

FARMINGTON CITY COUNCIL MEETING

Tuesday, November 7, 2006

CITY COUNCIL WORK SESSION/BASEMENT OF THE COMMUNITY ARTS CENTER

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.

CLOSED MEETING

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. The motion was seconded by **Larry Haugen**. The motion passed with Council Members David Hale, Paula Alder 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 5:50 p.m. a motion to reconvene into an open meeting was made by **David Hale** and seconded by **Paula Alder**. The motion passed with Council Members Rick Dutson, Larry Haugen, and Sid Young all voting in favor.

The Council Members reviewed the agenda and discussed the following items:

Agenda Item#4: Public Hearing: Consideration of Jerod Jeppson Schematic Plan

David Petersen reported that the Planning Commission denied the applicant's request for a recommendation to the City Council for schematic plan approval for a 9 lot subdivision in conjunction with the proposed annexation until an acceptable alternative is submitted to the City. The Planning Commission, as well as City staff, found the schematic plan to be unacceptable. He recommended that the City Council offer input as to whether the applicant should be required to stub a road to provide access to the area. If a stub is provided to the east, the lots in the subdivision will become double fronted.

The City Council and City staff discussed the importance of a stub being provided to access the Clark property. City staff, as well as the adjacent land owner, prefer that the road be stubbed to the north.

Agenda Item #5: Public Hearing: Consideration of Plat Amendment vacating Lot 307 of Mountainside Plat “F” Subdivision and re-platting the same

David Petersen said he considers this issue to be a “housekeeping item”. There has not been negative feedback from the Planning Commission, City staff, or adjacent property owners.

Agenda Item #7: Request for Final Plat Approval for “The Cottages at Shepard Creek North”/Final PUD Master Plan Approval/Draft 1st Amendment to Development Agreement - Garbett Homes

Mayor Harbertson informed the Council Members that it is the recommendation of City staff that consideration of the item be tabled to allow time for the applicant to address the unresolved issues.

The City Council discussed the project and expressed the following concerns:

- The CC&R’s need to have text added to clarify the rental restrictions.
- There does not appear to be adequate space to handle the snow removal.
- The drainage and detention issues need to be resolved with Davis County.
- Access needs to be provided based on the progress of the condos, rather than the development of the church site.
- The Development Agreement needs to be amended.

Max Forbush explained that it is proposed that the City provide the traffic engineering for the right-in/right-out, as well as attempt to expedite the process with UDOT. If it is acceptable to the Council, CRS Engineering will sub-contract the work to Tyler Hoskins. It is expected that the cost of engineering for this project would be provided by the developer.

The Council conceptually agreed to the work being subcontracted as explained by the City Manager.

Agenda Item #8: Request for Final Plat approval for “Chestnut Farms” Subdivision - Symphony Homes

David Petersen said the Development Review Committee (DRC) recommends that consideration of final plat approval be tabled to allow the following three issues to be resolved: the location of the sanitary sewer line, the drainage and detention plan, and issues relating to the trail.

Agenda Item #9: Harv Jeppson/Leonard Lane Subdivision Boundary Adjustment Request - Harv Jeppson

The applicant requested that the application be withdrawn.

Agenda Item #11: Minute Motion Approving Summary Action List

David Hale pointed out that the cost to install a shower at the City-owned home located at 74 South Main should be \$1,995, as per the bid from Daniels Design. **Council Member Dutson** indicated that it would be more cost effective to use onyx in the shower rather than marble.

The Council Members reviewed the Change Order Number One for 250 South/Glover Lane utilities adjustment, as well as the handout outlining the final cost of signalization for Clark Lane/Park Lane/1100 West.

Agenda Item #12: Credit Card Agreement with American Express

Keith Johnson informed the Council Members that the City will only receive one credit card. The annual cost for the card will be \$75.00. The credit card agreement is a discussion item only.

Agenda Item #13: City Budgetary Report - FY 06/1st Quarter 2007 - Keith Johnson, Finance Director

Mayor Harbertson said there were positive amendments to the budget. The Leisure Services revenue increased. He suggested it be determined whether the swimming pool reached the same capacity as in years past.

Agenda Item #17: Work Session Scheduled with Planning Commission to hear Long Range Regional Transportation Alternatives to be presented by Wasatch Front Regional Council Staff

Max Forbush informed the Council Members that a work session is scheduled with the Planning Commission on November 9th from 5:00 to 6:00 p.m.

The meeting adjourned at 6:30 P.M.

REGULAR CITY COUNCIL/BASEMENT OF COMMUNITY ARTS BUILDING/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, City Planner David Petersen and Recording Secretary Jill Hedberg.

Mayor Harbertson called the meeting to order at 7:00 P.M. and offered the invocation.

APPROVAL OF MINUTES OF PREVIOUS MEETING

David Hale moved to approve the minutes of the October 17, 2006, City Council Meeting. **Sid Young** seconded the motion. The voting was unanimous in the affirmative.

Rick Dutson moved to approve the minutes of the October 25, 2006, Special City Council Meeting. **Larry Haugen** seconded the motion. The voting was unanimous in the affirmative.

REPORT OF PLANNING COMMISSION (Agenda Item #3)

Jim Talbot reported proceedings of the Planning Commission meeting held October 26, 2006. He covered the following items:

- The Planning Commission recommended that the City Council deny schematic plan approval for the development of a subdivision in conjunction with the proposed annexation of 5.53 acres located at approximately 1550 North 1675 West until an acceptable alternative is submitted to the City.
- The Planning Commission granted preliminary plat approval for Farmington Greens PUD Phase 2 consisting of 93 lots on 29.19 acres located at approximately 50 South 1525 West in an AE (PUD) zone subject to twelve conditions.
- The Planning Commission granted conditional use and site plan approval to construct a church at 79 South 1525 West on a 2.98 acre lot in an AE (PUD) zone.

PUBLIC HEARING: CONSIDERATION OF JEROD JEPPSON SCHEMATIC PLAN (Agenda Item #4)

David Petersen informed the Council Members that the Planning Commission denied a recommendation for schematic plan approval for a 9 lot subdivision in conjunction with the proposed annexation of 5.53 acres. The application is now requesting that the City Council review the schematic plan and offer input as to whether he will be required to stub a road to provide access to other properties in the area.

Public Hearing

Mayor Harbertson opened the meeting to a public hearing.

George Clark said he owns the property that is contiguous with the Jeppson property. He is not opposed to the property being developed but wants to ensure that access is provided to his property. He asked the Council to review the letter that his representative, Ron Martinez, submit to the City outlining his concerns.

The City Council agreed to hear the presentation from the Davis County Public Works prior to considering the Jeppson schematic plan to allow the applicant to speak to the Council, if he so desires.

Jerod Jeppson (1505 North 1500 West) explained that when the Silverwood subdivision was developed, he was told by the City Engineer that he did not need to contribute to provide a road to the north since "George Clark has all of the frontage he needs". After being given that advice, he then sold a portion of his property to Ivory Homes. The City is now indicating that he should bear the expense of providing a road. He said he is willing to consider providing a pedestrian/bicycle path or sharing the cost of the road with the City, but he is opposed to providing a 55' road at his full expense. He has attempted to contact **Paul Hirst** to ask him to appear before the City to explain why his opinion regarding the road has changed.

Cindy Roybal (1267 West 1875 North) said **Jerod Jeppson** approached the City Engineer since he considered him a City authority. He did not realize that he should have discussed the issue with the City Planner. **Mr. Jeppson** released his 15' of property to the Silverwood subdivision based on the information he was given by **Mr. Hirst**. In her opinion, **Paul Hirst** should share in the responsibility since he gave the applicant incorrect advice. The subdivision will not have a rural feel if the size of the lots are decreased to accommodate the road. She suggested that a less expensive alternative be considered to provide access to the area or that the City consider sharing the expense since the information was given by a City representative.

George Clark said the City has always maintained that a road will be provided from 1500 West to the Frontage Road. The only option to provide access is through the Jeppson property. When the Clark property is developed, he will also provide a stub road to his property.

Jerod Jeppson questioned whether it is critical that the road be provided.

Public Hearing Closed

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

Mayor Harbertson said he does not have information regarding the discussion that took place between the applicant and the City Engineer. He does know that prior developers were required to provide a stub to the Jeppson property. There should be a stub to the north that crosses the ravine as little as possible and that allows the sewer line to follow 1500 West.

Rick Dutson suggested that City staff determine the best way to resolve the issue based on the possibility that bad advice may have been given. He stated that it would be poor planning to not require the road to be stubbed.

David Hale said access needs to be provided to the 26 acres of Clark property. He said the natural solution is for **Mr. Jeppson** to provide a stub to the north and for **Mr. Clark** to provide a stub to the east when he develops his property. It may be possible to provide access using “Jeppson Lane” but it would not be as cost effective. He said he is opposed to crossing the ravine more than necessary.

Mayor Harbertson said the City will review the issue with the City Engineer. Although **Mr. Jeppson** sold property to Ivory Homes based on advice he was given, he was able to profit from the transaction. The Council agrees that a stub must be provided in order for the schematic plan to be approved.

Sid Young said he would like to review the alternatives but agrees that it is good planning to require that a stub be provided.

In response to a question from **Mayor Harbertson**, **David Petersen** reviewed the recommendation of the Planning Commission which was to recommend that the City Council deny the applicant’s request for schematic plan approval. He reviewed the findings that were established by the Commission.

Max Forbush said the City development code requires that stub roads be provided to adjacent properties when property owners develop their land. It is also important that access be provided for emergency vehicles.

David Petersen said the development code states that the developer needs to do what is best for the area as a whole. If a stub is not provided to the Clark property, it may be considered a taking since it would limit the number of dwelling units that Mr. Clark could develop.

Motion

David Hale moved that the City Council table consideration of **Jerod Jeppson’s** schematic plan. The Council recommends that **Mr. Jeppson** consider the following input given by the Council and the Planning Commission:

- A road stub must be provided to allow traffic to move through the area and to provide access to the Clark property.
- The schematic plan must be enlarged to include their house and the full 5.53 acres.

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

PUBLIC HEARING: CONSIDERATION OF PLAT AMENDMENT VACATING LOT 307 OF MOUNTAINSIDE PLAT “F” SUBDIVISION AND RE-PLATTING THE SAME (Agenda Item #5)

Mayor Harbertson explained that the applicant is requesting to vacate and amend Lot 307 of the Mountainside Subdivision Plat “F” to re-configure the conservation easement for the protection of the canyon toward the rear of the property.

Public Hearing

Mayor Harbertson opened the meeting to a public hearing.

Public Hearing Closed

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

Motion

Rick Dutson moved that the City Council adopt ORDINANCE NO. 2006-71, AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER AN ORDER VACATING AND AMENDING LOT 307 OF THE MOUNTAINSIDE SUBDIVISION PLAT “F” AND DIRECTING THAT THE SAME BE RECORDED WITH THE DAVIS COUNTY RECORDER’S OFFICE. **David Hale** seconded the motion, which passed by unanimous vote.

PROPOSED INCREASE IN THE DAVIS COUNTY TAX FOR FLOOD CONTROL PROJECTS/PUBLIC INFORMATION PRESENTATION - TOMSMITH, DAVIS COUNTY PUBLIC WORKS (Agenda Item #6)

Tom Smith from Davis County Public Works explained that the County has analyzed the stream channels in the County and have found that many of the streams are in need of repair due to built up debris, failing pipes, and insufficient capacity. They have developed 106 projects which will cost approximately \$40,000,000. The Commission proposed a tax increase which will generate funding for the storm repairs. The cost to the citizens will be approximately \$15 per year for a \$171,000 home. There is also a proposed tax increase to aid the senior citizens and to maintain the jail.

In response to a question from **Mayor Harbertson**, **Tom Smith** explained that the estimated repair cost is based on the current value of the dollar. It will take approximately 14 years to make the necessary repairs. The repairs have been prioritized based on which streams have the potential of causing a loss of a life or causing destruction to property.

Max Forbush said the County Public Works has been grossly underfunded so they have been unable to respond to problems that have not been planned for. He questioned whether the proposed tax increase will create an operating fund in addition to a debt service.

Tom Smith said they plan to spend \$1.5 million per year on new projects and reserve \$1 million per year to maintain the stream channels. The tax increase proposal will be considered at the County's budget hearing in December. He said the County considers the 2600 South project in Bountiful and the pipes in the Camelot Trailer Park to be the highest priorities. Farmington Creek and Milcreek are also high priorities.

The Council resumed their discussion of Agenda Item #4.

REQUEST FOR FINAL PLAT APPROVAL FOR "THE FARMINGTON CROSSING NORTH"/FINAL PUD MASTER PLAN APPROVAL/DRAFT 1ST AMENDMENT TO DEVELOPMENT AGREEMENT - GARBETT HOMES (Agenda Item #7)

David Petersen informed the Council Members that the Planning Commission recommends that the Council grant final (PUD) master plan and final plat approval for Farmington Crossing North PUD subject to a number of conditions. The Development Agreement will include the following amendments:

- Fixing of the roundabout on Shepard Creek Parkway
- Cost sharing on the damage to the road on Shepard Creek Parkway;
- Engineering services and project management services/working with UDOT to authorize right-in, right-out access onto slip ramp; and
- Other issues pertaining to the development, i.e. adjustments to CC&R's to prohibit renting, storm water detention basin issues in development.

Noel Ballstaedt (Garbett Homes) said Garbett Homes is willing to comply with the requirements given by the Planning Commission. They are willing to contribute \$20,000 for the overlay of Shepard Creek Parkway but would prefer to leave a positive impact on the community by checking a contribution toward improving the trail system instead of the road. The CC&Rs have been amended to prohibit the units from being rented.

David Hale said the amended CC&Rs did not include the "grandfather clause" language. He said it is important that the property manager have the ability to enforce the CC&Rs for rental units, as well as owner-occupied units. He said the developer committed to provide a stake center which requires 4.5 acres of property. The current material shows that the church site is only 3.63 acres which is not adequate for a stake center.

Noel Ballstaedt said the acreage was figured based on the net property to the middle of the road.

David Hale said the LDS Church should not have to acquire additional property since the City intended the property to be used for a stake center. He said he was told by the Stake President that the acreage is not sufficient to construct the stake center.

The real estate agent representing the LDS Church said the site meets the architectural rendering for the stake center.

Rick Dutson said the stake center needs to include a generous amount of parking stalls so the parking will not overflow into the neighborhood. He suggested that the parking plan be compared to the parking that has been provided at other stake centers.

Paula Alder said the church site may require fewer stalls since many of the residents will walk to church.

David Hale said he was concerned since the schematic plan appeared to include adequate parking spaces but in reality, the stalls are not adequate in size. He was told by two residents that they have received parking tickets.

The Garbett Homes property manager said there has not been an issue with the parking spaces. There are usually less than ten visitor parking stalls being used at a given time. If the residents are receiving tickets, they are likely parking in the visitor spaces.

Noel Ballstaedt said there are a number of parking stalls that have been repaired to increase the size of the stalls. He pointed out where the stalls are located within the development.

David Hale said the right-in, right-out access on the Frontage Road should not be based on the construction of the church site.

Noel Ballstaedt said they intend to post the bond based on the development, not the church site. **Paul Hirst** is working with UDOT in an attempt to expedite the process.

David Hale said he is concerned about the storm water detention basin issues.

Noel Ballstaedt said the current detention system is being satisfied through Davis County.

Paul Hirst said it is premature to say that all of the drainage issues for the area have been resolved. If the County does not approve the volume that was previously agreed to, it would not be in the City's best interest to approve the next phase of the subdivision. The water received in the area needs to be detained without adversely impacting adjacent property owners.

Noel Ballstaedt said Garbett Homes is open to any of the plans that have been discussed. The development has met the conditions placed upon them by the County.

David Hale asked if the next phase will include 3-story units.

Noel Ballstaedt said the units will have 3-story elements but the actual 3-stories were eliminated from the plan to prevent fire issues. He indicated that the 3-story units in the middle and southerly phase are fire sprinkled.

Paul Hirst said the developer made a comment that they are willing to provide \$20,000 to be used to repair Shepard Creek Parkway. He said the proposed amount will not be adequate to make the repairs that are necessary due to the construction activity.

As suggested by the City Manager, **Noel Ballstaedt** suggested that the Council visit the property to analyze the road. He said only 3% of the road has been damaged. The cost of the overlay is only 20-30% of the total improvements. The Public Works department acknowledged that not all of the problems are a result of the construction activity.

Paul Hirst said he has a meeting scheduled to meet with the County during the upcoming week.

The Council Members discussed the issues and agreed that there are a number of issues left to be resolved. It seemed inappropriate to grant approval and place the burden on City staff to verify that the issues are resolved.

Motion

Rick Dutson moved that the City Council table consideration of final plat approval for “The Cottages at Shepard Creek North”/ Final PUD Master Plan Approval/Draft 1st Amendment to Development Agreement due to the number of issues that have not been resolved. **Larry Haugen** seconded the motion, which passed by unanimous vote.

Noel Ballstaedt said the amendments to the CC&Rs were e-mailed to City staff and the City Attorney.

David Hale said the “grandfather clause” was not included in the CC&R’s.

The real estate agent for the LDS Church emphasized that he is not a spokesman for the Church. He said the architect’s rendering includes 291 parking stalls which is an adequate amount since most of the church sites include between 275 and 300 parking stalls.

David Petersen passed out the renderings for the southerly phase. He asked for the Council’s input regarding the color schemes.

The Council agreed to review photographs provided by the developer since the renderings did not present an adequate representation of the actual colors. It was also agreed that City representatives would meet again with the developer after the City Engineer has met with the County.

REQUEST FOR FINAL PLAT APPROVAL FOR “CHESTNUT FARMS” SUBDIVISION - SYMPHONY HOMES (Agenda Item #8)

David Petersen said there has been some confusion regarding the detention of the storm water.

Paul Hirst said it was his understanding that the temporary basin would be removed immediately. He said he had not reviewed a definite plan regarding the detention basin.

Chris Schultz (Symphony Homes) said they are in the process of designing the final design parameters for the regional detention basin. They have acquired additional land to incorporate the regional detention basin with the wetlands enhancement. In the meantime, they are requesting approval for the first phase of the project and to construct the temporary detention basin while they are working with the Army Corp. of Engineers. They plan to submit the detention basin draft to the City within a week.

David Petersen asked if Symphony Homes plans to keep the temporary detention basin through the first phase of Chestnut Farms.

Chris Schultz said they would like to relocate all of the detention to the regional basin.

David Petersen asked where the drainage would be stored if approval is given.

Chris Schultz said the temporary detention basin will be used until the regional detention basin is constructed. By acquiring the Pack property, they will be able to create detention opportunities along 1525 West and to relocate Phase III.

As requested by **Council Member Hale**, **Chris Schultz** pointed out where their newly acquired property is located, as well as where the improvements will be located.

Max Forbush suggested that City staff review the plans with Symphony Homes. The Council could then consider the applicant's request for final plat approval on November 21, 2006.

Chris Schultz requested that the Council grant approval subject to the review of City staff, which would also be acceptable to their financial institution.

Max Forbush said if a permanent solution is not found for the regional detention basin, the temporary basin would have to become permanent. The issue has become unclear since the last meeting.

Chris Schultz said they are proposing to construct a sewer line through the wetlands but they meet the criteria to obtain a Section 12 Permit. He said the road to service the sewer manholes will be located outside of the wetlands. The concept was approved by **Jill Houston** from the Central Sewer District.

David Petersen said the DRC indicated that the plat was not ready for approval. He said he did not think the plan had been reviewed by **Jill Houston**.

Chris Schultz said **Jill Houston** said the existing road should remain to service the existing sewer line. So long as there is an all-weather service to access the remaining manholes, she is accepting of the plan.

In response to a question from **Max Forbush, David Petersen** recommended that the item be considered at the next City Council meeting, to allow City staff to further study the issues.

Rick Dutson questioned who will maintain the trail system through the development.

Chris Schultz said they will bond for the trail. The developer will be responsible for the trail maintenance since it is their water at this point.

David Petersen said the project completion will not be different if the Council postpones their decision for two weeks. The improvement drawings need to be stamped since the issues relating to the sewer and detention basin are unresolved.

Chris Schultz he was only informed about the relocation of the trail at 7:00 p.m. which is another reason why the mylar was not provided. He said their deadline had already passed to convert the land acquisition to a development loan so he asked that approval be granted subject to the developer complying with the conditions.

Motion

Paula Alder moved that the City Council table consideration of the final plat for “Chestnut Farms” subdivision for two weeks to allow the issues to be resolved.

Chris Schultz questioned what issues he had to resolve with **Paul Hirst** regarding the detention basin. He said the detention basin will be located where it is indicated on the plat.

David Petersen said the Development Review Committee recommended that the Council table consideration of the item since the plat was not ready for approval.

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

HARV JEPPSON/LEONARD LANE SUBDIVISION BOUNDARY ADJUSTMENT REQUEST - HARV JEPPSON (Agenda Item #9)

The item was pulled from the Agenda.

TRAILS COMMITTEE TRAIL BROCHURE IDEAS/REPORT - GEORGE CHIPMAN (Agenda Item #10)

George Chipman recommended that a simple brochure be distributed outlining the Farmington trails for walkers, joggers, bikers and equestrians. The brochure would promote Farmington for tourism and further benefit residents and out-of-town guests. Each brochure would cost approximately \$.25-\$.80, depending on the printing style. **Mr. Chipman** provided each Council Member with a brochure draft.

The Council discussed the different funding options. It was suggested that the brochure be included in the City's utility mailing. It was also suggested that the brochures be printed by the same company that prints the City newsletter.

Max Forbush suggested that the City pay for half of the brochure using the Council Contingency Fund. The remaining balance could be paid for by the Trails Committee.

Motion

David Hale moved that the City Council authorize the printing and mailing of the trail brochure. One-half of the cost will come from the Council Contingency Fund. The other half will be funded by the Trails Committee. **Rick Dutson** seconded the motion, which passed by unanimous vote.

Mr. Chipman also recommended that a group be formed to promote Farmington as a place where the eagles return each year.

MINUTE MOTION APPROVING SUMMARY ACTION LIST (Agenda Item #11)

Sid Young moved that the City Council approve the following items by consent as follows:

- 11-1. Ratification of approval of Construction Bond Agreements previously signed by Mayor Harbertson.

- 11-2. Ratify Mayor's signature on Staker Paving contract for paving Clark Lane (fronting Leisure Services/Public Works building). The cost of the work will be reimbursed by UDOT.
- 11-3. Approval of agreement with UDOT to fund paving improvements on Clark Lane (fronting City building).
- 11-4. Approve Mayor's recommendation for mechanical maintenance contract on City buildings. The Mayor is in support of allowing the mechanical maintenance contract to be signed for this year.
- 11-5. Approval of Change Order and Final payment to Hidden Peak Electric for signalization at Park Lane/Clark Lane.
- 11-6. Authorization for Chief Hansen to sign "Child Access Plan for Farmington Elementary/authorization for Mayor to sign letter to be sent to the PTA.
- 11-7. Authorization to install shower at City-owned home at 74 South Main (formerly Maxine Schulthies' home). The City Manager supports Leisure Services' recommendation for improvements. Both Viola McKinney and the City Manager recommend only a shower on the top floor to be constructed of onyx. The cost is up to \$1,995.00.
- 11-8. Approval of Change Order Number One - 250 South/Glover Lane Utilities Adjustment Project for Legacy Highway.

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

CREDIT CARD AGREEMENT WITH AMERICAN EXPRESS (Agenda Item #12)

Mayor Harbertson explained that if the City were to enter into a credit card agreement with American Express, the City would benefit by receiving points that could be used for airfare, hotel accommodations and service awards. **Keith Johnson** would have control of the card and would use it for major City purchases.

Rick Dutson said he is supportive of the credit card agreement so long as it is accompanied by a policy statement.

Keith Johnson said the City Attorney and financial auditors agreed that a policy needs to be created to control the use of the accumulated points.

The City Council conceptually agreed to proceed with the credit card agreement.

CITY BUDGETARY REPORT - FY 06/1ST QUARTER 2007 - KEITH JOHNSON, FINANCE DIRECTOR (Agenda Item #13)

Max Forbush expressed his appreciation to **Keith Johnson** for his excellence in handling the City's finances.

Keith Johnson gave a City Budgetary Report for Fiscal Year 2006 and the First Quarter of 2007. The City received a 17% increase in sales tax. The budget revenue was \$296,507.00 which was more than the amended budget. Expenditures were all under budget by \$153,226.00. He reviewed the B&C Road Fund. The main revenues were from: sales tax, property tax, franchise/energy tax, and building permits. He reviewed a proposed preliminary budget increase which would be a result of vehicle registration fees, sales tax, franchise tax/fees, and cemetery fees. He reported that the swimming pool revenues were greater than the expenditures by \$3,254.06.

APPOINTMENT OF VISIONING COMMITTEE FACILITATOR/ESTABLISHMENT OF MEETING SCHEDULE (Agenda Item #14)

Mayor Harbertson and **Council Member Dutson** recommended that **Rex Facer** be appointed as the Visioning Committee facilitator. The proposed meeting schedule is as follows:

1st Meeting - Thursday, November 30
3rd Meeting - Thursday, January 4

2nd Meeting - Thursday, December 7
4th Meeting - Thursday, January 18

Motion

Rick Dutson moved that the City Council appoint **Rex Facer** as the Visioning Committee facilitator. **Larry Haugen** seconded the motion, which passed by unanimous vote.

“CITIZENS SURVEY” DRAFT REPORT - REVIEW OF INPUT (Agenda Item #15)

_____ The City Council reviewed the “Citizens Survey” draft report and offered input and clarification to the draft, as requested by The National Research Center (NRC).

RECOMMENDED SIGNALIZATION MAINTENANCE APPROACH FOR NEW CITY SIGNAL AT INTERSECTION OF PARK LANE AND CLARK LANE (Agenda Item #16)

As per the recommendation of CRS Engineering, the City Council agreed to use Siemens ITS to maintain the traffic signal at the intersection of Park Lane and Clark Lane in emergency situations. If the situation was not an emergency, then the UDOT T.O.C. would be used at no cost to the City. For street lighting concerns, Rocky Mountain Power will need to be contacted to get a contract on the street lighting at the intersection.

Motion

_____ **Sid Young** moved that the City Council authorize the City to enter into an agreement entitled “Signal Support Services Contract” with Siemens subject to the approval of the City Attorney. **David Hale** seconded the motion, which passed by unanimous vote.

WORK SESSION SCHEDULED WITH PLANNING COMMISSION TO HEAR LONG RANGE REGIONAL TRANSPORTATION ALTERNATIVES TO BE PRESENTED BY WASATCH FRONT REGIONAL COUNCIL STAFF (Agenda Item #17)

The City Council agreed to hold a work session with the Planning Commission to hear information presented by Wasatch Regional Council staff regarding long range highway and transit alternatives for the Wasatch Front.

Motion

David Hale moved that the City Council authorize the holding of a work session with Wasatch Front Regional Council staff on November 9, 2006, from 5:00 to 6:00 p.m. **Sid Young** seconded the motion, which passed by unanimous vote.

Max Forbush passed out a map of the proposed BRT alignment. It was the general consensus of the Council that the alignment be located on Lund Lane. They directed City staff to inform WFRC of their preference.

REVIEW OF RECENT CITIZEN INPUT - DISCUSSION FOR ADDRESSING CONCERNS (Agenda Item #18)

_____ The Council discussed the need to adopt a written newsletter policy. It was agreed that the intent of the newsletter is to advertise City issues. The Council also discussed the need for the Public Works department to create a grid prioritizing the order in which streets should receive repair.

The Council reviewed the Panguitch City Ordinance which refers to the operation and use of off-highway vehicles. The issue will be further discussed by the Visioning Committee.

STREET LIGHTING UPDATE (Agenda Item #19)

According to packet information, it is recommended by the City Manager instead of offering wood poles in subdivisions where there is presently no lighting, that the Town & Country be used. The City Manager recommends against paying for the light but that it be placed on rate structure 12 at \$10.60 per month. It may be appropriate in some locations on City main streets and major thoroughfares where there are existing wood poles, if existing lights are needed, to consider the

wood poles and luminaries in those situations. But in subdivisions, it makes sense to install the Town & Country light.

Mayor Harbertson reviewed the information that was included in the Council Member's packets. He said the survey which will be sent to the Tuscany Cove homeowners will be amended accordingly.

The Council agreed to follow the recommendation given by the City Manager.

MAYOR HARBERTSON'S REPORT (Agenda Item #20)

Mayor Harbertson reported that he attended a meeting with the City Manager, Horrocks Engineering, CRS Engineering, Center-Cal and their engineering firm. Horrocks Engineering and the Center-Cal engineers discussed Park Lane and the improvements that will be necessary to prevent the system from failing. Efforts are being made to expedite the road to Station Park.

CITY COUNCIL REPORTS (Agenda Item #21)

Council Member Young Report

No report was given.

Council Member Hale Report

David Hale reported that he attended a meeting with the City Manager, **Annette Tidwell**, **Alysa Revel** and **Glen Leonard** to discuss the possibility of having **Mr. Leonard** write the History of Farmington. The content will include the history up to the current issues. He outlined the proposed payment schedule.

In response to a question from **Council Member Dutson**, **David Hale** explained that the estimated cost is only for the writing. A committee will be formed to review the work. He recommended that the Council consider the possibility of having **Mr. Leonard** rank the City's historic homes based on the time they were constructed, as well as styles, condition, etc.

Motion

David Hale moved that the City Council authorize the City Attorney to draft an agreement regarding the writing of the History of the Farmington to be approved on November 21, 2006. **Rick Dutson** seconded the motion, which passed by unanimous vote.

Council Member Dutson Report __A report was not given.

Council Member Haugen Report

Council Member Haugen reported that he attended the Burn Plant meeting. The Burn Plant plans to sell green house gases to those cities who do not recycle. Green waste cans will be provided to collect products that will be used to make mulch. The Burn Plant will enter into an inter-local agreement to provide additional land fill area.

Council Member Alder Report

Council Member Alder reported that she attended the Arts Council meeting. They will now offer season passes for the shows at a discounted price. She said she received an email from a resident who asked what safety issues will be created as a result of the boundary issues.

Mayor Harbertson said there will likely be safety hazards generated by the amount of trucks servicing the new developments.

ADJOURNMENT

David Hale moved that the meeting adjourn at 10:55 p.m.

Margy Lomax, City Recorder