

SPECIAL FARMINGTON CITY COUNCIL MEETING

Tuesday, March 31, 2009

CITY COUNCIL WORK SESSION/KITCHEN

PRESENT: Mayor Scott Harbertson, Council Members Richard Dutson, Paula Alder, Sid Young, City Manager Max Forbush, and City Recorder Margy Lomax. (Cory Ritz arrived at 6:55 p.m.) David Hale was excused due to a recent surgery.

Mayor Harbertson began discussion at 6:00 p.m. The following agenda items were reviewed:

Item #4 - Consideration of Richard and Tiffany Stoll request pertaining to NRCS Project/Report on other NRCS Activities

Mayor Harbertson said there is a 20 foot easement on the Stolls' property and the City has constructed a retaining wall along that easement. There have been mudslides on the property in the past. The wall is two feet in from their boundary line. The Stolls are upset the retaining wall is not right on the boundary line and are asking the City for reimbursement for the 2' of property in the "no man's land" in the amount of \$1,841.00. In addition they want the City to arrange for a lot line adjustment to place a common lot line boundary at the retaining wall which would give the neighbor, the Williamses the 2' of land. There is a 12" water line that goes down through the easement. If it were to break, there would be a huge problem. The Mayor felt the Stolls' property has been enhanced through the protection provided by the construction of the retaining wall. They are getting a benefit from it.

Rick Dutson asked if the City had done anything wrong in this situation. The City Manager stated "No, we did something right." The City had the 20-foot easement on the property where the wall was constructed.

The City Manager said rocks are going to be placed over the 12" water line to armor plate it, which will then be covered with 12" of topsoil. The separation distance between the rock and the water line is only 10 inches.

Item #5 - Reconsideration/Clarification of City Council action of March 17 meeting -

UTA request for City bid to maintain commuter rail grounds and parking

Mayor Harbertson stated that staff is not interested in maintaining the commuter rail grounds. He said the Council would need to repeal the directive given to staff at the March 17 meeting to contact UTA regarding the maintenance.

Setting date and time to tour City roads with legislators

The Mayor suggested a tour of City streets be taken on April 21 at 5:00 p.m. with the Council, staff and Senator Bell and Representatives Fisher and Barrus.

Item #6 - Consideration of Andrew Scheider to park semi-truck trailer on City property

Mr. Scheider, a Farmington City resident, represents a 501c3 organization which ships medical supplies out of the country. He has a semi-trailer where the items are stored until shipment. The property in Salt Lake where the trailer is currently located has been sold and he needs to move it. He is asking permission from the City to park it on City property. The City Manager is suggesting it be parked near the Public Works building on 650 West after making sure abutting property owner, Chris Nielson, is okay with it.

Item #7 - Minute Motion approving Summary Action List

Under the summary action list, Mayor Harbertson pointed out Verizon will be testing potential cell tower sites on two sites owned by the City. If Verizon were to place a cell tower on City property, they would pay the City \$10,000 per year to do so.

Parks & Recreation is requesting permission to add Youth and Women's Volleyball as new recreation programs.

The City Manager is asking for authorization to sign an application to Weber Basin Water to transfer water rights for use at the Farmington Ranches Neighborhood Park. By doing this it will save the City \$64,000.

The request from Ab and Janet Mayo to remove a tree on 100 East fits into the area where the City takes care of the trees.

Item #8 - Nicholl's Nook Development Agreement and Associates Issues

Mayor Harbertson reported that before giving a variance on the street standards for Nicholl's Nook, the City Council needs a recommendation from the Planning Commission. The Planning Commission will not be hearing this issue until their meeting on April 16, so this agenda item should be tabled until the April 21 City Council meeting.

Item #9 - Fire Hydrant Maintenance Agreement with Jill and Bryson Smith

The Smiths are bringing a water line in to service their property. They will pay for and maintain the line and hydrant. The Mayor will sign the agreement after the property owner has signed it. The City entered into a similar agreement with Merrill Bean.

Item #10 - Agreement with M.C. Greens & Son, Inc. Pertaining to impacts associated with Farmington Greens, Phase 2b Subdivision

Max Forbush stated M.C. Green is doing the City a favor by taking over the Farmington Greens Subdivision to finish it. When Mr. Green came into the City to get information regarding the subdivision, he was given old impact fee figures which were in the file not realizing new fees had gone into effect. Also, approval of this development had lapsed and no one had asked for an extension. The original impact fees were for \$109,000. The new fees are \$173,000. Mr. Green met with staff to see if a negotiated settlement could be reached. He had based his proposal to take over the subdivision on the old impact fee figures.

The City Manager said it is proposed Mr. Green pay \$10,000 in cash to the City and provide \$10,000 of in-kind services with his construction equipment within a one-year period. If he fails to provide the services, the City will withhold approval of his building permits. Mr. Green plans on finishing the development by August of this year including a three-acre private park.

Item 11 - Proposed Changes to Creekside Homeowners Association Agreement

This agreement is not for finalization right now, but rather the HOA is seeking input from the City Attorney and City Manager.

Sid Young stated when the public hearing on this issue is held, the reasons of fact need to be stated detailing why the City is deeding the property to one lot owner. He brought up the possibility of vacating the land but still having an easement over it. It was pointed out that the City does not want the liability of the trail. If an easement is kept over it, the liability will still be there. This trail is different than other City trails in that it has rock steps.

Cory Ritz arrived at 6:55 p.m.

Item #12 - Legacy Park Trail Maintenance Proposal

The City Manager said we do not have all the information regarding the trail maintenance. The State may pay for the maintenance contract for garbage pickup and collection for 2009. The other cities do not want to plow the trail in the wintertime.

Mayor Harbertson stated that if the City has to do maintenance, the proposed contract will cost \$5,200 for the City's share to pick up and dispose of garbage for the three miles of trail in our City, plus one trailhead. He said the City should just wait and see what happens.

Item #13 - April 7 City Council Meeting - Limited Agenda/Electronic Participation

It was previously thought there would only be two Council Members present in person at the April 7th City Council meeting and that at least one other Council Member would need to participate by electronic means. However, Cory Ritz reported he will be able to come to the meeting on the April 7th.

REGULAR CITY COUNCIL MEETING/COUNCIL CHAMBERS

PRESENT: Mayor Scott Harbertson, Council Members Richard Dutson, Paula Alder, Sid Young, and Cory Ritz, City Manager Max Forbush, and City Recorder Margy Lomax. David Hale was excused due a recent surgery.

ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Harbertson called the meeting to order at 7:05 p.m. and offered an invocation to the meeting. Council Member Rick Dutson led the audience in the Pledge of Allegiance.

APPROVAL OF MINUTES OF PREVIOUS MEETING

A motion was made by **Sid Young** to approve the minutes of the previous meeting held on March 17, 2009, with instructions to correct Paula Alder's name which had been incorrectly listed as "Paul Alder" in two different locations in the minutes.

Cory Ritz seconded the motion and it passed with all Council Members voting in favor.

PLANNING COMMISSION REPORT

There was no representative present from the Planning Commission or Planning staff to give the report so it was postponed until the next meeting.

To accommodate Mr. Andrew Schneider who was present in the audience, agenda item #6 was heard next.

CONSIDERATION OF REQUEST FROM ANDREW SCHNEIDER TO PARK SEMI-TRUCK TRAILER ON CITY PROPERTY

The City Manager reported Mr. Andrew Schneider represents a non-profit charity named Worldwide Medical Support and he has made a request to the City to park a semi-truck trailer on City property to store supplies until they are shipped out of the Country. The City Manager thought this request could be accommodated by parking the trailer in the Clark Lane right of way. He said he doesn't see any problems with Mr. Schneider's request but would like to draft an agreement for a one-year period stating if there are any problems a 30-day notice will be given to Mr. Schneider to move the trailer off of City property.

The Council questioned Mr. Schneider regarding the type of supplies that will be stored in the trailer. He said there would not be any hazardous materials. Mainly the items stored are those without expiration dates such as stainless steel items. Nine out of 10 donations are medical equipment donated by the manufacturers. He said all donations will be stored inside the trailer. He said this organization

is 100% volunteer and that 99¢ on the dollar goes to the cause. They are doing work in 27 countries and are located in 3 or 4 other states.

The reason he is making the request of the City is because the trailer has been parked in Salt Lake City for the past couple of years but the property is no longer available. Mr. Schneider lives in Farmington so would like the trailer closer to his home.

Motion

Rick Dutson moved to authorize the City Manager to draft an agreement between the City and Worldwide Medical Support to park a semi-truck trailer on City property on the Clark Lane street right of way next to the Public Works building with the understanding if any problems develop or if the City needs the space, the City would have an opportunity to end the contract. The motion was seconded by **Paula Alder** and passed with all Council Members voting in favor.

FIRE HYDRANT MAINTENANCE AGREEMENT WITH JILL AND BRYSON SMITH

Zack Olson, a supervisor for Incline Construction Company, was in attendance. He reported Incline Construction will be installing the line and hydrants for the Smiths at their new residence at approximately 200 East 600 North. Mr. Forbush reported the City had a situation similar to the Smiths' where a water line had to be brought in for fire protection. The Smiths will be responsible for installation of the water line and for three hydrants to be located 150 feet apart. Discussion was held whether or not the pipe needed to be ductile iron or if pvc pipe could be used. Paul Hirst, City Engineer, arrived at the meeting shortly after discussion of this agenda item. He stated that the line can be constructed with pvc pipe, because it is a private line and the owner will have to maintain it. He informed Mr. Olson of this.

Motion

A motion was made by **Rick Dutson** to approve the agreement between the City and Jill and Bryson Smith with the understanding the Mayor will sign it after the Smiths have had a chance to review it. **Sid Young** seconded the motion which passed unanimously by all Council Members voting in favor.

CONSIDERATION OF RICHARD AND TIFFANY STOLL REQUEST PERTAINING TO NRCS PROJECT/REPORT ON OTHER NRCS ACTIVITIES/CONCERNS

A retaining wall has been constructed on the City's 20-foot easement over Stolls' property at 1242 North Steven Circle in the Pointe of View Subdivision. With the construction of the retaining wall, it has left two feet of property in "no man's land". The Stolls are asking for compensation for loss of property value from the City in the amount of \$1,841.00. They are also asking the City for a lot line adjustment between their property and their neighbors.

The City Manager reported this area has had mud slides in the past and that a 12 inch ductile iron culinary water line runs parallel to and east of the retaining wall. The water line will be armor plated with rock and topsoil to help protect the pipe.

Rick Dutson expressed the feeling that the Stolls and their neighbors should determine if there should be any lot line adjustment. It should be a joint effort between them. He didn't see a need to pay for the easement, because it was already the City's.

Mayor Harbertson said he feels as if the Stolls' property has actually increased in value due to the protection provided by the retaining wall. He said the City does not want to set a precedent with paying for easements. The easement was already there and a benefit has been established on the property with the construction of the retaining wall.

Motion

Sid Young moved to deny the requests of Richard and Tiffany Stoll. The motion was seconded by **Cory Ritz** and all Council Members voted in favor.

RECONSIDERATION/CLARIFICATION OF CITY COUNCIL ACTION OF MARCH 17 MEETING

- UTA Request for City bid to maintain commuter rail grounds and parking lot.

Mayor Harbertson reported the City Manager had spoken with staff in the Public Works and Parks & Recreation Departments, and they do not have the manpower or the time to do the maintenance. The Mayor asked the Council for a repeal of the previous directive on March 17 for the City Manager to research the maintenance bid on the UTA commuter rail grounds and parking lot.

Motion

Rick Dutson moved to repeal the previous directive for the City to talk to UTA about maintaining the commuter rail grounds and parking lot. The motion was seconded by **Cory Ritz**. The motion passed with all Council Members voting in favor.

- Setting Date and Time to Tour City Roads with Legislators

Motion

A motion was made by **Paula Alder** to set the date of Tuesday, April 21, 2009, from 5:00 to 6:00 p.m. for a field trip with the Mayor, City Council, staff, and Representatives Roger Barrus and Julie Fisher and Senator Greg Bell to tour City streets. **Rick Dutson** seconded the motion which passed with all Council Members voting in favor.

MINUTE MOTION APPROVING SUMMARY ACTION LIST

Motion

A motion to approve the items on the Summary Action List was made by **Sid Young** and seconded by **Paula Alder**. The motion passed with all Council Members voting in the affirmative. The items approved are as follows:

- Ratification of Construction Bond Agreements previously signed by Mayor Harbertson.
- Approval of Parks & Recreation request to add Youth and Women’s Volleyball as new Recreation Programs and to establish the fee for those programs.
- Confirmation/Appointment of Museum Board Members with their respective terms of office as follows:

-	Shelly Watson, Chairperson	December 2010
-	Julia Haugen, Board Member	December 2010
-	Lois Hess, Board Member	December 2009
-	Earlene Stewart, Board Member	December 2010
-	Wanda Harris, Board Member	December 2010
-	Jill Itri, Board Member	December 2010
-	Anson B. Clark, Board Member	December 2011
-	Larry Haugen, Alternate Board Member	December 2009
-	Susan Greenhalgh, Alternate Board Member	December 2009
-	JaNeil Wilson, Alternate Board Member	December 2009
- Ratification of City Manager signing “Right-of-Entry” Agreement to Permit Verizon to test potential cell tower sites on City property.
- Authorization for City Manager to sign Weber Basin Water Application for transferring water rights for use at Farmington Ranches Neighborhood Park. This transfers enough water rights not being used at the cemetery for the Ranches Park.
- Approval of Ab and Janet Mayo’s request for tree removal on 100 East Street.
- Authorization for Mayor to sign certification for City to pay for annual Weber Basin Culinary Water Purchase Assessment by cash payment.
- Authorization for Mayor to sign UDOT Cooperative Agreement 07-8394 Modification #1.

NICHOLL’S NOOK DEVELOPMENT AGREEMENT AND ASSOCIATED ISSUES

Mayor Harbertson explained the City Council needed a recommendation from the Planning Commission on the width of the road for Nicholl's Nook Subdivision before the Council could act on it. The Planning Commission will be discussing this issue at their April 16 meeting so this item needs to be tabled until the City Council meeting of April 21.

Motion

A motion to table this agenda item until the City Council Meeting of April 21, 2009, was made by **Paula Alder** and seconded by **Cory Ritz**. The motion passed with all four Council Members voting in favor.

AGREEMENT WITH M.C. GREEN & SONS, INC., PERTAINING TO IMPACTS ASSOCIATED WITH FARMINGTON GREENS, PHASE 2b SUBDIVISION

Mayor Harbertson reported Mr. Green has taken over the Farmington Greens Subdivision which is wonderful for the City because the previous developer defaulted on his loan. Mr. Green has been in negotiations for the last 18 months with Wayne and Neumann Petty, the owners of the property.

Mr. Green based his offer to the Pettys on information he received from City staff which included a fee schedule of March 2007 for the 34 lots. The development approval for Phase 2b lapsed in September 2007, one month prior to the City raising the impact fees on storm water and parks. Last week staff recognized an error had been made and that the amount due and payable for the impact fees was actually \$64,000 more than the March 2007 schedule. Mr. Green has indicated that he will not be able to move forward with assumption of the subdivision if he is required to pay the additional \$64,000.

The agreement provides a negotiated solution between the City and Mr. Green. It is in the best interest of the City to acquire the fees under the 2007 rates and to have houses built on the lots. The compromise would require Mr. Green to pay \$10,000 in cash and \$10,000 of in-kind services with his heavy equipment and labor to install improvements in the City related to parks and storm sewer.

Motion

Rick Dutson made a motion to approve the agreement as presented. The motion was seconded by **Cory Ritz** and passed with a unanimous vote in favor.

PROPOSED CHANGES TO CREEKSIDE HOMEOWNERS ASSOCIATION AGREEMENT

The City Manager explained the changes to be made to the agreement between the City and Creekside Homeowners Association as were provided in the City Council packet for maintenance of sidewalks and park strips adjacent to the Creekside Subdivision along Glover Lane and 200 East Street.

The Council gave the City Manager a “thumbs up” on the changes to the agreement with the understanding that a public hearing will be held on this issue at the April 21, 2009, City Council meeting and that staff will work with the City Attorney to make sure everything is correct and proper in the agreement.

LEGACY PARK TRAIL MAINTENANCE PROPOSAL

A proposal has been submitted from Intermountain Plantings to the five cities abutting the Legacy Park Trail regarding maintenance of it. The proposed cost for Farmington City’s share for emptying trash at the trailhead in Farmington and picking up trash along the three-mile stretch of trail abutting Farmington on Mondays and Fridays would \$5,200 per month.

The City Manager reported the State will probably cover the maintenance costs this year. He said he will obtain more information and bring it back to the Council. It was felt by the Mayor and Council that the \$5,200 per month bid was high and that it might be a good idea to get other bids.

APRIL 7 CITY COUNCIL MEETING - LIMITED AGENDA/ELECTRONIC PARTICIPATION

It was previously thought there would not be a quorum present at the April 7th City Council meeting, but now Cory Ritz will be able to attend so there will be a quorum present so no action was needed on this agenda item.

DECORATIVE STREET LIGHTING PROPOSAL

The City Manager reported in 2008 Rocky Mountain Power made a decision not to provide services for city-owned decorative street lights any more. He presented projections he had prepared relating to costs if Rocky Mountain Power owns and maintains the street lights versus the cost if the City does. The cost of Rocky Mountain Power would be \$37 per light per month versus a City cost of \$20 per light per month. These figures were calculated for build out of the City. If the City is going to maintain the lights, a contractor would need to be found. The City Manager feels Custom Lighting is the most qualified. They have been in the business a long, long time and have experience in maintaining the lights in the City. He asked the Council for authorization to allow him to negotiate a deal with Custom Lighting. He also suggested setting aside \$10 per month for replacement expenses. In summary he asked approval to: (1) negotiate with Custom Lighting; (2) keep the standard presently being used of the Granville street lights and Salem poles; and (3) come back with a contract for review/approval. Mr. Forbush said that since Rocky Mountain Power made the change, all cities are trying to get a program arranged for their cities.

Motion

Rick Dutson moved to authorize the City Manager to negotiate with Custom Lighting for the purpose of maintaining the City’s existing lighting as well as installing and maintaining future City-

owned decorative lighting and to keep as the City standard the Granville street light and the Salem pole. The City Manager is to have an agreement drafted with Custom Lighting and bring back to the Council for approval. Further, the City Manager is authorized to set aside \$10/month for replacement of lights. The motion was seconded by **Cory Ritz** and the vote was unanimous.

MAYOR HARBERTSON'S REPORT

The Village at Old Farm

Mayor Harbertson reported he had received a phone call from Jono Gardner. He said Jono would like a meeting with him, Max Forbush and Dave Petersen and a couple of City Council Members, if interested, concerning The Village at Old Farm development. Key Bank, the financier for the development, does not want to do residential construction any longer and is threatening to call their loan. Jono wants the meeting to discuss options with the City. The meeting will be held on Thursday, April 2, at 4:00 p. m. Paula Alder and Sid Young will attend.

Rick Dutson stated he thinks its important as the City considers the developer's hard financial circumstance that the Council remember that it can't make decisions which are going to benefit someone immediately at the expense of what the City will look like 5 or 10 years down the road.

Palmer Estates

Mayor Harbertson had received a call from the architect for Palmer Estates. They are looking at doing a redesign of that property. They have not sold one lot to this point in time. The Mayor pointed out to him this development is located right on the fringe on Farmington's "old downtown". He told him everyone was excited Palmer Estates would be one-half acre lots or larger on this 10-acre development. Zoning only allows one-half acre lots, and they are presently approved for 17 or 18 lots, so they would only be able to increase it by two overall. Mayor Harbertson told them they would have to go to the Planning Commission to ask for a rezone of the property. He also suggested to them to contact the neighbors to get their opinions.

Old Public Works Building

Mayor Harbertson, Max Forbush, Keith Johnson, Rick Dutson, Walt Hokanson, Neil Miller, Larry Gregory and Joe Walls had met prior to the City Council meeting at the old Public Works building site presently owned by UDOT. Mayor Harbertson reported it was the consensus from the discussion that there is a lot of value in purchasing the property. In the short term it could be used for storage and offices and for the long term as an investment to obtain funds to build a fire sub-station somewhere in west Farmington. The price has dropped \$400,000 in the last year so the City would be able to purchase it at a good price. Max Forbush is working with UDOT as far as putting the details together.

Creekside Estates Homeowners Association

The Creekside Estates HOA President, Lynn Beckman, and Laur Barker, a resident of the subdivision, arrived at 8:30 p.m. Mayor Harbertson explained to them the Council had addressed their issue earlier in the meeting. He told them the Council had agreed with the draft agreement between the City and the HOA as was included in the City Council packets. Mr. Beckman said the Creekside Homeowners Association agree with the basic concepts of the agreement but have a few questions/concerns with it. The main thing is that they do not want the agreement to be binding on individual homeowners, but just the HOA. They do not want the agreement to run with the land but to just have a common agreement with the Homeowners Association.

The City Manager reported the City Attorney had suggested that a meeting could be held by the HOA to have their CC&Rs changed allowing the bylaws to accept a 75% vote of those present instead of requiring 100%. By doing this, it would enable the HOA to get approval of the agreement which could then be signed and recorded with the land. Mr. Beckman said that if a home is sold in the subdivision, the new owner must join the Association. The Association has the power to lien properties to collect dues.

The City Manager stated that the Creekside Estates Subdivision took a long time to gain approval. One of the concerns at that time was the impact of it on the neighbors. Because of the two hammerheads, headlights would point directly across the street so the City's requirement for the fence was not necessarily to keep people from walking through this subdivision but to mitigate light pollution.

Sid Young commented on the proposed vacation of the interior walkway to Mr. Barker that it wasn't that the City didn't want the walkway, but it was something which was brought up by the HOA. Laur Barker stated when he met with the City Manager, the City Manager indicated the City does not want the walkway due to liability and was willing to vacate it. Mr. Barker is agreeable with accepting the property and taking liability for it and did not feel the property should be split in half, but be deeded to one property owner.

The City Manager said he had interpreted the Council's desire as that of getting rid of the walkway by vacating it to Mr. Barker because of the liability issue. He questioned how valuable the trail is when compared with the liability exposure. Council Member Young asked if there are some of the homeowners who want it maintained as a walkway to 200 East. Mr. Beckman said there are many people in the subdivision who have a problem with the liability of the sidewalk. The trail is only used occasionally and mainly just by the people in the subdivision. It is not very safe or convenient to walk up the rock stairs and it would be very expensive to redo them.

Paula Alder asked if it is vacated to Laur Barker will people still have access to it or will it be closed off. Mr. Barker stated it is his intent to leave it open for the homeowners, and at the last meeting they all supported him getting the land with that understanding. He does not want to be forced to leave it open. He would like to put up a sign stating "Private Walkway" or "By Permission" or something of that nature. His insurance company has told him if the property is deeded to him, they will cover it. He plans on leaving it open as a courtesy unless it becomes a big problem.

Rick Dutson stated he really struggles with the City keeping liability for that trail which services only a very small group of people. Mr. Barker pointed out there is a public trail that goes directly behind their subdivision.

The question was asked if the agreement could be made perpetual. Council Member Dutson felt it should be and Mr. Beckman said they are okay with that.

In summary of the discussion, the City Manager clarified that paragraph 5 should state it will be a perpetual agreement with the HOA and not run with the land. Paragraph 4 is to be taken out of the Agreement, because it becomes a non-issue and it will not be finalized until after the hearing on April 21. If by some chance in the future the HOA is dissolved, the maintenance and care as required by City ordinance will revert back to the abutting property owners. The City Manager reported the public hearing scheduled for April 7 will be continued until April 21.

CITY COUNCIL REPORTS

Rick Dutson asked about the plans for City Hall. The City Manager reported the architect is drafting changes to the plans. The updated plans will be emailed to the Mayor and Council for review. The City Manager also reported he had been in contact with Mr. Wheeler but could not get him to make a decision to sell part of his property. He is out of town and will not be coming home until the first part of May or possibly not until the 15th. He does not want to discuss the sale until he comes home. The architects are doing “what if” drawings on the property to the south of the new City Hall site. The School District is very excited to work with the City regarding joint parking next to Farmington Elementary.

The City Manager stated he had received a letter from Ascent Construction suggesting the City use a Construction Manager for construction of the new City Hall rather than the plans and specifications bidding process. The Construction Manager would be paid a fee and then they would go out and bid the different elements of construction. The selection of the Construction Manager would be competitive. The City Attorney approves of this concept.

Cory Ritz stated he had received a call from a resident complaining about vacant rental homes owned by Lagoon that they are being used as party houses. The City has encouraged Lagoon to keep the houses rented and fixed up. It was suggested that possibly the Mayor could talk to David Freed about this issue. He also stated he had been told there is a lawn care business located in the backyard of Tidwells’ property that there are a bunch of vehicles there.

MISCELLANEOUS

Max Forbush said that at times the Public Works Department needs to rent a piece of equipment or to have work done on sidewalks. The City’s auditor has been suggesting for a couple of years to have a contract signed with different companies who could provide these

services. A bid was sent out in January asking for bids. Six bids were received from companies willing to lease their equipment and seven bids from companies who do concrete work. When the need arises, the Public Works Director will make a choice from the approved list. The Mayor will sign the agreements and then they will be ratified on a future agenda.

CLOSED SESSION

A motion was made by **Cory Ritz** to go into a closed session to discuss strategy as it pertains to pending litigation. The motion was seconded by **Paula Alder**. A roll call vote was taken by Mayor Harbertson and with each Council Member responding “yes” the meeting went into a closed session at 9:05 p.m.

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 so convened.

Scott C. Harbertson, Mayor

At 9:25 p.m. a motion was made to go back into open session by **Cory Ritz** and seconded by **Paula Alder**. The motion passed with all Council Members voting in favor.

Motion

A motion was made by **Rick Dutson** to use transportation impact fees up to \$125,000 to design the “Road to the North”. The motion was seconded by **Paula Alder** and the motion passed with all Council Members voting in favor.

There being no further business, upon motion to adjourn by **Rick Dutson** with a second by **Paula Alder**, the meeting was adjourned at 9:25 p.m.

Margy L. Lomax, City Recorder

