

FARMINGTON CITY – CITY COUNCIL MINUTES

JUNE 20, 2023

WORK SESSION

Present:

*Mayor Brett Anderson,
City Manager Brigham Mellor,
Mayor Pro Tempore/Councilmember Scott
Isaacson,
Councilmember Roger Child,
Councilmember Melissa Layton,
Councilmember Alex Leeman,
Councilmember Amy Shumway,
City Attorney Paul Roberts,
City Recorder DeAnn Carlile,*

*Recording Secretary Deanne Chaston,
Community Development Director Dave
Petersen,
Assistant Community Development
Director/City Planner Lyle Gibson,
Assistant City Manager/City Engineer Chad
Boshell,
Finance Director Greg Davis,
Accountant Kyle Robertson, and
Police Chief Eric Johnsen.*

Mayor **Brett Anderson** called the work session to order at 6:06 p.m.

WASATCH PROPERTIES DISCUSSION

Assistant Community Development Director/City Planner **Lyle Gibson** presented this agenda item. Wasatch purchased 20 acres from Stack between Innovator and Maker Way in order to develop the residential portion, which was already approved in the Project Master Plan (PMP). The applicant is coming before the Council now to get feedback on the architectural components of the townhomes, three-story apartments, stacked flats, and seven-story podium building with some commercial.

Jeff Nelson with Wasatch said they now have elevations for the buildings. The intent is to book-end the site coming from the south and Innovator on the other side, so it will be one of the first things you see on the site. This product is different than anything typically found in Utah. It brings as much glass as possible to the street level along with buffering and landscaping. It will help connect the street scape with the retail on the back.

Decks have been removed from the residential and replaced with larger square footage, about 150 to 200 more square feet, for a total of around 2,500 square feet. This is a custom window designed with Amsco to meet the wind ratings in Farmington. An 8 foot by 8 foot sheet of glass is not cheap. Every room has the same symmetrical look with glass.

The residential building is a mixture of two- and three-bedroom units. Single-car garages will be on the backside and are available for rent. There will be additional covered and surface parking. The townhomes have two-car garages plus additional guest parking. Councilmember **Roger Child** suggested car-length driveways for the townhomes, which will keep the streets clear.

Two units were removed to make room for a 2,500-square-foot roof deck on the fourth floor. This will be for outdoor living amenities and replace the outdoor living space. It will be a collective amenity instead of an individual space.

The building is predominantly brick, so it looks like an old renovated building. Councilmember **Alex Leeman** said he appreciates that brick was used all the way up the facades. **Child** said he loves the permanence and historical feeling the brick gives. He appreciates the urban feel and doesn't miss the balconies. It is a residential building that has a commercial-type front, which reminds of him of the Eagle Gate apartments in Salt Lake City. He said big windows looking down on the street can be a beneficial thing, as it can cut down on crime.

Councilmember **Amy Shumway** said she usually loves balconies, but she feels for this building, it is appropriate that this does not have balconies. Councilmember **Melissa Layton** said with such big windows tenants will feel they are already outside, so they won't miss balconies.

While he can see the good things that have been pointed about this design, Councilmember **Scott Isaacson** said it looks like just a square box to him. He knows it is the style now, but he feels it won't look great decades later. He would like this building to have a cohesive look with the nearby townhomes. He wants things to look planned and like they are in the same family.

Adam Langford with Wasatch said this building was designed just for Farmington, and it will never be seen anywhere else. **Nelson** said they haven't hired an exterior design consultant yet, but that consultant should be able to weave it all together. Site wide, amenities include two pickleball courts, a dog park, pet wash, and golf simulator. Trees will be planted in the park strips.

Gibson said the Council may not see more architecture and site plan details, as the project is set to go through the Planning Commission next. **Nelson** said since the project is so early in the process, a lot of things can change. The parapets may even change still. The project will not be age-restricted, and he expects empty-nesters and newlyweds will live here and in the residential of the podium building, while families are more likely to live in the townhomes. However, there will be a mix throughout the 470-unit project, which is all for-rent. The townhomes are divided so they could be sold separately in the future.

Langford said Wasatch owns their own communities long-term and does their own project management. They have no intent to sell and are in it for the long-term. **Child** said 470 units justifies on-site management. **Langford** said there will be 12 full-time employees on-site six days a week. They will offer cooking classes, super bowl parties, and other activities for the residents. **Langford** said the 10- to 12-foot public-access pedestrian greenway will continue south to the park and have benches, lighting, and landscaping.

I-15 EXPANSION UPDATE

Assistant City Manager/City Engineer **Chad Boshell** presented this agenda item regarding the Utah Department of Transportation (UDOT) Interstate 15 widening project. After holding meetings with residents and City Staff, UDOT has removed Glovers Lane off the Environmental Impact Study, meaning it stays the same in terms of not having an interchange. There are some adjustments such as shifting the frontage road some. The overpass will be replaced and look more like the one over Legacy with a pedestrian walkway.

UDOT is still looking at a couple of options on State Street, and both options keep the three homes because UDOT realized they didn't need to go that wide. However, the orange brick home furthest west has to go no matter what. One option is the current configuration with the

frontage road under state street, which will give Lagoon more direct access. The other option is to bring it back up to the overpass for a four-way intersection.

Boshell said he prefers it going underneath. Community Development Director **Dave Petersen** said Staff doesn't know which configuration is best yet, as they are only looking at preliminary numbers. A free right reduces traffic significantly. Instead of a full interchange at Glovers Lane, there may be one at 200 West with the option to go to 200 West or bypass it and go underneath to Lagoon without ever stopping. Traffic could get on the freeway going north, but not exit south. If coming from the south, traffic could continue on the frontage road. UDOT likely will not take any homes on the south, just encroach on them right into their backyards.

CLOSED SESSION

Present:

*Mayor Brett Anderson,
City Manager Brigham Mellor,
Mayor Pro Tempore/Councilmember Scott
Isaacson,
Councilmember Roger Child,
Councilmember Melissa Layton,
Councilmember Alex Leeman,
Councilmember Amy Shumway,*

*City Attorney Paul Roberts,
City Recorder DeAnn Carlile,
Recording Secretary Deanne Chaston,
Community Development Director Dave
Petersen,
Assistant City Manager/City Engineer Chad
Boshell, and
Finance Director Greg Davis.*

Motion:

At 6:53 p.m., Mayor Pro Tempore/Councilmember **Scott Isaacson** made the motion to go into a closed meeting for the purpose of acquisition or sale of real property.

Councilmember **Melissa Layton** seconded the motion. All Council members voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Scott Isaacson	X Aye	___	Nay
Councilmember Roger Child	X Aye	___	Nay
Councilmember Melissa Layton	X Aye	___	Nay
Councilmember Alex Leeman	X Aye	___	Nay
Councilmember Amy Shumway	X Aye	___	Nay

Sworn Statement

I, **Brett Anderson**, 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.

/s/ Brett Anderson

Brett Anderson, Mayor

Motion:

At 7:00 p.m., Councilmember **Alex Leeman** made a motion to reconvene to an open meeting. Councilmember **Amy Shumway** seconded the motion. All Council members voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Scott Isaacson	X Aye	___	Nay
Councilmember Roger Child	X Aye	___	Nay
Councilmember Melissa Layton	X Aye	___	Nay
Councilmember Alex Leeman	X Aye	___	Nay
Councilmember Amy Shumway	X Aye	___	Nay

REGULAR SESSION

Present:

*Mayor Brett Anderson,
 City Manager Brigham Mellor,
 Mayor Pro Tempore/Councilmember Scott Isaacson,
 Councilmember Roger Child,
 Councilmember Melissa Layton,
 Councilmember Alex Leeman,
 Councilmember Amy Shumway,
 City Attorney Paul Roberts,
 City Recorder DeAnn Carlile,
 Recording Secretary Deanne Chaston,
 Community Development Director Dave Petersen,*

*Assistant Community Development Director/City Planner Lyle Gibson,
 Assistant City Manager/City Engineer Chad Boshell,
 Finance Director Greg Davis,
 Accountant Kyle Robertson,
 City Parks and Recreation Director Colby Thackeray,
 Public Works Director Larry Famuliner,
 Police Chief Eric Johnsen, and
 Fire Chief Rich Love.*

CALL TO ORDER:

Mayor **Brett Anderson** called the meeting to order at 7:06 p.m.

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

Councilmember **Melissa Layton** offered the invocation, and the Pledge of Allegiance was led by Mayor Pro Tempore/Councilmember **Scott Isaacson**.

PRESENTATION:

Redkor Branding

Mayor Anderson said the City has been evaluating its brand and continuity. Currently the brand, logos, and letterhead are all different. The process has been painful, invigorating, and exciting, depending on who you ask. Countless hours have gone into this. Tonight the presentation will show where the City is at and allow for Council input. In the future, the official letterhead won't include all Councilmember names. This has led to having to throw out letterhead with each new election.

Rushford Lee with Redkor Branding presented a 95% completed playbook that is divided into six sections. A brand is more than a logo and includes research, messaging, and marketing. It is what makes a City unique and different.

City Manager **Brigham Mellor** said he appreciates the empirical way **Lee** approached branding, including soliciting public feedback through social media and on utility billing emails. There were 305 responses.

Lee said the playbook includes consistent free fonts and colors. There are four separate logos for police, fire, public works, and parks and recreation. Employees should read through the playbook when they start employment. It includes a lot of messaging for social media and emails. Farmington's messaging focuses on three pillars: access to everything you need; gateway to nature and recreation; and beauty, tradition, and community. Points include: feels like home; family friendly; blend of historic and modern; deep roots; community and belonging; safe and secure; the good life; and gateway to nature. These are good to use in social media.

Park Design by Blu Line Designs

City Parks and Recreation Director **Colby Thackeray** presented this agenda item. Blu Line Designs was hired in February to help design the new park by the business park; it is unlike anything Farmington has done. If the Council feels good about this, it will proceed to the Planning Commission.

Brent Potter, landscape architect with Blu Line Designs, addressed the Council, thanking the Staff for giving his company leeway to be creative without constraint. After surveying developers and meeting with the Parks, Recreation, Arts and Trails (PRAT) Advisory Board and City Staff, the company produced three concepts. The focus was on the Preliminary Master Plan (PMP) and included connection, continuing the pedestrian greenway walk from the north to Station Park, and designing for a nature aspect including trees. The main constraint was the large detention basin.

There is a walking loop around the park, a ninja warrior course, bouldering walls, 40-yard dash, nine square, benches, a lounge area with bistro lights, fire pit, ping pong tables, cornhole, spaces for food trucks, hammocking, pavilions, restrooms, maintenance building, six pickleball courts, a full-size basketball court, farmers market stalls, an interactive water feature, playground with artificial turf, seating areas, steel structured swings, a stage, and boardwalk bridges through wetlands. There will be 110 parking stalls with an additional 181 parking stalls to be shared with a private gym to the north. Roadside parking will also be available on the east.

At the intersection of 500 North and Innovator Drive, there will be a large landmark tree sculpture. **Mellor** said the concept for the sculpture came from the North Farmington Station logo with blocks that make up the tree. Another piece of artwork would be a permanent structure of flowing ribbons to create shade. It would be there year-round, and should withstand Farmington winds. It would be similar to artwork installations by Poetic Kinetics. **Layton** said this would be a popular photo spot.

Councilmember **Amy Shumway** said the City is missing a good splash pad. **Thackeray** is not concerned with maintenance on the swings or ninja warrior course. However, he is worried the shade structure may require high maintenance.

PUBLIC HEARINGS:

Resolution Amending the Municipal Budget for Fiscal Year ending June 30, 2023

Accountant **Kyle Robertson** presented this agenda item, saying that it was the last chance to amend the budget in order to stay compliant with this fiscal year. The General Fund balance is 29% this fiscal year and should be 20% next fiscal year.

Amendments included: contracted building inspection services (\$30,000 expenditure increase); snow removal (\$10,000 expenditure increase); repairs and maintenance, streets, vehicles (\$25,000 expenditures increase); street light repairs and maintenance (\$85,000 expenditure increase); supplies, service for park maintenance (\$40,000 expenditure increase); salary increases for specific employees (\$116,000 expense increase across multiple funds); settlements, claims (\$20,000 expenditure increase from general fund fire department); lobbying costs (\$12,000 expense increase to RDA); police vehicle purchases (\$282,000 expense increase from equipment fund); land acquisition costs (\$10,000 expenditure increase from Real Estate fund); fire impact fee study (\$5,000 expense increase from fire facility impact fund); garbage utility services (budget neutral); and paramedic, ambulance service levels (budget neutral for the ambulance fund). **Isaacson** said the report was very clear. By his calculations, these amendments' impact to the General Fund total \$279,000.

Mayor Anderson said there was a significant increase in street light repair. Public Works Director **Larry Famuliner** said quite a few street lights got hit by vehicles this year. The motorist's insurance will likely cover the light repair costs, if they have insurance. However, many hit and run. Assistant City Manager/City Engineer **Chad Boshell** said one motorist hit three in one day. If there is a police report, Staff tries to recoup the costs. If they are down, they simply need to be replaced.

Mayor Anderson opened and closed the Public Hearing at 8:16 p.m., as nobody signed up in person or electronically to address the Council on the issue.

Motion:

Isaacson moved that the City Council approve a resolution to amend the FY23 municipal budget as presented in the Staff presentation.

Councilmember **Alex Leeman** seconded the motion. All Council members voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Scott Isaacson

X Aye ___ Nay

Councilmember Roger Child
Councilmember Melissa Layton
Councilmember Alex Leeman
Councilmember Amy Shumway

X Aye ___ Nay
X Aye ___ Nay
X Aye ___ Nay
X Aye ___ Nay

Resolution Adopting the Municipal Budget for Fiscal Year 2024

Finance Director **Greg Davis** presented this agenda item. Since the recent budget discussions, there has been one adjustment he needs to bring to the Council’s attention: the advanced purchase of police vehicles. There will be a 30% property tax increase, which equates to \$10 a month for a resident who has a \$641,000 home. The utility rate increase will be an additional \$10 a month for standard billing. In total, the impact to residents will be about \$20 between property tax and utility rate increases for an average home. A truth in taxation hearing will be held August 15, 2023, when residents can come to voice their concerns or support.

Isaacson said he is impressed that some residents have been listening to audio of recent meetings. The Council has spent two to three months of meetings reviewing every line item of the budget. When he first started looking at the budget, he was skeptical of the increase. However, he is now persuaded that this increase is absolutely necessary.

Councilmember **Roger Child** said inflation has gotten the best of everyone, and this increase is significantly lower than the current inflation rate. **Davis** said considering the many years of inflation that lead to the tremendous inflation on wages over the last few years, this increase is actually kind to the residents. It has been 13 years without any property tax increase, followed by the County handing paramedics service over to the City, which caused a tax increase.

Mayor Anderson said there are a number of municipalities that try to address inflation with gradual annual increases each year. While Farmington can pat themselves on the back for not raising taxes for 14 years, maybe the City should have. **Child** said the biggest increases have been in direct services to the public.

Mayor Anderson opened the Public Hearing at 8:26 p.m.

Teri Remington addressed the Council via Zoom. She asked why businesses aren’t paying more in property taxes.

Larry Pace (500 South 904 West, Farmington, Utah) told the Council they are doing an awesome job, and that their time is important. He was involved in Bountiful City government for decades before moving to Farmington. He would like them to consider sticking to time restraints on agenda items.

Mayor Anderson closed the Public Hearing at 8:30 p.m.

Davis said local businesses pay property taxes, thereby contributing to the General Fund. They also bring in economic development, which has a positive impact on sales tax revenue and impact fees. Farmington benefits from having a commercial element, compared to being just a residential bedroom community.

Mellor explained that as residential property values increase, the property tax rate is actually adjusted downward to maintain the tax revenue at a consistent amount. Over time, especially after times of inflation, the purchasing power of tax dollars goes down. Even holding the tax rate

constant is considered increasing taxes, because it increases the revenue as property values increase. In the past 13 years, the only time Farmington raised taxes was when paramedic services moved from the County to the City. This was really a transfer of property tax from one entity to another. Taxes not increasing for 14 years is evidence that businesses have been paying their fair share in Farmington. As a constant revenue stream, property taxes should pay for public safety. Unlike homes, business pay 100% of their value for taxes. Recessions dry sales tax revenues up. While swimming pools and gyms can be shut down, police, ambulance and fire cannot. Calls to 911 have to be responded to. Therefore, property taxes are for the equipment and manpower residents expect when they call 911.

Leeman said under Utah State law, primary residential homes are taxed at 55% of property value while businesses are taxed at 100%, or roughly double that of a residential home. Tax increases hit business twice as hard as they do residences. Because Farmington has had a lot of business development, the City has kept up with inflation. If it had not been for this business development, residents' taxes would have been higher. So, businesses do pay their fair share. He said the Council has to adopt its budget, which includes the increased tax rate, before July 1, 2023. However, that doesn't set the tax rate in stone. That is done during Truth in Taxation in August. That is the most serious public hearing that will be held all year, in his opinion.

The proposed resolution includes this language for Section 2. Proposed Property Tax Levy:

“There is hereby proposed a tax levy for all taxable property within Farmington City, a tax at the rate of 0.001502 for purposes of establishing the operating budget of the city until the final budget is approved through the ‘Truth in Taxation’ process. The certified rate does exceed the certified rate determined by the Davis County Auditor’s office.”

Motion:

Shumway moved that the City Council adopt the updated resolution to adopt the FY 2024 municipal budget, including the tax rate of 0.001502.

Child seconded the motion. All Council members voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Scott Isaacson	X Aye	___ Nay
Councilmember Roger Child	X Aye	___ Nay
Councilmember Melissa Layton	X Aye	___ Nay
Councilmember Alex Leeman	X Aye	___ Nay
Councilmember Amy Shumway	X Aye	___ Nay

Resolution Amending the Consolidated Fee Schedule (CFS)

Robertson presented this agenda item. **Shumway** said the public should be educated that garbage fees are going up because there is not enough recycling occurring in the City. **Mellor** said he needs more time to collect data on the number of garbage and recycling cans in the City, as well as the impact any fee reductions or increases could have on the overall budget. He would like to bring Wasatch Integrated in for a work session.

Leeman said this should be bookmarked so that decisions can be made next year. **Isaacson** said this year, increases are due mostly to pass-through expenses from service providers increasing rates. The impact to an average home is \$10 a month, and Farmington doesn't have a choice. **Shumway** said she appreciates Farmington consolidating fees into one payment instead of

several. **Mellor** would like to waive the fee for residents to pay through express bill pay. This will encourage more use of the service.

Mayor Anderson opened the Public Hearing at 8:53 p.m.

Tammy Hardy (24 West Glover Lane, Farmington, Utah) asked if the City could cut down on waste by eliminating the envelope sent with utility bills. **Mayor Anderson** said he would look into it.

Mayor Anderson closed the Public Hearing at 8:55 p.m.

Motion:

Leeman moved that the City Council adopt the resolution amending the Consolidated Fee Schedule as set forth in the Staff Report.

Layton seconded the motion. All Council members voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Scott Isaacson	X Aye	___	Nay
Councilmember Roger Child	X Aye	___	Nay
Councilmember Melissa Layton	X Aye	___	Nay
Councilmember Alex Leeman	X Aye	___	Nay
Councilmember Amy Shumway	X Aye	___	Nay

Motion:

Leeman moved that the City Council move the “Modifications to design standards, creating additional water efficient landscaping requirements for new residential construction” agenda item next.

Shumway seconded the motion. All Council members voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Scott Isaacson	X Aye	___	Nay
Councilmember Roger Child	X Aye	___	Nay
Councilmember Melissa Layton	X Aye	___	Nay
Councilmember Alex Leeman	X Aye	___	Nay
Councilmember Amy Shumway	X Aye	___	Nay

Modifications to design standards, creating additional water efficient landscaping requirement for new residential construction

Assistant Community Development Director **Lyle Gibson** presented this agenda item. The State has allocated additional money not just for the Flip Your Strip program, but also for the Lawn Exchange program. Instead of a \$1.25 rebate per square foot, it has been increased to \$2.50 per square foot. However, Farmington must update their ordinance in order for residents to qualify. The new ordinance will apply to new single-family construction. Existing homes won’t be mandated to change anything. The ordinance will restrict lawns in front and side yards, with no more than 35% of a lot being turf. This doesn’t mandate what is done in non-turf areas, as Farmington won’t regulate that. Weber Basin Water Conservancy District is offering incentives for water-efficient plantings, and sign up and rebates will be through them.

Gibson said Farmington itself would be eligible for several thousand dollars' worth of retrofitting under this program, and it would provide encouragement for its residents. **Shumway** said she has heard from many residents anxious for these programs.

Mayor Anderson opened and closed the Public Hearing at 9:02 p.m., as nobody signed up in person or electronically to address the Council on the issue.

Anderson noted that the city of Las Vegas has prohibited all grass. As cities develop at increased rates, it has drained the aquifers so much that the land has settled. Once that happens, the aquifer can't refill to the same extent and sink holes can form.

Motion:

Isaacson moved that the City Council approve the proposed text amendment to Chapter 11-7 creating additional water efficient landscaping requirements for new residential construction.

Findings 1-5:

1. Conservation of water is important for Farmington City and the surrounding region to ensure sufficient supplies for current use and future generations.
2. Water efficient landscaping can continue to beautify the community and enhance the public health and welfare.
3. Water conservation will help ensure adequate supplies for existing and future development as well as water in natural areas like Great Salt Lake.
4. Existing residents and business owners will benefit by remaining eligible for the Flip Your Strip program and further benefit by becoming eligible for the Lawn Exchange Program.
5. Similar restrictions are already in place for multi-family and commercial developments; the proposed ordinance amendment puts single-family development under similar restrictions to do their part to conserve water.

Child seconded the motion. All Council members voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Scott Isaacson	X Aye	___	Nay
Councilmember Roger Child	X Aye	___	Nay
Councilmember Melissa Layton	X Aye	___	Nay
Councilmember Alex Leeman	X Aye	___	Nay
Councilmember Amy Shumway	X Aye	___	Nay

REDEVELOPMENT AGENCY MEETING

Present:

*Mayor Brett Anderson,
City Manager Brigham Mellor,
Mayor Pro Tempore/Councilmember Scott
Isaacson,
Councilmember Roger Child,
Councilmember Melissa Layton,
Councilmember Alex Leeman,
Councilmember Amy Shumway,
City Attorney Paul Roberts,
City Recorder DeAnn Carlile,*

*Recording Secretary Deanne Chaston,
Community Development Director Dave
Petersen,
Assistant Community Development
Director/City Planner Lyle Gibson,
Assistant City Manager/City Engineer Chad
Boshell,
Finance Director Greg Davis,
Police Chief Eric Johnsen, and
Fire Chief Rich Love.*

Motion:

Councilmember **Alex Leeman** made the motion to adjourn to the Redevelopment Agency (RDA) Meeting. The motion was seconded by Councilmember **Amy Shumway**, and was unanimously approved.

Mayor Pro Tempore/Councilmember Scott Isaacson	X Aye	___	Nay
Councilmember Roger Child	X Aye	___	Nay
Councilmember Melissa Layton	X Aye	___	Nay
Councilmember Alex Leeman	X Aye	___	Nay
Councilmember Amy Shumway	X Aye	___	Nay

CALL TO ORDER:

Mayor **Brett Anderson** called the meeting to order at 9:05 p.m. Roll call established that all members of the Governing Board of the Redevelopment Agency of Farmington City were present.

PUBLIC HEARINGS:

Amendment #4 of the RDA Budget for Fiscal Year ending June 30, 2023

Finance Director **Greg Davis** presented this agenda item. City Manager **Brigham Mellor** said two items may come into play with this Fiscal Year 2024 budget. Farmington may end up contributing to the Legacy Events Center electronic message sign. Also, the City will be working with Rocky Mountain Power to bury power lines in front of the Wasatch Sports Park.

Mayor Anderson opened and closed the Public Hearing at 9:08 p.m., as nobody signed up in person or electronically to address the Council on the issue.

Motion:

Councilmember **Roger Child** moved that the RDA approve the resolution to amend the Fiscal Year 2023 RDA budget.

Councilmember **Melissa Layton** seconded the motion. All RDA members voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Scott Isaacson	X Aye	___	Nay
Councilmember Roger Child	X Aye	___	Nay
Councilmember Melissa Layton	X Aye	___	Nay
Councilmember Alex Leeman	X Aye	___	Nay
Councilmember Amy Shumway	X Aye	___	Nay

Resolution Adopting the RDA Budget for Fiscal Year 2024

Mayor Anderson opened and closed the Public Hearing at 9:10 p.m., as nobody signed up in person or electronically to address the Council on the issue.

Motion:

Layton moved that the RDA adopt the RDA budget for Fiscal Year 2024.

Leeman seconded the motion. All RDA members voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Scott Isaacson	X Aye	___	Nay
Councilmember Roger Child	X Aye	___	Nay
Councilmember Melissa Layton	X Aye	___	Nay
Councilmember Alex Leeman	X Aye	___	Nay
Councilmember Amy Shumway	X Aye	___	Nay

Motion:

Leeman made a motion to adjourn and reconvene to an open City Council meeting at 9:11 p.m.

Shumway seconded the motion, which was unanimously approved.

Mayor Pro Tempore/Councilmember Scott Isaacson	X Aye	___	Nay
Councilmember Roger Child	X Aye	___	Nay
Councilmember Melissa Layton	X Aye	___	Nay
Councilmember Alex Leeman	X Aye	___	Nay
Councilmember Amy Shumway	X Aye	___	Nay

PUBLIC HEARINGS continued:

Update and adopt an Impact Fee Facilities Plan for Fire

Boshell presented the Impact Fee Facilities Plan and Analysis for Fire and Police. By state code, Farmington has to update the impact fees every so often. Police needed an update and Farmington needs to build more infrastructure. Police had over 15,000 calls in the last year, and that is not considering “agency assists” and traffic calls for nonresidents. Fire had 1,500 calls.

The Level of Service (LOS) determines how impact fees can pay for new or an expanded station. The Facility Plan identifies items that each department needs. For example, fire needs a new station. In order to build it, the LOS has to be kept the same or lower. Over the next 10 years, impact fees can pay for 10,000 square feet.

Zions Bank did an impact fee analysis, which determines impact fees. This is done by identifying the cost to build per square foot as well as the total cost, and dividing it by the growth rate of single-family, multifamily, and commercial. Impact fees consider the cost per call.

The new proposed fees are going up drastically compared to what they have been in the past, considering they have not increased in the past 12 years. **Boshell** said they should have been raised a long time ago, and the LOS has decreased. The current fire station is cramped.

Building permits trigger when impact fees are collected. **Isaacson** noted that COVID and interest rates have slowed building, but the City has approved a lot of development. **Mellor** said if a building permit is pulled in the next 90 days, that applicant will be assessed using the old fees. This is a strategic move, not just because of a need for a new fire station. Impact fees are supposed to be evaluated every six years, and he is not sure when Farmington last adjusted the impact fees. City parks are being analyzed as well. This is a way to make sure new residents are paying for their fair share. The alternative is to charge residents to subsidize the needs of new growth.

Isaacson asked how Farmington's fees are compared to those in other cities. Many cities are built out and are not experiencing new growth. He doesn't want it to get back to the State legislature that developers are being charged too much in impact fees in Farmington.

Mellor said increased impact fees are needed for police and fire. The single-family residential fee is going up \$776. However, transportation impact fees may be on the decrease as much as 70%. Before the new impact fees are implemented in 90 days, Zions will do a transportation fee analysis. The expected decrease is due to the funding received from both the 2023 State Legislative Appropriations Committee and the Davis County Council of Governments' 3rd quarter transportation grant. Other taxing entities are now helping to pay for transportation. There would therefore be a reduction of \$1,700 in transportation impact fees for single-family home permits. Despite the increase, when considering the reduction in transportation fees, there would be an overall decrease in impact fees.

Mellor said tax increment cannot be used to help pay for the fire station. However, tax increment can be used to pay development fees, which can be 5% to 8% of total construction costs. If developers complain they can't afford the fees without a reduction, at their discretion the Council can allocate tax increment to pay for development fees. The average single-family home in Farmington costs \$800,000 to construct.

Child asked what category assisted living facilities fall under. **Boshell** answered commercial, which is higher. **Child** noted that Farmington does not require applicants to show proof of water when they build, as many other cities do.

Boshell said Farmington is getting toward the end of impact fees as the City approaches build-out. Either the developer pays the impact fee or they build the needed infrastructure themselves. It is easy to see the value of what impact fees pay for. There will be a day when Farmington will start eliminating and expiring impact fees.

Isaacson said if developers have problems paying impact fees, it is easy to show the Zions report, which is required by statute. The report is accurate and persuasive.

Mayor Anderson opened and closed the Public Hearing at 9:43 p.m., as nobody signed up in person or electronically to address the Council on the issue.

Motion:

Isaacson moved that the City Council approve the resolution (enclosed in the Staff Report) adopting the Fire Impact Fee Facilities Plan.

Leeman seconded the motion. All Council members voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Scott Isaacson	X Aye	___	Nay
Councilmember Roger Child	X Aye	___	Nay
Councilmember Melissa Layton	X Aye	___	Nay
Councilmember Alex Leeman	X Aye	___	Nay
Councilmember Amy Shumway	X Aye	___	Nay

Update and adopt an Impact Fee Analysis for Fire

Boshell presented this agenda item previously.

Mayor Anderson opened and closed the Public Hearing at 9:44 p.m., as nobody signed up in person or electronically to address the Council on the issue.

Motion:

Child moved that the City Council approve and adopt the enclosed ordinance adopting the Fire Impact Fee Analysis and Fire Impact Fees on development activities within Farmington.

Layton seconded the motion. All Council members voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Scott Isaacson	X Aye	___	Nay
Councilmember Roger Child	X Aye	___	Nay
Councilmember Melissa Layton	X Aye	___	Nay
Councilmember Alex Leeman	X Aye	___	Nay
Councilmember Amy Shumway	X Aye	___	Nay

Update and adopt an Impact Fee Facilities Plan for Police

Boshell presented this agenda item previously.

Mayor Anderson opened and closed the Public Hearing at 9:45 p.m. as nobody signed up in person or electronically to address the Council on the issue.

Motion:

Shumway moved that the City Council approve the resolution (enclosed in the Staff Report) adopting the Police Impact Fee Facilities Plan.

Child seconded the motion. All Council members voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Scott Isaacson	X Aye	___	Nay
Councilmember Roger Child	X Aye	___	Nay

Councilmember Melissa Layton
Councilmember Alex Leeman
Councilmember Amy Shumway

X Aye ___ Nay
X Aye ___ Nay
X Aye ___ Nay

Update and adopt an Impact Fee Analysis for Police

Boshell presented this agenda item previously.

Mayor Anderson opened and closed the Public Hearing at 9:46 p.m., as nobody signed up in person or electronically to address the Council on the issue.

Layton asked why the single-family impact fee is higher than the multi-family impact fee. **Mellor** said it was based on Farmington-specific call volumes, and the data bears out that more calls for police come from single-family homes than from multi-family housing. A reason for this could be that multi-family is more self-policing. Staff has found this to be the case even with code enforcement. **Isaacson** said this is interesting, especially after residents spoke out against apartment buildings in their City because they thought it would bring more crime to the area. This sounded reasonable at the time, but the data has not supported that.

Motion:

Leeman moved that the City Council approve and adopt the enclosed ordinance adopting the Police Impact Fee Analysis and Police Impact Fees on development activities within Farmington.

Isaacson seconded the motion. All Council members voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Scott Isaacson
Councilmember Roger Child
Councilmember Melissa Layton
Councilmember Alex Leeman
Councilmember Amy Shumway

X Aye ___ Nay
X Aye ___ Nay
X Aye ___ Nay
X Aye ___ Nay
X Aye ___ Nay

Zone Text Amendments to Accessory Buildings/Garages in Side Corner Yards in the Original Townsite Residential (OTR) Zone

Community Development Director **Dave Petersen** presented this agenda item, saying there are inconsistencies in two sections, namely the definition of a front yard, side corner yard, and “required side corner yard.” The Planning Commission did a thorough review and determined the intent of the ordinance. The Commission took a look and determined there were 89 side corner yards in the OTR zone, with 22 of them having side corner yards greater than 35 feet in width and another 22 of them between 25 to 35 feet. Nine side corner yards are nonresidential buildings. The national register influenced this, encouraging garages to be put in side yards.

The Planning Commission said this area of Old Town (400 acres) began to be developed 170 years ago and continues to develop. There are housing types from each time period, and it looks different than a typical subdivision. Park strips are 30 feet wide. There are very few two-story homes. In Old Town, porches are a big deal, not like in the rest of Farmington. Garages do not dominate, and many times there are no garages at all. There are more shade trees in the area than the rest of Farmington that now has central air. The average size of a lot in Old Town is 14,000

square feet. In 2001, almost 29% of homes in the area had no garage at all and 76% of homes were one-story. How do garages fit in this setting?

Mayor Anderson opened and closed the Public Hearing at 10:05 p.m., as nobody signed up in person or electronically to address the Council on the issue.

Motion:

Leeman moved that the City Council table this item for further consideration.

Isaacson seconded the motion. All Council members voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Scott Isaacson	X Aye	___	Nay
Councilmember Roger Child	X Aye	___	Nay
Councilmember Melissa Layton	X Aye	___	Nay
Councilmember Alex Leeman	X Aye	___	Nay
Councilmember Amy Shumway	X Aye	___	Nay

Shumway and **Isaacson** both said they want to see more pictures or be provided with addresses in order to better understand the side corner yards. **Isaacson** said he understands the desire to keep things the same with some clarification. The intent is the City doesn't want a garage to dominate, especially on a corner.

Zone Text Amendments to Accessory Dwelling Units (ADUs)

City Attorney **Paul Roberts** presented this agenda item, which comes to the Council with a unanimous Planning Commission recommendation. Non-internal ADUs are still conditional under City code, but this amendment proposes to make them a permitted use. Thus, they would not have to go before the Planning Commission for a public hearing. Instead, approvals would be done on a Staff level. ADUs would still be required to be on an owner-occupied parcel, and would still need submitted floor plans, permit fees, evidence of smoke detectors, etc. with their application.

Community Development Director **David Petersen** said these are routine, and the Commission sees the merit to Staff reviewing these for permitted uses. If an ADU is over 15 feet in height, they would have to come back to the Commission for a public hearing. The public really is only interested in how tall ADUs are, and most are single-story. Only on the rare occasion are they higher. It is still required that ADUs must be on a lot larger than 6,000 square feet and subordinate in area to the main dwelling. The lot coverage is still the same.

Isaacson said it is helpful to have the redlined version to refer to. **Petersen** said this Planning Commission reads all the packets and thoroughly studies the ordinances.

Mayor Anderson opened and closed the Public Hearing at 10:13 p.m. as nobody signed up in person or electronically to address the Council on the issue.

Motion:

Isaacson moved that the City Council approve the zone text amendments as listed in the enabling ordinance (enclosed in the Staff Report).

Findings 1-3:

1. The amendments support Farmington City’s Moderate Income Housing Plan by simplifying the permitting process for property owners who wish to build an ADU.
2. By allowing Staff to review and approve ADUs, valuable time on Planning Commission agendas is created.
3. The charges included in this zone text amendment remove public confusion surrounding ADUs and public hearings.

Layton seconded the motion. All Council members voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Scott Isaacson	X Aye	___	Nay
Councilmember Roger Child	X Aye	___	Nay
Councilmember Melissa Layton	X Aye	___	Nay
Councilmember Alex Leeman	X Aye	___	Nay
Councilmember Amy Shumway	X Aye	___	Nay

BUSINESS:

Water Refund Request

Mellor presented this agenda item. Staff is looking for direction regarding this \$4,000 water bill. Staff noticed the water overage in September. By the time the landowner was contacted, they no longer lived in the home. It was noted when they tried to sell the house, as the title company wanted it rectified. The new residents could not sign up for utilities until this bill is reconciled by the previous land owner. The previous owners now live in the Midwest and wrote a letter to the City mentioning medical challenges. The bill was paid in full the day of closing, and now the former landowner wants to be reimbursed \$3,800. When the new owner moved in, the insurance company fixed the water leak. They have been nice, but not immediately responsive.

Mayor Anderson said the letter was well written and polite. **Shumway** said while Farmington is a City of understanding and compassion, the City did its due diligence, caught the water leak, and informed the landowner of it. **Child** said this varies from other requests because the City caught it this time, and in this case this is the responsibility of the homeowner. Farmington caught it, gave the landowner notice, and their absence and negligence is the reason for the high water bill. **Leeman** said since last time the City had to consider a similar request, procedures have been put in place to detect water leaks quicker. **Isaacson** said it is not fair to ask all the other residents to pay for this high bill.

SUMMARY ACTION:

Minute Motion Approving Summary Action List

The Council considered the Summary Action List including:

- Item 1: Kaysville Farmington Boundary Adjustment. **Robertson** said a hearing would be scheduled in 60 days.
- Item 2: Chip Seal Street Maintenance Project Agreement. The Council considered approval of Staker Parson to construct the chip seal Fiscal Year 2024 Road Maintenance project bid for \$143,438. Only one other company submitted a bid, at \$143,438.

- Item 3: Crack Seal Street Maintenance Project Agreement. The Council considered approval of Kilgore Companies to construct the Crack Seal Fiscal Year 2024 Road Maintenance Project bid for \$74,082. Kilgor was one of five respondents, with the highest bid at \$103,750.
- Item 4: Onyx Slurry Seal Street Maintenance Project Agreement. The Council considered approval of Morgan Pavement to construct the Onyx Fiscal Year 2024 Road Maintenance Project bid of \$59,525.60. They were the only company to submit a bid.
- Item 5: Overlay Street Maintenance Project Agreement. The Council considered approval of Black Forest Paving to construct the overlays in the Fiscal Year 2024 Road Maintenance Project bid for \$624,537.60. They were one of seven company submitting bids, with a high of \$787,787.
- Item 6: Burke Lane Bureau of Reclamation Encroachment Agreement. The Council considered approval of an encroachment agreement with the Bureau to allow the City to install a waterline to cross I-15 at Burke Lane.
- Item 7: Shepard Lane Interchange Bureau of Reclamation Encroachment Agreement. The Council considered approval of an encroachment agreement with the Bureau to allow the City to maintain the Park Lane Pedestrian Bridge as part of Shepard Lane Interchange Project.
- Item 8: Main Street Right of Way (ROW) Design Agreement. The Council considered approval of a local government agreement with UDOT and Horrocks for ROW design for the Main Street Widening project in the amount of \$184,906.48. **Shumway** asked if any of the homeowners had extension agreements. **Boshell** said a lot of public involvement is required to get federal dollars, and he will find out if there are any extension agreements. The City has been taking cash payments from The Rose. **Shuwmay** said this will be a big adjustment to the yards affected. **Boshell** said it is a lot of engineering work. If COG approves a pending application, Farmington will have all but \$1 million for this project.
- Item 9: Award Contract for Farmington Fire Station 72 Architectural Design. The Council considered approving the contract with Blalock for architectural services related to Station 72. **Mellor** said Blalock submitted an AIA document. Since it would be a \$100 charge to change and resubmit the form, Farmington decided to do an addendum instead. **Isaacson** said the 5% of construction cost is somewhat high. **Mellor** said that was the lowest proposal, and Blalock capped it at \$625,000 for the \$12.5 million of construction. No other company offered a cap. Also, Staff trusted Blalock’s estimated cost projects because they previously have done Farmington’s estimations.
- Item 10: Hidden Farms Estates Improvement Agreement. The Council considered approving the agreement between Hidden Farms Estates LLC and Farmington City for the Hidden Estates project. The \$106,332.72 bond will be released as improvements are installed by the developer and inspected by the City.
- Item 11: Approval of Minutes for June 6, 2023.

Motion:

Layton moved to approve the Summary Action list Items 1-11 as noted in the Staff Report.

Child seconded the motion. All Council members voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Scott Isaacson
 Councilmember Roger Child

X Aye ___ Nay
 X Aye ___ Nay

Councilmember Melissa Layton
Councilmember Alex Leeman
Councilmember Amy Shumway

X Aye ___ Nay
X Aye ___ Nay
X Aye ___ Nay

GOVERNING BODY REPORTS:

City Manager Report

Mellor presented the Building Activity Report for May 2023. While he is out for one week over the 4th of July, **Boshell** will be the acting City Manager.

Mayor Anderson and City Council Reports

Layton said she recently called Fire Chief **Rich Love** when someone broke her femur bone at a church activity. The crew was very helpful and understanding.

Mellor said the City should put a list of where to dispose of sandbags on social media. **Mayor Anderson** said the City should consider picking them up.

Shumway mentioned that the Council should check out Benson Gristmill in Stansbury Park. The City purchased the property and made a museum out of it.

Mayor Anderson said he recently proposed an idea to **Roberts** and **Mellor**. In order to help residents who are economically challenged pay their utility bills, the City could consider establishing a charitable foundation donation fund. He believes a lot of people would be willing to donate to the fund. It may be marketed and publicized on residents' utility bills. **Isaacson** said standards would need to be established. **Shumway** said the City should control who is reimbursed and keep track of all reimbursements.

Leeman said he appreciates the City's efforts with the Youth City Council. His daughter is on it, and they recently learned a lot during their time with the Finance Department. **Shumway** said they are doing a lot more than in years past, and it is really providing them with an education about the City.

Mayor Anderson said he would review the Councilmembers' department rotations and get back to them with any changes.

ADJOURNMENT

Motion:

Child made a motion to adjourn the meeting at 10:44 p.m. **Shumway** seconded the motion. All Council members voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Scott Isaacson
Councilmember Roger Child
Councilmember Melissa Layton
Councilmember Alex Leeman
Councilmember Amy Shumway

X Aye ___ Nay
X Aye ___ Nay
X Aye ___ Nay
X Aye ___ Nay
X Aye ___ Nay

/s/ DeAnn Carlile

DeAnn Carlile, Recorder