

# SPECIAL FARMINGTON CITY COUNCIL MEETING

Tuesday, May 29, 2007

6:00 p.m.

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**PRESENT:** Mayor Scott C. Harbertson, Council Members Rick Dutson, David Hale, and Sid Young, City Manager Max Forbush, and City Recorder Margy Lomax. The meeting was held at the Farmington City Hall, 130 North Main Street.

Mayor Harbertson called the meeting to order at 6:05 p.m.

## **Consideration of a request by Doug and Rebecca Marsiglia to narrow and/or vacate the east and south public utility easements on Lot 8 of the Farmington Ranches East Subdivision**

Mayor Harbertson introduced this agenda item stating that letters had been received from the public utility companies (Comcast Cable Communications, Questar Gas Company, Qwest, and Rocky Mountain Power) indicating they have no need for the easements in the backyard area of the Marsiglias' property. The Marsiglias are requesting the narrowing or vacating in order to build a swimming pool in their backyard.

Mayor Harbertson pointed out there is an appropriate 15-foot wide flat shelf adjacent to the curb and gutter on the north side of Clark Lane behind the property that is available should the City want to accommodate other utilities.

The City Manager said that staff was recommending approval of the "*Revocation and Abandonment of Easement*" as included in the City Council packets was written to vacate 6 feet of the public utility easement abutting the east side of the Marsiglias' property line and the north 6 feet abutting their south property line.

### **Motion**

**Rick Dutson** moved to authorize Mayor Harbertson to sign the Revocation and Abandonment of Easement as presented in the City Council packet.

Discussion followed with Mr. Hale receiving clarification on the location of the easement.

Mr. Marsiglia stated he would prefer having the entire 10-foot easement vacated instead of leaving a 4-foot strip on his property.

**David Hale** seconded the motion made by Council Member Dutson. The motion passed with Council Members Dutson, Hale and Young voting in favor.

Discussion was held on the need to keep the 4-foot section that would be left on Mr. Marsiglia's property. It was determined there would not a be need for it. The public utilities are all running along the front of the homes.

**Rick Dutson** said he was comfortable getting rid of the entire easement on the south side because of another potential utility corridor of 15 feet right below it and also there would be no need for the City to keep a 4-foot easement on along their east property line.

The City Manager stated that if any of the neighbors have a need to have the easement vacated, they would need to follow the same process as Mr. Marsiglia in getting their easement vacated, but it would appear there would be no problem in granting it to them.

**Sid Young** moved to repeal the previous motion vacating six feet of the easement and instead abandon the entire 10-foot south and east utility easements on Lot 8 of the Farmington Ranches East Subdivision. **Rick Dutson** seconded the motion. (Mr. Dutson was in total agreement with repealing his previous motion.) The motion passed with Council Members Sid Young, Rick Dutson, and David Hale voting in favor.

**Authorization to purchase park property in west Farmington from the Spader Family located west of 650 West and adjacent to City-owned 17-acre park land south of Farmington Creek.**

The City Manager had previously sent letters to property owners of property abutting the City-owned 17 acre parcel of park land property in west Farmington asking if they had any interest in selling their property to the City. Mr. Spader had responded to the letter offering to sell his parcel of property for \$80,000 to the City. This parcel of property is landlocked. It abuts to the easterly portion of the City-owned park property.

The City Manager reminded the Council it is important for the City to buy as much park land at this location because it has been a part of the City's long-term goal. Also, there is the issue of the need for a road into the future park site. He pointed out that funds have been budgeted for the purchase of additional land. The terms of the agreement would be to purchase the land for \$80,000. The City would pay for its own title insurance and all closing costs. The seller will pay the pro-rated taxes. Discussion followed over the price for the property, but it was felt \$80,000 was a fair price.

**Motion**

**David Hale** moved to authorize the City Manager to accept the offer as had been presented by Mr. Spader, the landowner, to purchase the property for a total of \$80,000 with the City paying for the title insurance and closing costs. The motion was seconded by **Sid Young**. The voting was unanimous in favor of the motion with Council Members Hale, Young and Dutson voting in favor.

There being no further business to be brought before the Council, the meeting was adjourned at 6:30 p.m. upon motion from **Rick Dutson** with a second by **David Hale**.

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Margy Lomax, City Recorder