

# FARMINGTON CITY COUNCIL MEETING

Tuesday, October 21, 2008

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## CITY COUNCIL WORK SESSION/EAST CONFERENCE ROOM

***Present:** Mayor Scott Harbertson, Council Members Paula A. Alder, Rick Dutson, David Hale, Sidney C. Young, Cory Ritz, City Manager Max Forbush, Assistant City Planner Glenn Symes, City Recorder Margy Lomax, Recording Secretary Cynthia DeCoursey*

**Mayor Harbertson** began discussion at 6:20 p.m. The opening prayer was offered by **David Hale**. The **Mayor** asked **Max Forbush** to review the motions regarding the Tuscany Village PUD because he needed to leave the meeting early.

## PETITIONS AND REQUESTS: CONSIDERATION OF CHANGES/ADOPTIONS OF AGREEMENTS AND EASEMENTS PERTAINING TO TUSCANY VILLAGE PUD (Agenda Item #7)

- **Approve changes to and formally adopt Development Agreement**
- **Approve Improvements and Reimbursement Agreement**
- **Approve Pioneering Agreement**
- **Minute motion accepting the Conservation Easement on open space**
- **Minute motion accepting the Conservation Easement on the conservation lot**
- **Accept Temporary Storm Water Detention Basin Easements**

**Max Forbush** told the Council that there were six minute motions to be reviewed regarding this PUD. He gave a map of the subdivision to each of the Council Members. He then presented each of the minute motions that require approval before the recording of this PUD. The first motion he discussed was the Development Agreement. He stated that the most changes this Agreement is the long-term plan for the width of the frontage road pavement. He suggested that the pavement be 36 feet. This is the standard width and would allow two lanes of traffic in addition to bicycle lanes on each side of the road. There would be no parking along the route.

**David Hale** asked if the Planning Commission had looked at these changes. **Max** responded that it was not required for them to give approval.

**Max** then referred to the Improvements and Reimbursement Agreement. He said this Agreement has been reviewed by the city attorney. On Exhibit X of the Agreement, the City agrees to reimburse the development for improvements that the City calls "system improvements". These are improvements that benefit the City that are listed on the City's Capital Facilities Plan. Exhibit X shows the cost sharing for each of these improvements. The amounts of both road widening improvements (\$11,521.00 north of 1600 South and \$14,570.55 south of 1600 South) will be reimbursed to the developer through the transportation impact fees. Exhibit X also shows the costs

of the water line and storm drain. Various negotiations were done to reconcile differences between the developers and the City in regards to these costs.

The next agreement **Max** presented for approval was the Pioneering Agreement. He pointed out that a couple of changes were made in the last paragraph. He also reviewed Exhibit C which shows the various costs and requirements. **F. J. Parker** owns adjacent property, and he will benefit from the improvements made by the developer—road, water and sewer, curb and gutter. This Agreement provides that if **F. J. Parker** develops within the next seven years, he will need to reimburse the developer for his prorated share of the costs along the property marked in red on the map. There was some discussion about the amount of time (7 years) that is currently on the Improvements and Reimbursement Agreement. **Rick Dutson** pointed out that this did not seem fair to the developer since the costs could be substantially more several years in the future than they are right now. **Max** then suggested that the payback time period could be extended to 10 years instead of 7 years which would give them a little more time to get reimbursed.

The next two items discussed were the Conservation Easements. On the Conservation Easement document, Item #18 was brought up as a concern. **Max** asked **Glenn Symes** to evaluate the maintenance plan on this subdivision to make sure that it is worded right to prevent the HOA from finding issues with the terms at a later date.

The last item reviewed was the Temporary Storm Water Detention Basin Easement. There didn't appear to be any questions related to this document.

### **Miscellaneous Items**

**Mayor Harbertson** asked if there were any other questions or agenda items. There was a brief discussion about Agenda Item #5, the Neighborhood Park in Farmington Ranches, and **Max** left the meeting at 6:55 p.m.

**Paula Alder** said that she recently received a letter from Utah State University with an opportunity for the City Council to apply for and possibly receive a grant of \$1,000 for a community service project. The University's plan would be for the service project to start in November and culminate on April 25, 2009. The application is due next week. She asked what the Council thought about applying for this grant. After a brief discussion, it was decided that they would like the Youth Council to be involved, but they do not have a meeting scheduled before the deadline. Various ideas were suggested, but many of them were service opportunities in other cities. **Paula** stressed that this project must benefit our own community. **Mayor Harbertson** commented that George Chipman and the Trails Committee might have a suggestion for such a service project. No agreement was reached on this issue.

The work session ended at 6:58 p.m.

**REGULAR CITY COUNCIL MEETING**

***Present:** Mayor Scott Harbertson, Council Members Paula A. Alder, Rick Dutson, David Hale, Sidney C. Young, Cory Ritz, Assistant City Planner Glenn Symes, City Recorder Margy Lomax, Recording Secretary Cynthia DeCoursey.*

**Mayor Harbertson** called the meeting to order at 7:05 p.m.

**INVOCATION, PLEDGE OF ALLEGIANCE**

**Cory Ritz** offered an invocation and **Jacob Spencer**, a Boy Scout, led the audience in the pledge of allegiance

**APPROVAL OF MINUTES**

The Council reviewed the minutes of the October 7, 2008 City Council Meeting. There were a couple of changes that needed to be made.

**Motion**

**David Hale** moved that the minutes of the October 7, 2008, City Council Meeting be approved as amended. **Cory Ritz** seconded the motion and all approved. **Rick Dutson** was absent at the last meeting and so abstained from voting.

**SERVICE AWARD PRESENTATION**

**Mayor Harbertson** and **Police Chief Hansen** presented a service award to **Officer Dale Scow**. The **Mayor** stated that **Officer Dale Scow** is a police officer who has been with Farmington City for 15 years and commended him for his service. **Chief Hansen** also offered a few comments. He showed the ring with a red stone that represents 15 years of service. He said that **Officer Scow** has made Farmington a better place to live. **Officer Scow** then offered his thanks.

**PLANNING COMMISSION REPORT**

**Mayor Harbertson** reported the Planning Commission had gone on a field trip to the Daybreak development, and their report of that trip will be combined with their next Planning Commission meeting report at the November 5 City Council meeting.

**(PUBLIC HEARING): CONSIDERATION OF RESOLUTION APPROVING FARMINGTON RANCHES NEIGHBORHOOD PARK MASTER PLAN (Agenda Item #5)**

**Mayor Harbertson** introduced this agenda item. Approval of the plan still needs to go to the Planning Commission, but the City Council decided review this first. No decision will be made until after the Planning Commission reviews it. The **Mayor** stated that because of the interest on this item, the Council wanted to hear the comments of residents from the Farmington Ranches area.

### **Public Hearing**

**Mayor Harbertson** opened the public hearing at 7:15 p.m.

**George Chipman**, 433 South 10 West, spoke in behalf of the Farmington Trails Committee. He is pleased to see the progress on this park, and he is glad that the park will have a trail through it. This will be an important addition to the park. He had several questions: "What type of surface would be used on the trail? Would the length of the trail be the entire length of the park?" He offered the help of the Farmington Trails Committee. He stated that they have had great success this year using Scouts to help with trail preparations and construction efforts.

**Stephen Petersen**, 1981 Old Fort Road, is the HOA representative from Farmington Ranches. He said that the HOA and the City have been working together on this park for the past three years. He has been involved with the entire process. They have worked on the design, legal issues and plans. He is grateful that they have come together with a general consensus on the plans. He brought up two issues that he and other residents have. The first was regarding the amenities. On the south end of the park is a parking lot. On the west side there is a tennis court. Both are close to the homeowners. He proposed that the parking lot not be moved but that a shift of 45 feet to the east be made so that more space would be provided between the homes and the park. The second issue was a request that the HOA and the City create a more detailed landscape plan. The HOA would like to know where trees, shrubs, grass etc. will be located and which areas will be left as wetlands or natural terrain. He plans to continue to work with City staff to make these things happen.

**Matthew Gore**, who lives in Farmington Ranches, Phase 5, said he has a concern with Ironside Road. He is worried that when the parking lot is filled, cars will park at the entrance and on the sides of the road and obstruct views. He wanted to know if the City will do any striping or signs or other things to make that a safer area. Also, he is not sure if emergency vehicles would have enough room to turn around in the parking lot. He suggested that some type of raised landscaping or possibly a berm be located around the tennis courts—something to allow more privacy to the adjacent homeowners. He also wondered if there could be a cost savings if the restrooms were combined into one structure with the pavilion.

**Gordon Crabtree**, President of the Farmington Ranches HOA, stated that he was pleased with the cooperation between the HOA and the City, and he expressed appreciation to the Council.

The **Mayor** then closed the public hearing at 7:32 p.m. He commented that it has taken a long time to get this point, and he is excited that it will be constructed. He stated there are tight money

restraints from the amount of impact fee dollars that the City has been able to allocate for this park. The City was also able to receive a Land & Water Conservancy Grant. He reviewed the items and costs that are listed on the master plan. The **Mayor** expressed his appreciation to all those who have put in time on this issue.

**Neil Miller** displayed a map of the park area, and there was further discussion on the various issues. The question of having a berm was raised, but it was pointed out that some believe that they actually create less privacy. Neil reported Erik Lyman has been helping with the landscape plan. The sequencing of the project was then discussed. A time line was shown on the master plan handout.

**Rick Dutson** felt the tennis courts are located too close to the homeowners' property lines.

There was no action taken by the Council choosing to wait until a recommendation is received from the Planning Commission regarding this agenda item.

**(PUBLIC HEARING): CONSIDERATION OF ORDINANCE REZONING PROPERTIES FROM R-2 TO R (RESIDENTIAL) OR LR (LARGE RESIDENTIAL) ON PARCELS IN THE FOLLOWING SUBDIVISIONS OR PUDs (Agenda Item #6):**

- Somerset Hollow
- Somerset Farms
- Somerset 3
- Oakridge Farms (located at approximately 1400 North 1580 West)
- Farmington Orchards (located at approximately 1400 N. Cherry Blossom Drive)
- Quail Run (located at approximately 350 W. Quail Flight Road)
- Shepherd Creek Country Estates

**Public Hearing**

**Mayor Harbertson** opened the public hearing at 7:38 p.m.

**Glenn Symes** reported that this is a city-initiated zone change. He then said that subdivisions in the north half of the City would be reviewed tonight, and the subdivisions in the south half of the City will be reviewed at a future meeting. Some of these subdivisions were recorded prior to 1979 which is when the first single-family residential zone was passed by the City. The subdivisions recorded before 1979 utilized the most restrictive zone at the time which was an R-2 zone. He said that a few people from these subdivisions came to the City and requested a zone change that would more closely match the CC&Rs for their subdivision. When residents from two of these subdivisions came to the City with the same issue, it was decided to look at all of the subdivisions in the City that were recorded prior to 1979 to see if it would be appropriate to change the zoning and if so what zone should we change it to match most accurately the existing land use. There are two options: LR (large residential) and R (residential). The primary factor in determining which option fits the best is lot size. The minimum lot size in the R zone is 8,000 square feet, and the minimum lot size in the

LR is 10,000 square feet. It was determined how many lots were smaller than 10,000 square feet and then chose the appropriate zone for that. It is desirable to have as few legal, non-conforming lots as is. The Planning Commission held a hearing on September 25, and made the following recommendations to the City Council as to what zoning should apply to each subdivision: Somerset Hollow, Somerset 3, and Oakridge Farms – “R” zoning; Farmington Orchards, Quail Run and Shepard Creek Country Estates “LR” zoning.

**Glenn** reported they looked at some of the properties along Leonard Lane. Their HOA asked that the City not act on their subdivision until they had a chance to meet and discuss the issues.

**Rick Dutson** asked if the Shepherd Creek Country Estates subdivision had been notified of this change, and **Glenn** replied that they had.

**David Hale** then asked if any building permits had been issued that would conform to a duplex or multiple-family dwelling in these areas. He wanted to know if someone who was in a multiple-family situation and was renting the house, would they be doing it illegally? **Glenn** replied that it depends on what exactly they are doing. If they are renting the entire house and they are not living there, the City does not have restrictions on that. If they are renting out a basement apartment, which is called secondary apartment, even under the current R-2 zone, they would have to get a conditional use permit. This means that they have to present the situation to the Planning Commission, get the proper building permits, have separate utilities, and meet all the other requirements that are necessary. In other words, they would need to comply with existing ordinances. In other words, they would need to comply with existing ordinances. **David Hale** commented that these requirements are meant for public safety—the general welfare of the people living there.

### **Public Hearing**

**Mayor Harbertson** opened the public hearing at 7:38.

**Mark Howard**, 681 Eaton Court, Somerset Farms, asked what the difference is between the R-2 and R zoning. He said he was not sure what the City is attempting to accomplish—why the zoning is being changed and what the impact would be.

**Glenn** showed a slide showing the differences between the zones. He said that the difference between the two is that the R-2 would allow duplex and twin homes as a permitted use and they are not allowed in the single-family zones. The secondary and accessory dwellings are listed as conditional uses in the R-2 and the LR zones. **Paula Alder** pointed out that because of the CC&Rs in these subdivisions, there were no duplexes built. Only single-family homes were built. The most restrictive option back then was the R-2 zone. The City would like to change the zoning now to R so that it fits with the restrictive covenants of the majority of the subdivisions and with existing housing types.

**Mark Howard** then said that his neighborhood is changing with a lot of the homes being rented out. He said they have had problems with lots of people trying to live in the same home. He knows of a home where 6-7 young men were living in one house. One of them rented the house and then sublet rooms to his friends. He asked if this was legal and if the zone change would have any impact on a situation like that.

**Mayor Harbertson** and the Council stated that this type of situation would not be legal in either of the zones. If that type of situation happens again, a letter referencing the problem or complaint should be sent to the City. The City would then investigate the problem.

**David Hale** commented that the CC&Rs exist to restrict these subdivisions to single family homes. He also stated that if this type of situation (subletting of rooms) under the current zoning the only thing they could do would be to bring a civil suit against that person.

**Ron Martinez** asked if all of these subdivisions were zoned before 1979. He also asked if the CC&Rs take precedence over zoning. He questioned that if the R-2 zone is changed, would that mean that no one can rent out their basement.

**Glenn** replied that was not necessarily the case. He said there are conditional use requirements in both the R-2 and LR zone and renting would require a permit. The rental must meet the requirements of a secondary dwelling, such as fire, electrical, parking and other code requirements.

**Mayor Harbertson** then read a letter received via fax to the City offices this afternoon from the ACLU opposing the zone changes. The ACLU is concerned about the lack of affordable housing. Mayor Harbertson said that this issue has been discussed in depth, and the Planning Department has done research regarding this issue. He said that affordable housing is needed in all cities. He stated the City has been looking at a possible ordinance in the future which will address the needs of those people over 65 years of age. These people often want to rent out their basements so they can have some additional income. With the zone changes proposed, the City will basically be ratifying what is already in their CC&Rs or the housing types as they currently exist.

The public hearing was closed at 7:52 p.m.

### **Motion**

**Rick Dutson** moved that **Somerset Hollow, Somerset Farms, Somerset 3 and Oakridge Farms** subdivisions be rezoned from R-2 to R. **Cory Ritz** seconded the motion, and it passed unanimously. **Rick Dutson** also moved that **Farmington Orchards, Quail Run, and Shepherd Creek Country Estates** subdivisions be rezoned from R-2 to LR. **David Hale** seconded the motion, and it passed unanimously.

**PETITIONS AND REQUESTS: CONSIDERATION OF CHANGES/ADOPTIONS OF AGREEMENTS AND EASEMENTS PERTAINING TO TUSCANY VILLAGE PUD (Agenda Item #7)**

- **Approve changes to and formally adopt Development Agreement**
- **Approve Improvements and Reimbursement Agreement**
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- **Minute motion accepting the Conservation Easement on the conservation lot**
- **Accept Temporary Storm Water Detention Basin Easements**

**Dave Petersen** said that the documents are ready for approval.

**Public Hearing**

Mayor Harbertson opened the meeting to a public hearing at 7:54 p.m.

**Brock Johnston**, 520 North 900 West, Kaysville, representative from Rainey Homes-- developer for this project -- stated they are supportive of approval of the documents.

The **Mayor** pointed out that the Council had discussed the agreements and issues during the work session. He also said the Council wanted to change the 7-year time frame to 10 years on the Pioneering Agreement. Mr. Johnston was pleased with this change. The **Mayor** then stated that the Council wanted to make sure the conservation easements are all in place. He said they do not want the **HOA** to change their mind later and not take care of the open space. **Brock Johnston** said that on the majority of those open space lands, there are also wetland deed restrictions that will be recorded along with it. The Deed Restrictions Form from the U.S. Army Corps is their own form, and he believes that it is tight and cannot be easily changed.

The public hearing was closed at 8:08 p.m.

**Motion**

**Sid Young** made a motion to approve the changes to and formally adopt the Development Agreement with the discussed revisions. **David Hale** seconded the motion, and the motion passed unanimously.

**Sid Young** moved to approve the Improvements and Reimbursement Agreement with the change being made from 7 years to a 10-year time period. **Paula Alder** seconded the motion, and it passed unanimously.

**Sid Young** made a motion to approve the Pioneering Agreement. **Rick Dutson** seconded the

motion, and it passed unanimously.

**Sid Young** made a motion to accept the Conservation Easement on the open space with the request that the wording on page 9, item 18 be looked at. **David Hale** seconded the motion, and it passed unanimously.

**Sid Young** made a motion to accept the Conservation Easement on the conservation lot. **Cory Ritz** seconded the motion, and it passed unanimously.

**Sid Young** made a motion to accept the Temporary Storm Water Detention Basin Easements. **Cory Ritz** seconded the motion, and it passed unanimously.

### **PETITIONS AND REQUESTS: VISION STATEMENT OF FARMINGTON MIXED USE DISTRICT (Agenda Item #8)**

**Rick Dutson** gave an update on the subcommittee recommendations for this issue. He gave each Council Member a copy of the Vision Statement for the Farmington Mixed Use District which was dated October 13, 2008. A meeting with the subcommittee and City staff will be held on October 30, 2008 at 5:00 p.m. **Council Member Dutson** stated that the committee would like input from the City Council. They have representation from City Council, developers, City staff, and the Planning Commission. The intent for the October 30<sup>th</sup> meeting is to be able to work through some of the finer details of the text. After that meeting, the Vision Statement will go before the Planning Commission for their public hearing, and then it will come before the City Council—hopefully some time in November or December. Pictures will be taken of the various mixed uses a representation can be seen so that we can feel more comfortable about what is being considered. Council Member Dutson said he has been pleased with all of the input; it has been very professional. He then asked if there were any questions or comments.

The **Mayor** questioned whether priorities are really needed. He said that he doesn't think changing the order of the objectives or priorities would make much difference. **Rick Dutson** responded that if there was a debate on an issue, the committee and/or City would be able to specify which item they felt was a higher priority. The Council agreed that each of the objectives are important, but every person will have different ideas on which should have the higher priority.

**Sid Young** commented that the four objectives work well. He mentioned that during the trip to Denver, he noticed that in some of their mixed use districts, many of the cars and parking lots were shielded and not visible. He also would like more specific comments on parks. He said that in Denver and in the Daybreak Development here in Utah, city parks were vital. He would like to see that same type of thing here.

**Cory Ritz** said we should be absolutely clear about what the words mean—particularly on objective 3.

**Paula Alder** said that she likes the buffers.

The **Mayor** asked if the statement represents how the Council feels about this area and if there were any additions. He complimented those involved and said that the statement was very well thought out and well done.

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

- 9-1. Ratification of Approvals of Construction Bond Agreements
- 9-2. Approval of Change Order for Police Station in amount of \$3,239 for lighting for covered parking
- 9-3. Ratify contract for architectural services for preliminary City Hall site studies signed by City Manager in an amount not to exceed \$5,000.
- 9-4. Approval of HVAC Maintenance Contract with Comfort Systems USA.
- 9-5. Approval of “Road to the North” Agreement as previously signed by Mayor Harbertson.
- 9-6. Approval of August and September Disbursement Lists.

The **Mayor** asked for any questions/comments. He then stated that there was a slight increase (four percent) on the HVAC Contract. There was no increase last year.

**Motion**

**David Hale** made a motion to approve all of the items listed on the summary action list as noted above. **Rick Dutson** seconded the motion, and it was unanimously approved.

**CONSIDERATION OF ORDINANCES/RESOLUTIONS/AGREEMENTS (Agenda Items #10 and #11)**

- **Conceptual Consideration of Employee Incentive Program to encourage driving safety as part of the City’s Risk Management Goals**
- **Conceptual Consideration of trading holiday times (this year only) - the day before Christmas for the day after Christmas**

Max Forbush who had been at the work session earlier, but had to leave for a conflicting event, returned at this point in the meeting.

**Mayor Harbertson** opened discussion of the incentive program. He stated that he did not agree with the wording in paragraph A. The current wording is “each employee that goes without a no-fault accident”. Also, he stated that this is an individual incentive and wondered if there were any

way to have it be a group incentive as well.

**Max** explained more about the program. He stated that Farmington belongs to a Utah Risk Management Mutual Association (URMMA) with 25 other cities in Utah. The greatest propensity for accidents or loss on insurance claims is the frequency of automobile accidents. Last year Farmington had a number of vehicle accidents. Each year the City is required to set a risk management goal. This year the staff came up with this idea to try and reduce the number of traffic accidents with city vehicles through incentives. If the City is at fault, there is a deductible of up to \$5,000. Last year the City's losses were \$11,000. The intent is to reduce this amount.

**Sid Young** suggested that the group consideration is a good option so that people are working as a team. His business uses a group incentive and has had success with it.

**David Hale** said he felt good about it, but he also felt the wording could be better.

**Max** asked if he should discuss the issue more and possibly incorporate group versus individual incentives. The **Mayor** expressed concern that when one person in a department has an accident, that person could be blackballed because the department has now lost the group incentive. He also said that he did not agree with offering an incentive if there is an accident. He proposed that if a department went all year without an accident, as a group incentive they could be given an extra \$10 per person for their departmental Christmas Dinner which is normally funded by the employees. **Paula** questioned whether it was worth the time to deal with an incentive program. **Sid** stressed that he would like to see it be a positive incentive. **Max** agreed to work on the wording for further clarification.

**Rick Dutson** made a motion to conceptually approve the incentive program with the understanding that the staff will change the wording of the last sentence in paragraph A. **David Hale** seconded the motion, and it passed unanimously. The motion was subject to the review of the City Attorney.

The **Mayor** asked the Council how they felt about having City offices closed the day after Christmas rather than on Christmas Eve day this year due to the fact Christmas is on a Thursday.

**Rick Dutson** made a motion to approve trading Christmas Eve day for the day after Christmas for closing of City offices. **Cory Ritz** seconded the motion and it passed unanimously.

**OLD BUSINESS (Agenda Item #12) - Review of Christmas street decor discussion/ authorization to expand acquisitions to accommodate two 30-foot wide street**

**Mayor Harbertson** reviewed the Holiday Decor handout. He then asked for any comments

or questions. The Council briefly discussed the pros and cons of the Christmas decorations.

**David Hale** made a motion to move forward and approve the Christmas decorations plan. **Rick** seconded the motion, and it passed unanimously.

**NEW BUSINESS (Agenda Items #13 and #14) - Award of Building Inspection/Plan Review Service Contract to Sunrise Engineering for work at Station Park**

**Mayor Harbertson** said that he was on a committee with **Rick Dutson**, **Max Forbush**, and **Eric Miller** to reviewed three proposals for inspection services for Station Park. He said that Sunrise Engineering's proposal was the best. **Max** had contacted Sunrise Engineering and negotiated the 50% fees collected down to 43% on their portion, which allows the City to have at least a 5% reduction which would be about \$35,000 coming back to the City. The other 2% would be the City doing some of the inspection so that would be another \$15,000 savings. **Rick Dutson** asked if the City's legal counsel was okay with this proposal. **Max** pointed out that this is a proposal, not the contract. The actual contract will be drafted later and presented to the Council for approval at a future meeting.

**Rick** made a motion to award Sunrise Engineering the contract for building inspection/ plan review services for the work at Station Park, with the understanding that the actual contract is yet to be drafted. **Cory Ritz** seconded the motion, and it passed unanimously.

**Ideas/thoughts gleaned from City Manager's attendance at ICMA Convention in Richmond, Virginia (September 19-23)**

**Max Forbush** reported that he would wait until a future City Council meeting to share with the Council ideas received at the International City Managers Convention.

**GOVERNING BODY REPORTS (Agenda Items #15 and #16)**

**Mayor Harbertson** expressed thanks to Council Members who were able to make it to the Zions Bank groundbreaking.

**David Hale** commented that the new KinderCare on Shepard Lane is a nice looking building. He also said the hair salon that used to be downtown is now located near Bukoos and is a nice addition to that area of the City. He stated that it is nice to see these businesses be successful.

**Sid Young** reported that at the Utah League of Cities & Towns Legislative Policy Committee meeting yesterday, there was a presentation done by Doug McDonald on economic issues. **Sid** said that the meeting was interesting and informational. Various legislative issues were discussed; some of these were agriculture and wetlands, eminent domain, and "GRAMA" requests. Their intent is to make these issues more reasonable. One more issue that was discussed was public and open meetings.

He asked when minutes of City meetings become available. **Max** replied that they become available after they are officially approved. **Margy** Lomax commented that has always been the City's policy to not release draft minutes, but recently GRAMA request was for a draft copy and after checking with the City Attorney it was determined the draft copy had to be released to the requesting individual. officially approved minutes before they were released. **Sid Young** said the League is thinking about posting minutes on the website very soon after the meeting—even before the City Council has reviewed them. He would like to discuss these points at a later time, and also wants to schedule a meeting with the City's legislators to discuss some of these issues.

**Cory Ritz** reported he had received a telephone call from a resident who lives on 200 North who called the night of the Fire Station Open House. The resident complained that he did not like the extra traffic generated by the Fire Department giving free rides to the kids and felt this practice was a waste of City resources.

**David Hale** reported on the notice regarding the proposed impact fee for Benchland Water. He expressed his support for their project which is the construction of a large water retention basin. The cost of the impact fee has not been determined yet. Benchland has hired a consultant, **Bob Rosenthal**, to determine what the fees should be. He then asked about the Shepherd Lane interchange. **Max Forbush** reported that the Utah Legislature asked UDOT to do a study on east-west corridors. This interchange is now on the UDOT's list of projects but is a of a lesser priority.

**Cory Ritz** reported the property on 500 South in west Farmington is being used for a horse pasture. He noticed that the pipe in the pasture ties into City water, and the method of filling the trough, even when there are no animals in the pasture, is to leave a constant drip causing it to overflow. He was concerned this is a waste of City water.

**Paula** reminded everyone that the Dinner Theater is on Wednesday, Thursday, Friday and Saturday nights, October 22-25 at the Community Arts Center.

### CLOSED SESSION

At 9:10 p.m. **Cory Ritz** made a motion that the Council go to a closed session to discuss strategy as it pertains to the acquisition of real property. **David Hale** seconded the motion, and it passed unanimously.

### 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

At 9:15 p.m. a motion was made by **David Hale** to go back into an open meeting. The motion was seconded by **Rick Dutson** and passed unanimously.

**ADJOURNMENT**

There being no further business a motion was made by **David Hale** to adjourn the meeting. The motion was seconded by **Cory Ritz** and the meeting was adjourned at 9:15 p.m.

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*Margy Lomax, City Recorder*