

FARMINGTON CITY COUNCIL MEETING

Tuesday, April 17, 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 called the meeting to order at 5:00 p.m.

Larry Haugen excused himself from the discussion.

CLOSED MEETING

At 5:05 p.m., 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 acquisition of real property. The motion was seconded by **Rick Dutson**. The motion passed with Council Members Paula Alder, Rick Dutson, Larry Haugen and Sid Young all voting in favor.

[**David Hale** arrived at 5:15 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 convened in a closed meeting.

Scott C. Harbertson, Mayor

At 5:55 p.m. a motion to reconvene into an open meeting was made by **Rick Dutson** and seconded by **David Hale**. The motion passed with Council Members Rick Dutson, David Hale, Paula Alder and Sid Young all voting in favor.

Larry Haugen returned to participate with the Council in reviewing the following items:

Agenda Item #5: Public Hearing: Consideration of Public Input Regarding Proposed Project for installing handicapped accessible ramps at street intersections Citywide under the Community Development Block Grant (CDBG) "Small Cities" Program for 2007 Program Year

Max Forbush explained the grant and the proposed project that is to be undertaken by the City. The grant requires a 26% match by the City in the amount of \$66,619.00.

Agenda Item #6: Public Hearing: Consideration of Schematic Plan Approval for Meadow View Subdivision, north of Farmington Ranches Phase III Subdivision, and adjacent and west of 1525 West Street - John McDonald & Randy Head

Mayor Harbertson stated that the City Council previously withheld schematic plan approval to allow the new road into the property from the adjacent Spring Creek Subdivision to be realigned, which has now occurred. The Planning Commission recommends that the road be relocated between lots 16 and 17 or between lots 17 and 18 in order to accommodate the slope of the property.

CLOSED MEETING

At 6:04 p.m., a motion was made by **Rick Dutson** for the Council to go into a closed meeting to discuss strategy as it pertains to potential litigation and acquisition of real property. The motion was seconded by **Paula Alder**. The motion passed with Council Members Rick Dutson, Paula Alder, Larry Haugen and Sid 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 6:35 p.m. a motion to reconvene into an open meeting was made by **Rick Dutson** and seconded by **David Hale**. The motion passed with Council Members Rick Dutson, David Hale, Paula Alder, Sid Young and Larry Haugen all voting in favor.

The members of the Council then moved to the kitchen to have dinner prior to the regular City Council meeting.

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, Youth City Council Member Rachel Mann, and Recording Secretary Jill Hedberg.

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

APPROVAL OF MINUTES OF PREVIOUS MEETING

David Hale moved to approve the minutes of the March 20, 2007, City Council Meeting. **Larry Haugen** seconded the motion with changes as noted. The voting was unanimous in the affirmative.

VOLUNTEER RECOGNITION AND ACKNOWLEDGMENT OF SERVICE TO SHANNON WILSON AND CHADLEY ANDERSON (Agenda Item #3)

Mayor Harbertson and **Stephanie Paget** acknowledged **Shannon Wilson** for her service on the Arts Council.

Viola Kinney introduced a member from the Utah Recreation and Parks Association who named **Chadley Anderson**, a former member of the City's Arts Council, as the Utah Recreation and Parks Association Person of the Year.

REPORT OF PLANNING COMMISSION (Agenda Item #4)

Jared Hall reported proceedings of the Planning Commission meeting held May 29, 2007. He covered the following items:

- The Planning Commission granted preliminary plat approval and recommended final plat approval for Phase 4 of the Rice Farms Estates PUD consisting of 14 lots on 5.662 acres.
- The Planning Commission recommended schematic plan approval to amend a previously approved plan for a mixed use development known as The Village at Old Farm.
- The Planning Commission granted conditional use approval for the Steed Place Planned Unit Development consisting of 14 dwelling units on 2.3 acres.
- The Planning Commission granted site plan approval to expand a non-conforming commercial use and conditional use approval to construct an accessory building greater than 15 feet in height. The project is located at 193 South 200 West in an LR zone.
- The Planning Commission tabled consideration of revisions to the Zoning Ordinance regarding stay of proceedings after appeals.

Jared Hall also reported proceedings of the Planning Commission meeting held April 12, 2007. He covered the following items:

- The Planning Commission tabled 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 references to Chapter 12 and/or conservation subdivisions.
- The Planning Commission tabled consideration of a zone change from A to AE and schematic plan approval for a 23 lot subdivision located on property at the southwest corner of State Street and 650 West, to allow the City to expand its mailing notice radius to 900 feet.
- The Planning Commission tabled consideration of The Gardner Company's request for preliminary plat approval and a recommendation for final plat approval for a mixed-use development known as The Village at Old Farm, to allow the Planning Commission to review the material that the applicant provided to the City.
- The Planning commission granted preliminary plat approval for the Palmer Estates Subdivision which is located at approximately 100 West 600 North. The applicant is working with the Historic Preservation Commission in an attempt to preserve the original portion of the historic home.

Larry Haugen stated that the City should determine whether the property is threatened by the flow of water that travels behind the existing apartment complex.

- The Planning Commission tabled consideration of conditional use approval for the Nixon & Nixon Lock-It-Up Self Storage to allow the Planning Commission and City Council to conduct a field trip to the property.
- The Planning Commission granted conditional use approval to operate a small kennel for dogs at a residence located at 187 South 1100 West.

PUBLIC HEARING: CONSIDERATION OF PUBLIC INPUT REGARDING PROPOSED PROJECT FOR INSTALLING HANDICAPPED ACCESSIBLE RAMPS AT STREET INTERSECTIONS CITYWIDE UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) "SMALL CITIES' PROGRAM" FOR 2007 PROGRAM YEAR (Agenda Item #5)

According to the packet information, the City has been advised that it has been awarded a CDBG Grant in the amount of \$256,225 pending submittal of a final application and completion of an environmental assessment. This grant requires a 26% match by the City in the amount of

\$66,619. Both are part of the FY 07-08 budget that is being prepared. It is anticipated that after the final application has been filed and the environmental work completed, this work will be bid out some time in late summer.

As requested by **Mayor Harbertson**, the City Manager, **Max Forbush** explained the grant and the proposed project scope and timing to be undertaken by the City, the amount of the grant, and the amount of the City match to be provided. He explained the project would consist of constructing and installing new ramps and upgrading of existing ramps to bring them into compliance with ADA requirements. The ramps to be installed and upgraded with truncated domes are spread throughout the City. He asked members of the audience to please sign the roll sheet.

Public Hearing

Mayor Harbertson opened the second public hearing for the CDBG program. **Mayor Harbertson** stated that this hearing was called to allow all citizens to provide input concerning the project that was awarded under the 2007 Community Development Block Grant Program. The City has amended its capital investment plan and decided to apply for funds for installing ADA accessible ramps. The Mayor introduced **Max Forbush**, the City Manager. The Mayor explained that the application was successful in the regional rating and ranking process for \$256,225. The City will contribute matching funds that are equivalent to 26% of the grant amount. He stated the purpose of the hearing was to allow public questions or comments about the project as explained by Mr. Forbush.

Dee Winegar (487 East Greystone Drive) asked if the City plans to install new handicapped accessible ramps prior to retrofitting the truncated domes on the existing ramps.

Max Forbush explained that the priority use of the grant funds is to install handicapped accessible ramps where they do not now exist. If there is sufficient funding available after the new ramps are installed, then remaining funds will be used to bring existing ramps into compliance by rebuilding non-compliant ramps or simply by just adding the truncated domes to the existing ramps.

Public Hearing Closed

With no further comments, **Mayor Harbertson** closed the public hearing.

Motion

Rick Dutson moved that the City Council direct City staff to file the application for a CDBG Grant in the amount of \$256,225 while at the same time authorizing the \$66,619 match to be added to the City's FY 08 budget. **Larry Haugen** seconded the motion, which passed by unanimous vote.

PUBLIC HEARING: CONSIDERATION OF SCHEMATIC PLAN APPROVAL FOR MEADOW VIEW SUBDIVISION, NORTH OF FARMINGTON RANCHES PHASE III SUBDIVISION, AND ADJACENT AND EAST OF 1525 WEST STREET - JOHN

MCDONALD & RANDY HEAD (Agenda Item #6)

Jared Hall said the City Council withheld schematic plan approval until the developer provided a new road into the property from the Spring Creek Subdivision. The road has since been aligned to accommodate the adjacent properties. He displayed an overhead of the revised road configuration and how the road will travel through the area. The developer is not opposed to relocating one of the roads further to the west, as requested by the adjacent property owner. City staff recommends that the City Council grant schematic plan approval.

Public Hearing

Mayor Harbertson opened the meeting to a public hearing and invited the applicant to address the Council.

John McDonald said they are working to adjust the radius on the curve in order to provide better visibility. He displayed the schematic plan for the property and explained how the roads were reconfigured. He also pointed out where the final wetlands component will be located.

Dee Winegar (Farmington Trails Committee) asked that the City preserve the trail that is planned north of the Farmington Ranches if it is part of this Subdivision.

Max Forbush explained that the proposed trail will cross a portion of the proposed Farmington Ranches neighborhood park. It will then stub to the open space to the west of the property.

Public Hearing Closed

With no further comments, **Mayor Harbertson** closed the public hearing and asked the City Council for their consideration.

The Council discussed the different locations where the road could be relocated. It was recommended by **Council Member Haugen** that the road be located west of lot 16 since there is a straightaway to the north.

John McDonald said he will have his engineers review the recommendation.

Rick Dutson asked if the developer plans for the intersection at 1525 West to be a right angle turn.

Max Forbush pointed out that the stub road ends at the railroad tracks. The City plans to close that crossing of 1525 West in the future.

John McDonald said they have worked with **David Petersen** in an effort to count the roadway as open space. They will then deed the road back to the City as a right-of-way for the two adjacent property owners.

In response to a question from **David Hale**, **John McDonald** stated that they are in the process of working through the issues relating to the pressurized irrigation.

Motion

Rick Dutson moved that the City Council grant schematic plan approval for Meadow View Subdivision, north of Farmington Ranches Phase III Subdivision. **David Hale** seconded the motion, which passed by unanimous vote.

PUBLIC HEARING: CONSIDERATION OF SCHEMATIC PLAN APPROVAL FOR BRYNLEIGH COVE PUD CONSISTING OF 8 UNITS ON 1.7 ACRES LOCATED AT 1386 SOUTH 200 EAST - DANA KENDRICK (WILLOW BEND PARTNERS) (Agenda Item #7)

The Members of the City Council were given an aerial photo of the property . They were also given an e-mail that was sent by the City Engineer, **Paul Hirst**. The e-mail reiterates **Mr. Hirst's** concern about the drainage being placed along the existing utility easement since he is uncertain what utilities are placed there.

Mayor Harbertson stated that the developer is proposing that the sewer line travel towards 35 East.

Jared Hall said the developer's engineer is attempting to find a more appropriate location for the easement. City staff is concerned about the aesthetics of the long driveways but it would be difficult to realign them since a 40 foot easement exists on the rear portion of the property. City staff is requesting that the applicant continue to work on the project design.

[Deputy Recorder, **Holly Gadd**, arrived at 8:00 P.M.]

Max Forbush said if it is not possible to have the sewer line to extend westward, it may be possible for the developer to provide a special type of pipe that does not require as much maintenance in order to reduce the risk of maintenance problems if the Council were to allow the piping to extend south.

Sid Young reminded City staff that there are other utilities in P.U.E's that need to be considered than just the City's utilities.

Larry Haugen said the developer is proposing a project that is too large for the small property. The project is not consistent with the adjacent neighborhoods.

Jared Hall stated that the Planning Commission recommended schematic plan approval based on the current zoning, which will allow the developer to construct twin homes. The owner is proposing that the project be given a PUD designation so he can restrict the units from being rented. Schematic plan approval was granted for a PUD with the same density the developer would be allowed for a twin home development.

Public Hearing

Mayor Harbertson opened the meeting to a public hearing.

Public Hearing Closed

With no forthcoming comments, **Mayor Harbertson** closed the public hearing.

Max Forbush referred to the first public hearing that was held for this project, where the residents in the area greatly opposed the project. Since that time, the developer has worked with the residents to provide a project that they are in favor of.

The members of the Council suggested different ways the developer could eliminate the amount of driveway concrete. It was suggested that two single driveways be put together or that the concrete be stained to distract from the amount of concrete that will be required.

In response to a question from **Sid Young**, **Jared Hall** stated that the residents who live on both sides of the property were present at the first public hearing to state their opposition. They are not at this public hearing because they are no longer opposed to the project.

Sid Young stated that he was concerned about the density of the project and the existing utility lines. He is also concerned about the units being built in the rear yards of the existing homes.

Jared Hall stated that the Planning Commission granted schematic plan approval knowing that the elevations may not actually work on this property. City staff recommends that the City Council also grant schematic plan approval.

In response to a comment from **Larry Haugen**, **Jared Hall** stated that if an access road abuts a subdivision, the developer should provide screening made up of a 6 foot solid barrier and trees.

Motion

David Hale moved that the City Council grant schematic plan approval for Brynleigh Cove PUD subject to the following:

1. The applicant resolving site plan layout issues with City staff, safety, sewer and engineering reviews. The developer shall work with City staff to find solutions and possible improvements to the layout and open space planning.
2. The applicant shall be sensitive to the City Engineer's concerns regarding the existing utility easement and shall explore all options to resolve the issue.
3. The applicant shall explore options to improve the driveway aesthetics.
4. The applicant must provide a barrier wall to provide privacy for the property owners to the south of the project.

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

PUBLIC HEARING: CONSIDERATION OF PRELIMINARY MASTER PLAN PUD DESIGNATION FOR THE "VILLAGE AT OLD FARM" RESIDENTIAL SUBDIVISION AND MIXED USE SITE PLAN (Agenda Item #8)

Mayor Harbertson explained that the Planning Commission tabled consideration of the Preliminary Master Plan PUD designation for The Village at Old Farm residential subdivision and mixed use site plan. It is recommended by City staff that the City Council do the same.

Motion

David Hale moved that the City Council continue the hearing until the next City Council meeting until after the Planning Commission has acted on this agenda item. **Rick Dutson** seconded the motion, which passed by unanimous vote.

FINAL PLAT APPROVAL CONSIDERATION FOR WILLOW CREEK SUBDIVISION WITH RELATED DEVELOPMENT AGREEMENT - GUY HASKELL (HASKELL HOMES) (Agenda Item #9)

Max Forbush passed out a copy of the language that is recommended by the City Attorney for page 4, subparagraph d. He also passed out a copy of Exhibit C which outlines which portion of the project the City is responsible for. The cost is approximately \$22,000. City staff, the City Attorney and the developer have agreed to the terms of the Development Agreement and the proposed amendments. The developer is proposing that a drainage pipe be installed in the 17 foot area. City staff recommends that the City Council grant final plat approval.

David Hale stated that the developer is bringing in a large amount of fill. He questioned whether there are drainage issues in the area.

A representative for the applicant stated that the drainage issues have been resolved with the City.

Max Forbush pointed out that the City has worked with Centerville City to coordinate the long-term needs for Lund Lane. The City Engineer has completed a Master Drainage Plan for this area, as well as the entire City.

Motion

Sid Young moved that the City Council approve the Development Agreement, to include the proposed amendments, and grant final plat approval for the Willow Creek Subdivision subject to the following:

1. All conditions of preliminary plat approval must be met, as well as response to all minor notes/comments from reviewing staff will be addressed.
2. Subject to the finalization of the Development Agreement between the City and the developer which must be recordable concurrent with the final plat.
3. Any modifications necessary to the improvement plan for Parcel A along the Frontage Road will be made for the City Council's review of final;
4. Developer will provide sufficient width of asphalt for two safe lanes of travel on Lund Lane, to be approved by the City.
5. All applicable requirements of the City ordinances and other agencies.

Rick Dutson seconded the motion.

Larry Haugen said the road should be configured as a stub street rather than a cul-de-sac. He is opposed to the City contributing to the small project and feels the property owner should be able to provide the improvements. After speaking with the City Engineer, he is no longer concerned about the drainage in the area.

Sid Young said he shares some of the same concerns as **Council Member Haugen** but he is pleased that the developer has worked well with City staff. He thinks it is appropriate to follow the recommendations given by City staff and the City Engineer.

Mayor Harbertson stated that the City is contributing to the improvements since they have a desire to increase the width of the Frontage Road to allow for a walking trail.

Max Forbush explained that the Capital Facilities Plan calls for an 8' sidewalk and open area

adjacent to this development which is why the City has agreed to share in the cost of the improvements.

Sid Young pointed out that the extension of the sidewalk is also important to the Trails Committee.

The motion passed by a 4 to 1 vote.

FINAL PLAT APPROVAL CONSIDERATION FOR RICE FARMS ESTATES PUD, PHASE IV, WITH RELATED REIMBURSEMENT AGREEMENT - JERRY PRESTON (Agenda Item #10)

Mayor Harbertson reviewed the key points of the Reimbursement Agreement and explained which costs are fixed and which costs are estimates. The developer does not want to construct the 200 East floodway at this time. The City Engineer is okay with delaying these improvements. The applicant will sell any required easement at a rate of 50% of the land value of \$150,000 per acre when he develops the area or within five years, whichever comes sooner. That portion purchased by the City for the floodway at fee title would pay the full cost of \$150,000 per acre.

Max Forbush explained that **Mr. Preston** does not want to provide the floodway until he has resolved issues with the Army Corps of Engineers.

Jared Hall recommended that the City Council included the conditions that were recommended by the Planning Commission on March 29, 2007.

Motion

Sid Young moved that the City Council grant final plat approval for phase IV and approval of the related Reimbursement Agreement subject to the following:

1. All recommendations in the soils report are followed during construction of homes.
2. All concerns of City departments and reviewing agencies and utility companies are addressed.
3. The applicant must comply with all conditions of preliminary plat approval. In the event the preliminary plat approval becomes null and void, final plat approval shall also become null and void. If such is the case, the developer may reapply for final plat approval after re-approval of a preliminary plat and after the City approved an amended Final (PUD) Master Plan for the entire project.
4. A UPDES Permit from the State of Utah is received and a Storm Water Pollution

Prevention Plan containing all requirements of the UPDES permit is provided to the City.

5. The applicant must comply with the Final (PUD) Master Plan for the entire project.
6. The developer shall provide a street tree plan including street trees acceptable to the Planning Commission.

Larry Haugen seconded the motion.

The motion passed by unanimous vote.

CONSIDERATION OF SPECIAL EXCEPTION TO TEMPORARY USE ORDINANCE TO ALLOW SALES OFFICE IN MOBILE HOME AT SPRING CREEK SUBDIVISION - DESTINATION HOMES (Agenda Item #11)

Jared Hall displayed an overhead of the schematic plan. Destination Homes proposes to install a temporary sales office in a trailer on Lot 101 until the model home is built. They will remove the trailer at such time as the model home on Lot 102 is ready for use or by July 31, 2007.

There is nothing in the Ordinance to preclude the City Council from granting the exception prior to the Planning Commission considering the request on April 26, 2007.

Larry Haugen stated that if the exception is granted, the applicant should be required to provide restroom facilities, as well as landscaping to screen the trailer.

Motion

Rick Dutson moved that the City Council grant a special exemption to temporary use ordinance to allow a sales office in a mobile home at Spring Creek Subdivision subject to the following conditions:

1. Permanent signs are prohibited. The size and location of signs must be in compliance with provisions of the zoning ordinance in which the use is conducted. All signs must be removed when the activity ends.
2. No loud speakers or amplifying sound devices shall be used in conjunction with the temporary use.
3. Outdoor lighting, if used, must be subdued. All lighting shall be designed, located and directed to minimize glare, reflection and light pollution into adjoining and nearby lots. Search lights shall not be permitted.

4. Conduct of the temporary use shall be limited to hours between 8:00 a.m. and 8:00 p.m.
5. Per the application, the sales center will be removed July 31, 2007 or within 15 working days of receiving a Use and Occupancy Permit for a model home on lot 102, whichever comes first.
6. No portable restroom facilities are allowed on site, however a restroom facility for public use may be allowed inside the trailer.
7. The use granted is solely for purposes of a sales office associated with the subdivision in which it is located, and no other commercial activities of any kind shall be associated with this use permit.
8. The parking area associated with the sales office shall be improved with an appropriate hard surface (gravel, concrete, asphalt) and maintained in good condition at all times.
9. The applicant must provide an acceptable landscaping plan to City staff illustrating that the trailer will be screened properly.

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

[**Rachel Mann** was excused at 8:40 P.M.]

MINUTE MOTION APPROVING SUMMARY ACTION LIST (Agenda Item #12)

Rick Dutson moved that the City Council approve the following items by consent as follows:

- 12-1. Ratification of Approvals of Construction Bond Agreements.
- 12-2. Ratification of Appointment of Jasmine Sessions to Leisure Services Board.
- ~~12-3. Approval of request to declare City backhoe as surplus property authorizing its sale.~~
- 12-4. Authorization for City to rent portable stage to Farmington North LDS Stake for Youth Conference June 27-30th.
- 12-5. Approval of Reimbursement Agreement with Station Park CenterCal, LLC, for storm sewer study.
- 12-6. Authorization for Trails Committee to issue Farmington Trails Press Packet.
- 12-7. Approval of Improvements Bond Agreement with Todd Bradford/Kent Nichol Construction regarding Steed Place Development.
- 12-8. Approval of UTA/Lagoon/Farmington City Annual Shuttle Service Agreement.
- 12-9. Appointment of John C. Anderson to serve a 3-year term on Farmington City Historic Preservation Commission retroactive to January 1, 2007, through December

31, 2009.

- 12-10. Authorization for engineering services contract expansion for Farmington Creek Trail underpass project in amount of \$4,210.
- 12-11. Authorization for engineering services contract expansion for 1075 West Shepard Lane intersection surface and signalization project.
- 12-12. Approval of sidewalk repair agreement with John Campbell.

Paula Alder seconded the motion, which passed by unanimous vote.

ORDINANCE AMENDING 6-3-030 PERTAINING TO SOLICITORS WITHIN FARMINGTON CITY (Agenda Item #13)

Mayor Harbertson stated that **Chief Hansen** obtained affidavits from 46 Farmington residents who had negative experiences with a solicitors.

Chief Hansen reported on an incident that occurred in April involving a solicitor who was involved in criminal activity. The amended Ordinance will benefit the City’s residents.

Motion

David Hale moved that the City Council adopt ORDINANCE NO. 2007-21, AN ORDINANCE AMENDING CHAPTER 6-3-030 OF THE FARMINGTON CITY MUNICIPAL CODE PERTAINING TO SOLICITORS WITHIN FARMINGTON CITY to include the exhibits and other exhibits that may be forthcoming. **Larry Haugen** seconded the motion, which passed by unanimous vote.

CONSIDERATION FOR ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF FARMINGTON CITY, UTAH (THE “ISSUER”), AUTHORIZING THE ISSUANCE AND SALE BY THE ISSUER OF ITS GENERAL OBLIGATION BONDS, SERIES 2007, IN THE PRINCIPAL AMOUNT OF \$2,500,000 (THE “BONDS”), SUPPLEMENTING A PARAMETERS RESOLUTION ADOPTED MARCH 6, 2007, PRESCRIBING THE FORM OF BONDS; PROVIDING FOR THE MANNER OF EXECUTION AND DELIVERY OF SAID BONDS; PROVIDING FOR THE USE OF THE PROCEEDS THEREOF AND HOW PAYMENT OF SAID BONDS WILL BE MADE; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY FOR THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS (Agenda Item #14)

Mayor Harbertson reported that after the Council discussed this issue at their last meeting, **Keith Johnson** was able to obtain a 4.04% bond rate with Chase Bank. This is the lowest bond rate the City has ever received.

Max Forbush passed out copies of the Bid Summary for the \$2,500,000 General Obligation Bonds, Series 2007, which was provided by Zions Bank Public Finance.

Jonathon Ward (Zions Bank Public Finance) explained that there is a wide variety between the bids. The bond market is currently experiencing an aberration whereby private transactions are selling at the same level or better than the bond market is buying them for. It is now possible to purchase the bonds without having to pay market expenses. The City has obtained a fixed, non-callable rate. He reviewed the Revenue Bond Index that was included on the handout that was given to the Council and recommended that the Council adopt the Resolution.

Motion

David Hale moved that the City Council adopt a RESOLUTION OF THE CITY COUNCIL OF FARMINGTON CITY, UTAH (THE "ISSUER"), AUTHORIZING THE ISSUANCE AND SALE BY THE ISSUER OF ITS GENERAL OBLIGATIONS BONDS, SERIES 2007, IN THE PRINCIPAL AMOUNT OF \$2,500,000 (THE "BONDS"), SUPPLEMENTING A PARAMETERS RESOLUTION ADOPTED MARCH 6, 2007, PRESCRIBING THE FORM OF BONDS; PROVIDING FOR THE MANNER OF EXECUTION AND DELIVERY OF SAID BONDS; PROVIDING FOR THE USE OF THE PROCEEDS THEREOF AND HOW PAYMENT OF SAID BONDS WILL BE MADE; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY FOR THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION. **Larry Haugen** seconded the motion, which passed by unanimous vote.

FOURTH AMENDMENT TO FARMINGTON PRESERVE AGREEMENT REGARDING A TRADE OF GARBETT/DAVIS COUNTY PROPERTIES - GARBETT HOMES (Agenda Item #15)

Mayor Harbertson referred to the map that was included in the City Council packet and pointed out which properties will be involved in the trade between Garbett Homes and Davis County.

Motion

Rick Dutson moved that the City Council approve the Fourth Amendment to Farmington Preserve Agreement regarding a trade of Garbett/Davis County properties. **Paula Alder** seconded the motion, which passed by unanimous vote.

HORROCKS ENGINEERS' PROPOSAL FOR WEST FARMINGTON SUB-AREA TRANSPORTATION MASTER PLAN (Agenda Item #16)

Mayor Harbertson explained that Horrocks Engineers is presently studying areas for the Utah Department of Transportation. Once that study is complete, the City has requested that Horrocks Engineers prepare a West Farmington Sub Area Transportation Master Plan. It is anticipated that the fee to complete the plan will be approximately \$20,000.

Max Forbush explained that if the City Council authorizes Horrocks to conduct the study, the City will be in a better position to deal with competing private developers who are interested in competing road configurations providing a benefit to them. The road pattern eventually selected needs to provide benefit to the City as a whole. The study will include traffic modeling of the various road alignments and alternatives.

Motion

Rick Dutson moved that the City Council approve the proposal authorizing that the amount be set aside in next year's budget. **Paula Alder** seconded the motion, which passed by unanimous vote.

ADDITIONAL APPOINTMENTS TO DOWNTOWN MASTER PLAN REVISION COMMITTEE (Agenda Item #17)

Mayor Harbertson reported that **Rebecca Mann** has offered to serve on the Downtown Master Plan Revision Committee. He recommended that Planning Commission Members **John Bilton** and **Kevin Poff** also be appointed to the Committee.

Motion

Paula Alder moved that the City Council appoint Rebecca Mann, John Bilton and Kevin Poff to the Downtown Master Plan Revision Committee. **Larry Haugen** seconded the motion, which passed by unanimous vote.

POLICE STATION SITING DISCUSSION (Agenda Item #18)

According to packet information, neither the City Manager nor Mayor Harbertson have heard from Weber Basin Water Conservancy with regards to a revised appraisal on the property nor a response on other matters. It is staff's recommendation that the old City Shop site be selected as the Police Station site, and that the architects immediately begin designing the building.

Mayor Harbertson recommended that the Council authorize City staff to proceed with the design of the Police Station by allowing the City Manager and Police Chief to meet with EDA Architects to discuss the building design.

Sid Young suggested that the Police Station be designed so Woodland Park is as functional as possible.

Max Forbush stated that the Police Station will actually contribute to the area. The building will be built toward the front of the property so there will be less fill required.

Motion

Rick Dutson moved that the City Council direct City staff to proceed with the Old City Shop site by working with EDA and **Chief Hansen** regarding the building design. **Sid Young** seconded the motion, which passed by unanimous vote.

REPORT ON CULINARY WATER WELL RESTORATION PROJECT - PAUL HIRST (Agenda Item #19)

Paul Hirst passed out a copy of the estimated costs to rehabilitate the well based on the pricing that was provided by Peterson Drilling. He said it is in the City's best interest to attempt to rehabilitate the well since it would cost over \$1,000,000 to create a new well. He has provided the State regulators with proper notification regarding the well. He reported on the process to rehabilitate the well and the estimated costs associated with those repairs. The total cost to rehabilitate the well is estimated to be \$132,584.

Max Forbush asked if there is a possibility that the iron bacterial will return. If so, what measures can the City take to monitor the well so the repairs, if necessary, will be less expensive in the future.

Paul Hirst said they can not guarantee that the iron bacterial will not return. Precautions will be taken so the City is aware of future problems. The well operator will have a specific checklist for the well and will be educated on what factors to be aware of.

Max Forbush asked if other cities who are experiencing the same problems have been successful in eliminating the bacteria.

Paul Hirst stated that it is difficult to determine whether the other cities are eliminating the bacteria since they are not reporting their data to the State. According to **Dewey Peterson**, the well should not be abandoned. He explained that the City can save \$3,500 if they purchase the chemicals and have them delivered to the site. So long as the chemicals are handled properly, they will not pose a risk to the site. If the Council authorizes Peterson Drilling to begin repairs, the pump should be operational by the first of June.

Max Forbush stated that the City needs well water as an alternative source of water since it is less expensive than purchasing water from Weber Basin.

Motion

Paula Alder moved that the City Council authorize the City Engineer and City staff to proceed with the restoration of the well and include the expenditures in the modified budget. **Larry Haugen** seconded the motion, which passed by unanimous vote.

APPOINTMENT OF COUNCIL MEMBERS TO EMPLOYEES APPEAL BOARD AS PROVIDED IN TITLE 3 OF CITY CODE (Agenda Item #20)

Mayor Harbertson stated that two Council members are needed to serve on the Employees Appeal Board. He recommended that the Council appoint **David Hale** and **Sid Young** to serve as the regular members and appoint **Rick Dutson** and **Larry Haugen** to serve as alternate members.

Motion

David Hale moved that the City Council appoint **David Hale** and **Sid Young** to serve on the Employees Appeal Board and appoint **Rick Dutson** and **Larry Haugen** to serve as alternates. **Larry Haugen** seconded the motion, which passed by unanimous vote.

CONSIDERATION OF VOTING ALTERNATIVES FOR 2007 MUNICIPAL ELECTION (Agenda Item #21)

According to packet information, there are a number of alternatives to this decision as follows:

Alternative #1. Hold City election with paper ballots. The cost will be somewhere between \$5,000 to \$12,000 depending on whether or not there is a Primary Election. An additional \$1,500 will need to be spent for voting booths and ballot boxes.

Alternative #2. Hold General Election with electronic voting machines, but if a Primary election is held, use paper ballots. The cost would be approximately \$5,000 for the Primary and approximately \$20,000 for the General Election.

Alternative #3. Hold elections this year using paper ballots, but be prepared to move into the electronic voting machines should the costs from the County come down in the future.

Mayor Harbertson reviewed the three alternatives that are available to the City.

The Council Members discussed the alternatives and agreed that it does not make sense to purchase the voting machines.

Motion

Larry Haugen moved that the City Council authorize that \$1,500 be spent from this year's budget to purchase of voting booths from Davis County. **Paula Alder** seconded the motion, which passed by unanimous vote.

Motion

Larry Haugen moved that the City Council hold elections this year using paper ballots, but be prepared to move into the electronic voting machines should the costs from the County come down in the future. **Paula Alder** seconded the motion, which passed by unanimous vote.

INVITATION TO ATTEND UTAH HERITAGE FOUNDATION CONFERENCE (Agenda Item #22)

Mayor Harbertson referred to the letter dated April 2, 2007, from **Alyssa Revell** encouraging all City officials and staff members to educate themselves about the important issue of historic preservation by attending the Utah Heritage Foundation's 2007 Conference. The fee for each class is \$20 and will be reimbursed by the Historic Preservation Commission.

MAYOR HARBERTSON'S REPORT (Agenda Item #23)**Offer to purchase McBride/Spader Properties**

Mayor Harbertson reported that the McBrides and Spaders have expressed an interest in selling their properties. They are now in the process of determining the value of the property.

United Conference of Mayors

Mayor Harbertson reported that he was contacted by CGI Communications who offered to provide a promotional campaign for the City by providing a series of online videos to showcase the assets and attributes Farmington has to offer to its residents, visitors and business community. He reviewed the other features that will be provided on the website. The Mayor is then asked to contact the businesses in the City in an effort to generate an interest in sponsoring the video links. He displayed a video clip that was created for Orem City.

The City Council reviewed the list of possible topics for the community video clip. They agreed the clip should focus on the City's downtown/historic areas and its trails and recreation.

Discussions with UDOT Region One regarding jurisdiction transfer options

Mayor Harbertson said the City was contacted by **Cory Pope** to discuss the jurisdictional transfer of Main Street between Park Lane and Shepard Lane (a portion of S.R. 106), and from State and Main Street to 200 West, thence south to the LDS South Stake Center (S.R. 227). City staff is not opposed to the transfer so long as the City receives enough money to improve the curb and gutter along Main Street. UDOT is considering the City's proposal and will likely respond within one week.

Meeting with 620 South Residents regarding Speeding Problems

Mayor Harbertson reported that Horrocks Engineers visited the site and has determined that there is adequate cause to install a four-way stop. Police officers have been in the area to enforce the stop sign. Warning signs are also posted to help reduce the amount of traffic in the area. There are other measures being considered to promote public safety in the area.

CITY COUNCIL REPORTS (Agenda Item #24)

Council Member Rick Dutson Report

Council Member Dutson attended the City Easter egg hunt which was a success. He expressed appreciation to the City for allowing him to attend the Utah Cities of Leagues and Towns training. There are a lot of creative ideas to promote health and safety within the City.

Council Member Sid Young Report

Council Member Young reviewed the ideas that were given at the Leagues of Cities and Towns training to better the City. He also reported that the environmental legislation did not pass. ULCT is encouraging Planning Commissions, City Councils, and City staffs to become better educated regarding land use law and appropriateness of decisions.

Council Member Paula Alder Report

Council Member Alder reported that she met with **Viola Kinney, Chief Hansen, Matt Poulsen** and **Tyler Servoss** to discuss the possibility of offering a bike race as part of Festival Days. She also reported that the dinner theater will be next week.

Paula Alder reported that inmates are being released from the jail at the same time children are traveling to school. There have also been instances where inmates have approached the residents on 650 West to use their phone. She requested that City staff contact the County to discuss the issues.

MISCELLANEOUS (Agenda Item #25)

Letter Carriers Food Drive

Max Forbush stated that the Farmington Post Office has asked that the Mayor proclaim May 12th as Letter Carriers Food Drive Day.

Motion

Larry Haugen moved that the City Council support the Mayor in proclaiming May 12th as Letter Carriers Food Drive Day. **Rick Dutson** seconded the motion, which passed by unanimous vote.

Right-of-entry into Station Park

Max Forbush referred to the correspondence and License Agreement the City received from **Rich Haws**. The City Attorney has notified **Rich Haws'** attorney that the Agreement is not acceptable to the City.

CONSIDERATION OF EMPLOYEE CONTRACT (Agenda Item #26)

No discussion was held.

MISCELLANEOUS ITEMS

Max Forbush reported that there are two issues that **Viola Kinney** has asked that the Council consider:

One is the appointment of **Cathleen Rodriguez** for the position of Special Events Coordinator. This person is responsible for the coordination of Festival Days and other special events. He recommended that two members of the Governing Body interview **Cathleen Rodriguez** before a final decision is made. Council Members Alder and Haugen agreed to do the interviewing.

Paula Alder said the Special Events Coordinator should be aware that they are responsible to participate with the Youth City Council.

Max Forbush reported that **Viola Kinney's** second request is for the Farmington City Festival Days Committee to send out a fund-raising brochure to businesses.

Rick Dutson suggested that the City Attorney review the proposal prior to the Council offering input on the matter.

ADJOURNMENT

Rick Dutson moved that the meeting adjourn at 10:50 P.M.

Margy Lomax, City Recorder
Farmington City