

## FARMINGTON CITY – CITY COUNCIL MINUTES

SEPTEMBER 5, 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, and  
Assistant City Manager/City Engineer Chad  
Boshell.*

Mayor Brett Anderson called the work session to order at 6:07 p.m.

### **PRESENTATION BY CULTIVATE – CONLON BONNER**

The work session was held to consider Cultivate’s diversity, equity, and inclusion (DEI) presentation. Chief Executive Officer **Conlon Bonner** addressed the Council. **Bonner** said the company has agreements with Murray and West Valley City. Clients also include Sandy City and Granite School District. They are in discussions with Draper, Park City, and Centerville. **Bonner** is an Arbinger Institute Certified DEI trainer and said DEI is not about shame and blame, but rather learning from both sides to get a unifying situation.

Cultivate Certified Consultant **Amy Brown**, a resident of Farmington, addressed the Council. She attended Woods Cross High School, previously lived in Bountiful, and now serves as PTA president at Farmington Elementary School. She has children attending Farmington schools, and her oldest child graduated from Farmington High School. She said DEI doesn’t have to be political or negative. Events such as Summerfest in Bountiful help celebrate cultures and bring the community together.

In a family of eight children that now performs throughout Utah, **Bonner** grew up on the hill in Farmington and went to Farmington Elementary School. Some of his siblings attended Viewmont High School. In this time known as the Great Resignation, many people are “quiet quitting” for psychological safety. In the last year, 57 million people quit their jobs. **Bonner** said that statistics are clear that strong inclusion programs attract more qualified people.

Salt Lake City has a Chief DEI officer, and one person was hired to handle it all. **Bonner** was Hale Center Theater’s DEI director, and he found out he needed a whole team to do the job, which included recruiting and informing people of cultural events. He looks for opportunities to amplify inclusion efforts. It is not just about who is getting paid what, but also fostering a good environment so the organization doesn’t lose due to tension between people or departments. It is important that all people—regardless of gender, ethnicity, ability, age, shape, size—feel recognized and celebrated.

There are benefits to hiring consultants over a full-time employee. Some of those include no benefit costs, an unbiased outside perspective, industry best practices, an increase of available resources, and better efficiency. Cultivate offers inclusion and compensation audits, enhanced training, department implementation, one-on-one coaching, calendaring and marketing cultural events, website presence, recruiting assistance, and daily applications.

**Bonner** said Cultivate prefers yearly contracts, although the client can choose services ala cart. In Murray, they conduct four trainings as well as one big Zoom event per year. Coaching sessions are done on an hourly basis. To see the full effect, a three-year retainer would be needed.

City Manager **Brigham Mellor** said the recent challenges in the Davis School District show that this is a problem. The City Council needs to decide if this is something that needs to be incorporated into its organization now or in the future. Hiring someone on staff at the moment is not possible. As population grows—Farmington could have 5,000 additional housing units in the future and the Wasatch Front is expected to double in population by 2050—this is something that will need to be addressed. Many of the future new residents will come from outside the state, and it can be a daunting experience to move to Utah. Farmington is about to have some really cool park spaces that could host community celebrations.

**Mayor Anderson** said with a population of around 27,000, Farmington is a quarter the size of West Jordan, and he is unsure how this would work for a small city that is trying to grow their police force and build a new fire station. The budget is tight and elected officials have to answer to their constituents.

**Bonner** said the advantage is the City could get a whole team for the price of a full-time employee. The team works with Human Resources to schedule trainings, and with Parks and Recreation to schedule public events. Farmington would begin with an inclusion audit and then pick and choose the Cultivate offerings that best work with its budget. Cultivate has offerings that cost \$49,999, just under the \$50,000 Request For Proposal (RFP) threshold.

Councilmember **Roger Child** noted that Farmington is becoming two cities within a city: urban Farmington Station apartment dwellers and homeowners. He is worried this could quickly create a cultural divergence in the City, a Grand Canyon between an urban core. With apartments renting at \$4,000 a month, the divide may not necessarily be a financial one. Apartment dwellers don't get pride of homeownership, but the pride of Farmington needs to exist separate from the pride of homeownership.

Councilmember **Amy Shumway** says discrimination is not just about race, but also about religion and gender. She was recently impressed with how many male teachers there are at Centerville Junior High School.

## **NEED-BASED ASSISTANCE PROGRAM FOR UTILITY BILLS**

City Attorney **Paul Roberts** introduced this work session item, saying he has helped get the program put together conceptually. The ordinance language can implement this. The biggest challenges were eligibility criteria and preventing the application process from becoming administratively burdensome. He said the City is transitioning to a new software at the end of the year, which will make it easy for resident to donate funds. This new need-based utility assistance program will be funded entirely by donations. Residents who desire assistance with their Farmington utility bills can apply using the Department of Workforce Services' Home Energy Assistance Target (HEAT) application. If they are approved for HEAT, they are likewise approved for help with their City bill as well. The only requirement will be to bring in their HEAT letter annually. Farmington will have to see how much donations come in and determine what percentage of a bill to pay for those who qualify. Making adjustments to the program will be part of the annual budget process. The City is a few months out from being able to accept contributions.

**Mayor Anderson** said he wants to use the holidays as a launch pad to create the fund and announce it in the newsletter. Residents can “round up” while paying their monthly utility bill, opt in to add a dollar each month, or even contribute a one-time large donation if they desire.

**Shumway** asked how many Farmington residents already qualify for HEAT. She knows of a family who just moved to Farmington from Venezuela who can't get work because their work visas have not yet been approved. The father is an engineer and the mother is a nurse, so they will be able to get gainful

employment eventually. However, they wouldn't qualify for HEAT because they are not yet official legal residents. She asked if people in these sort of situations would be able to get assistance from the City.

Councilmember **Scott Isaacson** agreed that there are a lot of needy people who don't qualify for HEAT, and he would like to see some alternative language to address this. He does not want Farmington's program to duplicate any other existing State or County programs. **Roberts** said he would consider language to address refugees, recently migrated, and subsidized people. It would require some kind of sign-off from another entity. Councilmember **Alex Leeman** encouraged objectivity.

**Mayor Anderson** said that water utility assistance programs are very limited. Since these will be donated funds instead of tax dollars, the City has the discretion on how to spend them. For cases that don't fit neatly in a box, perhaps a Councilmember can serve as a reviewer.

**Leeman** would like to see a scholarship program for youth extracurricular programs including recreation sports. **Mellor** said the City already has a program that allows youth to work in order to essentially earn their fee. **Isaacson** noted that The Farm doesn't show up on the City parks website.

### **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, and  
Youth City Councilmembers Spencer Barlow, Brooklyn Bement, Cannon Christensen, Tanner Christensen, and Eric Rasmussen.*

### **CALL TO ORDER:**

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

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

**Mayor Anderson** offered the invocation, and the Pledge of Allegiance was led by Councilmember **Alex Leeman**.

### **PRESENTATION:**

#### **Student Spotlight: Eliza Lord, Farmington High School**

**Mayor Anderson** presented this agenda item. A senior at Farmington High School, **Eliza** excels academically and currently holds a GPA of 3.96 while enrolled in Advanced Placement courses. She is part of the Dance Company and also attends the Davis Technology Center. According to Assistant Principal **Tim Allen**, **Eliza** excels at treating others well, having constant positivity, and genuinely caring for students and staff.

### **PUBLIC HEARINGS:**

#### **Renaming of public street – 650 West to Phoenix Way (650 West)**

Assistant Community Development Director **Lyle Gibson** presented this agenda item. His office received interest from Farmington High School to potentially rename 650 West to Phoenix Way in honor of their

mascot. Student body officers went door to door spreading the idea, and **Gibson**'s office sent out mailers to everyone with property on 650 West. The name change will still retain the 650 West name. The Post Office assured that Amazon, other delivery drivers, and Google will still be able to use 650 West along with the new Phoenix Way name.

Applicant **Ella Johnston**, Farmington High's student body president, addressed the Council. She said the school's theme this school year is "Building our Legacy." As a newer high school, Farmington High wants to build its legacy and connection with the community. Naming one of the streets that the school is on after its mascot would further these goals. She and other school officers went door-to-door to 57 residences on 650 West. Of those, they contacted 39, 34 of whom supported this effort and five who did not.

**Mayor Anderson** opened the Public Hearing at 7:14 p.m. The room was full, as every seat was filled.

**Karlene Mower** (1063 S. 650 W., Farmington, Utah) purchased her property 47 years ago and was the second home to be built on that road. She remembers the two lanes being put in and paved, and the 650 West sign being put on the road, signaling they were in Farmington City. She feels it is not necessary to change the sign at this point. She asked what the cost is to change the name, and who would be paying for it. If the Council approves the name change, she would like the students to pay for it. If there is a new Phoenix sign installed, it should go below the 650 West sign. Most Farmington streets are numbered, and this road should stay the same. She asked why they couldn't have renamed Glover's Lane to Phoenix Way instead of 650 West, as Glover's Lane goes in front of the school.

**Mayor Anderson** closed the Public Hearing at 7:21 p.m.

City Manager **Brigham Mellor** said the nine new road signs will cost the City \$1,200, as the City has a contract with a vendor who produces the signs. Farmington regularly replaces signs due to frequent windstorms. The City would be fine absorbing the cost in its road budget.

When asked why some residents opposed the new name, **Johnston** replied that it was because they had graduated from other high schools such as Davis or Layton. Some didn't approve of the mascot choice, saying they preferred an antelope or some other animal. Another resident noted that there had been an unsuccessful effort to rename 650 West in the past. **Mellor** acknowledged the effort to rename it to "Tibbitts" in the past. Councilmembers noted that Davis High School has its Dart Circle while Layton High School has its Lancer Lane.

Mayor Pro Tempore/Councilmember **Scott Isaacson** asked if the City asks developers to pay for street signs, and said Farmington should treat this applicant like they do all the others. **Mellor** said Farmington takes ownership of the signs and replaces them. After the big windstorm of 2020, the City replaced more than 25% of its signs.

***Motion:***

Councilmember **Amy Shumway** moved that the City Council approve the Ordinance (included in the Staff Report) to officially change the name of "650 West" to "Phoenix Way (650 West)."

**Findings 1-5:**

1. The street name change will contribute to community pride and morale and may result in an important landmark for the community—and is typical of what is done in other municipalities and counties in similar situations related to local streets next to high schools elsewhere in the state.
2. An overwhelming majority of property owners adjacent to 650 West support the name change.
3. The request is acceptable to the Post Office and because the street will still carry the name of "650 West," the name change will cause no disruption to mail service, and adjacent property owners are welcome to use "650 West" or "Phoenix Way" (or both) as their address.

4. It may provide a wayfinding mechanism to make it easier for visitors to find the high school.
5. Not much in the way of City resources is necessary to implement the name change—the cost to benefit ratio is extremely high.

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	<input type="checkbox"/> Nay
Councilmember Roger Child	X Aye	<input type="checkbox"/> Nay
Councilmember Melissa Layton	X Aye	<input type="checkbox"/> Nay
Councilmember Alex Leeman	X Aye	<input type="checkbox"/> Nay
Councilmember Amy Shumway	X Aye	<input type="checkbox"/> Nay

The name will officially change on September 11, 2023, following a Farmington High School assembly. The sign will go up after the road has been chip sealed.

**Renaming of a Public Street – Commerce Drive to Arrowgate Drive**

**Gibson** presented this agenda item. The townhomes here were completed a year ago. Arrowgate is the name of the development and plat itself. However, the legal document says Commerce Drive. No homes front Arrowgate or Commerce, so it doesn't affect any area residences. This is an effort to match the paperwork with the physical sign, and Farmington City is the applicant. Staff recommends approval.

Assistant City Manager/City Engineer **Chad Boshell** said this road will be connecting to the realigned Shepard Lane. The developer changed hands, and the street was called Commerce by the original developer. It has been recoinced as Arrowgate.

**Mayor Anderson** opened and closed the Public Hearing at 7:41 p.m., as nobody signed up in person or electronically to address the Council on the issue.

Youth City Councilmember **Brooklyn Bement** said this sounds like it is already a set decision. **Mellor** said the developer already printed the signs. Changing the sign would cost \$100, but to survey and re-plot it would cost \$1,500. In this case, it would cost more to not change it, as no one currently lives there.

**Gibson** said the developer gets to propose street names as part of the process.

***Motion:***

**Isaacson** moved that the City Council approve the ordinance (enclosed in the Staff Report) to update and officially change “Commerce Drive” to “Arrowgate Drive” on the Arrowgate PUD subdivision plat.

**Findings 1-2:**

1. The street name change will clean up a discrepancy.
2. No entities are addressed on Arrowgate Drive or Commerce Drive, so no residents or businesses should be affected.

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

Mayor Pro Tempore/Councilmember Scott Isaacson	X Aye	<input type="checkbox"/> Nay
Councilmember Roger Child	X Aye	<input type="checkbox"/> Nay
Councilmember Melissa Layton	X Aye	<input type="checkbox"/> Nay
Councilmember Alex Leeman	X Aye	<input type="checkbox"/> Nay
Councilmember Amy Shumway	X Aye	<input type="checkbox"/> Nay

**Mayor Anderson** asked the Youth City Councilmembers if it would be hard for them to make an unbiased decision and ask questions of their peers. Votes can be impacted by the sheer number of peers in attendance. He said that can be a hard thing about being an elected official, especially when a room is divided and is full of your neighbors and people you go to church with. You have to make a decision about what is best for Farmington as a whole, not just what is best for the people who show up to a meeting.

**Shumway** said she got started in City government when she found an issue 10 years ago that she wanted to change. You never know where interaction will take people in the future. The Youth City Councilmembers said their peers should attend a City Council meeting as part of required government class homework.

### **Update and adopt an impact fee facilities analysis for Parks**

**Mellor** presented this agenda item. The City is supposed to update impact fees every six years. The last impact fee plan was updated seven years ago. Since that time, Farmington has added a lot of parks that should be counted when calculating the Level of Service (LOS). On top of that, the City has a lot of development that has been approved but has not been constructed as developers wait for financing, as well as interest rates and the cost of materials to come down. Developers pay impact fees when they get a building permit, so now is the perfect time to look at changing impact fees. Earlier this year, transportation and public safety impact fees were changed. The City wants to make sure when developers pull their permits that they are paying the right amount of impact fees.

The Lewis Robertson & Birmingham team has created a new Park Impact Fee Facilities Plan (IFFP) and Impact Fee Analysis (IFA). Both of those, as well as a 90-day waiting period, are required before updating the consolidated fee schedule. The IFFP and IFA have evaluated the City's current LOS and the proposed park impact fees. The IFFP presents public improvements, policies, and demands placed upon existing public facilities by new development, and the proposed means by which the City will meet those demands to continue to provide Farmington residents with the same or better LOS being provided by the park facilities. The IFFP includes costs for future park improvements and the IFA portion of the study shows the calculated fees.

**Fred Philpot** with Lewis Robertson & Birmingham addressed the Council. The new parks and recreation impact fee is the outcome of analysis, taking all the information and making sure it was allocated properly to existing and new development. The fee assessment will be on new development only. Elements in their analysis included demand, existing facilities, inventory assets, LOS, and existing future revenue resources. Unique to their analysis was looking at the level of investment per capita.

Currently the park impact fee per new single-family residence is \$4,049, and it is proposed to increase to \$6,616. The current multi-family residential park impact fee per unit is \$3,828, and it is proposed to increase to \$4,440.

The noticing process, analysis, presentation and public hearings were all done properly, and the Council now has the options to adopt, modify, or rejected the proposed fees. If the Council doesn't adopt the new fees, they will have to identify the revenue they will use to maintain the LOS. **Philpot** said the LOS is different in every community, so impact fees will be different as well. Farmington's proposed fees are in line with other municipalities, while some have fees of more than \$6,500. Salt Lake's proposed park impact fee was \$10,000, but they chose to lower it. Total impact fees for a new single-family home in Farmington are around \$15,000, which is pretty average.

Councilmembers asked how impact fees can address inflation. **Philpot** answered that inflation variation is accounted for by the regular review and updating of the IFFP and IFA every six years. Cities have six years from when fees are collected to expend those fees.

**Shumway** noted that the Council could approve the analysis, but could also lower the fee schedule if they chose to. **Mellor** said impact fees must be spent or allocated within a six-year time frame. The other option is to give the fees back to the developers. **Mayor Anderson** noted that developers in Salt Lake have claimed impact fees were not expended, and have asked for them back. **Mellor** said that when people move into Farmington, they have a certain expectation for parks, and the City must maintain that same LOS. Impact fees are a way to make sure that newer development pays their fair share.

**Philpot** said impact fees can be used for additional amenities, as well as the removal and replacement of an amenity (as long as it is being expanded for additional capacity). If those improvements go beyond that LOS, a different revenue source must be identified.

**Mellor** said that on implementation of the public safety fee, the City is reducing their transportation impact fee because of the appropriation and grant money they were able to procure. The City was going to bond, but instead got \$18 million in funding from outside sources. **Layton** noted that impact fees can be spent anywhere in the City. **Mellor** said plans are not to add that much more park acreage, but to add upgrades to existing parks. He said no fees are approaching the age limit. Since he has been with the City for the last five years, everything that is collected has been expended that same year. He noted that commercial buildings don't pay park impact fees. Upcoming office buildings are the reasons the City got grants.

**Isaacson** said that an impact fee is the fairest form of tax, as it is addressed to specific services that residents receive.

**Mayor Anderson** opened and closed the Public Hearing at 8:16 p.m. for both the impact fee analysis and impact fee facilities plan. Nobody signed up in person or electronically to address the Council on the issue.

**Mayor Anderson** said that unlike property fees that are ongoing, an impact fee is a one-time fee for new construction that is supposed to equalize the burden new homes and developments are putting on the City. The City has three revenue sources: sales tax, property tax, and impact fees. Once the City is built-out, impact fees will no longer be a source of revenue.

***Motion:***

**Leeman** moved that the City Council approve the resolution (enclosed in the Staff Report) adopting the Park Impact Fee Facilities Analysis and Plan, and adopt the ordinance (enclosed in the Staff Report) adopting the Park Impact Fee Analysis, and park impact fees on development activities within Farmington, and that the Council approve a Consolidated Fee Schedule (CFS) amendment to include the impact fees after 90 days.

**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

**Update and adopt an impact fee facilities plan for Parks**

The public hearing for this item was held along with the previous item. **Leeman** included this item in the previous motion, which was seconded by **Child**, and passed unanimously.

**Kaysville-Farmington Municipal Boundary Adjustment**

**Gibson** presented this agenda item. In June, the City Council adopted a resolution to start notice for this public hearing where a consideration of adjusting a common municipal boundary with Kaysville City would be introduced and potentially considered. The section of boundary being considered is the northwest part of Farmington along the new 950 North Street.

Both Farmington and Kaysville adopted similar resolutions around the same time to initiate this process. Since, Kaysville has indicated that they are not interested in pursuing a change to the municipal boundary. As a municipal boundary adjustment requires that both cities approve an ordinance adopting any changes to their boundaries, the consideration of an adjustment by Farmington is now a moot point. There is no action to be taken because the partner city is not participating at this point.

The Utah Department of Transportation (UDOT) currently controls the land in question, and they will likely surplus it to private development in order to collect property tax. Kaysville will want to collect that as income rather than give it to Farmington. **Mellor** said it would make a \$10,000 difference, and that was not enough to put a relationship in jeopardy. Kaysville hasn't worked out the Right of Way (ROW) with UDOT yet, and they will have to buy the ROW from UDOT. He feels it would be a good place for a future gas station, which may be a use neighbors won't like there. However, now it won't be Farmington's problem. **Boshell** said the City saved themselves a zoning headache by not making this part of Farmington.

**Mayor Anderson** opened and closed the Public Hearing at 8:25 p.m. as nobody signed up in person or electronically to address the Council on the issue.

***Motion:***

**Isaacson** moved that the City Council take no action regarding the boundary adjustment.

**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:**

**Criminal and Firearms Ordinance Revisions:**

City Attorney **Paul Roberts** presented this agenda item. Title 13 of the Farmington Municipal Code was adopted in 1995 and has been largely untouched since. In the meantime, State laws have covered significantly more territory in the realm of criminal code, with special attention having been paid to regulation of firearms and other weapons.

These vestige sections in the Farmington Municipal Code are not utilized by police officers within the City. Peace officers are well trained in the provisions of State code and use those almost exclusively. Given their disuse and the potential confusion that could result from conflicting code provisions, Staff suggests that it is time to simply remove many criminal provisions from Farmington City Code, or scale them back to cover conduct that is not addressed in State law.

Proposed amendments are made in light of legal restrictions and anticipated policy direction from the Council and include firearms and other weapons, as well as minors violating curfew. State legislators don't want cities regulating firearms; that is the State's job.



No State law specifically imposes a curfew. So far the Legislature has left that to municipalities based upon community standards. **Roberts** therefore recommended leaving the curfew provisions in place. If under 18 years of age, minors are not supposed to be out and about between midnight and 5 a.m. This would not apply if the minor were leaving a sponsored party or sporting event. It would be a good tool for law enforcement to use to get minors to go home. It probably won't be used to send juveniles to detention.

**Isaacson** recalled a time in his youth when he was caught violating curfew in Wyoming. That night, his friend's dad picked him and his friends up, took them to a diner, and they all ate pie. **Leeman** recalled when his daughter tried to convince him that a sleepover on the football field was part of the annual senior sunrise event. Youth City Councilmembers agreed that it is reasonable for the City to have the set curfew as a tool. **Mayor Anderson** said this tool can assist in controlling behavior.

**Roberts** said there is a whole chapter on public schools, but State law already covers that and addresses the same territory. While Farmington can regulate the discharging of firearms in the City, the State is less comprehensive. It is a question of how close to a residence firearms are discharged and whether or not it is for self-defense. A resident could possess firearms, but they couldn't be used to hunt in City limits.

**Child** said he has no problems saying firearms should not be discharged within City limits. Farmington has a lot of raccoons, and Davis County does not collect them. A lot of residents get rid of raccoons the old fashioned way, and he would hate for someone to get in trouble with the law for getting rid of raccoons. **Isaacson** said he has chickens, and he agrees that raccoons are an ongoing problem. **Roberts** said he could prepare exceptions to this section in a future work session.

The Council discussed thieves and swindles, wading in public waters, joyriding vs. grand theft auto, and homeless camps. **Roberts** said to properly address a homeless camp, the land owner has to be the complainant. **Child** said often times homeless camps spring up on state or railroad land where the owner is absent. **Mellor** said these can be code enforcement-related issues. He said posting signs can help proactively address these situations, and pre-authorize the remedy.

***Motion:***

**Leeman** moved that the City Council approve and adopt the Ordinance Amending Section 8-4-090 and Chapter 13 of the Farmington City Municipal Code, related to criminal code and firearms ordinances as depicted in the Staff Report, with one change: strike out and reserve 13-7-010 (swimming and wading).

**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

**The Preserve at Farmington Creek – Lots 1-3 Amended:**

**Gibson** presented this agenda item. This is two property owners making changes to existing lots at the bottom of the spillway by Farmington pond. It includes three lots. The owner of two of the lots wants to combine them into one lot. No protests were received after the required mailings. Combining lots reduces density. Staff recommends approval of this straightforward application. **Mayor Anderson** said it is rare to get an application that reduces density.

***Motion:***

**Layton** moved that the City Council approve the proposed subdivision plat amendment for “The Preserve at Farmington Creek – Lots 1-3 Amended” with the following condition:

1. A set of utility service laterals be removed so that only one set of utility laterals is in place to service what will be Lot 3.

**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

### **SUMMARY ACTION:**

#### **Minute Motion Approving Summary Action List**

The Council considered the Summary Action List including:

- Item 1: Minutes approval for July 19, 2023; August 1, 2023; and August 15, 2023. **Isaacson** noted a change on page 13 of the July 7 minutes, where the vote was not unanimous due to a nay vote. Also, on page 2 of the July 18 minutes, Utah League of Cities and Towns had an extra “T.”
- Item 2: Approval of an Agreement for the Deferral of Certain Public Improvements for property owner 1500 South 200 East LLC (Jayd Petersen)
- Item 3: Arbor Day Proclamation for September 9, 2023

#### ***Motion:***

**Child** moved to approve the Summary Action list items as noted 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

### **GOVERNING BODY REPORTS:**

#### **City Manager Report**

**Mellor** presented the Building Activity Report for July. He said Police Chief **Eric Johnsen** would like to invite as many elected officials as possible to participate with his department at the shooting range on an upcoming Tuesday from 6 to 8 p.m. This is a day most of his employees are in the office. Chili will be served and it will be a good experience to demonstrate the tricks of the trade.

He reminded the Council and Staff about the Utah League of Cities and Towns event Wednesday through Friday next week. He also informed the Council of a request to pay for water overages. A resident had a water pipe break after freezing, and he couldn't get to it because the ground was so frozen. He has since paid all but \$400 of the approximate \$1,200 bill.

#### **Mayor Anderson and City Council Reports**

**Mellor** said that the Old Rock Mill Request for Proposal (RFP) went out in the newspaper, was placed on the website this week, and will soon be finalized. It was also sent out to every consultant that put in for the park out west. A consultant should be hired by the second meeting in October. City employees will be on site to chop down trees before the scheduled clean-up on Saturday, when volunteers can help with a secondary round of cutting. Crews have pulled all that was wanted out of the reception hall. More clean-up is needed in some of the other structures before they are gutted. Staff is working with a \$5,000 limit to get the building boiler and electrical up to par. The consultant should be on board by the end of October, when a trial wedding will be held.

**Isaacson** thanked **Boshell** for widening 1100, which was added on as a change order to a larger job. It will be good for dropping off and picking up students. **Isaacson** said he would not be able to attend the Sept. 19 City Council meeting. He also will not be able to attend the ULCT event.

**Shumway** asked if there are plans to replace the south skate park that will be taken out by UDOT. **Mellor** said he and **Mayor Anderson** talked with UDOT about the concept of a pump park. It would be an asphalt path with little bumps, which is more versatile for mountain bikes and scooters, etc.

An update on the All West project was provided. **Mayor Anderson** said All West fired their SCI subcontractor for not doing things properly. For example, SCI didn't finish the splice for all the drops, and now they will have to go back and splice everything SCI did. The CEO is beyond annoyed. All West communicates more with **Boshell** and Public Works Director **Larry Famuliner**. Going forward, All West is going to stop cutting the street. **Leeman** said those Farmington residents who already have the service rave about their service. **Isaacson** said that All West is having some public relations issues.

**Shumway** said she is a member of the Development Review Committee (DRC), and she became aware of Key Bank announcing an application. She said Farmington has 11 banks in 10 square miles, which may be over kill. There is a Zions Bank on Main Street, Wells Fargo downtown, America First inside Harmon's, Utah First by Lagoon, Horizon Credit Union, Chase, and now Key Bank. She wondered if the City would like to remove banks from Farmington zones.

**Leeman** said banks pay good property tax. They are always well kept properties that look nice. They can't get customer penetration without a physical location. **Mellor** said banks are taking up choice real estate, which may mean banks are probably not the highest and best use for that property. Adapting a re-use for a former bank branch hasn't been very successful yet.

**Roberts** said you can't take banks out of zones, but they could be moved to a permitted use. Those already here could be allowed, but the door could be closed on future banks, he said. **Roberts** said he would start the process with the Planning Department.

**Leeman** passed on praise for the Fire Department, who lately helped move a resident who is now on hospice and in his last weeks of life. The wife called the Fire Department to help her move her husband from one room to another. Not only was the Fire Department happy to do so, they even came back and checked on the couple a few days later.

**Leeman** also passed on praise of **Breklyn**, who oversees the City's senior program. He said her attitude and energy is contagious, which has improved the turn out to planned activities. He mentioned a neighboring city's use of portable pickle ball nets on tennis courts. The nets can be moved into place by two people. He also saw a recent federal lawsuit against Farmington was dismissed, and another was filed by an inmate.

**Mellor** said crews are removing the landscape islands at Shepard Park. Asphalt will be laid on Commerce this week.

**Mayor Anderson** mentioned that trash, recycling, and green waste cans will be discussed at an upcoming work session. He likes the model being used in Woods Cross, where a flat fee gets each residence their choice of three cans: a black, green, or blue. However, a triple black trash can residence is not encouraged. Because black cans will continue to cost the City more money, use of the others needs to be incentivized.

ADJOURNMENT

***Motion:***

**Layton** made a motion to adjourn the meeting at 9:45 p.m.

**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

/s/ DeAnn Carlile

**DeAnn Carlile**, Recorder