

Work Session of the City Council, City of Farmington, New Mexico, held Tuesday, March 15, 2011 at 9:00 a.m. in the Executive Conference Room at City Hall, 800 Municipal Drive, Farmington, New Mexico, in full conformity with the rules, regulations and ordinances of the municipality.

At such meeting the following were present, constituting a quorum:

MAYOR	Tommy Roberts
COUNCILORS	Dan Darnell Mary M. Fischer Gayla McCulloch Jason Sandel

Constituting all the members of the Governing Body.

Also present were:

ASSISTANT CITY MANAGER	Bob Campbell
CITY ATTORNEY	Jay B. Burnham
CITY CLERK	Dianne Fuhrman
DEPUTY CITY CLERK	Melody Coyner

A moment of silence was observed in memory of Councilor McCulloch's father and former City Councilor Jimmy Drake who died March 12, 2011 following a lengthy battle with leukemia.

#### DEMOLAY MONTH PROCLAMATION

Mayor Roberts presented Wayne Morrison, Executive Officer of the James H. Gibson Chapter of DeMolay, with a Proclamation declaring March 2011 as "DeMolay Month".

#### PRESENTATION/PROPOSED BOTANICAL GARDEN

Providing opening remarks, Dr. Jeff Neidhart reported that Farmington Botanical Gardens ("FBG") is a non-profit organization that was formed for the purpose of developing and maintaining a botanical garden ("garden") south of the Animas River and east of the confluence of the Animas and San Juan Rivers. Noting that the gardens will be free to the public and will not require funding assistance from the City, he briefly reviewed the proposed site plan.

In response to inquiry from Mayor Roberts, Dr. Neidhart stated that he and his father own the property on which the gardens will be located.

Landscape architect Kim Sorvig of Meaningful Places provided a brief history of the proposed site, noting that the theme of the garden is "Plants, Water & People in the Four Corners Region." He provided an overview of the nine zones of the garden: 1) visitor parking; 2) pedestrian bridge; 3) children's entry courtyard; 4) earth garden; 5) sun garden and greenhouse; 6) wind garden; 7) style gardens; 8) visitor and event center; and 9) service yard and access. He stated that the next steps of the project are planning, coordination, fundraising and phased construction.

Civil engineer Chris Phillips of Riverbend Engineering stated that the primary public access to the garden will be from a pedestrian bridge that crosses City-owned property from the north side of the Animas River. He also noted that emergency, service and maintenance vehicles will access the garden from the east from an existing dirt road and that about two-thirds of the physical site will be dedicated to a commercial orchard owned by Dr. Neidhart. He further stated that Riverbend Engineering has proposed that a portion of the Animas River be narrowed to stop bank erosion and to make the river more effective at transporting sediment. In closing, he noted that the entire property is within the Federal Emergency Management Agency ("FEMA") regulatory flood plain which will guide the way in which the garden is designed.

Expressing his support for the garden, Mayor Roberts contended that it will be a tremendous asset to Farmington and San Juan County.

In response to inquiries from Mayor Roberts, Dr. Neidhart reported that he plans to plant some of the orchards this summer and stated that the riverbank stabilization will begin in the winter of 2012. He also stated that fundraising efforts will begin within the next 12 months.

Following brief discussion, Dr. Neidhart explained that FBG is seeking the City's support of the project and is asking for permission to use a portion of City property for parking and for construction of the pedestrian bridge.

In response to inquiry from Councilor Darnell, Parks, Recreation and Cultural Affairs Director Jeff Bowman noted that his department has worked with Dr. Neidhart since the inception of the project and stated that none of the proposed plans are inconsistent with the City's plans for the area.

Councilor Fischer expressed concern with regard to the maintenance flows of water for endangered fish if the Animas River is narrowed. In response, City Attorney Jay Burnham stated that FBG will be required to maintain neutrality for the amount of water flowing into and out of the project. In addition, Mr. Phillips noted that the Army Corps of Engineers will work in conjunction with the United States Fish and Wildlife Service before a permit authorizing riverbank stabilization is issued.

In response to inquiry from Councilor Fischer, Dr. Neidhart stated that it is anticipated that the garden, including the trails, will encompass 20 to 30 acres.

In response to inquiry from Councilor McCulloch, Dr. Neidhart pointed out that the proposed river trail will be located on the south side of the river beginning at West Murray Drive.

Councilor Sandel expressed his support for the project and stated that he would support it being added to the City's Capital Improvement Plan in place of an ice skating rink.

In closing, Dr. Neidhart reiterated FBG's desire for a commitment from the City to use City property for parking and the construction of a pedestrian bridge. He also stated that any capital funds that are available would be greatly appreciated.

#### PRESENTATION ON MODERN ROUNDABOUTS/DISCUSSION OF THE 30<sup>TH</sup> STREET AND PIÑON HILLS BOULEVARD INTERSECTION

##### Modern Roundabouts

Utilizing a powerpoint presentation, Nevin Harwick of Harwick Transportation Group defined a modern roundabout as a circular juncture whereby vehicles entering the intersection yield to those already in it. Furthermore, he explained that a roundabout has angular entry lanes due to the use of splitter islands. He noted that roundabouts keep traffic moving through intersections, significantly slow down the rate of speed, are simple for drivers and pedestrians to maneuver through, are low maintenance and provide the safest conditions for high-speed intersections. He reported that, according to the Insurance Institute for Highway Safety, crashes have decreased 39 percent; injuries decreased 76 percent; and fatalities and/or incapacitating injuries have decreased 90 percent at intersections where roundabouts have replaced stop signs and/or traffic signals. He also reviewed the disadvantages of roundabouts (the need for additional right-of-way, grade on entry must be four percent or less, traffic signals at pedestrian crossings may be required at multi-lane roundabouts per new Americans with Disabilities Act rules and a loss in the level of service from D to F) and the advantages (safest type of at-grade intersection, suitable for high and low flow intersections, drivers make only right turns, better turning radii for trucks, improved air quality, reduced consumption of fuel and they are aesthetically pleasing due to landscaping).

In response to inquiry from Councilor Darnell, Mr. Harwick confirmed that immediately following the installation of a roundabout there will be a temporary increase in minor traffic accidents. He stressed the need for a public education program that instructs drivers on the procedures for maneuvering through a roundabout prior to it becoming operational.

Following further discussion, Mayor Roberts asked that the Council be provided with "user-satisfaction" data from communities that have installed roundabouts.

30<sup>th</sup> Street/Piñon Hills Boulevard Intersection

Utilizing a powerpoint presentation, Mr. Harwick briefly reviewed the 2011 and the projected 2031 operational analyses for the 30<sup>th</sup> Street and Piñon Hills Boulevard ("PHB") intersection. He estimated that the costs of installing a traffic signal at \$419,000 and a roundabout at \$599,000. Furthermore, he explained that an eastbound right-turn lane could be included in the construction of a roundabout for about \$17,000 or it could be added at some point in the future for approximately \$50,000.

In response to inquiry from Mayor Roberts, Mr. Harwick stated that operation and maintenance costs of a signalized intersection are approximately \$10,000 more per year than those of a roundabout intersection.

Councilor McCulloch left the meeting at 10:45 a.m.

Following discussion concerning the potential for design changes of roundabouts in the future, Councilor Sandel stated that it would be beneficial to the community to have a cost analysis of upgrading poorly designed roundabouts.

In response to inquiries from Councilor Sandel, Public Works Director Jeff Smaka stated that three intersections currently meet signal warrants (30<sup>th</sup> Street and Sunset Avenue, 30<sup>th</sup> Street and Sullivan Avenue and 30<sup>th</sup> Street and PHB). He pointed out that the intersections at 30<sup>th</sup> Street and Sunset Avenue and 30<sup>th</sup> Street and Sullivan Avenue are four-way-stop intersections that meet warrants because of school traffic. In addition, he confirmed that the Dustin Avenue and PHB intersection does not meet signal warrants.

Discussion followed concerning the budget impact of signalized versus roundabout intersections.

Having visited Grand Junction, Colorado and seeing how well roundabouts work for that community, Councilor Darnell expressed support for roundabout intersections.

In response to inquiries from Councilor Darnell, Mr. Harwick stated that he recommends a roundabout at the 30<sup>th</sup> Street and PHB intersection because of its isolation within the PHB corridor, sight restrictions coming into the intersection and the width of the existing right-of-way.

Mr. Smaka requested direction from the Council on whether to budget for a traffic signal or roundabout for the 30<sup>th</sup> Street and PHB intersection and for prioritization of the three intersections that currently meet signal warrants.

In response to inquiry from Mayor Roberts concerning potential liability to the City if an accident occurs at an intersection that has met signal warrants but that the City did not signalize, City Attorney Jay Burnham stated that the City's failure to signalize an intersection that has met signal warrants could be entered into evidence, but explained that the City could cite budgetary constraints as a defense.

Pointing out that the 30<sup>th</sup> Street and PHB intersection is outside the city limits of Farmington, Assistant City Manager Bob Campbell stated that any intersection improvements would be in concurrence with San Juan County and that the costs would likely be shared.

Following additional discussion, Councilor Sandel suggested that the Council further discuss the prioritization of the three intersections that currently meet traffic signal warrants and the options for addressing the 30<sup>th</sup> Street and PHB intersection at a future work session. He also asked that the Dustin Avenue and PHB intersection be added to the intersection prioritization list. There were no objections from the Council.

EMERGENCY OPERATIONS PLAN

Public Safety Director Scott Rounds briefly reviewed the state of emergency services for San Juan County and the cities of Aztec, Bloomfield and Farmington. He noted that the Emergency Operations Plan ("EOP") assigns responsibilities for emergency preparedness and planning and for coordinating emergency response activities and resources before, during and after any type of emergency or disaster. He introduced San Juan County Emergency Manager Don Cooper. Mr. Cooper reviewed the mitigation, preparedness, response and recovery phases of emergency management utilized by the San Juan County Office of Emergency Management ("SJCOEM"). He also proudly reported that SJCOEM offered to send over 100 qualified individuals to those areas affected by the recent natural gas shortage to assist with relighting the pilot lights, but was turned down.

Following brief discussion, Mayor Roberts commended everyone involved with the EOP and expressed confidence in the ability of SJCOEM to respond to any emergency.

In closing, Mr. Rounds and Fire Chief Terry Page announced that 12 Farmington Fire Department personnel and various residents of the community are members of the State of New Mexico Urban Search and Rescue (USAR) Team that are available to respond to emergencies worldwide.

PERMISSION TO DRAFT ORDINANCE DEALING WITH SEWER USE AND WASTEWATER CONTROL

Public Works Director Jeff Smaka requested permission to draft an ordinance amending Chapter 26, Article 3 of the City Code dealing with sewer use and wastewater control in order to bring it into compliance with current 40 CFR 403 regulations and to reflect streamlining changes made by the Environmental Protection Agency.

Thereupon, a motion was made by Councilor Sandel, seconded by Councilor Darnell to direct staff to draft an ordinance amending Chapter 26, Article 3 of the City Code dealing with sewer use and wastewater control, and upon voice vote the motion carried unanimously.

PROPOSED ORDINANCE DEALING WITH AMENDMENTS TO CHAPTER 19 OF THE CITY CODE CONCERNING FENCING AND LANDSCAPING OF WELL SITES

Mr. Burnham introduced a proposed ordinance amending Article 3, Chapter 19 of the City Code dealing with fencing and landscaping of well sites. He requested permission to proceed with publication of a Notice of Intent to Consider said ordinance.

Thereupon, a motion was made by Councilor Sandel, seconded by Councilor Darnell to direct the City Attorney to publish notice of intent to consider adoption of a proposed ordinance in accordance with State Statutes. The roll was called with the following result:

Those voting aye:	Dan Darnell Mary M. Fischer Jason Sandel
Those voting nay:	None
Those absent:	Gayla McCulloch

The presiding officer thereupon declared that three Councilors having voted in favor thereof, the said motion carried.

RESOLUTION ESTABLISHING A POLICY REGARDING COUNCIL APPROVAL OF CONTRACTS AND LEASES

Mayor Roberts reminded the Council that the subject resolution was tabled at the March 1, 2011 Work Session.

Expressing a desire to have a full Council and City Manager Rob Mayes present for consideration of the subject resolution, a motion was made by Councilor Sandel, seconded by Councilor Fischer to table the proposed resolution to the April 5, 2011 City Council Work Session, and upon voice vote the motion carried unanimously.

CLOSED MEETING

A motion was made by Councilor Sandel, seconded by Councilor Darnell to close the meeting to discuss acquisition of real property (river trail) and acquisition/disposition of real property (intergovernmental exchange for mutual benefit). The roll was called with the following result:

Those voting aye:	Dan Darnell Mary M. Fischer Jason Sandel
Those voting nay:	None
Those absent:	Gayla McCulloch

The presiding officer thereupon declared that three Councilors having voted in favor thereof, the said motion carried.

RECESS

The Mayor called a recess at 11:34 a.m.

The Mayor convened the closed meeting at 11:38 a.m. with Councilors Darnell, Fischer and Sandel being present.

Councilor Sandel left the meeting at 12:02 p.m.

Following the closed meeting, during which meeting the matters discussed were limited only to those specified in the motion for closure, a motion was made by Councilor Darnell, seconded by Councilor Fischer to open the meeting, and upon voice vote the motion carried unanimously.

The open meeting was reconvened by the Mayor at 12:04 p.m. with Councilors Darnell and Fischer being present.

There being no further business to come before the Council, the meeting was adjourned at 12:05 p.m.

APPROVED this 12<sup>th</sup> day of April, 2011.

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Tommy Roberts, Mayor

SEAL

ATTEST:

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Melody Coyner, Deputy City Clerk