lake with buffering no-build agricultural lands for protection and preservation.

- The Council decided to hire the Shear-Brown Engineering firm to refine the map. They would be asked to show specific constrained land.

Mr. Dixon raised a second concern with the document regarding transfer of development rights. The Council discussed the issue. Transfer rights had been listed as a possible tool which were not necessarily adopted by Farmington.

Mayor Bell opened the meeting to a *PUBLIC HEARING*. Because there were no public comments, he *CLOSED* the public hearing and stated action on the agenda item would be deferred to a future meeting.

PUBLIC HEARING: CONSIDERATION OF PROPOSED AMENDMENTS TO THE CITY'S GENERAL PLAN REGARDING THE EXPANSION OF THE CITY'S COMMERCIAL AREA WITH THE CREATION OF A "MIXED USE" AREA AND OTHER RELATED AMENDMENTS AND BUSINESS/THE STONEBRIDGE GROUP (Agenda Item #6)

David Dixon declared a conflict of interest regarding the agenda item and excused himself from the roster and discussion.

David Petersen outlined packet material. He said there had been no protests received regarding expansion of the City's commercial area in west Farmington. Mr. Petersen rehearsed the location and possible uses of the proposed annexation property. The developer had recommended a new zone designation for portions of the proposed annexation property to be included on the Master Plan. The designation would be called "Mixed Use." Both the map and the Master Plan text would need to be amended. He said the Planning Commission was waiting to offer their recommendations until they could review Horrocks Engineering transportation studies.

Earl Kemp (representing the North Pointe project) said a great deal of work and planning had already gone into the project. Surrounding property owners had been consulted and input considered. The developers want to be sensitive to several issues including buffering for residents and keeping traffic to a minimum and away from homes.

He wanted the City Council to consider three issues:

1. The realignment of the Burke Lane extension would facilitate appropriate transportation conditions for the commercial development and nearby residents.

2. UDOT has stated the Burke Lane interchange would be a major structure. The developer would like to have the City take the lead in requesting that UDOT

properly landscape the area to uphold Farmington's historical nature and high standards.

3. There is a need for a full interchange in the south part of Farmington at Glover Lane.

Mayor Bell opened the meeting to a *PUBLIC HEARING*.

Roland Turpin (588 North 1525 West) said he was concerned about connecting roads going north to Kaysville. He felt such connections would bring increased traffic through the residential areas of west Farmington. He also said the road as indicated on the proposal map would run through his home. He had concerns about trip generation created by the commercial site.

Rick Johansen (1293 West Burke Lane) asked what would be allowed in the new "Mixed Use" designation.

Mr. Kemp suggested the zone could include low density residential use, commercial use, and office complexes. He said it would take as much as 20 years to bring the area to full capacity.

Mr. Johansen asked if the developer had planned for buffering between the residents and the commercial uses.

Mr. Kemp said the water ways would be preserved with between 50 and 100 feet of easement. The green belt system would act as a natural buffer.

In discussion of the issues the following points were made:

- Traditionally, Farmington City officials maintain high standards with regards to landscaping requirements, especially at the entrances to the City.

- The City Council has assigned a subcommittee to work with the developer in negotiating points of the annexation agreement.

- As directed, City staff had already sent a letter to UDOT stating City support for realignment of the Burke Lane extension. After discussion, Mr. Kemp explained that he needed the City to issue a similar letter to the Army Corp of Engineers.

- "North Cottonwood" was suggested by Larry Haugen as the name for the new road created because of the Burke Lane realignment.

- The alignment could be approved without commitments about side streets or frontage connections.

- It was planned by the developer to have Clarke Lane dead end just past the Justice Center Complex, thus eliminating through traffic to residential areas.

- The City Council would wait for recommendations from the Planning Commission regarding the North Pointe annexation. The Planning Commission was waiting to review information coming from Horrocks Engineering.

David Connors *MOVED* to have the City Council direct the City Manager to draft a letter to the Army Corp of Engineers stating the City's preferred alignment for Burke Lane and incorporate the alignment into the Master Transportation Plan. The action affected Burke Lane only. **Ed Johnson** seconded the motion which passed by unanimous vote. Mr. Dixon was not on the roster nor did he vote.

Bob Hasenyager *MOVED* to continue the public hearing until December 12. **David Connors** seconded the motion. The motion passed by unanimous affirmative vote. Mr. Dixon did not take part in the vote.

Mr. Hasenyager opened a discussion regarding zoning for the proposed annexation property. No provision is included in the City's ordinances which indicated "A" (Agriculture) as a "holding" zone. However, legal opinions from the City's attorney's seemed to indicate that such could be the case. Land annexed to the City is annexed as "A" unless property owners petitioned for a different zone. Property owners in the north section of the proposed annexation area wanted to have their property remain "A" where owners of the proposed commercial area in the south portion wanted an overlay indicating mixed uses. By consensus, the City Council determined there would be a distinction made between the two areas and that the "A" zone desired by property owners in the north would be honored.

UPCOMING DAVIS COUNTY SCHOOL DISTRICT BOND ELECTION INFORMATION/LYNN TRENBEATH (Agenda Item #7)

Lynn Trenbeath (representing the Davis County School District) presented information regarding a proposed 190 million dollar bond issue which will be posted for election on February 5, 2002. Ms. Trenbeath reviewed population growth, the desperate need for new facilities and remodeling, and financing strategies. She stated that no tax increase would be levied. Current bonds would be retired as the new bond would go into effect, resulting in no need for tax increases.

David Hale asked about the rumor regarding District funding going to the Layton City Library, which is not a part of the County system of libraries.

Ms. Trenbeath stated a fact-finding effort was under way wherein benefits for both the School District and the library under consideration would be worked out. However, no District funding intended for school improvements would be spent on the project. No decisions have been made.

Ms. Trenbeath said property near the District Offices would soon give their workers about 14 more parking stalls. She then thanked the City Council for their time.

FY2000-01 AUDIT REPORT/REVIEW OF GASB 34 REGULATIONS (Agenda Item #8)

Charles Ulrich (City Auditor) presented a detailed review of the Comprehensive Annual Report Summary. He summarized the submittal letter written by Finance Director Keith Johnson which gave an overview of the City's financial situation. The auditors had offered what is called a "clean opinion," meaning that all internal control procedures in the City were in place in accordance with Generally Accepted Accounting Principles, a Nationally instituted standard of practices which has also been adopted by the State of Utah.

Mr. Ulrich then reviewed specific areas of the report. He said that one area of minimal concern was in the budget overages due to reporting of land transfers. The overages occurred because of the purchase and sale of land and buildings that pertained to assembling properties for a future post office. The items were recorded at the net amounts rather than the gross amounts, which did not allow for the amending of the budget for the expenditure. The total of the sale of assets should be recorded.

Culinary water "overage" revenues is down. This is due to conservation measures practiced by citizens. Other areas of the report included debt service activity and the possibility of refinancing at a better interest rate. The interest rates on current loans was low enough that refinancing would not be viable at this time.

Testing was done by the auditors to determine if internal procedures and controls were appropriate. They found no exceptions to the appropriate practices.

Mr. Ulrich and Mr. Johnson then reviewed GASB 34 requirements. The requirements are being imposed by the State with no exceptions. The requirements are strenuous and will necessitate purchase of computer software so that accounting practices can accommodate GASB34 regulations. Mr. Ulrich felt initial implementation would be difficult, but once in place the procedures should be relatively manageable. Some of the issues the City will need to address with the new GASB34 standard include:

- Determination of what information will be needed, who will coordinate, and what outside resources may be necessary.

- What computer programing and equipment will need to be upgraded.
- Reviewing the balance sheets of the prior year to make them conform to the new reporting model so that current year data can be properly reflected.
- New reporting models eliminate the inter-fund transactions for government-wide financial presentation. A reconciliation must be prepared to reconcile the government-wide statements to the fund statements.
- The new model requires capitalizing and depreciating of infrastructure and other assets not previously reported. The challenge will be to make an inventory listing of all streets, storm drain systems, etc., and placing a value on them, and then estimating depreciation expense for the items, both past and present.
- The new model presents the financial information in two ways, government-wide and fund reporting. Also, new schedules and notes will need to be added.

Mr. Ulrich said GASB 34 procedures must be in place by July 1, 2003.

David Dixon *MOVED* that the City Council accept the audit report as presented. **Larry Haugen** seconded the motion which passed by unanimous vote. On behalf of the City Council, **Mayor Bell** expressed appreciation to the City Auditor and the City Staff, who had done a great deal of work in preparing for and conducting the audit.

PROPOSED TRUCK ROUTE ORDINANCE (Agenda Item #9)

David Petersen reviewed recommendations for a truck route ordinance. He indicated the location of streets through the City that would be available for trucks which would keep most truck traffic away from residential areas. Road structure was also a concern. Truckers would have to apply for special permits to use other routes.

Mr. Connors stated that truck route restrictions if not carefully considered may cause undue burden on residential construction.

A discussion ensued regarding regulations that could be in place allowing normal, limited truck use of City streets for construction vehicles. The Council talked about truck sizes. It was thought that any truck under 45 feet in length could not be regulated. The proposed ordinance involved the Police Chief in enforcement procedures. However, the Council felt that when community-wide impact was a result of truck transportation, the Council should be involved. As discussion evolved, Council members felt that more work needed to be done on the ordinance. Staff was asked to direct the City Engineer to report on the ability of City streets to handle truck traffic. They wished to adopt an appropriate ordinance in December.

AUTHORIZATION TO ADVERTISE PUBLIC HEARING FOR DECEMBER 5, 2001, TO AMEND FY 2002 CITY BUDGET (Agenda Item #10)

David Connors *MOVED* to authorize City staff to publish the appropriate hearing dates to amend the Fiscal Year 2002 City Budget. **David Dixon** seconded the motion which passed by unanimous vote.

MISCELLANEOUS

Newsletter Changes

The Council members reviewed the proposed newsletter. Several changes were noted. It was decided that an article reported the election results was needed. Also, a change needed to be made in the request for Planning Commission applications. Interviews would be conducted on December 6th.

Striping of City Streets

Mr. Connors asked that Staff follow up on striping needed in specific locations in the City. It would be will to accomplish the project before winter storms occur.

Planning Commission Applications

Mr. Connors also encouraged Council members to suggest to qualified people that they apply for Planning Commission posts.

Christmas Decorations

Mr. Haugen asked that Christmas lights be hung on the Old Tithing Office for the coming holiday season.

Cars for Sale on Public Streets

Mr. Hasenyager reported several cars had for-sales signs on them near the new Brass Comb building on Main Street and Shepard Lane. City ordinances need to be enforced.

Meeting with UDOT

Max Forbush reported a meeting held with UDOT officials. He said flood damage prevention and Shepard Lane drainage were discussed. Some resolutions were found.

Leisure Services Fees

In general, swimming pool fees as suggested by the Leisure Services Board and by Viola Kinney-Wood, Leisure Services Director, were acceptable to the City Council. The fee increases approved are as follows. The suggestion to discount swimming pool tickets to Farmington City employees was not approved.

Subject	Current Fee	Proposed New Fee
Pool Rentals		
Resident	$100/2hours	$125/2 hours
Non-resident	$100/2 hours	$150/2 hours
Family Swim Pass		
Resident	$85(up to 5 members)	$100
Non-resident	$100	$125
Individual Pass		
Resident	$45	$45
Non-resident	$50	$55
General Admission		
General	$2.50	$2.75
Senior	$1.75	$1.75
Punch Passes		
10 punch	$22	$25
20 punch	$40	$45
Swim Lessons	Remains the same.	

Several members of the Council reported complaints about the 15-minute down time every hour practiced by the pool management. Staff was asked to have the Leisure Services Director re-evaluate the practice.

Sommerset Concerns

Max Forbush reported being contacted by Chris Lowe, the new president for the Sommerset Estates Home Association. Mr. Lowe asked to meet with members of the Council regarding the retaining wall project at the entrance of Sommerset, landscaping, street paving, flood control, police and security issues, and budget concerns. The Council suggested having

Mayor-Elect Connors and another member of the Council meet with the homeowners association. Max Forbush is to make the arrangements.

ADJOURNMENT

Larry Haugen *MOVED* that the meeting adjourn at 10:30 P.M.

Margy Lomax

Margy Lomax, City Recorder
Farmington City

FARMINGTON CITY COUNCIL MEETING

Wednesday, December 5, 2001

CITY COUNCIL WORK SESSION/WEST CONFERENCE ROOM

PRESENT: Mayor Bell, Council Members Connors, Dixon, Hasenyager, Haugen, and Johnson, City Manager Forbush, City Planner Petersen, and Deputy Recorder Chipman.

Mayor Bell began discussion at 6:40 P.M. The agenda items for the regular City Council meeting were reviewed including:

- Presentations by the Youth City Council and by Top of Utah.
- Consideration of M-1 zoning ordinance text content.
- Consideration regarding age-restriction waivers for the Rose Cove housing project during the Olympics.
- Trail improvements which should take place current with the Farmington Preserves development.

Mr. Connors distributed pictures he took on Thanksgiving Day of drainage problems near Kmart. Pictures showed flooding in the streets during a not unusual rain storm.

Mr. Petersen reported that the Board of Adjustments had denied Gary Packer's appeal regarding an apartment built over a detached garage.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor Gregory S Bell, Council Members David M. Connors, David J. Dixon, Bob Hasenyager, Larry W. Haugen, Edward J. Johnson, City Manager Max Forbush, City Recorder Margy Lomax, City Planner David Petersen, and Deputy Recorder Jeane Chipman.

Mayor Bell called the meeting to order at 7:00 P.M. The invocation was offered by Margy Lomax and the Pledge of Allegiance was led by the Mayor.

APPROVAL OF MINUTES OF PREVIOUS MEETING

Larry Haugen *MOVED* that the minutes of the November 14, 2001, City Council Meeting be approved. **David Dixon** seconded the motion. The voting was unanimous in the affirmative.

PRESENTATIONS BY YOUTH CITY COUNCIL AND TOP OF UTAH COMMITTEE (Agenda Item #3)

The Youth City Council made a presentation to retiring Mayor Bell and thanked him for all the time and devotion he had given the City. Several of the Mayor's accomplishments were listed.

The Top of Utah Committee was represented by Claudia Robb. She presented Farmington with Olympic items that can be displayed in the City to help bring the spirit of the games to the City. She also gave the City information regarding the games and a calendar of events.

PLANNING COMMISSION REPORT (Agenda Item #4)

Because there had been no Planning Commission meeting since the last City Council meeting no report was given.

PUBLIC HEARING: CONSIDERATION OF PROPOSED AMENDMENTS TO VARIOUS FY 2001-02 CITY BUDGETS (Agenda Item #5)

Max Forbush presented information on the proposed amendments to the various City budgets for 2001-02. He covered what would be needed for projects in the City, what had been budgeted, and what changes needed to be made. Projects included flood proofing, capitol expenses for parks and recreation, fire station upgrade, growth related water projects and water metering improvements, downtown urban renewal, and transportation studies. Mr. Forbush explained in detail the plans and needs for the City Council and suggested expenses that could possibly be delayed in order to safeguard budget balances.

The City Council discussed expense items and considered which of the items should be delayed such as the purchase of the Holbrook property located next to the Murray-Nord property the City is planning to buy in January. By consensus they felt that 1 new bowery for the south park and 2 new boweries for the main park should be considered as bond issues. They felt approval had been given in the past for water meter upgrades. They briefly talked about the current downtown renewal projects with the Brass Comb building which is proceeding and the new City Shop Building, which will go forward.

Mayor Bell opened the meeting to a *PUBLIC HEARING*. With no forthcoming comments, he *CLOSED* the public hearing. The City Council by consensus decided to discuss possible bond issues for February of 2002.

David Connors *MOVED* that the City Council approve the Fiscal Year 2001-2002 City Budget Amendments as discussed, eliminating the purchase of the 4-acre Holbrook property and increasing the budgeted amount for the Oakridge Regional Park by $10,000 to bring the total to $25,000. **Larry Haugen** seconded the motion which passed by unanimous vote.

PUBLIC HEARING: CONSIDERATION OF ORDINANCE REPEALING CHAPTER 26 OF THE CITY ZONING ORDINANCE (M-1-ZONE) AND ENACTING A NEW CHAPTER ENTITLED, "LIGHT MANUFACTURING & BUSINESS ZONE." (Agenda Item #6)

David Petersen said that although Farmington City is not an industrial city, there is a need for an M-1 type zone for some uses. Because the Legacy Highway easement had necessitated the elimination of current M-1 zones, staff had studied relocation possibilities. In doing so, it was discovered that the M-1 zone ordinance had flaws and needed to be redrafted to be consistent with other ordinances and current City policies. Some State and Federal standards referred to in the M-1 zone text no longer existed and many inconsistencies existed. Mr. Petersen said the Planning Commission had spent a great deal of time reviewing a proposed "Light Manufacturing & Business Zone" (LM&B) ordinance and recommended adoption. Mr. Petersen also reported that on December 6, the Planning Commission would consider annexing the Pack property and zoning it with an overlay for light manufacturing use.

Mayor Bell asked how the current M-1 zoned property would be handled if the new zone designation were to go into effect and if the current property had the M-1 zone repealed.

Mr. Petersen said he would contact Mr. Nielsen, current M-1 zone property owner, and discuss his needs and desires and report to the Council. It was evident care needed to be taken so that zoning restrictions remain in place during the changes.

Mayor Bell opened the meeting to a *PUBLIC HEARING.* With no comments, he *CLOSED* the public hearing and asked the Council for their input. Discussion ensued.

Mr. Johnson raised the concern that without standards explicit in the ordinance there would be no effective way to evaluate possible negative impacts of land uses and enforce regulations.

Mr. Petersen said that standards and procedures included in the current ordinance did not match current State and Federal procedures nor did they match other city ordinances.

Mr. Hasenyager felt that City had not had to deal with manufacturing in the past and should be very cautious regarding quality of performance of such uses in order to protect Farmington citizens.

Mr. Connors felt the ordinance required the Zoning Administrator to collect reports and information outside reasonable parameters. Such enforcing procedures properly belong to State and Federal administrations, which the City would uphold but may not necessarily need to review in great detail, simply because of the enormous amount.

Mayor Bell stated that including certain performance standards in the ordinance would indicate the City is open to allowing those performances albeit with restrictions, performances which the City may not be willing to allow.

Mr. Johnson felt that whatever appropriate standards do exist should be referred to in the ordinance.

Mr. Petersen stated some standards are covered in other ordinances which would apply to the light manufacturing zone.

Mayor Bell felt that the Council should give specific guidance to the Zoning Administrator regarding the ordinance. They spent time detailing item by item those changes and suggestions.

Mr. Dixon added his concern that landscaping and buffering regulations should be specific and clear within the LM&B zone. By consensus, most Council members felt that a 100 foot frontage should also be required and compliance to all State and Federal standards and permits should be explicit.

Staff was asked to redraft the ordinance and return it to the Council for further consideration.

ROSE COVE SENIOR HOUSING REQUEST FOR TEMPORARILY WAIVING AGE AND OTHER REQUIREMENT/S CONSIDERATION OF AGREEMENTS FOR EXPEDITED BUILDING INSPECTIONS (Agenda Item #7)

Mayor Bell briefly reviewed the agenda item. The developer requested the City Council temporarily waive the requirement regarding age restrictions at 55 for those living in the Rose cove Apartments. The waiver would be during the time of the Olympics and perhaps for the Paralympics. The developer also requested approval for an agreement to expedite building inspections. Also before the body for their approval was an agreement between the City and Merrill Roberts to perform the inspections.

Keith Bennett (architect of the Rose Cove development) stated the requests were not outside the contract governing the project because the waiver would be a one time , temporary approval for only 30 days.

Mr. Hasenyager asked if the presence of Secret Service agents in Farmington would in any way endanger citizens or bring any act of terrorism to the City. He asked if the Chief of Police could respond to the question.

The Police Chief was present and responded he felt there would not be an increased danger to the citizens if Secret Police were housed in the City.

Ed Johnson *MOVED* that the City Council approve the one-time age-restriction waiver for the period covering the Olympics and the Paralympics. **Larry Haugen** seconded the motion. The motion was approved by unanimous vote.

David Connors *MOVED* that the City council approve an agreement with Rose Cove Senior Housing L.P. for extra building inspection services and also on agreement with Merrill Roberts for additional building inspection contractual services which allows him to inspect the Rose Cove apartments in an expeditious manner for a specific fee per hour worked. **David Dixon** seconded the motion, which passed by unanimous vote.

MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #8)

David Dixon *MOVED* to approve the following items by consent, eliminating item 8-3, as follows:

1. Ratification of Construction Bond Agreements previously signed by Mayor Bell.

2. Award of sidewalk project bid to H. B. construction authorizing the City Manager to issue notices of award and notice to proceed.

4. Approval of written amended Oakridge Country Club agreement. This is really an approval of the changes to the agreement written in by the Oakridge Country Club President, Chuck Norton. The City Manager has no problems with his adjustments to the agreement and would recommend approval of them.

5. Authorization to mail the "right-to-burial" letter to John Pierce. The City Manager recommends mailing the letter.

6. Approval of engineering services agreement with Horrocks Engineers. This is a formalization of previous City Council action for having Horrocks update the City's Transportation Plan.

7. Approval of Amended Lease Agreement with UDOT pertaining to the buildings at the old Botanical Garden site. This was one item on our request to UDOT related to recent discussions about flooding and the Cherry Hill interchange. We asked UDOT to give us the building. They said no. We asked them for a 20 year lease. This is the best deal the City could obtain.

Larry Haugen seconded the motion. The motion passed by unanimous vote.

PROPOSED AMENDMENTS TO CITY'S PERSONNEL POLICIES AND PROCEDURES MANUAL/FIRST READING (Agenda Item #9)

Mr. Forbush reviewed items pertaining to the City's Personnel Policies and Procedures Manual. The text needed to be clarified and updated to State and Federal standards. Under discussion were the following topics: pay rate, insurance coverage, retirement plans, annual leave, sick leave, and holidays. Insurance coverage for retired employees was discussed in detail. The City Council talked about the issues and was anxious that dedicated, long-term employees be treated fairly and encouraged to stay with the City, while at the same time protecting the City's financial responsibilities.

Mr. Hasenyager suggested having the City's consultant on employee matters review policies and suggest a 5 year package that could be evaluated for benefit and impact on the City and the employees. Such a package should consider past improvements and areas of suggested improvement.

Mr. Forbush was asked to redraft portions of the manual and bring it back to the Council for further consideration.

PROPOSED AMENDMENTS TO GENERAL PLAN TEXT PERTAINING TO HAWS, ET AL., ANNEXATION REQUEST/FIRST READING (Agenda Item #10)

The Council decided they would wait for the Planning Commission's response to the Horrocks transportation study before considering the amendments to the General Plan. The Planning Commission scheduled discussion on the transportation plan on December 6. The Council will meet on December 12, 2001, at 6:30 P.M. in regular session to consider the issues.

TRUCK HAULING ROUTE ORDINANCE/SECOND READING (Agenda Item #11)

Mr. Forbush distributed maps of the proposed City truck hauling routes and the ordinance detailing restrictions.

Mayor Bell questioned the addition of 1075 West and asked if the road would be needed since it parallels State Highway 89.

Mr. Forbush said an attempt had been made to provide a reasonable amount of truck route roadways which were located in non-residential areas and where the construction of the road itself could structurally support truck traffic. He said permits would be required for haul routes use.

DEMONSTRATIONS ORDINANCE/FIRST READING (Agenda Item #12)

The Council decided to review the demonstrations ordinance in depth at their next meeting.

PLANNING COMMISSION/BOARD OF ADJUSTMENT/LEISURE SERVICES BOARD MEMBERS APPOINTMENTS (Agenda Item #13)

The City Council by consensus decided to delay the announcement of appointments until their December 12th meeting.

REQUEST FROM BOUNTIFUL ELKS LODGE TO NOMINATE "CITIZEN OF THE YEAR" CANDIDATE (Agenda Item #14)

The City Council discussed names for the nomination to the "Citizen of the Year" by the Elks Lodge. Becky Hayward will be nominated.

MISCELLANEOUS (Agenda Item #15)

Street Name

David Dixon raised the issue of naming the reconfigured portion of Burke Lane which needed a new identification. The Council briefly discussed the issue. It will be on the agenda for the next meeting.

Davis County Sewer District Appointment and Insurance Questions

David Connors asked if any remaining members of the Council in the upcoming term would be interested in an appointment to the South Davis Sewer District. He also asked if any thing had happened with the insurance company regarding the collapse of the old City Shop building.

Mr. Forbush is still checking to see what can be done to get a settlement from the company.

Flooding Concerns

Mr. Connors received suggestions that his pictures of the flooding on Thanksgiving Day near Kmart be forwarded to Paul Hirst (City Engineer) and UDOT officials. Mr. Forbush will do so.

Traffic Problems in North Farmington

Mayor Bell said there was a great deal of citizen concern regarding the traffic problems around Shepard Lane and around the Compton Road/Main Street intersection. The traffic is getting much worse. Council members felt UDOT should be approached again to see if resolution to the problems can be found.

Gravel Pit Concerns

The Mayor raised the concern about the gravel pit. With the delay in construction of Legacy, the gravel pit issue was stalled. However, Council members were anxious that the situation be carefully monitored.

Tithing Office

Larry Haugen discussed the remodeling efforts on the old "tithing office."

Sidewalk Needs and Water Tank Concerns

Bob Hasenyager stated he was a member of the school boundary change committee. As such he had noticed route problems where children may be walking to school. Sidewalks may need to be installed in certain portions of the Oakridge area. He also noted "honeycomb" asphalt problems at the base of the new water storage tank. **Mr. Forbush** said he would research the problem.

Meeting Schedule, Roundabouts

Mr. Forbush also noted the proposed 2002 meeting schedule and asked Council members for their input. He asked Council members for their input regarding suggested roundabouts at 650 West and State Street. UDOT has indicated the roundabouts would be "betterments" which would require City financing. Mr. Forbush stated the structures would be less expensive to construct now then later. The consensus of the Council was for Mr. Forbush to proceed with contacting UDOT about the idea..

Trail Connection System on the West Side

Mr. Forbush asked for Council direction regarding the construction of an equestrian trail connection system by Legacy contractors allowing access going north and south from Glover Lane. Different alternatives were discussed including an equestrian route at Glover's Lane extending west to the Sheep Road. Centerville City was interested in Farmington's wishes. Mr. Forbush suggested a request to UDOT to provide equestrian access at Glover's Lane that would permit equestrian use both north and south along the Legacy trail from Glover's and also an alternative access to and from Sheep's Road.

Mr. Hasenyager felt the trail connection system on the far west side (Sheep's Road) would not impact wildlife and would promote citizen involvement in the proposed wildlife preserve visitor's center.

Mr. Forbush was directed to communicate those preferences to UDOT.

Bonding Issues

Mr. Forbush said that the City Attorney had suggested releasing bonds to KFP, one of the developers of the Shepard Heights subdivision (Mr. Petersen) who had completed work there. There were others involved in the contract who had not finished contracted work. However, because the City had a history of releasing bonds separately, the attorney felt it would be wise to do so. The City Council agreed and authorized the release.

ADJOURNMENT

Bob Hasenyager *MOVED* that the meeting adjourn at 11:10 P.M.

Margy Lomax

Margy Lomax, City Recorder
Farmington City

FARMINGTON CITY COUNCIL MEETING

Wednesday, December 12, 2001

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor Gregory S Bell, Council Members David M. Connors, David J. Dixon, Bob Hasenyager, Larry W. Haugen, Edward J. Johnson, City Manager Max Forbush, City Planner David Petersen, City Recorder Margy Lomax, and Deputy Recorder Jeane Chipman.

Mayor Bell called the meeting to order at 6:50 P.M. The invocation was offered by Mayor-elect David Connors and the Pledge of Allegiance was led by Larry Haugen.

FINDING/RECOMMENDATIONS FOR AMENDING CITY'S MASTER TRANSPORTATION PLAN (Agenda Item #2)

Mayor Bell introduced Ron Mortimer of Horrocks Engineering, who was present to talk about the study recently completed by the City's transportation consultants.

Ron Mortimer explained the following findings and recommendations:

- At their last meeting, the Planning Commission supported the current Burke Lane to 1100 West design versus the Burke Lane to Clark Lane alternative proposed by Rich Haws. However, Mr. Mortimer said that either interchange configuration (also illustrated on the draft plan for 2020 or the plan for 2030 presented at the meeting) can be made to work.

- Recent conversations with the Legacy Team indicate Legacy North will not be constructed to the freeway standard, at least not by 2030. Plans presented by Horrocks Engineering included a narrower Legacy North scenario. Discussions are still being held with differing opinions regarding the Legacy North road.

- The suggestion to have the Shepard Creek Parkway connect east to west with Burke Lane via an underpass solved several transportation problems and should be pursued.

- The engineers had studied the possibility of including a major interchange at the Glover Lane area. It was not feasible because traffic volumes did not warrant the expense. UDOT determined there was not a regional benefit because of the low traffic volume. A connection could be reconsidered at the time I-15 is widened in the future.

- The routes that would be impacted by the proposed North Pointe commercial area would be able to handle the volume. However, at peak periods the roads would be

"near failure." The City should monitor land use changes in the area to make sure the roads will carry the capacity expected. Mr. Hasenyager asked what would happen at those high peak periods when the roads became "near failure." Would the traffic avoid the area and seek alternative routes through the City? Mr. Mortimer said that would be the case, but that if both volume and speed are controlled the City Streets could sustain the impact.

- Mr. Mortimer discussed truck traffic, especially as pertaining to the south west area of Farmington in an area being considered for light manufacturing and business. Neither 650 West or 1525 West are structurally capable of handling truck loads. 1100 West will likely turn into a major collector, but it is unknown if it is structurally sound enough to handle the volume.

- There are certain traffic calming devises that can be used on State Street and 200 West which will reduce speed and volume in those areas. Such devices include roundabouts and medians. The Council discussed the need for parking near the junior high and asked about different options that would provide both parking and decreased speed and volume.

- Roads in the north end of the City should be designed such that Kaysville traffic is not encouraged to use routes through Farmington.

- Mr. Mortimer discussed trail connectivity from 400 West going through the State Street overpass and then into west Farmington. Recent Legacy plans changed the design of the area. However, an at-grade crossing is possible. A few options were briefly discussed.

Susan Holmes, chairman of the Planning Commission, explained the preference of the Commission regarding the Burke Lane/Clark Lane realignment. She said, however, that their major concern was to keep traffic off from 1100 West. Other than that, they were probably not totally committed to one or the other options.

ADJOURNMENT TO REDEVELOPMENT AGENCY MEETING AND RECONVENING INTO CITY COUNCIL (Agenda Item #3)

The meeting was adjourned to a Redevelopment Agency Meeting at 8:10 P.M. The City Council Meeting reconvened at 8:20 P.M.

REPORT OF PLANNING COMMISSION (Agenda Item #4)

David Petersen reported proceedings of the Planning Commission meeting held December 6, 2001. He covered the following items:

1. The Commission granted final development plan and final plat approval for the Farmington Cove Planned Unit Development as requested by Jerry Preston.

2. David Griffin's request for a recommendation to the City Council for schematic plan approval for an 11 lot subdivision on 7.115 acres located at 722 South 1200 West was tabled until the Commission can take a field trip to see the area. The property did receive recommendation for the requested rezone from "A" to "AE."

3. The Planning Commission granted the Stonebridge Group their request for a recommendation to the City Council to amend the Farmington City Comprehensive General Plan regarding the expansion of the City's commercial and mixed use areas in the vicinity of the new Burke Lane/I-15 interchange and recommended annexation of approximately 470 acres of unincorporated territory into corporate limits of Farmington City in the area of north Clark Lane, east of the D.R G. W.R.R. tracks, south of Shepard Lane, and west of I-15.

4. They also recommended the annexation of the Pack property in southwest Farmington and approved a recommendation to zone the property Light Manufacturing and Business (LM&B).

5. The Commission approved a request by ASHCO Construction, Inc., to gain site plan approval to expand the Arby's dining room located on the northwest corner of Shepard Lane and U. S. 89. The Commission required some parking changes and encouraged the reconfiguration of the drive-up window. The site plan was a poor design to begin with but changes were made to make the best use of what was there. The City Council briefly discussed drainage issues for the area. Staff was asked to investigate resolutions for the problems.

6. Davis School District had purchased property which allowed them to expand their parking area.

7. Planning Commission elections were conducted. Linda Hoffman is the new chairperson with Larry Jensen as vice-chairman. Kent Forsgren and Sid Young will split the appointment to the Board of Adjustment.

CONTINUANCE OF PUBLIC HEARING: CONSIDERATION OF PROPOSED AMENDMENTS TO THE CITY'S GENERAL PLAN REGARDING EXPANSION OF COMMERCIAL AREA WITH THE CREATION OF A "MIXED USE" AREA IN THE VICINITY OF THE NEW BURKE LANE INTERCHANGE IN WEST FARMINGTON AND RELATED MATTERS (Agenda Item #5)

David Dixon declared a conflict of interest and excused himself from the roster and from discussion of the agenda item.

David Petersen presented information regarding the agenda item.

Mayor Bell opened the meeting to a *PUBLIC HEARING.*

Susan Holmes (369 South 650 West) stated she had been part of a committee to work on the annexation and mixed use proposal. She said a great deal of work and time had gone into the project. She commended the committee and the developer. She reported the Commission did not want major traffic down 1100 West. She also suggested that "Master Covenants, Conditions, and Restrictions" be added to the Comprehensive Master General Plan especially as they could relate to the development in the west Farmington area. The entire City should have such protective covenants.

Rich Haws, representing the Stonebridge Group, talked about the two different alignments of Burke Lane with Clarke Lane. One alignment was shown on a map designated for the year 2020 and the other for 2030. His preference was the alignment shown on 2030. He said his company had been in negotiations with UDOT, who were close to agreement. The agreement was that the road would be paved to handle current traffic and at the time the North Pointe development needed the change proposed, they would pay to take out the small portion of pavement that didn't match the new design and North Pointe would bear the expense of the redesign to match the proposed commercial access roads. Stonebridge is also in negotiations with the Army Corp of Engineers to gain approval to mitigate local wet lands where the road needs to continue through. He stated traffic flow was very important to the success of the commercial endeavor. They needed a "true" four-corner at grade intersection for the development.

Todd Jones asked about traffic backup if the 2030 design was implemented. He was uncomfortable cutting off one area of what would have been through traffic. Mr. Jones felt the State Street overpass should be used to divert traffic from the rural area of west Farmington. He felt the traffic slowing devises previously explained would congest traffic if another route was not available.

Mark Adams, representing landowners Larson and White, said meetings had been held with Rich Haws regarding the commercial development area. Nothing had been decided about their participation.

DeVan Pack, resident of West Bountiful and property owner in west Farmington, expressed concern that street be designed which will prove adequate for the west Farmington growth. Traffic is a major key to what kind of development goes into the area. He said it was very important that a north/south route be found which was sufficient for heavy truck-type traffic. He felt 1100 West was the most likely road to fill that need.

With no further comments, **the Mayor** *CLOSED* the public hearing.

The City Council reviewed the General Plan amendments page by page and discussed issues including the following points:

- Number 10 on page 4 should be struck regarding the creation of community councils since it was a major policy change not yet discussed by the City Council.

- City-wide Covenants, Conditions, and Restrictions should be investigated.

- A light at Burke Lane and Main Street should be a recommendation included as part of the General Plan.

- Rich Haws expressed the strong need for only 2 accesses to the commercial area. Otherwise, traffic congestion caused by weaving and stacking and over-development may occur. He suggested the Council defer their decision on the road design until they had completely studied all options.

- The Council expressed their feeling that the two accesses would help control the commercial impact on the area, however, they were sensitive to the needs of other property owners for access to their property. Mr. Haws commented that he felt the design had taken into consideration need for access to all the properties in the area.

- The Council by consensus stated that only the shaded area (the area between Clark Lane and Spring Creek) was to receive the zoning overlay indicating that "A" was a holding zone. Areas north would be annexed as "A" meaning a true agricultural area.

[It was decided by Council consensus that agenda item #6 (the Haws, et al, annexation) would be discussed before action was taken on item #5. (The General Plan text and map amendments providing for mixed use.)]

PUBLIC HEARING: CONSIDERATION OF HAWS, ET AL, ANNEXATION PETITIONS (470 ACRES NORTH OF CLARK LANE BETWEEN I-15 AND D&RG RAILROAD TRACKS/CONSIDERATION OF ZONING AREA "A" (AGRICULTURE) (Agenda Item #6)

Mayor Bell opened the meeting to a *PUBLIC HEARING.*

Susan Holmes (369 South 650 West) stated the Planning Commission had worked on both the annexation of the Rich Haws, et al, parcel and the property 90 percent owned by the Pack brothers further south. They were concerned that any development at either location be high quality when finished. She felt a "CC&R" type overlay would help insure quality and City control for those developments.

Mayor Bell stated he was in favor of the City-wide "CC&R's" and cited the examples of struggles getting commercial buildings to include an element of Farmington rock on their buildings. With "CC&R" type standards, the level of enforcement would be raised.

Max Forbush reported having received a letter from LeeAnn Evans who was in support of the annexation but wanted to make sure citizens had a chance for input in future discussions relative to proposed requirements for future development.

Mr. Haws said he fully intended to gather public input.

With no further public comments, **Mayor Bell** *CLOSED* both public hearings and asked the Council for their response.

Discussion on the annexation agreement included the following points:

- It was very important that the shaded area on the map presented (representing the Haws commercial/mixed use development area) be considered for "A" as a holding zone at annexation. However, it was also very important that annexation north of the shaded area be zoned as "A" not a holding zone, but a true agricultural zone designation.

- The text language needs to be redrafted to indicate the difference between the two "A" zone designations and all text must be consistent with that policy.

- The following language from the annexation agreement should be added to the General Plan on page 8-6: "Subject to receipt and review of traffic engineering and related studies, the City will determine access for the newly constructed parkway at appropriate intersections based upon traffic engineering, and related studies approved by the City."

- Labels will be taken off Exhibit A.

Ed Johnson *MOVED* to adopt the proposed Amendments to the Comprehensive General Plan as discussed and presented during the meeting creating a mixed use zone as discussed. **David Connors** seconded the motion. A roll call vote was taken indicating Mr. Hasenyager, Mr. Haugen, Mr. Connors, and Mr. Johnson voted in the affirmative. **David Dixon** abstained from the vote.

Bob Hasenyager *MOVED* to adopt Ordinance 2001-44, an ordinance extending the corporate limits of Farmington City to include the annexation of a part of west Farmington located north of Clark Lane, east of the D.R.G.&W railroad tracks, south and Shepard Lane, and west of I-15, and amending the Farmington City Zoning Map to zone and designate the area as "A" upon its annexation to the City. **Larry Haugen** seconded the vote. A roll call vote indicated Mr.

Hasenyager, Mr. Haugen, Mr. Connors, and Mr. Johnson voted in the affirmative. **David Dixon** abstained from the vote.

Bob Hasenyager *MOVED* to adopt the Annexation Agreement as revised reflecting amendments made to the General Plan and modifying the agreement to reflect that property within the shaded area (Mr. Haws' proposed mixed used property) be annexed as "A" meaning a holding zone, and the area north of the shaded area be annexed as "A" meaning a true agricultural zone. **David Connors** seconded the motion. The vote was unanimous in the affirmative with Mr. Dixon abstaining.

REQUEST FOR FINAL PLAT APPROVAL FOR FARMINGTON COVE PUD/JERRY PRESTON (Agenda Item #7)

David Connors *MOVED* that the City Council grant final plat approval for the Farmington Cove project. **Bob Hasenyager** seconded the motion which passed by unanimous vote.

DEMONSTRATIONS/FREE SPEECH ORDINANCE/SECOND READING (Agenda Item #12)

Mayor Bell asked Lisa Romney, City Attorney, to address the Demonstration/Free Speech Ordinance draft.

Ms. Romney reviewed the ordinance and the changes she had suggested, including the reasons for the changes. The ordinance had attempted to balance free-speech rights with the public's right to safety. The ordinance had been reviewed by several different interested parties, including the ACLU and Davis County officials.

The Police Chief was present and commented that he felt the ordinance was fair and provided for the safety of Farmington citizens. It was an ordinance the police could work with.

Mayor Bell stated the meeting was not a public hearing but he would allow brief public comments from interested audience.

Jason Rose (12 Medical Center Drive, Salt Lake City Utah) asked what criteria the ordinance provided for denial of permits and what checks and balances were in place. He said he had not read the ordinance. He also stated he was not in favor of the $500.00 cleaning deposit.

Ms. Romney stated the process in place to obtain the permit was clear and justifiable. She suggested Mr. Rose be provided with a copy of the ordinance so that he could read it. The ordinance had been reviewed by the ACLU who had made changes (which were reflected in the new draft) and who were satisfied with criteria and procedures outlined in the ordinance. Revocation of the permit was to be done by the Police Chief or his designee, not the officer in the field.

Sein Deimer (735 South 400 West, Salt Lake City) represented the Animal Rights Organization. He stated he was opposed to the Rodeo in the Davis County Fairpark which was planned as part of the 2002 Olympic celebration. He also felt the $500.00 deposit would be a deterrent for groups or entities who would find it hard to provide the money or go through what was sure to be a lengthy process to be declared indigent. In his experience, it would be unreasonable to ask small demonstrating groups to pay the fee.

Mr. Dixon reminded Mr. Deimer that the amount was not a fee but a deposit that would be reimbursed.

Mr. Deimer also discussed the time frame that would be required to obtain the permit. He asked that all reasonable measures be taken to advise groups whether or not they had obtained the permit in the shortest time possible.

The City Council then discussed the process and time requirements. Several members felt that there should be restrictions in place to discourage short notice permits for those who simply procrastinated. Suggestions for the entire draft were considered, including eliminating the deposit and not requiring insurance.

Larry Haugen *MOVED* that the City Council approve Chapter 8 of the Farmington City Ordinance regarding demonstrations and Free Speech as amended during their discussion and noted by Ms. Romney. **Bob Hasenyager** seconded the motion which passed by unanimous vote.

ORDINANCE/RESOLUTION AMENDING CITY'S PERSONNEL POLICIES AND PROCEDURES (Agenda Item #15)

Mr. Forbush stated that the assigned personnel committee and the City Attorney had reviewed the amended draft and had given input reflected in the document.

Lisa Romney reviewed the draft and detailed changes. She said some language had been deleted because it did not follow City ordinances or because it was unnecessary or redundant.

The Council discussed issues such as sick leave accumulation and pay at retirement, insurance for retired employees, and making policy that would encourage dedicated employees to stay with the City.

Mr. Hasenyager stated he would like to see the draft amendments in combination with the entire employee policy. He wanted to take the time to reevaluate and make sure employees were being treated with parody.

David Dixon *MOVED* that the City Council approve amendments to the City's Personnel Policies and Procedures subject to paragraph numbering, grammar and typo corrections, and changes

as discussed. **David Connors** seconded the motion, which passed by unanimous vote.

BOARD OF ADJUSTMENT/PLANNING COMMISSION/LEISURE SERVICES BOARD APPOINTMENTS (Agenda Item #16)

David Connors *MOVED* to appoint the following:

4 year term to the Planning Commission–	Cory Ritz
3 year term to the Planning Commission–	Bart Hill
1 year term to the Planning Commission–	Cindy Roybal
Leisure Services Board–	Kirt Garrett

The appointment to the Board of Adjustments was delayed.

Ed Johnson seconded the motion which was approved by unanimous vote.

PERIMETER TRAIL ISSUES/FARMINGTON PRESERVES (Agenda Item #17)

Mr. Forbush asked that the agenda item be postponed until a future meeting. By consensus the Council agreed.

GREG OMAN LETTER (Agenda Item #18)

Mr. Forbush reviewed the Greg Oman letter and conditions of negotiation which had been suggested to resolve flooding problems possibly partly caused by City approval of a subdivision east of the Oman home. The Council discussed issues including the following points:

- Options exist that could provide drainage correction to help Mr. Oman who has allegedly experienced flooding frequently. A possible alignment had been found to channel the run off water.

- North Compton Road will not handle all of the drainage in heavy rain fall events. However, if the water can be diverted to Alice Lane, that street will likely handle run off.

- Council Members were was asked if they conceptually approve an approach of City staff to develop some sort of drainage easement across Mr. Oman's property and to investigate if such an easement would enhance the possibility of Mr. Oman obtaining flood insurance. The City would pay for the proposed flood channel and the easement.

- The Council felt no firm commitment should be given until all of the City-wide flood-proofing proposals had been analyzed and prioritized.

RESOLUTION ACCEPTING BOYER COMPANY'S PETITION FOR ANNEXATION OF 2.5 ACRES (1525 WEST RIGHT-OF-WAY NORTH OF CLARK LANE) (Agenda Item #8)

David Petersen stated the wrong petitioner had been placed on the application. With the Council's permission, Davis County would be approached to see if they would act as petitioner on the resolution.

The Council by consensus agreed and decided to defer the agenda item until the proper application could be filed.

CONSIDERATION OF ROCKIE DUSTIN'S LETTER OF REQUEST (Agenda Item #9)

Mr. Forbush introduced the agenda item. Drainage problems had developed in the Shepard Heights area. Property owned by Rockie Dustin had been flooded more than once by run off coming from property owned by David DeCoursey. Mr. DeCoursey had promised to berm the area blocking run off as soon as finances allow. In the meantime, Mr. Dustin wanted the City to give him assurances that a storm drain inlet would be installed as per prior plans of the City.

By consensus the City approved a response letter to Mr. Dustin wherein the City reconfirmed plans to install the inlet box pending future funding availability and future City Council approval.

MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #9)

David Connors *MOVED* to approve the following items by consent as follows:

1. Approval of September and October's lists of disbursements.

2. Approval of a photographer service agreement between the City and Truman Carver. This service agreement is being requested by Viola Kinney-Wood, City Leisure Services Director.

3. Approval of January's Newsletter.

4. Approval of additional Police expenditures in preparation for the Olympic Rodeo Events.

David Dixon seconded the motion which passed by unanimous vote.

ORDINANCE ADOPTING SHORELANDS MASTER PLAN (Agenda Item #11)

Mr. Petersen briefly reviewed the changes made to the Shorelands Master Plan as proposed for adoption by Farmington City. The FEMA line moves according to application requests by developers. The line is therefore difficult to enforce. It had been suggested that the 4218 elevation level line, as referenced in City policy, be used as the buffering and limited development line

Mayor Bell commented that it was important to keep a swath of buffer between the lake and any development. The consultant, Sear-Brown, was in agreement with the 4218 line.

Mr. Petersen said that the Master Plan could be approved as adopted by Davis County and amended by Farmington City on 12-12-01.

Larry Haugen *MOVED* that the City Council approve the ordinance which adopts the Shorelands Master Plan as adopted by Davis County and amended by Farmington City on 12-12-01. **Bob Hasenyager** seconded the motion which was approved by unanimous vote.

TRUCK HAULING ROUTE ORDINANCE (Agenda Item #13)

After a brief discussion, it was decided to delay discussion of the agenda item until Mr. Hirst could be present.

ADOPTION OF CITY COUNCIL MEETINGS SCHEDULE FOR 2002 (Agenda Item #15)

David Connors *MOVED* that the City Council approve Ordinance 2001-47, an ordinance establishing a time and place for holding regular Farmington City Council meetings as outlined in the packet. **Larry Haugen** seconded the motion which passed by unanimous vote.

MISCELLANEOUS (Agenda Item #19)

David Dixon questioned why the City Engineer had supported a different route for the Burke Lane/Clark Lane realignment when a great deal of discussion had already taken place. It was unclear why the City Engineer felt the way he did.

Ed Johnson reported a leaning tree on the east side of the sound wall in south Farmington.

Bob Hasenyager inquired regarding the status of the proposed gravel pit construction in light of the recent halt to Legacy construction. No one was sure what was happening with the gravel pit proposal.

David Dion *MOVED* that the meeting adjourn at 12:15 A.M.

Margy Lomax

Margy Lomax, City Recorder