

# FARMINGTON CITY COUNCIL MEETING

Tuesday, July 15, 2008

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## CITY COUNCIL WORK SESSION/KITCHEN

**PRESENT:** Mayor Scott Harbertson, Council Members Rick Dutson, David Hale, Paula Alder, Sid Young, and Cory Ritz, City Manager Max Forbush, City Planner David Petersen, Assistant City Planner Glenn Symes, and City Recorder Margy Lomax. (Youth City Council Member Aubree Riley attended the regular City Council meeting.)

**Mayor Harbertson** called the meeting to order at 5:30 p.m. Thereupon a motion was made by **David Hale** to recess the meeting in order for the City Council and Mayor to take a field trip to west Farmington to the CenterCal sales/lease trailer to see the model for the proposed Station Park development. **Paula Alder** seconded the motion and all Council Members voted in favor. The meeting was then recessed to go on the field trip.

## REPORT FROM CENTRAL DAVIS SEWER DISTRICT

At 6:10 p.m. the meeting was reconvened at the City Hall in the kitchen for the work session. Representatives from the Central Davis County Sewer District, Leland Myers and Jill Houston, along with John Thacker, a Board Member of the Sewer District, were present to provide information regarding sewer services for development in the west Farmington area.

Leland Myers addressed the Council stating the Sewer District's first Master Plan, which was prepared in 1985, was to determine the overall future needs of the District. The numbers used in that Master Plan were for one dwelling unit per acre for all of west Farmington. In 1990 to accommodate the jail which was constructed in west Farmington so a trunk line was installed to the pump station. In 1997 to accommodate future growth their plan included two dwelling units per acre, and the City's zoning was fairly consistent with this design. In 2002 the District upgraded the main trunk line. When the design was upgraded, they used the model capacity of one million gallons additional capacity over and above what the model said was needed for future growth.

Mr. Myers said they heard about the increased density that is being requested by America West for the proposed Transit Oriented Development for the west Farmington area at a Sewer District Board meeting within the last few months. This development is being planned for the area north of Park Lane. Up until that time, District officials were under the impression CenterCal was going forward with its development and then there would be a Class A Business Park to the north of Park Lane. Mr. Myers said that's what the Taxing Entity Committee was told was going to occur. A Class A business park would have a low-flow sewer demand.

When CenterCal came to the District, they asked for a variable capacity which exceeded the system capacity for what flow down 1100 West towards 450 South to the pump station. CenterCal

and the Sewer District entered into an agreement whereby CenterCal would install a pump station and take the entire flow from their area to the east to the trunk line which had excess capacity. CenterCal is looking at a flow projection of approximately 275,000 gallons up to 650,000 gallons per day which is double or triple the capacity the District had allowed, but is available within the trunk line. CenterCal needs are over and above the District projections.

It is now the District's understanding there are plans for 1,100 dwelling units in the area north and west of Park Lane. Mr. Myers said the dilemma with that large number is that it creates possible expansion requirements for the trunk line. It would absolutely require rethinking the pumping schematic at the plant, because it is over and above what is master planned or modeled in the plant. If the plans are approved by the City, the District will need to amend its Capital Facilities Plan and there would be a significant increase in impact fees in that area to accommodate potentially increasing the last leg of the trunk line and pumping schematic at the plant.

Maps were handed out to the Council which had been prepared by Sewer District personnel showing the Sewer District lines and pumping stations in west Farmington. Mr. Myers went into further detail regarding sewer requirements for the different undeveloped areas in west Farmington and possible scenarios of what would need to be done according to the zoning designation of each area. He stated the City controls the situation through the zoning process. If the residential housing units are approved, a full-sized pump station would need to be installed to handle the flow. Mr. Myers estimated costs to accommodate this would be \$750,000 for a pump station, \$1,500,000 for a trunk line (if needed) and \$500,000 for a plant.

Max Forbush suggested that the most significant policy issue is how much retail, office, and residential should be allowed to be developed in the area. He said there is no question that there will be more than two units per acre. He reported that the message that was sent to the RDA Taxing Entity Committee a few years ago was that the area north of Park Lane would be primarily non-residential development which would serve as an incentive to increase the tax base in that area. He suggested a meeting be held with the Taxing Entity Committee representatives to discuss the best uses for this area. It was felt that Davis County wants a Class A office and employment center located there. Mr. Forbush said the City is going to have to allow some residential in that area. He asked Mr. Myers what generates the most sewer needs.

Mr. Myers responded to his question stating that (1) high density residential generates a significantly higher demand with (2) commercial and industrial being next and then (3) office space. The demand ratio of the latter two combined is significantly less than that of residential use. He said that small pump stations are very economical to build. He said their impact fees are based on "residential equivalent" units. The current impact fee is \$1,700 per residential equivalent and is used to pay off bonds and pay for trunk line expansion.

### **Rainey Homes PUD Proposal**

David Petersen reviewed the request by Rainey Homes for approval of a PUD designation for their Tuscan Village Subdivision at approximately 1600 South 200 East. Mr. Petersen felt the developers have met the requirements for a PUD and are now asking for an overlay. The developer will be obtaining architectural renderings and floor plans for 8-10 different homes. These will be presented to the Council at a later date for approval.

### **Historic Building and Sites - Title 11 Chapter 39**

Glenn Symes reported the City Attorney has reviewed the changes to this ordinance and generally is okay with it. Mr. Symes said there are a few minor changes that need to be made such as the numbering and the way it is organized. He said Alysia Revell, Chair of the Historic Preservation Commission, will be present at the regular City Council meeting to do a presentation on how the ordinance would work. The Planning Commission recommended approval.

David Hale was concerned about notification to homeowners regarding their homes being listed on the historic register. He thought it would be a good idea to send the notification by certified mail. The notification and appeals process are key elements to the ordinance.

### **Bed and Breakfast Request**

A letter, included in the City Council packet under correspondence, related to a request by Byron and Judy Barton for an amendment to zoning text to allow for a bed and breakfast at 1744 North Main. The Council agreed with the City Planner that the Bartons should submit a site plan with their formal request.

### **REGULAR CITY COUNCIL MEETING/COUNCIL CHAMBERS**

Mayor Harbertson called the meeting to order at 7:05 p.m. and asked Council Member Rick Dutson to offer an invocation.

Jared Borden of Boy Scout Troop 534 led the audience in the Pledge of Allegiance.

### **APPROVAL OF MINUTES OF PREVIOUS MEETING**

A motion was made by **David Hale** and seconded by **Cory Ritz** to approve the minutes of the regular City Council Meeting held July 1, 2008, with amendments as stated. The voting was unanimous in favor.

### **PLANNING COMMISSION REPORT**

John Bilton, Planning Commission Chair, reported on the Planning Commission meeting held July 10. He stated the Gardner Development request for conditional use and site plan approval for a proposed Zion's Bank in the Village at Old Farm development along with their request for final plat approval for a minor subdivision dividing the Zion's Bank site from the remaining portion of the development area was tabled with a request for further information. He said there were questions/concerns about roads with visibility and width of Main Street and coming out of Somerset.

JSA Properties (Burt Brothers) requested a conditional use and site plan approval for a proposed Burt Brothers Quick Lube station which would be immediately north of the current Burt Brothers. Mr. Bilton said the Planning Commission did give their approval for this after quite a bit of discussion. The Quick Lube Station access and lobby will be facing west.

Mayor Harbertson said he had been at Burt Brothers today and spoken to them about their plans. Presently Burt Brothers is leasing the site but might be purchasing it. If that happens, they will be revamping the site.

The Planning Commission held a public hearing to receive input regarding amendments to Chapter 18 of the Zoning Ordinance regarding the TOD zone. This item was tabled for further discussion and additional public hearings.

Chapter 39 of the Zoning Ordinance dealing with Historic Buildings and Sites had been reviewed by the Planning Commission. Mr. Bilton stated he believes the ordinance is one of the strongest in the State and the Planning Commission is recommending approval by the Council.

America West Development appeared before the Planning Commission requesting approval of a Project Master Plan known as Park Place located between Clark Lane, 1100 West and the former D&RG rail line on 12.86 acres. This is a high-density residential and commercial mixed use development. The Planning Commission discussed infrastructure, density, the TOD ordinance, as it presently exists, the Project Master Plan; trail connections being established, parking being moved to the back, and other issues. The Planning Commission voted unanimously to recommend approval to the City Council.

**Public Hearing: Consideration of an Ordinance rezoning 4.63 acres located at approximately 40 East 700 South from AE to R (Z-2-08)/Consideration of schematic plan approval for 10 lot subdivision to be known as Pheasant Hollow**

Glenn Symes introduced this agenda item showing an updated schematic plan for this 10-lot subdivision. He said the wetlands will remain in their natural state. The developer plans on mitigating some of the wetlands and are working with the Corps of Engineers on this.

Rob Miller of Symphony Homes addressed the Council stating this small subdivision will connect 700 South and contains one large lot (1 3/4 acres) which has wetlands and will create

natural open space for the area. He said the process for mitigating the wetlands on the other parcels is a fairly simple process.

Mayor Harbertson opened the meeting to a public hearing at 7:20 p.m.

**Nadine Garrett, 56 East 700 South**, spoke. She is a neighbor to the subdivision. She said her biggest concern has to do with the sewer line. Her house sits lower than the sewer line and if the sewer backs up, it would back up into her home. She questioned how the sewer line would be routed through the subdivision.

Rob Miller responded to her question stating they are working with Central Davis Sewer District on a design appropriate for the development and that it will be rerouted. This issue will be fully addressed during the preliminary plat process.

Council Members Young and Dutson were concerned about the wetlands with homeowners encroaching on them. Max Forbush reported that the Army Corps enforces wetland issues.

David Petersen stated that it will be listed on the subdivision plat that there is an agreement between the Army Corps of Engineers and the developer alerting buyers to the fact there are wetlands on their property.

There being no further public comment, the Mayor closed the public hearing at 7:30 p.m.

### **Motion**

**Rick Dutson** moved to adopt the ordinance rezoning 4.63 acres located at approximately 40 East 700 South from AE to R. The motion was seconded by **Paula Alder** and passed with all Council Members voting in favor.

A second motion was made by **Rick Dutson** to approve the schematic plan for the 10-lot subdivision to be known at Pheasant Hollow in accordance with the Planning Commission findings and recommendations on the letter dated July 9, 2008, as included in the City Council packet. The motion was seconded by **Sid Young**. All Council Members voted in favor and the motion passed.

### **Public Hearing: Consideration of Ordinance approving PUD designation and preliminary PUD Master Plan approval for Nicholl's Nook on .94 acres located at 48 South 100 West in an R-4 Zone**

Glenn Symes introduced this agenda item and showed the preliminary master plan for the subdivision to be located on the west side of 100 West just south of State Street. There is an

existing home on the site and the developer has worked with the Historic Preservation Commission regarding this home.

At 7:50 p.m. Mayor Harbertson opened the meeting to a public hearing.

**Rodney Griffin**, developer, addressed the Council. He stated his plans have changed since receiving schematic plan approval for both sides of 100 West. On the east side he will have to put in a new sewer line so he is just developing the west side right now. He said he has worked with the abutting property owners to ensure they will be able to develop/use the back portion of their properties. This plan allows their lots to be developed without having 200 West be the major point of access. He has spoken with UDOT officials, and they are in agreement with his plans.

He has an easement agreement with Mrs. Mecham, an abutting property owner, to utilize the back end of her property for a graveled (12" compact road base) hammerhead turnaround which will give the Fire Department better access into the subdivision and will also be used for weekly garbage collection. He believes the location of the hammerhead will not be the location of a road in the future and does not want to go to the expense of asphaltting it now just for service vehicles, but recognizes it needs to be safe and accurate. The road itself will be a dedicated public street. At the present time, Mrs. Mecham is not amenable to having a hard surface road on her property.

There were no other public comments, so Mayor Harbertson closed the public hearing at 7:55 p.m.

**Sid Young** felt it would be difficult for snowplows to plow the hammerhead with a graveled surface. **David Hale** agreed that it should be hard surfaced.

Mr. Griffin responded saying his engineer feels the surface can be made hard enough to accommodate the vehicles, but said he is agreeable to meet with the City Engineer, his engineer, along with Public Works personnel and the Fire Chief to determine if there is a better product to place on the hammerhead.

**Rick Dutson** expressed appreciation for Mr. Griffin's willingness to work with the City and acknowledged how much time Mr. Griffin has spent on this development and wants to move it along as quickly as possible. He feels there will be a maintenance issue with respect to the compacted road base.

Mr. Forbush said normally the City requires asphalt on a hammerhead, but due to the fact the developer has been successful in extending utilities into the property when Mrs. Mecham did not even want any development in her back yard, he felt they should be able to come up with a solution to the problem possibly using ground-up asphalt which was used on the road into the commuter rail station.

Paul Hirst, City Engineer, said as long as the compacted road base is dry, it will be okay, but when it gets wet it collects moisture and the rock fines become loose.

Mr. Griffin informed the Council there will be common ownership of the property with the yards being maintained by an HOA.

**Mayor Harbertson** stated the Council is concerned about HOAs some point in the future not wanting to maintain their open space anymore and then the HOA goes defunct.

Mr. Griffin suggested the possibility of having the six attached twin homes be on dedicated lots so that all the property is divided up to specific homeowners instead of having any common open space. He said the floor plan has main-level living to make it attractive to retired people.

### **Motion**

**Rick Dutson** moved to approve the ordinance approving the PUD designation and preliminary PUD Master Plan approval for Nicholl's Nook on .94 acres located at 48 South 100 West in an R-4 Zone with the understanding there is a concern by the Governing Body regarding the surface of the turnaround at the end of the street and that the applicant will work with Public Works and the City Engineer to come up with an acceptable surface and includes compliance to the conditions of the letter dated July 9 from the Planning Department. The Fire Department will be included in the meeting if necessary. **Paula Alder** seconded the motion which passed with all Council Members voting in favor.

### **Public Hearing: Consideration of Ordinance approving PUD designation for Tuscan Village Subdivision in south Farmington at approximately 1600 South 200 East**

Mayor Harbertson opened the meeting to a public hearing at 8:20 p.m.

Brock Johnson of Rainey Homes addressed the Council stating this development will have traditional-style homes. The setback requirements need to be flexible to be able to eliminate garages as the focus of the home. To construct a more traditional housing style will require smaller side, rear and front yard set backs required by ordinance. A PUD overlay zone will allow applicant to deviate from the standards of the underlying zone. He said it is their intention to take pictures of traditional Farmington Main Street homes and incorporate that style into their development. There will be 8 different plans with two to three different elevations.

The public hearing closed at 8:25 p.m.

Mayor Harbertson expressed concern about an HOA. Mr. Johnson responded stating that much of the open space in their development is not such that needs maintenance. He doesn't believe there is a single area that would require weekly maintenance except for the strip the City owns.

Even the detention basin is going to be wetlands with natural vegetation such as cattails and the other side of the detention basin falls under a conservancy lot that will be owned by the individual.

Discussion was held regarding the location of the trail. It was felt there would be less liability to the property owner if it were given by fee title to the City.

### **Motion**

**Paula Alder** moved to approve the PUD designation by adopting the ordinance for Tuscany Village Subdivision located in south Farmington at approximately 1600 South 200 East and that developer follow the conditions set out by the Planning Commission in their letter dated July 9, 2008. The motion was seconded by **Sid Young**. The motion passed unanimously.

### **Public Hearing: Consideration of Ordinance amending Chapter 39 of Title 11 regarding Historic Buildings and Sites**

Glenn Symes told the Council the ordinance was ready to be adopted that the Planning Commission had been working on it for eight months. Neil Lindburg, an attorney of historic law, had been hired by the City to help with the ordinance.

Mayor Harbertson opened the meeting to a public hearing at 8:35 p.m.

**Alysa Revell**, Historic Preservation Commission Chair, gave a power point presentation on how the ordinance will work. The changes to the ordinance will allow Farmington City to start achieving its historic preservation goals. There are two different lists where historic buildings can be listed – the *Historic Sites List* and the *Landmarks Register*. The Historic Sites List will identify and list all known historic resources within the City without having to do expensive professional surveys. It will say a little about a lot of different properties. Alysa said they want the list to be widely available so that people know the historic resources in the City. The Landmarks Register will provide limited protection to preserve the most important historic resources from demolition which includes demolition by neglect. This is a more exclusive register. It will have buildings on it such as the Rock Church, the Davis County Courthouse, the Rock Hotel Dental Office, the Rock Mill, etc.

Mayor Harbertson closed the public hearing at 8:45 p.m. The ordinance had been discussed at the last Council meeting. Changes to the notification and appeal process had been made since then and the City Attorney has reviewed it and is okay with it.

**David Hale** expressed concern about making sure that property owners know their historic building is going on or is listed on the Historic Landmarks Register. He felt a certified letter telling

them about the historic designation of their home would be appropriate. If their property is on this register, the property owner will be asked to maintain and do things to keep that historicity stronger.

Sid Young stated his concerns had been property rights, the appeal process, and landowner involvement but felt they had been appropriately addressed in the ordinance.

Cory Ritz stated when he was a member of the Planning Commission, and they looked at this ordinance, they were very concerned about individual rights and at the same time the protection of historic structures.

The Council expressed appreciation and thanks to Alysa and all those who had worked so hard in the preparation of the ordinance. It was felt this ordinance is a model for other cities to follow.

Sid Young suggested the historic list and register should be placed on the City's website so it would be available to the public.

David Hale said there are plans for the website to put pictures and a book with a GPS and an overview so you can actually go down the streets and see the houses and know who owns them and see the history behind them. This will be a tool which can be used by planners, developers, the Planning Commission and City Council.

### **Motion**

**David Hale** made a motion to tentatively adopt the ordinance as had been included in the City Council packet and as had been presented to the Council with a change on the notification of placement on the register list that instead of it just being in writing that it be sent by certified mail and that the numbering be changed by the City Attorney to make it consistent with other City ordinances. The ordinance is to come back to the Council at their next meeting for final review and formal adoption. **Cory Ritz** seconded the motion and it passed with all Council Members voting in favor.

### **Request for City to assume maintenance responsibility for median strip within Shepard Creek Parkway - Farmington Development Corp.**

Farmington Development Corp. has sent a letter to the City requesting the City take over maintenance of the median strip located within Shepard Creek Parkway and also the landscaped "common area" located at the corner of Shepard Creek Parkway and Shepard Lane. Mayor Harbertson suggested a couple of City Council Members review the Master Development Agreement dealing with this property to determine the City's responsibility **and** to look at options available to the City. Farmington Development Corporation is saying the

agreement expires in 2009 as far as maintenance is concerned. **David Hale and Rick Dutson** volunteered to be on the committee.

Cory Ritz suggested if this is something the City has to take responsibility for that the feasibility of xeriscape landscaping be looked into.

Mr. Forbush suggested some citizens living in the development be involved in the discussions. Judy McKee, 978 North King's Crossing Drive; Jan Hadley 1044 West Turnberry Circle; and Yvonne Edwards, 949 West Willow Green Way, were in the audience and volunteered to be on the committee. They are officers in the Estates of Shepard Creek Homeowners Association.

### **Drainage Agreement with Duane and Kristin Farley**

Mayor Harbertson said the agreement reflects a discussion with the Farleys, the City Engineer, the City Manager and the City Storm Water Official. The agreement memorializes the parties understanding of the facts.

The City Manager said an appointment will be scheduled with Mr. Farley, the City Engineer and Public Works Director to discuss what can be done on the north side of Mr. Farley's property to improve flooding safety. The possibility of installing inlet boxes over the pipe on the north side of his property will be discussed. Adding additional inlet boxes would allow water to flow into the drainage system which affords more protection for the homeowner. A few years ago flooding occurred on his property threatening the safety of his family.

### **Motion**

**Sid Young** moved to approve the agreement with Duane and Kristin Farley as had been presented in the City Council packet with one change being made at the end of Recital "D" where it reads "*that exceed 10 (10) year storm designs*" be changed to read "*that exceed ten (10) year storm designs*". **Paula Alder** seconded the motion which passed with a unanimous vote.

### **Presentation of Phase II of Transportation Study results regarding Legacy/Park Lane options - Tim Taylor**

Tim Taylor, the City's traffic consultant, reported on the findings of Phase II of his Transportation Study regarding Legacy/Park Lane. The Phase I analysis looked at things on a local level not a regional level. Some of the key things they found in Phase I was that Park Lane needed

to be restriped with the opening of Legacy Highway. They feel there is potential to get additional capacity on Park Lane by making some of the improvements recommended in Phase I. Another part of Phase I is the necessity of a second signalized access with the realignment of Park Lane and Clark Lane. The findings and recommendations from Phase I have now been included in Phase II.

Mr. Taylor said a lot of effort has gone into studying and checking the feasibility of the “western alignment” alternative for the Legacy to Legacy North connection. Since the completion of Phase I, the Legislature passed a bill that designates certain high priority transportation corridors within the State, and they have designated the old D&RG alignment as a “high priority corridor” which requires them to do certain things and the City to do certain things in terms of notification when there is an applicant within that right of way. This is a significant thing in terms of UDOT’s process.

At UDOT’s May Transportation Commission meeting they allocated funds for an Environmental Impact Statement (EIS) of this corridor, not just the section that’s within Farmington but all the way up potentially into Odgen. They expect to be starting with this EIS this year. UDOT has spoken very favorably about the western alignment or Farmington’s alignment. It will be the primary alignment that they want to study with their preferred alignment being a backup option for them. They still have concerns about the wetlands and the fact that it is not a transportation corridor, just open land. They are still moving forward trying to acquire property within their alignment.

Mr. Taylor said the Base Scenario incorporates Phase I recommendations and then there are four different scenarios. They are: (1) the local access interchange at Shepard Lane for residents; (2) UDOT preferred alignment; (3) Farmington alignment; and (4) Farmington alignment with Shepard Lane local access interchange. Mr. Taylor said the fourth scenario is the best scenario.

Some of the key questions addressed in the study were:

- *How does a local access interchange at Shepard Lane affect traffic on Park Lane and Shepard Lane (east of I-15)?* A chart was shown listing the numbers for two-way daily traffic volume for 2020/2040 for each of the scenarios.
- *What can we expect in terms of peak hour traffic operations on Park Lane with each scenario?* The level of service in the year 2020 and 2040 was graded for each scenario with Scenario 4 (Farmington’s alignment with Shepard Lane local access interchange) receiving the highest grades.
- *What is the difference in daily traffic volumes on the Legacy North Connection between UDOT’s preferred alignment and Farmington’s alignment?* Examples were listed on existing daily traffic volumes.

The key issues and study findings were listed as follows:

- The Farmington alignment scenario needs to include a local access interchange at Shepard Lane in order to provide acceptable traffic operations on Park Lane.
- UDOT's preferred alignment scenario results in acceptable traffic operations on Park Lane.
- The analysis indicates that there is a need for a North Legacy connector.
- Daily traffic volumes on the North Legacy connector with the Farmington alignment are similar to the volumes with UDOT's preferred alignment.
- As a stand-alone improvement, a local access interchange at Shepard Lane/I-15 improves traffic operations on Park Lane - acceptable through 2020.
- A local access interchange at Shepard Lane/I-15 is expected to decrease traffic volumes on Shepard Lane between I-15 and U.S. 89.
- Phase I roadway network improvements are expected to provide acceptable traffic operations to 2020.

Mr. Taylor reported that he had spoken to Cory Pope of UDOT regarding the findings.

Rick Dutson said the quality of life issue is the key element in where the road is located.

Mayor Harbertson pointed out the Farmington alignment hinges on mitigating wetlands along the route. He said City officials have kept their promise to the residents when a year ago it was promised the City would do a study and get the answers to determine if pressure can be taken off of Park Lane and study the different alternatives for the North Legacy connector highway.

Mr. Forbush said there is still a lot of work to be done to update the Master Transportation Plan and with local network transportation impact fees. Once that is done a public hearing will need to be held to consider amending the Master Transportation Plan.

### **Future Meetings and Assignments**

Mayor Harbertson reminded Council Members that on July 19 at 10:00 a.m. at the Museum the Historic Preservation Commission will be presenting plaques to owners of homes listed on the National Register of Historic Places. The markers can be placed on their properties and were funded through the Certified Local Government grant program.

The City Manager reported he had not heard from Mark Johnson of Civitas who is going to help make arrangements to tour form-based zoning developments in the Denver area. He will

continue to try and get in touch with him and then it will be decided how many Council Members will be able to go.

Mayor Harbertson said there will be an evaluation meeting for Festival Days and asked for comments, good or bad, about the Festival Days events. He expressed appreciation to Parks & Recreation staff for the great job they had done with Festival Days.

### **City Council Report**

**Paul Alder** reported Sarah Hale has volunteered to be the Chair for Festival Days for next year. The Council was pleased and agreed to her appointment. She also reported the Relay for Life will be held September 13-14 at Cherry Hill.

**Rick Dutson** said there is a drainage issue next to Michelle Baires' home. He asked Max Forbush if the Homeowners Association from Creekside Estates had contacted him regarding maintenance of their open space. Mr. Forbush said they had not. He also asked that zoning enforcement issues be carried out for the Bailey's Brass Comb property on north Main Street. There is a problem with cars being repaired and stored on the property.

**David Hale** reported Glenn Leonard is excited about getting started to write Farmington's history.

**Sid Young** said he had met with County people to look at the fire break road. The intent is to have a meeting with abutting property owners regarding easement issues. He said when the road is completed, there will be issues in terms of patrol and access. He felt it is important to control the use of that road.

### **Miscellaneous**

Max Forbush informed the Council of the need to schedule a public hearing in August on the use of Heritate Park for use as a soccer field.

### **Closed Session**

At 10:00 p.m. a motion to go into closed session to discuss strategy as it pertains to acquisition of real property was made by **David Hale** and seconded by **Sid Young**. The motion passed with a unanimous vote.

### **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 in a closed meeting.

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Scott C. Harbertson, Mayor

A motion to go back into an open meeting was made at 10:20 p.m. by **David Hale**. **Rick Dutson** seconded the motion and all Council Members voted in favor.

A motion was then made by **David Hale** and seconded by **Cory Ritz** to adjourn the meeting at 10:20 p.m.

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Margy Lomax, City Recorder