FARMINGTON CITY COUNCIL MEETING
Tuesday, April 20, 2010

CITY COUNCIL WORK SESSION/EAST CONFERENCE ROOM

PRESENT: *Mayor Scott Harbertson, Council Members Rick Dutson, Cory Ritz, Jim Talbot and Sid Young, City Manager Max Forbush, City Planner David Petersen, Assistant City Planner Glenn Symes, Zoning Administrator Ken Klinker, and Recording Secretary Cynthia DeCoursey*

Mayor Harbertson began the work session at 5:40 p.m.

(Agenda Item #4) – PUBLIC HEARING: CONSIDERATION OF ORDINANCE TO AMEND CONSERVATION EASEMENT FOR THE FARMINGTON MEADOWS SUBDIVISION – STEVE CHRISTENSEN (Agenda Item #4)

Mayor Harbertson explained that **Mr. Christensen** is requesting a modification to this Conservation Easement which would allow him to grow and harvest crops, graze cattle and construct accessory buildings. The City Zoning Administrator, **Ken Klinker**, recommended that the Council follow the City Attorney's counsel and implement a 50-foot buffer zone along the back of the property lines of Lots 125-138. The buffer would include a 20-foot trail easement, and the remaining 30 feet would be maintained in natural vegetation with no grazing or harvesting allowed. **Mayor Harbertson** pointed out that there is nothing in the Easement which requires the City to have a buffer zone—it was added by the City Attorney for the benefit of adjacent homeowners. **Mr. Klinker** said there is an agreement with the HOA which requires the livestock to be 150 feet away from homes in the area. The Council discussed issues involved with the request, including the maintenance of the buffer zone, the difficulty of maintaining native landscape grasses, and the possibility of fencing the trail area.

(Agenda Item #17) – RESIDENTIAL MIXED USE/CODE ENFORCEMENT IN THE BR ZONE DISCUSSION

David Petersen said the owners of approximately one acre of property east of the City Hall, facing 100 East, have recently moved shipping containers into the rear yard of their residential dwelling. The containers are being used for book storage (they own a bookstore in Bountiful). The property is zoned BR, and the owners are considering a small bookstore at the back of their home. However, currently it is not possible to mix a residential use with a commercial use in this zone. It is not clear why this property in a residential area was zoned for commercial uses. In the long term, mixed use development may occur on the east side of the block abutting the west side of Main between State Street and 100 East. **Mr. Petersen** asked the Council if they would be in favor of pursuing a zone text amendment. The Council Members were opposed to the storage containers being located in this area, and they do not want to move forward with a zone text amendment at the current time.

(Agenda Item #5) – PUBLIC HEARING: CONSIDERATION OF ORDINANCE DESIGNATING THE DAVIS COUNTY COURTHOUSE AS A HISTORIC RESOURCE ON THE FARMINGTON HISTORIC LANDMARK REGISTER (Agenda Item #5)

Mr. Forbush suggested that the motion for approval of this Ordinance must specify that only the front third of the exterior of the Courthouse is included.

PUBLIC HEARING: CONSIDERATION OF (1) RESOLUTION AMENDING THE FIRE CAPITAL FACILITIES PLAN; AND (2) ORDINANCE ADOPTING THE FIRE CAPITAL FACILITIES IMPACT FEE WRITTEN ANALYSIS AND RELATED FIRE IMPACT FEE SCHEDULE (Agenda Item #7)

PUBLIC HEARING: CONSIDERATION OF (1) RESOLUTION AMENDING THE CULINARY WATER CAPITAL FACILITIES PLAN; AND (2) ORDINANCE ADOPTING THE CULINARY WATER CAPITAL FACILITIES IMPACT FEE WRITTEN ANALYSIS AND RELATED CULINARY WATER IMPACT FEE SCHEDULE (Agenda Item #8)

PUBLIC HEARING: CONSIDERATION OF RESOLUTION APPROVING AMENDMENT TO THE PARKS AND RECREATION CAPITAL FACILITIES PLAN LIST (Agenda Item #9

Max Forbush explained that each of these items was noticed, sent to the proper entities, and posted in the library. The request is to modify both the Fire and Culinary Water Impact Fees and to amend the Parks & Recreation Capital Facilities Plan List. He reviewed the amendments as shown in the staff report. He said there would be a public hearing on each of the three items in the regular session. The Council discussed some of the details of each item.

REVIEW OF THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR PARK LANE VILLAGE (Agenda Item #12-c)

David Petersen pointed out that this amendment was necessary because HUD does not allow the impact fees to be paid directly to the developer. They must be paid to the City, and the City will then pay the developer.

REGULAR CITY COUNCIL/CITYCHAMBERS/CALL TO ORDER

PRESENT: *Mayor Scott Harbertson, Council Members Rick Dutson, Cory Ritz, Jim Talbot and Sid Young, City Manager Max Forbush, City Planner David Petersen, Assistant City Planner Glenn Symes, City Recorder Margy Lomax and Recording Secretary Cynthia DeCoursey*

Mayor Harbertson opened the meeting at 7:00 p.m. and welcomed those in attendance, including Farmington Youth City Council members **Alexa Nelson** and **Joel Tate**. **Max Forbush** offered the invocation, and the Pledge of Allegiance was led by local Boy Scout **Jonah McFarland**.

APPROVAL OF MINUTES OF PREVIOUS MEETING (Agenda Item #2)

Motion

Sid Young made a motion to approve the minutes of the March 30, 2010 City Council meeting. The motion was seconded by **Cory Ritz**, and it was approved by all Council members.

PLANNING COMMISSION REPORT (Agenda Item #3)

Jim Young reported on the Planning Commission meeting held April 15, 2010:

1. A plat for a two-lot minor subdivision located at 780 South Country Lane was approved.

2. A request for a rezone from LR to BR for approximately four acres of property owned by Farmington City at approximately 160 South Main Street was approved. The Commission felt that the request was consistent with other uses in the neighborhood.

3. A request for a conditional use permit for the remodeling and use of an accessory dwelling located at 245 East 200 North was approved with two additional conditions: (1) The property owner will combine the two parcels to have one tax identification number, which must be completed prior to the Certificate of Occupancy being granted by the City; and (2) The City must verify that the accessory building conforms to the height requirements stated in the ordinance.

4. A conditional use permit for **Dela Ashby** to teach swimming lessons at her home was approved.

5. The Commission recommended that the City Council annex approximately .43 acres of property (1700 North 1500 West) with a zoning designation of LR.

6. The Commission approved several minor changes to the City's Zoning Ordinance and to the Subdivision Ordinance.

Mr. Young commended Staff for their efforts in preparing the relevant information for the Planning Commission meetings which assists them as they strive to make informed decisions. He mentioned that Farmington is on the cover of Heritage Magazine which is great publicity for the City. He serves on the Council of Governments Transportation Committee and asked each Council member to complete a survey which will assist the Committee as they determine future transportation needs.

PUBLIC HEARING: CONSIDERATION OF ORDINANCE TO AMEND CONSERVATION EASEMENT FOR THE FARMINGTON MEADOWS SUBDIVISION – STEVE CHRISTENSEN (Agenda Item #4)

Glenn Symes explained that **Mr. Christensen** would like to purchase Parcel D of the Farmington Meadows Phase 1 Subdivision and use it for the grazing of livestock and the growing of crops, so he requested an amendment to the Conservation Easement. The

Community Development Department reviewed the original records of the easement, visited the site, and published a notice for the public hearing. He said the City has a twenty-foot trail easement along the back of the property lines, and the City Attorney recommended that an additional thirty feet be included for a buffer zone.

Steve Christensen said he approves of the proposed Ordinance with the exception of the 50-foot buffer zone. He said the area currently has native grass and thistles, and his preference would be to plant alfalfa to the side of the trail. If the Council did not approve, he said he would mow the area several times per year. He would prefer maintaining alfalfa rather than controlling weeds.

Public Hearing

The **Mayor** opened the public hearing at 7:20 p.m. There were no comments regarding this item, and the public hearing closed at 7:20 p.m.

Mayor Harbertson explained that the only real issue with this ordinance is the proposed 50-foot buffer. He agreed that the proposed buffer was an attempt by the City to offer protection to the existing homeowners. A trail through the area is planned for the future, and a 20-foot width is already secure. The Council discussed the pros and cons of the buffer zone and agreed that it would be a maintenance issue and that unkempt weeds could be a fire hazard. They determined that the existing trail easement of 20 feet would be sufficient.

Motion

Rick Dutson made a motion to approve the First Amendment to the Conservation Easement and Agreement for the Farmington Meadows Phase I Subdivision as recommended by staff and legal counsel, with the exclusion of note 4 on Exhibit B. The motion was seconded by **Cory Ritz**, and it was approved by all Council Members.

Findings for Approval

1. The City Council has held the required public hearing, with 14-day advance notice of the same, in accordance with the Farmington City Conservation Easement Amendment Policy to obtain public comment regarding the proposed amendments to the Conservation Easement.

2. The City Council has reviewed the proposed amendments and the qualifications and criteria for review and approval of any such amendments in accordance with the City's Conservation Easement Amendment Policy.

3. The City Council finds that the proposed amendments represent minor or incidental changes which are not inconsistent with the conservation values or purposes delineated in the Conservation Easement and/or provide clarification to aid in the interpretation of the Conservation Easement.

4. The City Council finds all of the mandatory criteria under the City's Conservation Easement Amendment Policy for amendments to the Conservation Easement are met, including, but not limited to, the following:

    a. The amendments are consistent with the overall purposes of the Conservation Easement and will not be detrimental to or compromise the protection of the state conservation values of the property.
    b. The amendments are substantially equivalent to or enhance the conservation values of the property.
    c. The amendments are consistent with the City's goals for conservation of land under applicable City Ordinances and will not undermine the City's obligation to preserve and enforce conservation easements it has accepted.
    d. The amendments are the minimum change necessary to achieve the desired and acceptable purpose.
    e. The amendments are clearly warranted and in the best interest of public and subject property.
    f. Granting of the amendments will not set an unfavorable precedent for future amendment requests.
    g. The amendments do not adversely affect the City's qualification as holder of conservation easements.
    h. The amendments do not provide a private benefit to the landowner or any private party.

5. Even with grazing and agricultural uses, the Conservation land will remain preserved for open space consistent with the stated Conservation Values and existing permitted and conditional uses under the terms of the Conservation Easement.

6. The Conservation Easement already provides for anticipated grazing of class "B" livestock and pastureland for sheep and cows, and the proposed agricultural uses of the property are consistent with such uses and preservation of the property.

7. In order to protect the open nature and preservation of the property, associated buildings and structures for permitted uses shall require a conditional use permit. Such uses should be limited, and the location and access to such structures shall be determined with conditional use permit approval.

PUBLIC HEARING: CONSIDERATION OF ORDINANCE DESIGNATING THE DAVIS COUNTY COURTHOUSE AS A HISTORIC LANDMARK ON THE FARMINGTON HISTORIC LANDMARK REGISTER (Agenda Item #5)

Annette Tidwell, Executive Director of the Farmington City Historic Preservation Commission (FCHPC), recommended that the Davis County Memorial Courthouse be designated to the Farmington City Historic Landmarks Register. She said it is one of the most historically and architecturally important landmarks in Farmington. She gave a brief history of the Courthouse and said the current building is the third one that has been built on the same site. The FCHPC met with Davis County representatives and reached an agreement which states that

the original northern front third of the building is eligible for the register, but the interior will not be included. The City's Historic Preservation Ordinance does not cover interior alterations.

Public Hearing

Mayor Harbertson opened the Public Hearing at 7:30 p.m.

Bret Millburn, Davis County Commissioner, expressed appreciation for the efforts of the FCHPC and gave his support for the designation. He said Davis County is in the design process for a new administration building and headquarters of the library to be built on County property south of the existing Courthouse. The new building will house nearly all of the current uses in the Courthouse, and the Commission is unsure of the future use for the existing Courthouse. He commended Farmington City for their efforts and appreciates the relationship between Davis County and Farmington City.

With no further comments, the Public Hearing was closed at 7:45 p.m.

Motion

Cory Ritz made a motion to adopt the Ordinance designating the Davis County Courthouse as a Historic Landmark on Farmington City's Landmark List. **Jim Talbot** seconded the motion, and it was unanimously approved.

PUBLIC HEARING: CONSIDERATION OF ORDINANCE TO (1) AMEND THE GENERAL PLAN FROM "PUBLIC/PRIVATE RECREATION OPEN SPACE AND/OR PARKS, VERY LOW DENSITY" (PPR) AND "LOW DENSITY RESIDENTIAL" (LDR) TO "MIXED USE BUSINESS, MEDIUM DENSITY RESIDENTIAL, LIGHT COMMERCIAL" (MU/B) FOR A PORTION OF CITY PROPERTY NEAR 160 SOUTH MAIN STREET IN THE VICINITY OF THE COMMUNITY ARTS CENTER, THE NEW CITY HALL, THE SWIMMING POOL, AND THE MAIN PARK AREA; AND (2) REZONE THE SAME PROPERTY FROM LARGE RESIDENTIAL (LR) TO BUSINESS RESIDENTIAL (BR) (Agenda Item #6)

The Council agreed with the Planning Commission that this request is consistent with other uses in the neighborhood. The Children's Justice Center, located across the street to the west of this property, will probably require a zoning change sometime in the future. The **Mayor** mentioned the possibility of leasing out a portion of the upper level of the new City Hall.

Public Hearing

The **Mayor** opened the Public Hearing at 7:55 p.m. There was no one to speak concerning this item, and the Public Hearing was closed at 7:55 p.m.

Motion

Sid Young made a motion to amend the General Plan from "Public/Private Recreation Open Space and/or Parks, Very Low Density" (PPR) and Low Density Residential" (LDR) to "Mixed-Use Business, Medium Density Residential, Light Commercial" (MU/B) for a portion of

City property near 160 South Main in the vicinity of the Community Arts Center, the new City Hall, Swimming Pool, and Main Park area. **Rick Dutson** seconded the motion, and it was unanimously approved.

Motion

Sid Young made a motion to rezone the same property from Large Residential (LR) to Business Residential (BR). **Rick Dutson** seconded the motion, and it was approved by all Council members.

Mr. Symes requested that Agenda Item #11 be reviewed prior to Agenda Item #7.

CONSIDERATION OF ASHBY FAMILY REQUEST FOR A COST REDUCTION OF A CONDITIONAL USE PERMIT APPLICATION FEE FOR A HOME OCCUPATION LICENSE TO TEACH SWIM LESSONS (Agenda Item #11)

The **Mayor** asked staff to research similar conditional use permits, and they found only one other application, and the full amount of the fee was paid. He said there are other residents who teach swim lessons but have never applied for a permit, and he commended the **Ashby's** for doing it the right way.

Dela Ashby said the current conditional use fee of $200 makes sense for larger business endeavors; however, the fee seems too high for her small business. She anticipates making enough money to pay for her pool expenses and hopes it will benefit some of her neighbors.

Following a brief discussion, the Council agreed that a lower fee would be acceptable. **Mr. Petersen** suggested that staff should consider amending the fee for seasonal conditional uses such as swimming, snow-cone shacks, etc.

Motion

Rick Dutson made a motion that the conditional use permit application fee be reduced from $200 to $50. **Cory Ritz** seconded the motion, and it was unanimously approved.

PUBLIC HEARING: CONSIDERATION OF (1) RESOLUTION AMENDING THE FIRE CAPITAL FACILITIES PLAN; AND (2) ORDINANCE ADOPTING THE FIRE CAPITAL FACILITIES IMPACT FEE WRITTEN ANALYSIS AND RELATED FIRE IMPACT FEE SCHEDULE (Agenda Item #7)

Background Information

Mr. Forbush explained that Farmington City's request is to modify both its Fire Protection Capital Facilities Plan & Impact Fee and its Culinary Water Capital Facilities Plan and Impact Fee (Agenda Item #8), and both the fire and water impact fee rates will change. The Council will also consider amending the Parks & Recreation Capital Facilities Plan (Agenda Item #9); however, no changes are planned to the Parks & Recreation Impact Fees.

Public Hearing

The **Mayor** opened the public hearing at 8:20 p.m. There was no one to speak regarding this item, and the public hearing was closed at 8:20 p.m.

There was discussion regarding the purchase of a new platform fire truck and plans for a second fire station in west Farmington. The fire equipment will be paid for over time, and the cost will be about $1 million. Including the interest over 15 years, the full amount will be approximately $1.4 million. **Mr. Forbush** referred to the fee schedule included in the packet and pointed out that these impact fees affect only non residential development.

Motion

Rick Dutson made a motion to approve the Resolution amending the Fire Capital Facilities Plan. **Sid Young** seconded the motion, and it was approved by all Council Members.

Motion

Rick Dutson made a motion to approve the Ordinance adopting the Fire Capital Facilities Impact Fee Written Analysis and related Fire Impact Fee Schedule. The motion was seconded by **Sid Young**, and it was approved by Council Member **Cory Ritz**. **Jim Talbot** voted against the motion.

Council member **Jim Talbot** explained that he is not in opposition of purchasing an additional fire truck. He supports the need to protect the community, but he believes the fee schedule is unfair and that there should be a better way to balance out the fees—some of the new developments that are trying to come into our City have the highest fees. The Council also discussed the possibility of paying for these items in less than 15 years which would avoid such a large amount of interest.

PUBLIC HEARING: CONSIDERATION OF (1) RESOLUTION AMENDING THE CULINARY WATER CAPITAL FACILITIES PLAN; AND (2) ORDINANCE ADOPTING THE CULINARY WATER CAPITAL FACILITIES IMPACT FEE WRITTEN ANALYSIS AND RELATED CULINARY WATER IMPACT FEE SCHEDULE (Agenda Item #8)

Public Hearing

Mayor Harbertson opened the public hearing at 8:30 p.m. There was no one to speak concerning this item, and the public hearing was closed at 8:30 p.m.

Motion

Cory Ritz made a motion to approve the Resolution amending the Culinary Water Capital Facilities Plan. **Rick Dutson** seconded the motion, and it was unanimously approved.

Motion

Cory Ritz made a motion to approve the Ordinance adopting the Culinary Water Capital Facilities Impact Fee Written Analysis and related Culinary Water Impact Fee Schedule. **Rick Dutson** seconded the motion, and it was unanimously approved.

PUBLIC HEARING: CONSIDERATION OF RESOLUTION APPROVING AMENDMENTS TO THE PARKS AND RECREATION CAPITAL FACILITIES PLAN LIST (Agenda Item #9)

Public Hearing

Mayor Harbertson opened the Public Hearing at 8:35 p.m. There was no one to speak concerning this item, and the Public Hearing was closed at 8:35 p.m.

Motion

Sid Young made a motion to approve the Parks and Recreation Capital Facilities Plan List. **Cory Ritz** seconded the motion, and all Council members approved.

CONSIDERATION OF LOT LINE ADJUSTMENT IN BRAY SUBDIVISION (Agenda Item #10)

Mayor Harbertson explained that in 1999, a minor subdivision was approved for property located at approximately 1950 N. Compton Road. The original layout included the southern parcel or Lot 2 with 2.13 acres, and the northern parcel or Lot 1 with 1.03 acres. The two property owners would like to record a lot line adjustment exchanging property on the rear of the lots which would amend Lot 2 to include 1 acre and Lot 1 to include a total of 2.15 acres. This adjustment is necessary to clear up a discrepancy on the lot line.

Motion

Jim Talbot made a motion to approve the lot line adjustment as requested. **Cory Ritz** seconded the motion, and all Council members approved.

REQUEST FOR REDUCTION OF WATER BILL OVERAGE CAUSED BY UNDETECTED LEAK – FRANK & BARBARA FRODSHAM (Agenda Item #12-a)

Mayor Harbertson said the total amount of the water bill was $3,983.00 and asked the City Manager to explain his proposal. **Mr. Forbush** said that when a leak is discovered, the City expects the resident to pay half the amount of the bill; and they are expected to repair the leak. The City has a policy of forgiving one half of the overage amount on an undetected leak. However, in this case the leak went undetected for four months during the winter. He recommended the following:

- Divide the overage amount by four months.
- Divide a one-month overage amount in half.
- Assess the overage amount for one half of one month.

Motion

Jim Talbot made a motion to reduce **Frank & Barbara Frodsham's** water bill overage caused by an undetected leak to $497.91. **Rick Dutson** seconded the motion, and it was approved by all Council members.

REQUEST FOR AN EASEMENT VACATION – STEVE ABBOTT (Agenda Item #12-b)

The **Mayor** explained that **Mr. Abbott** would like to construct an accessory building in his back yard and is requesting that the City vacate and abandon the rear lot line public utility easement (PUE) on his property located at 633 South 1025 East. He has obtained approval from each utility company and the effected public agency.

Motion

Sid Young made a motion to authorize the **Mayor** to sign and record the Revocation and Abandonment of Easement document as requested by **Steve Abbott**. **Cory Ritz** seconded the motion, and it was unanimously approved.

REVIEW OF THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR PARK LANE VILLAGE (Agenda Item #12-c)

Mr. Forbush said he received an email from The Haws Companies stating that HUD, who is providing the financing for Park Lane Village, will not allow the impact fees to be paid directly to The Haws Companies. This Agreement, prepared by the City Attorney, states that the impact fees will be paid to Farmington City first, and the City will then pay The Haws Companies. HUD has not reviewed the document; however, because of time constraints, he recommended that the Council authorize **Mayor Harbertson** to sign the document.

Motion

Rick Dutson made a motion to authorize the **Mayor** to sign the First Amendment to the Development Agreement for Park Lane Village with the condition that staff contact HUD to confirm the requirements of the receipt of the payment and to ensure sure that the City will not be required to pay the funds to The Haws Companies prior to receiving them. The motion was seconded by **Jim Talbot** and was approved by all Council members.

MINUTE MOTION APPROVING SUMMARY ACTION LIST

12-1 Ratification of Construction & Storm Water Bond Agreements.
12-2 Approval of February's Disbursement List
12-3 Approval for the granting of "Exemption" status from residential curbside recycling for **Hank & Virginia Semadeni** and for **Pamela Hansen**
12-4 Approval of contract with 3c Business Solutions
12-5 Approval of Change Order #4 – Hughes General Contractor
12-6 Approval of Sidewalk Repair Contract with **Don Redd**

Motion

Sid Young made a motion to approve the items on the Summary Action List with the following additions: 12-3 - **Arlo Nielson**; and 12-6 - **Tom Spear**, **Julie Gardiner**, and **Tom Snyder**. **Cory Ritz** seconded the motion, and it unanimously approved.

CONTRACT WITH LOTUS COMMUNITY DEVELOPMENT INSTITUTE, INC., TO PROVIDE CONSULTING SERVICES FOR "AFFORDABLE HOUSING" PLAN UPDATE (Agenda Item #14)

Motion

Jim Talbot made a motion to authorize the **Mayor** to enter into a contract with the Lotus Community Development Institute, Inc. to provide consulting services for an affordable housing plan update. The motion was seconded by **Sid Young** and was approved by all Council Members.

ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE 8, CHAPTER 2, REGARDING STREETS AND PUBLIC WAYS – 1ST READING (Agenda Item #15)

Mr. Forbush gave a brief overview of the information in Chapter 2 of this Ordinance:

1. The Public Works Director will have more of the responsibility of maintaining City streets and public ways.
2. An excavation permit will be required prior to the commencement of any excavation work with the public right-of-way.
3. A franchise agreement will be required from any entity desiring to install improvements or facilities within any public right-of-way.
4. Occupancy Licenses will be required for anyone who offers a service which requires occupation of the public right-of-way.

ORDINANCE AMENDING TITLE 8, CHAPTER 5, REGARDING EXCAVATION PERMITS – 1ST READING (Agenda Item #16)

Mr. Forbush reviewed some additional amendments in Chapter 5:

1. Application and permit fees;
2. Compliance with standards and specifications;
3. Restoration of public property according to the City's standards;
4. Insurance requirements;
5. Bonding fees—a $1000 cash bond and a $10,000 security bond;
6. Failure to conform to design standards.

RESIDENTIAL MIXED USE/CODE ENFORCEMENT IN THE BR ZONE DISCUSSION (Agenda Item #17)

David Petersen provided information regarding this Item in the work session and requested advice from the Council Members as to whether or not the City should amend the text of the BR zone to allow residential mixed use. He said the Planning Commission reviewed the same issue on April 15, 2010, and they were in favor of the text amendment to allow residential mixed use. Following a brief discussion, the Council disagreed and said they would rather wait until a mixed use development occupies the east side of the block abutting the west side of Main between State Street and 100 East.

CULINARY WATER RATE DISCUSSION (Agenda Item #18)

Mayor Harbertson said the public hearing regarding this item will be scheduled for the June 15, 2010 City Council meeting, and the proposed water rates will be published in the June newsletter.

CITY MANAGER REPORT (Agenda Item #19)

Mr. Forbush informed the Council of the following items:

- Budget Work Session at 5:00 p.m. on Tuesday, April 27, 2010.
- Special City Council Meeting at 5:30 p.m. on May 18, 2010 to tour the new City Hall.
- Authorization for the **Mayor** to sign the agreement regarding the division of costs related to the Station Parkway development.
- Designer from Modern Display will present ideas for Christmas displays at the next meeting.

MOTHER OF THE YEAR NOMINATIONS (Agenda Item #20)

Mayor Harbertson read email messages written by several residents, and other suggestions were made. The Council decided to nominate **Rochelle Reid** as the Mother of the Year for the Davis County Clipper.

MAYOR AND CITY COUNCIL REPORTS - (Agenda Item #21)

Mayor Harbertson's Report

1. Another meeting was held with representatives from Lagoon--they are not happy with the City's proposal regarding their water rates, and they do not agree with the CRS model. The City told Lagoon they will not do another model; if they want another study, it is their responsibility.

2. **Jill Swain** writes the Farmington City newsletter, and she has requested a raise.

3. **Susan Maughan** has made great progress on cleaning up her property.

4. City Council pictures will be taken at the next meeting (May 4, 2010).

5. He received a call from resident **Ruth Anderson**, 678 Ridgewood Circle, who is concerned about traffic on Foxglove Road and Creek Lane. There are stop signs on the east and west sides, but there is nothing for north and south traffic. The area is becoming very dangerous, and she would like staff to look into the possibility of having a four-way stop in that location.

6. There is a Town Hall meeting on Wednesday, April 21, 2010 at 7:00 p.m. with UDOT regarding the West Davis Corridor Study.

City Council Reports

Sid Young

- He also commented on the meeting with Lagoon and said the City should set the water rates and should be based on the model, not negotiated.

- He reminded the Council that it is time to apply for the League of Cities and Towns Legislative Policy Committee.

- The Farmington City Cemetery flag pole still does not rise correctly, and there will probably not be a flag raising ceremony on Memorial Day flag because of the problem in next year's budget.

Cory Ritz

- The Mosquito Abatement District Meeting was held last week, and he appreciated the responses he received from the Council.
- He received a call from a resident, who lives in Farmington Creek Estates, regarding the flood plain map revision on 1100 West, which was part of the Development Agreement and should have been completed several years ago. The work has been done, but Wilding Engineering will not release the flood plain map until the fee of $40,000 is paid.

Jim Talbot

- His attempt to obtain Farmington Rock from the **Asays** did not work out. He was on the Lagoon Trail the previous Saturday, and there was a major irrigation leak in a resident's back yard.

- He received a text regarding a potential computer virus using the Hallmark name.

Rick Dutson

- He and **Max Forbush** met with UDOT regarding the Park Lane swoop and the possibility of a State Street and 200 West stop light. The stop light will likely not be an

option because of the cost--approximately $1.5 million. Park Lane and the proposed swoop were also discussed.

- He urged caution regarding a website—Spokeo--which includes personal information that has been retrieved from social networking sites.

Closed Session

Sid Young made a motion to go into a closed session at 10:30 p.m. to discuss strategy as it relates to acquisition of real property and pending litigation. **Cory Ritz** seconded the motion, and it was unanimously approved.

Cory Ritz made a motion to adjourn the closed session at 10:40 p.m. **Jim Talbot** seconded the motion, and it was approved by all Council members.

SWORN STATEMENT

I, Scott C. 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.

_____
Scott C. Harbertson, Mayor

ADJOURNMENT

Motion

Rick Dutson made a motion to adjourn the meeting. The motion was seconded by **Jim Talbot**, and it was approved by all Council members. The meeting was adjourned at 10:40 p.m.

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Margy Lomax, City Recorder
Farmington City Corporation