

FARMINGTON CITY COUNCIL MEETING

Tuesday, March 20, 2007

CITY COUNCIL WORK SESSION/EAST CONFERENCE ROOM

PRESENT: Mayor Scott C. Harbertson, Council Members Richard Dutson, David Hale, Larry W. Haugen, Paula A. Alder, Sidney C. Young, City Manager Max Forbush, City Planner David Petersen and Recording Secretary Jill Hedberg.

Mayor Harbertson began discussion at 5:00 P.M. The following items were reviewed:

Agenda Item #2: Reading and Approval of Minutes of Previous Meetings

The City Council reviewed the minutes of the City Council meeting that was held March 6, 2007.

Agenda Item #7: Request from Max and Ross Elliott for City to back off its attempt to acquire surplus UDOT property near Glover's Lane because they believe they have the "first right of refusal" to repurchase the property.

Max Forbush stated that the Elliotts are attempting to repurchase their property from UDOT so they can connect the water rights to the property which will increase the property value. They also need the property to participate in a 1031 Tax Deferred Exchange. They plan to attend the meeting to present their case to the Council.

Agenda Item #8: Request for Final Plat Approval for Phase 2b & 2c for Farmington Greens Subdivision

Mayor Harbertson said the Assistant City Planner, Jared Hall, recommends that the Council grant final plat approval subject to the applicant providing detailed landscaping plans for the open space parcels on Phases 2b and 2c which shall be reviewed and approved by City staff prior to recordation.

Agenda Item #9: Minute Motion Approving Summary Action list

Mayor Harbertson reviewed the items that were included in the Summary Action list.

[**Sid Young** arrived at 5:22 P.M.]

CLOSED MEETING

At 5:25 p.m., a motion was made by **Paula Alder** for the Council to go into a closed meeting to discuss property acquisition. The motion was seconded by **Rick Dutson**. The motion passed with Council Members Alder, Dutson, Haugen, and Young all voting in favor.

SWORN STATEMENT

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

Scott C. Harbertson, Mayor

At 6:22 p.m. a motion to reconvene into an open meeting was made by **David Hale** and seconded by **Rick Dutson**. The motion passed with Council Members Hale, Dutson, Haugen and Young all voting in favor.

Agenda Item #11: First Reading of Solicitation (door-to-door) Sales Ordinance

Todd Godfrey said as the City Attorney, he recommends that the Council approve the Solicitation Sales Ordinance that was provided by URMMA. Certain recital provisions were amended to be more specific to the Ordinance. The Ordinance includes a consumer fraud type provision that allows for solicitation that is less than \$50.00. He suggested that the members of the City Council and City staff report any incidences they may have had pertaining to solicitation to be included in the minutes.

Max Forbush stated that companies wishing to sell door to door will still have to apply with the City and post a minimal bond.

Todd Godfrey stated that if a sales person ignores a resident's "No Soliciting" sign, it is considered trespassing and may be grounds for the sales person being cited.

Agenda Item #12: Authorization for solicitation bids for interest rates in purchasing up to \$2.5 million in municipal general obligation bonds to finance new Police Station and to remodel the Fire Station

Mayor Harbertson explained that the cost to construct the Police Station was higher than expected. In order to accommodate the Police department without exceeding the budget, the size of the building will be decreased by 10,000 square feet, but there will be an option to expand the facility in the future.

Keith Johnson recommended that the City Council limit the bonds to \$2.5 million which, if combined with impact fees, would be sufficient to fund the Police Station and Fire Station. The balance will be \$1.2 million which will be used towards the new City Hall.

Agenda Item #13: Review Strategic Plan/Consideration of Resolution Adopting the same

Mayor Harbertson and the members of the City Council reviewed the Strategic Plan which outlines the City Council’s goals for the next five years.

Agenda Item #14: Appointment of Downtown Master Plan Revision Committee

Mayor Harbertson explained that the Downtown Master Plan Revision Committee will be made up of the Mayor, two members of the Council, two County officials, two Davis County School District representatives, two City staff members and six Farmington residents (Daniel Rogers, Annette Tidwell, David Tate, Joe Judd, and David Dixon)

Agenda Item # 15: Dan Nixon Proposal to submit to Higher Architectural Design Standards for Class “A” Storage at Park Lane

Mayor Harbertson reported that he attended a meeting with **Dan Nixon** and **Greg Bell** regarding the property that is located on Park Lane. Although **Mayor Harbertson** indicated that this property is not an appropriate location for a storage unit facility, **Mr. Nixon** would still like to pursue his proposal at this location. He is appearing before the Council to determine whether they would be willing to consider his proposal if he enhances his architectural design. If he is denied by the Council, he will pursue the proposal through the City, and continue through the court system if necessary.

Mayor Harbertson stated that the results of the Horrocks Engineers study indicates that the traffic on Park Lane will increase over 50,000 cars per day between the years 2020 and 2030.

Rick Dutson said he spoke with a real estate broker who said the proposed location is not an ideal location for a four-star hotel. That type of use will be better served near Station Park and the Class “A” business park. He suggested that the entire area be master planned in order to determine the best use for that location.

Miscellaneous

Sid Young passed out a copy outlining the law that was voted into code last year as a result of the LUDMA process.

The meeting adjourned at 6:55 P.M.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor Scott C. Harbertson, Council Members Richard Dutson, David Hale, Larry W. Haugen, Paula A. Alder, Sidney C. Young, City Manager Max Forbush, Assistant City

Planner Jared Hall, City Recorder Margy Lomax, Youth City Council Member Adam Craeger and Recording Secretary Jill Hedberg.

Mayor Harbertson called the meeting to order at 7:00 P.M. **Sid Young** offered the invocation. The Pledge of Allegiance was led by **Paula Alder**.

APPROVAL OF MINUTES OF PREVIOUS MEETING

Rick Dutson moved to approve the minutes of the March 6, 2007, City Council Meeting. **Paula Alder** seconded the motion with changes as noted. The voting was unanimous in the affirmative.

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

Mayor Harbertson acknowledged **Michael Craeger** for serving as the Mayor of the Youth City Council for the past year. He then swore in **Breanna Hall**, as the new Youth City Council Mayor, as well as Alex Crowley, Daniel Barnett, Brianna Hall, Jen Torres, Katherine Ashby, Laura Barfuss, Lyndsay Simmons, Michael Creager, Michelle Tiem, Natalie Selin, Sharisa Pergler, Michelle Alder, Kephren Bernhisel, Rebecca Burnham, Allison Christensen, Makenzie Court, Adam Creager, Sydney Gibson, Lindsay Hall, Rachel Hill, Mareille Jewett, Anthony King, Rachel Mann, Jessica Mansell, Cody Nelson, Madeline Newhouse, Jessica Smith, Katie Swanson, Emily Wahlstrom, Dereck Wesche, Tia Wesche, and Alexis Wiscombe who will serve during the 2007 year. He expressed appreciation to **Andrea Opfar** and **Kristen Harbertson** for serving as advisors to the Youth City Council.

REPORT OF PLANNING COMMISSION (Agenda Item #4)

Jim Talbot reported proceedings of the Planning Commission meeting which was held on March 15, 2007. He covered the following items:

- The Planning Commission recommended final plat approval for a 5 lot subdivision located at Lund Lane and the Frontage Road on 2.215 acres in the LR zone.
- The Planning Commission recommended final plat approval for Phases 2B and 2C of the Farmington Greens Subdivision which is located at 1525 West and Clark Lane on 23.54 acres in the AE zone.
- The Planning Commission tabled consideration of preliminary plat approval for the Palmer Estates Subdivision which is located at 100 West 600 North, in order to allow the applicant time to resolve issues relating to the debris flow, road width and location of the trail, as well as to allow the Planning Commission to conduct a field trip to the property.
- The Planning Commission recommended schematic plan approval for Hidden Meadows Subdivision Phases 3 and 4 which consist of 14 lots located at 1300 North

- Hidden Meadow Way on 10.96 acres in the LR-F zone.
- The Planning Commission recommended schematic plan approval for a 4 lot PUD subdivision located at 1386 South 200 East on 1.6 acres in the R-2 zone.
- The Planning Commission granted preliminary plat approval for a three-lot subdivision located at 150 South 1525 West on 3.17 acres in the AE zone.
- The Planning Commission granted Richmond American Homes a temporary use approval for a sales office in a model home, including a small parking area in the Farmington Greens Subdivision, to be located on lots 152 and 155.
- The Planning Commission tabled consideration of Agenda Item #10 (Consideration of revisions to the Zoning Ordinance regarding stay of proceedings after appeals) and Agenda Item #11 (Consideration of a recommendation to amend or repeal Chapter 12 of the Zoning Ordinance regarding conservation subdivisions and amendments to Chapters 10 and 11 of the Zoning Ordinance regarding lot sizes and reference to Chapter 12 and/or conservation subdivisions).

TRAILS COMMITTEE REPORT - GEORGE CHIPMAN (Agenda Item #5)

George Chipman presented the Farmington Trails Committee (FTC) report for the year 2006. It is the Trails Committee's goal to provide a trail within 10 minutes of every resident's home. The Committee is anticipating the celebration of the Trails Committee's ten year anniversary which will take place in 2008. **Mr. Chipman** passed out a copy of the annual Farmington Trails Committee Progress Report for 2006 and highlighted the following issues: trails, finance, public relations, volunteers, legal, and City liaison. He requested that the members of the Trails Committee be allowed to participate in discussions that occur at the Planning Commission and City Council meetings.

CONSIDERATION OF REQUEST FROM JAMES V. HANSEN FOR VARIANCE ON THE MAXIMUM HEIGHT REQUIREMENT FOR CEMETERY MARKERS (Agenda Item #6)

As requested by **Congressman James V. Hansen Retired**, **Max Forbush** read a letter that he submit to the City informing the Mayor and the City Council that he is withdrawing his request for a variance on the maximum height requirement for cemetery markers due to the adverse publicity that was created by the media.

REQUEST FROM MAX AND ROSS ELLIOTT FOR CITY TO BACK OFF ITS ATTEMPT TO ACQUIRE SURPLUS UDOT PROPERTY NEAR GLOVER'S LANE BECAUSE THEY BELIEVE THEY HAVE THE "FIRST RIGHT OF REFUSAL" TO REPURCHASE THE PROPERTY (Agenda Item #7)

Ross Elliott (953 South 250 East) explained that his property was acquired by UDOT to be used for the Legacy Highway. The Elliots were given a first right of refusal. It has since been determined that UDOT will only be using 6 of the 11 acres that they acquired. The Elliots are now

interested in using the property to participate in a 1031 Tax Deferred Exchange. After discussing the issue with UDOT, the Elliotts were told that the City is interested in the property and UDOT is attempting to accommodate them. UDOT suggested that the Elliotts consider other surplus property, one of which was the City's old public works building. The other properties were attractive but they are interested in their old property since the water rights were not sold to UDOT.

Mr. Elliott said he does not want to "make waves" but he has contacted legal counsel from Wall and Wall regarding the issue. He stated that he understands the City's position but respectfully requests that the City back off their request to acquire the property; that he be given the ability to purchase back his property. UDOT representatives have indicated that the outcome of the property is up to the City. **Mr. Elliott** suggested that the City consider obtaining surplus industrial property that is located in Centerville City.

REQUEST FOR FINAL PLAT APPROVAL FOR PHASE 2B AND 2C FOR FARMINGTON GREENS SUBDIVISION (Agenda Item #8)

Jared Hall said the reviewing agencies have not identified unresolvable problems. The developer has agreed to provide the City with acceptable landscaping plans for the open space parcels on Phases 2B and 2C prior to recordation.

Mayor Harbertson explained that Phase 2C will be developed by MC Green. A building lot was eliminated so the lots facing the park will be larger.

George Chipman questioned whether there are any plans for trails in the future.

Jared Hall explained that the sidewalk on 1525 West will serve as a trail. He is not aware of any trails that travel east and west. Although the property that is located on the corner of 1525 West and Clark Lane is not part of the development, the sidewalk will be put in place as part of this development.

Motion

Rick Dutson moved that the City Council grant Final Plat approval for Phases 2B and 2C of the Farmington Greens Subdivision subject to all applicable Farmington City development standards and ordinances and the following:

1. The setbacks and preliminary elevations or perspectives of all building types proposed for this phase of the Farmington Greens Planned Unit Development shall be submitted to the City by the developer. The setbacks and building elevations shall be consistent with the Development Agreement between the developer and Farmington City for this project.

2. The developer shall prepare and submit a consistent street lighting plan, fencing plan, and illuminated house addressing system for review and approval by the City.
3. The Developer will provide detailed landscaping plans for the open space parcels on Phases 2 B and 2C to be reviewed and approved by City staff prior to recording.
4. Fully executed declaration fo covenants, conditions and restrictions, together with open space easements and other bonds, guarantees ro easement agreements shall be provided to the City as required by the Planned Unit Development Chapter of the zoning Ordinance and/or the City Attorney.
5. This final plat approval shall be subject to the Development Agreement made and entered into the 19th day fo July 2000, by and between Farmington City and Claims, Inc., and any amendments related thereto.
6. All conditions of preliminary plat approvals must be met.

David Hale seconded the motion, which passed by unanimous vote.

MINUTE MOTION APPROVING SUMMARY ACTION LIST (Agenda Item #9)

David Hale moved that the City Council approve the following items by consent as follows:

- 9-1. Ratification of approvals of Construction Bond Agreements previously signed by Mayor Harbertson.
- 9-2. Approval of January/February disbursement lists.
- 9-3. Authorization to pay for Weber Basin Water contract with water revenues.
- 9-4. Authorization for CRS Engineers to make recommendation on whether or not to remove traffic calming devices on Creek Lane.
- 9-5. Approval of Fadel Sidewalk Repair Agreement.
- 9-6. Approval of Molly Mattson Rental Agreement.
- 9-7. Ratification of Conservation Easement Agreement with Miller Meadows.
- 9-8. Ratification of easement agreements/dedication of land for 400 West tunnel with Charles & Sally Clark.

- 9-9. Authorization for Brett Winkelman to sign Eagle Bay CARP Plan conditional on an explanatory letter.
- 9-10. Approval of FY 07-08 Budget review schedule.
- 9-11. Approval of Lease Agreement with FAA to lease small City parcel for parking of road grader.
- 9-12. Authorize Mayor to sign Proclamation proclaiming April as “Child Abuse Prevention Month”.

Sid Young seconded the motion, which passed by unanimous vote.

RICE FARMS REIMBURSEMENT AGREEMENT PERTAINING TO REGIONAL STORM WATER DETENTION BASIN AND OTHER RELATED IMPROVEMENTS (Agenda Item #10)

Mayor Harbertson informed the members of the audience that the Council discussed the issue during their work session. He explained that **Mr. Preston** offered to purchase a piece of property for a detention basin since he could purchase the property for less than the City. He agreed to sell the property to the City for the purchase price. **Mr. Preston** has since raised the price of the property to compensate for the cost of removing, up sizing and replacing certain pipes on the property. The negotiated price for the property has ranged between \$45,000 per acre and \$150,000 per acre. After considering all of the issues, the City Council is willing to purchase the property for \$90,000 per acre.

Jerry Preston stated that he met with two members of the Council who suggested that the purchase price be \$107,000.

Larry Haugen stated that he and **Sid Young** suggested that the purchase price be 220% of the original purchase price.

Mayor Harbertson stated that their offer is similar to Offer 4 which was listed on the Rice Farm Reimbursement Proposals. The City wants the issue to be resolved for both parties. It is the City’s belief that developers should be responsible for providing the funding for storm sewer projects where they create impact.

Max Forbush explained that this project includes three cost-sharing components of the City’s Capital Facilities Plan for storm sewer projects throughout the City (developer’s project cost, system improvement costs, and deficiency correction costs). Fifty percent of the water which will be detained in the basin will be generated from already developed properties (deficiency element). The funding to fix the deficiencies should come from the Storm Water Utility fee. Part of the

funding balance should be paid by the development community. Solutions to imports created by more than one development is known as “system improvements”. Improvements that benefit a developers project solely is known as “project costs”. The formula for cost sharing of the regional detention basin is as follows:

1. Total cost of project homes 50% = City’s cost from storm water utility fund.
2. The remaining 50% is split 2 ways; 33.81% by Jerry Preston as “project costs” and 76.19% which are to be paid with storm water impact fees (system improvements). It is proposed that the developer be paid \$50,000 in advance from the storm water impact fees to reduce his long term reimbursement amount from the same account. The developer will also receive a credit for the fees remaining on the lots he develops. Over a 10 year period, as the City collects the storm sewer impact fees, they will keep half of the funds in a reserve account to be used for the City’s needs. The other half of the funds will be paid back to **Mr. Preston**. He will receive a prorata share if there are other developers involved. In other words, Mr. Preston will pay in advance for “system improvements” that will benefit other developers, but will be reimbursed as future development occurs.

Jerry Preston stated that he needs to know what assessment area he is located in so he can determine how many properties are left to be developed that will generate future impact fees.

Max Forbush stated that the impact fee assessment area for storm water fees includes any undeveloped land east of I-15.

Jerry Preston said unless the Impact Fees are raised significantly, there will not be enough money to pay him back within the ten-year period.

Max Forbush stated that the City’s current policy for reimbursement agreements limit the collection period for storm water impact fees to ten years. There is not a guarantee that all the funds owed Preston will be reimbursed. The repayment provision to the developer is that the loaned funds are paid back without interest. For the Rice Farms development, the City will need to factor in the need to borrow 50% of the cost to pay for deficiencies.

Mayor Harbertson stated that **Mr. Preston** will get most of his money up front but there is a risk that the remaining \$100,000+ owed to him from future storm water impact fees may not be collected over the next ten years.

Max Forbush said the City may want to consider being a little more generous in the amount the City pays Preston from the Storm Water Impact Fee fund initially. **Mr. Preston** is taking a risk that the money may not be collected over the next ten years.

Jerry Preston stated that if he is not reimbursed, his share of the cost will be \$500,000. The City's portion will be approximately \$400,000. He hopes to be able to proceed with Phase 4 while resolving the issues with the City.

Max Forbush informed **Mr. Preston** that the City Council directed City staff to put the request for final plat approval for Phase IV of Rice Farms back on the Planning Commission agenda.

Motion

Sid Young moved that the City Council direct the City Manager to continue to work with **Jerry Preston** to bring back a Reimbursement Agreement for consideration based on the direction given by the Council. **Larry Haugen** seconded the motion, which passed by unanimous vote.

FIRST READING OF SOLICITATION (DOOR-TO-DOOR) SALES ORDINANCE (Agenda Item #11)

Mayor Harbertson informed the members of the audience that the City Attorney and City Council reviewed the Ordinance and discussed the issue during their work session. The City Attorney recommended that if City staff and members of the Council that have had negative experiences with door-to-door salesmen, they should share those experiences to be included in the minutes.

Sid Young shared an experience where a Kirby Vacuum salesman convinced his wife and son that if they purchased a high priced vacuum, it would "pay for itself within a few years time". After **Mr. Young** spoke with the salesman on the phone, the salesman admitted that the vacuum will not pay for itself within a few years. The sales tactic was very inappropriate and deceptive.

Paula Alder shared an experience where a salesman was dropped off at her house to sell a carpet cleaning system. After the giving the sales pitch, the salesman had to wait on her porch for over an hour until his driver arrived.

Margy Lomax said she had a salesman tell her he would clean one full room of carpeting for free if she allowed him into her home. It was later determined that he was a Kirby Vacuum salesman. The carpets were never cleaned and the salesman was very difficult to get out of her house after she had told him she was not interested in purchasing a Kirby vacuum.

AUTHORIZATION FOR SOLICITATION OF BIDS FOR INTEREST RATES IN PURCHASING UP TO \$2.5 MILLION IN MUNICIPAL GENERAL OBLIGATION BONDS TO FINANCE NEW POLICE STATION AND REMODEL THE FIRE STATION (Agenda Item #12)

According to packet information, the total project of constructing the new Police Station and remodeling the Fire Station will exceed the \$2.5 million. It is recommended by staff that a limit for this project for bond proceeds be set at \$2.5 million and that use of the bond proceeds for this project will be up to the \$2.5 million. If for some reason the Police Station and the Fire Station remodel could be built for less, the City Council should reserve its right to use the proceeds for other purposes authorized in the bond election.

Mayor Harbertson reviewed the “General Information” that was included in the City Council packet.

Motion

David Hale moved that the City Council authorize for solicitation of bids for interest rates in purchasing up to \$2.5 million in municipal general obligation bonds to finance new Police Station and to remodel the Fire Station. **Larry Haugen** seconded the motion which passed by unanimous vote.

REVIEW STRATEGIC PLAN/CONSIDERATION OF RESOLUTION ADOPTING THE SAME (Agenda Item #13)

Max Forbush passed out a copy of the Resolution of the Farmington City Council Adopting a Strategic Plan. City staff will do their best to meet the goals outlined in the Strategic Plan.

Motion

David Hale moved that the City Council adopt RESOLUTION NO. 2007-20, A RESOLUTION OF THE FARMINGTON CITY COUNCIL ADOPTING A STRATEGIC PLAN. **Paula Alder** seconded the motion which passed by unanimous vote.

APPOINTMENT OF DOWNTOWN MASTER PLAN REVISION COMMITTEE (Agenda Item #14)

Mayor Harbertson explained that he and two members of the City Council will serve on the Downtown Master Plan Revision Committee. The committee will also consist of two representatives from the School District, two County representatives, two non-voting members of City staff, and six residents (Daniel Rogers, Annette Tidwell, David Tate, Dave Dixon, Neil Sessions and Joe Judd).

After discussing the issue, the City Council agreed that notice of the Downtown Master Plan Revision Committee meetings should be posted so they can all attend the meetings. **Rick Dutson** and **Larry Haugen** will be the official members of the committee.

Motion

David Hale moved that the City Council approve **Mayor Harbertson's** recommendations for the appointment of the Downtown Master Plan Revision Committee. **Larry Haugen** seconded the motion which passed by unanimous vote.

DAN NIXON PROPOSAL TO SUBMIT TO HIGHER ARCHITECTURAL DESIGN STANDARDS FOR CLASS "A" STORAGE AT PARK LANE (Agenda Item #15)

Mayor Harbertson reported that he attended a meeting with **Dan Nixon** and **Senator Greg Bell** regarding the Park Lane property. **Senator Bell** is the developer of the property. He sold one of the lots to **Dan Nixon**. **Dan Nixon** explained why he thinks this is an ideal location for a Class "A" storage facility. **Mayor Harbertson** explained that he has reservations about that use being located on this property since it is a "gateway" to the City. **Dan Nixon** is willing to improve the architectural design which will cost more money but will likely benefit the City and the project. If the City Council is not willing to consider the proposal with the enhanced design, the two parties will likely have to endure the legal process.

Dan Nixon suggested that his architect meet with the City's architect to improve the design so the Council can overcome any fears they may have regarding this project. His storage unit facility would be a quality secondary use that would be perfect for this site. He offered to assist in creating a mixed-use design for his property and the other properties in the area.

David Hale said he would prefer to work with **Mr. Nixon** to create a master plan which will benefit both parties. There are Farmington residents who are willing to contribute money to for a master plan of the area. He is not comfortable with the proposed use being located in the gateway area.

Rick Dutson stated that he spoke with a well respected broker about the possibility of a hotel being located on **Mr. Nixon's** property. The broker indicated that a hotel would be better suited on a property that has a closer proximity to Station Park and the office buildings. He gave **Mr. Nixon** the name of the broker he spoke with and recommended that he contact the broker. The City, landowners, and stakeholders need to determine what uses are appropriate for the properties north of Lagoon.

Dan Nixon said his land planner has drafted drawings for both residential and senior housing. He is willing to contact the broker that was recommended by **Rick Dutson**. He has presented five uses for the property to key individuals in the area. He is willing to continue his efforts.

Sid Young said he agrees with the input given by **Council Member Hale** and **Council Member Dutson**. He realizes that the community is in need of **Mr. Nixon's** service but it would be beneficial to consider the master plan prior to approving the use.

Dan Nixon said they want their project to be located in an area where they are wanted. He looks forward to the time when the project is complete and the Council can appreciate the project.

MAYOR HARBERTSON'S REPORT (Agenda Item #16)

Mayor Harbertson reported on the following items:

- He attended a meeting with Lagoon representatives regarding the security at Lagoon.
- He attended a meeting regarding the City credit card which will be used to accumulate points for major purchases. According to the City Attorney, the points will have to be budgeted as part of the budget process.
- He attended a meeting with Horrocks Engineers. Station Park projections were shown for the years 2010, 2020 and 2030.
- He also had meetings with the following individuals: Ross and Max Elliott, Dan Nixon, and Charles Clark.

CITY COUNCIL REPORTS

Report on Meeting with Symphony Homes

Max Forbush reported that he attended a meeting with Symphony Homes representatives regarding the regional storm water detention basin that will need to be built west of I-15 East and adjacent to 1525 West and south of Chestnut Farms subdivision. Symphony Homes is willing to work with the City but they want to be treated fairly. They are purchasing land to accommodate the basin which will handle the needs of the Symphony Homes development, as well the needs that extend beyond their project. The City Attorney informed them that the City will treat them fairly but will not pay costs they are responsible for. CRS has created a Storm Sewer Master Plan. The study will be evaluated by a storm water impact fee consultant to determine final recommendations for the City Council to consider approving a "Storm Water Capital Facilities Plan" and adopting revised storm water impact fees.

Larry Haugen reported the football program was discussed at the Leisure Services meeting.

Paula Alder reported the Arts Council is considering the possibility of performing a play during Festival Days.

The City Council discussed the letter that the City received from the Health Department regarding the food restrictions that will effect the City's dinner theater. It was suggested that the dinner be prepared by and served by a private catering company.

Larry Haugen informed the Mayor and Council members that he did not contact the media regarding the North Park Development lawsuit.

Sid Young reported on the following items:

- The information which he obtained at the Leagues of Cities and Towns meeting, including the advisory opinions which he passed out during the City Council work session.

Sid Young asked for an update on the status of the agreements regarding the CenterCal land transfer.

Max Forbush reported that CRS is coordinating efforts with Todd Godfrey to draft a “Right of Entry” agreement for the Road to the Station. The Agreement is currently being reviewed by **Rich Haws** and CenterCal.

Mayor Harbertson reported that Max Forbush met with **Elizabeth Angyl** to discuss the drainage issues. CenterCal has not yet agreed to contribute half the costs to the drainage study proposed by CRS Engineers to resolve drainage issues between the City, CenterCal and UDOT in the Station Park project area.

Rick Dutson reported on the following items:

- The Trails Committee would like the ability to participate in discussions pertaining to the trails during the City Council and Planning Commission meetings.
- A resident reported that the Shepard Lane overpass is dangerous for cyclists and pedestrians due to its narrow width. **Rick Dutson** suggested that City staff notify UDOT regarding the resident’s concern.

In response to a question from **Council Member Dutson**, **Max Forbush** explained that the Sierra Club is opposing the extension of the road from Centerville’s industrial park. It appears the Wasatch Front Regional Council will study the route from the Sheep Road to Park Lane. The City has asked that they also study the feasibility of the Sheep Road being 80' wide from Parrish Lane to Legacy North.

David Hale reported on the following items:

- The Health Department approved a County-wide mosquito spray. Eagle Bay Elementary is the only elementary school in the County that does not participate in the presentation that is provided by the Mosquito Abatement managers.
- The old Steed cabin was demolished. A third-party architect indicated that the cabin was constructed in the 1930's.
- **David Hale** requested that the Historic Preservation Commission Chair conduct a survey on the home (formally Allie Rose home) which used to be a pioneer home.

Max Forbush suggested that information regarding the old home be obtained from UDOT who likely studied the historicity of the old home at the time they were involved in the construction of the Cherry Hill interchange.

MISCELLANEOUS

Max Forbush informed the Council members that he received an e-mail from Lincoln Shurtz regarding the Policy Committee appointments that are made at the Leagues of Cities and Towns conference. The City needs to submit their appointments by April 9, 2007.

Sid Young and **Max Forbush** volunteered to continue their service on the Legislative Committee.

Motion

Rick Dutson moved that the City Council appoint **Mayor Harbertson, Sid Young** and **Max Forbush** to serve on the Legislative Committee. **Larry Haugen** seconded the motion, which passed by unanimous vote.

CLOSED MEETING

A motion was made by **Paula Alder** for the Council to go into a closed meeting to discuss strategy as it pertains to potential litigation and to discuss the acquisition of real property. The motion was seconded by **Rick Dutson**. The motion passed with Council Members Alder, Dutson, Young, and Haugen all voting in favor.

SWORN STATEMENT

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

Scott C. Harbertson, Mayor

At 10:10 p.m. a motion to reconvene into an open meeting was made by **David Hale** and seconded by **Larry Haugen**. The motion passed with Council Members Hale, Haugen, Alder, Dutson and Young all voting in favor.

At this point in the meeting Council Member **Larry Haugen** recused himself from the meeting and left the building.

A motion was then made by **Rick Dutson** to go back into closed session to discuss strategy as it pertains to litigation. The motion was seconded by **Sid Young** and the motion passed with Council Members Hale, Alder, Dutson and Young all voting in favor.

At 10:25 p.m. a motion to reconvene into an open meeting was made by **David Hale** and seconded by **Paula Alder**. The motion passed with Council Members Hale, Alder, Dutson and Young all voting in favor.

SWORN STATEMENT

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

Scott C. Harbertson, Mayor

ADJOURNMENT

David Hale moved that the meeting adjourn at 10:25 P.M.

Margy Lomax, City Recorder
Farmington City