

FARMINGTON CITY – CITY COUNCIL MINUTES

SEPTEMBER 19, 2023

WORK SESSION

Present:

*Mayor Brett Anderson,
City Manager Brigham Mellor,
Councilmember Roger Child,
Councilmember Melissa Layton,
Councilmember Alex Leeman,
Councilmember Amy Shumway,
City Attorney Paul Roberts,*

*Recording Secretary Deanne Chaston,
Community Development Director Dave
Petersen,
Assistant Community Development Director/City
Planner Lyle Gibson, and
City Planner/GIS Specialist Shannon Hansell.*

Mayor **Brett Anderson** called the work session to order at 6:05 p.m. Mayor Pro Tempore/Councilmember Scott Isaacson and City Recorder DeAnn Carlile were excused.

MAIN STREET LANDMARK REGISTER

Community Development Director **Dave Petersen** presented this agenda item, saying that there was an open house held about this in 2022. He has found a “Historic Districts Are Good for Your Pocket Book” study that came from nine historic districts in South Carolina. Farmington did a financial analysis of their own historic district spanning from 2012 to 2020, giving an eight-year snapshot of property values. He looks forward to seeing what the 2023 values are. Noncontributing properties are those that are over 50 years old but have had too many modifications to be on the National Register. Of Farmington’s contributing properties, 49 (or 75%) are single-family homes. Others include commercial and institutional uses. There are 19 lots (including 13 to 14 owned by Lagoon) with absentee property owners. While these 19 lots increased in value like everything else, it was at a lower rate (31%) compared to non-absentee owner (46%) and Farmington as a whole (65%). The entire historic district on average had a 45% property value increase in those eight years. It is clear that the absentee property owners dragged values of the whole district down, and City Staff and leaders want the best value for all properties. This is the City’s Main Street.

Councilmember **Alex Leeman** said there are pluses and minuses to belonging to a historic district, and many homeowners don’t see the pluses until they sell their property. He asked **Petersen** to focus on the perks to being in the district such as tax breaks and grants, so those can be compared to giving up the freedom of doing what the property owner wants on his own land. **Leeman** said it will resonate with people that historic homes cannot be torn down and multifamily cannot be put up.

Councilmember **Roger Child** said many people in the historic district own deep lots, with many acres behind their homes. They are afraid of the impact this will have on their acreage and what can be done to their homes. Can they make additions to their homes? **Petersen** said this does not impact the acreage behind homes. He said the minimum required development used to be 5 acres for single-family and 3 acres for multifamily. A few years ago, the City Council reduced those minimums to zero, which is trying to give people with historic homes all the flexibility they need. The Planned Unit Development (PUD) ordinance used to ask for 10% open space, but that can now be waived in favor of preserving a historic home. Using this, development of infill homes pencils out.

Child asked if it will be possible to do multifamily in the rear acreage behind historic homes, as long as the historic home near the street is preserved. **Petersen** said it may be possible if there is a deviation from the underlying zone. He said it will take a while for people to throw in their support or not. The Historic

Preservation Commission (HPC) wants to still reach out to Lagoon. Since there may be compromises and modifications afoot, Staff recommends the Council table this item. There is enough to consider that the Council may not make a decision until January.

City Manager **Brigham Mellor** said there may be grant opportunities, or a pot of money that can be used as an incentive. While some things may be required, the matching grant money may be available to help land owners fulfill those requirements. It will help take the shock off the sticker price and still have landowners have some skin in the game.

Leeman said since amusement parks' biggest fears are complaints from surrounding property owners, Lagoon has purchased real estate as a buffer. If you own all your neighbors, no one complains. Lagoon will never intentionally tear down houses on Main Street, but they do the bare minimum to upkeep them and rent them to employees as a perk. They use the buffer land for a greenhouse or Rattle Snake Rapids. Lagoon brings in foreign teens as employees and buses them in from dorms at Weber State University.

Petersen said the Main Street Landmark District encompasses several zones including: Original Townsite Residential (OTR), with some Business Park (BP), Business Residential (BR), and Residential (R-4 and R-8). This will not change any of the rights in those zones. The OTR zone allows for Accessory Dwelling Units (ADUs), as long as one property is owner-occupied. This doesn't allow for absentee property owners. However, there are provisions for temporary absentee owners for purposes of military or religious service. Permits are required for property owners to remove trees along Main Street. The park strips technically belong to the City. He said a tree replacement program will need to be done sooner than later. **Mellor** said the ash trees on State Street are a higher priority, as they are now sick.

Councilmember **Melissa Layton** said she recently received a letter from Lagoon that boasts of their own historic interests as evidenced by Pioneer Village. The letter will be made part of the file.

CLOSED SESSION

Present:

*Mayor Brett Anderson,
City Manager Brigham Mellor,
Councilmember Roger Child,
Councilmember Melissa Layton,
Councilmember Alex Leeman,
Councilmember Amy Shumway,
City Attorney Paul Roberts,*

*Recording Secretary Deanne Chaston,
Community Development Director Dave
Petersen,
Assistant Community Development Director/City
Planner Lyle Gibson, and
City Planner/GIS Specialist Shannon Hansell.*

Motion:

At 6:35 p.m., Councilmember **Alex Leeman** made the motion to go into a closed meeting for the purpose of pending or imminent litigation.

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

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

X Aye ___ Nay
X Aye ___ Nay
X Aye ___ Nay
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 6:58 p.m., Councilmember **Roger Child** made a motion to reconvene to an open meeting.

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

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,
Councilmember Roger Child,
Councilmember Melissa Layton,
Councilmember Alex Leeman,
Councilmember Amy Shumway,
City Attorney Paul Roberts,
Recording Secretary Deanne Chaston,*

*Community Development Director Dave Petersen,
Assistant Community Development Director/City Planner Lyle Gibson,
City Planner/GIS Specialist Shannon Hansell,
and
Accountant Kyle Robertson.*

CALL TO ORDER:

Mayor **Brett Anderson** called the meeting to order at 7:05 p.m. Mayor Pro Tempore/Councilmember Scott Isaacson and City Recorder DeAnn Carlile were excused.

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

City Manager **Brigham Mellor** offered the invocation, and the Pledge of Allegiance was led by Councilmember **Melissa Layton**.

PUBLIC HEARINGS:

Main Street Landmark Register Request

Community Development Director **Davis Petersen** presented this agenda item. The Farmington Historic Preservation Commission is the applicant. The Farmington City Historic Landmarks Register Zoning Ordinance includes subsections about criteria, notification, designation, and the results of designation. The Main Street National Historic District goes from Park Lane on the north to 2nd South and juts to the west on 100 North. There are a lot of benefits for historic buildings and structures in Farmington. For example, in recent years, Farmington City updated its ordinances to provide for increased development opportunities and flexibility over and above what is allowed in the underlying zone for owners who agree

to preserve and maintain their historic homes. In a 2022 open house, other benefits to property owners were discussed, such as qualification for grants and federal income tax incentives. Some Staff knocked on doors to talk things over with affected landowners.

Petersen said Main Street is very iconic; the City's tree logo was fashioned after the trees found along Main Street. Very few building permits have been issued lately on Main Street, and even fewer need certificates of appropriateness from the Historic Preservation Commission (HPC). The Original Townsite Residential (OTR) zone is not a historic district zone. The Main Street Landmark Register is a neighborhood conservation district. Out of 107 total buildings in the district, there are 57 contributing properties that are eligible for the National Register right now. Fifty are noncontributing, which means they are old enough but don't meet the requirements. Of the 107 buildings, 75% are single-family homes; 11.2% are commercial; 6.5% are public or quasi-public; and the rest are duplex or multi-family buildings. During the 2022 open house, 42% of these property owners wanted the Main Street Historic District designated to the Farmington City Landmark Register; 21% said no; 10.5% were undecided; and 26.3% did not reply.

He mentioned a study of nine local historic districts in South Carolina that shows that historic districts are good for a property owner's pocketbook and positively impacts home values in the long term. The influence of a historic designation is continuous over time, not just to the owner at the time of preservation, and flows to subsequent owners as well.

Staff investigated financial impact of historic preservation in Farmington. In the eight years between 2012 and 2020, they found some interesting things. Absentee owners of contributing properties enjoyed an increase in property values of 31%, while owner-occupied noncontributing properties had an increase of 48%. This shows that owners who occupy their property tend to take better care of an asset than absentee owners. The planning conundrum is that a lot of people don't like to be told what to do with their property, and a lot don't want the property next to them affecting their value. In that same eight-year time period, Farmington City as a whole had a 65% increase in property value. This is when a lot of brand new homes were constructed in the City.

Petersen said he is familiar with historic preservation in Chattanooga, Tennessee, and the lower Avenues in Salt Lake City. It is better to preserve historic homes before their values drop. Designating the district to Farmington's Landmark Register affects just the historic home, not the property behind it. Farmington's square blocks are 6 acres in size, not like a typical Salt Lake City block. This results in Farmington having a lot of deep lots, some as long as 247 feet deep and 60 feet wide. This makes developing on deep lots cumbersome. A few years ago, the City Council modified the process to allow historic homeowners to develop their properties, extending incentives for preserving historic homes. If an applicant preserves a historic home, they can be offered the same incentive as a developer offering 10% of their property as open space. This has worked great on a few infill properties in the City. **Petersen** said maintaining and preserving a historic resource can be a windfall for the property owners and their heirs.

Mayor Anderson opened the Public Hearing at 7:35 p.m.

Dorothy Arnold (340 W. State Street, Farmington, Utah) said she was born in Wisconsin, where a lot of gorgeous Victorian homes were building during the logging days of the 1870s and 1880s. She grew up in a home built in the 1920s, and everyone was proud of the character and atmosphere the older homes provided. She expected the same in 1977 when she moved to Utah, where people worship their ancestors. However, she was stunned when she found there was not much interest in historic preservation in Utah. She discovered an attitude of "nobody can tell you what to do with your own property." She hopes the Council will be in support of this historic designation.

David Barney (291 W. State Street, Farmington, Utah) is Chairman of the Farmington Historic Preservation Commission. He said Farmington's General Plan is a guiding document to help leaders make decisions about the growth and development of the Community, and it mentions preserving the history of the community. Lagoon doesn't want the Main Street Historic District on the register, neglects properties, and allows them to deteriorate. In 2009, Clark Lane was added as Farmington's first historic district. A historic barn on the national register behind the Nathan George Clark home built in 1899 is starting to fall in. The roof is not replaced, and leaking is causing damage to the building. In 2019, Farmington forced them to put a new roof on and paint the exterior of the home. He said normal maintenance and repair is not too much to ask of property owners.

Darren DeGraw (563 N. Grove Creek Lane, Farmington, Utah) has been on the HPC for many years, and also restored the Haight home on 600 North. He loves Farmington and wants to be able to see these resources kept intact and looking good for the City. He is in favor of this designation.

Brad Bornemeier (54 S. Main Street, Farmington, Utah) said his property is zoned R-4 and is south of State Street. He would like all homes south of State Street cut out of this designation, as it is not an apples-to-apples comparison of impact. He said if this gets passed, it would be a rezone with strict restrictions and subjective sections. He would like to know what constitutes disrepair. If the HPC says "no" to something, they win. He said the meeting that happened last year was a presentation, not a conversation. He was never notified of the meeting in June. Through all of these events, the enforcement part of it was never brought up, and a lot of the residents don't know about that. The HPC can monitor, watch, and fine properties in the historic district. He doesn't like the process of having to come to the HPC to show why he can't afford to do repairs. While it is fun during Festival Days to have people walk by and see these homes, he wants the same rights as other homeowners.

Kathy Cornejo (693 N. 2050 W., Farmington, Utah), a member of the HPC, said she is in support of this being put on the register. She would like to clarify how often things do not come to the HPC for question. If it is interior repairs/remodels, or if it is noncontributing, it does not come to the HPC. There is always an appeal process if things don't go the way the homeowner wants them to. As a resident, she lives on the west side of Farmington and not in the district. The City's historic nature draws people to Farmington. It is important to keep this character well into the future.

Dave Newton (74 S. Main Street, Farmington, Utah) asked if there is an option for individual homeowners to opt out. He agrees with **Bornemeier** that the houses south of State Street should be cut out.

Mayor Anderson closed the Public Hearing at 7:52 p.m.

Councilmember **Roger Child** noted responses to this item that came by both mail and email during the week, and asked that they become matter of public record. **Mayor Anderson** said these are considered as part of the Council's deliberation process.

City Attorney **Paul Roberts** said the proposed ordinance does not have an opt out option. As this does not affect owners of noncontributing buildings, they would not need to opt out anyway.

Councilmember **Alex Leeman** said if you are a noncontributing building, you can ignore this. This affects only those who have a contributing building. If this were to pass, it would freeze the historical character of contributing buildings. **Petersen** said if a homeowner wanted to change a noncontributing building into a contributing building, the City Council would have to consider an ordinance again to designate new scenarios. **Mayor Anderson** said this is a snapshot; things don't morph in or out.

Regarding the concerns that the HPC is watching homeowners' actions, **Petersen** said Farmington already has a landmark district in the City on West State Street, and he has never seen an HPC member ever police anything. Some come to the HPC for a building permit, and very few certificates of

appropriateness are issued. If someone wants to do a remodel or addition on a historic home, the City would offer free help from architects. The HPC could help the homeowner find grants and tax rebates from various state and federal sources. Accessory Dwelling Units (ADUs) can also be added. He noted that the six homes south of State Street are contributing properties.

Petersen said that when the downtown master plan was presented in 1996, the consultant noted that Farmington does not have the typical downtown. It is a cluster of single-family homes with occasional businesses and institutional uses. It is unusual in most other cities to see the ground zero area where State Street and Main intersect having nice residential homes. It makes Farmington unique.

Mayor Anderson asked besides the “don’t tell me what to do with my land” sentiment, why a landowner wouldn’t want this designation. **Layton** said one letter mentioned significant and burdensome restrictions. **Leeman** said it would affect what exterior could be put on the house. For example, they would not be allowed to paint brick. **Petersen** said the biggest restriction would be that homes could not be demolished or relocated. However, the homeowner could add a second story if proper attention was paid to the porch and garage. The nice thing is that they could have an architect come in for free to explain what could be done to maintain historic register eligibility. He said the OTR zone is so flexible that it stuns people. It is written that way in order to help conserve historic structures.

Leeman said that while the issue is straight forward, it is not simple. While it does impact property owners, the infringement on their rights is not as great as is feared. There is no question that it is telling property owners there are certain things that they cannot do. The point is that the look and feel of Main Street is important enough of a resource for the greater community that the City will take away some rights. Every time the Council considers a Planned Unit Development (PUD) or rezone, this is discussed. There are people on this Main Street that would gladly tear down an old home and put up a contemporary one in its place. This would be saying they can’t do so because the look and feel of Main Street is important to the community.

Mayor Anderson said that Staff is suggesting the Council table this item tonight so the Council and landowners can chew on this more and possibly come to a consensus. **Layton** said this will take significant thought and research, as it is a complicated issue. Property rights are important, but so is the preservation of this part of the City.

Councilmember **Amy Shumway** asked if this item were tabled, what compromises or other actions could follow. **Petersen** said he would like to see if other historic districts in Utah had been studied similar to those in South Carolina. **Mayor Anderson** said he would like further investigation into why some homeowners are not in favor, in order to see if there is some overlap of where people would be O.K. with the designation, or where it would become palatable.

Leeman said he is curious what the resistant property owners would like to reserve the right to do. He is surprised there were not more people attending the meeting tonight, and he expected a fuller room. He is begging homeowners to provide him with insight, both the pros and the cons.

Child said that there are a lot of residents interested in preserving the history of Farmington. When 250 people showed up to do a service project a few weeks ago at the Old Mill, he had a significant amount of people thanking the City for preserving the area’s history. There have been a few home remodels done where additions were constructed to the back of the historic home. Now, a for sale sign is on one such home on Main Street, and they are asking \$1.5 million for the home. This indicates that someone is willing to invest in Main Street, and there is real value to be had. He himself has lived in a historic area for 30 years. He bought his second home in the old part of town, where he loves the diversity and variety of homes. There is a lot of charm in the old part of Farmington, which is not a cookie-cutter subdivision.

Leeman said Lagoon objects to the historic designation, and they don’t want the homes on Main Street. **Child** noted that Lagoon started the same year the Salt Lake Temple was dedicated, so even Lagoon adds

a historic element to Farmington. **Leeman** thanked the HPC for doing their job of advising the City on this item.

Motion:

Layton moved that the City Council table consideration of the Landmark Register designation request to allow time for additional feedback from property owners, to better understand the material in the Staff Report, and for further study.

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

Councilmember Roger Child	X Aye	___	Nay
Councilmember Melissa Layton	X Aye	___	Nay
Councilmember Alex Leeman	X Aye	___	Nay
Councilmember Amy Shumway	X Aye	___	Nay

Zone Text Amendment regarding Garage Placement Standards in the Original Townsite Residential (OTR) Zone

Assistant Community Development Director/City Planner **Lyle Gibson** presented this agenda item. Staff has run into this question about garages in the OTR zone, where it is important to maintain architectural characteristics. What makes this zone unique is the minimalization or lack of garage doors. The side-load garage construction doesn't look like a garage, and this text amendment makes an exception for side-load garages. Farmington City is the applicant; this amendment was put together by Staff; and it was recommended by the Planning Commission.

Mayor Anderson opened and closed the Public Hearing at 8:30 p.m., as nobody signed up in person or electronically to address the Council on the issue.

Child said a side-load garage is a disaster from a practical perspective as it is difficult to turn into them without making a two- to three-point turn. Many would rather park on the Right of Way instead of turn into them. There are not a whole lot of lots in the OTR wide enough for a side-entry garage. He is not sure where this will apply unless it is a corner lot. Getting a garage recessed and off the front façade is significant.

Shumway said the main idea is maintaining the look in the OTR while still trying to accommodate the use of a garage.

Motion:

Child moved that the City Council approve the proposed change to a zone text change to Section 11-17-050 D. sub-paragraph 2 of Chapter 17 of the Zoning Ordinance (the OTR zone).

Findings 1-2:

1. Side-entry garages, if done right, minimize the unappealing appearance of the garage door to the passerby.
2. Side-entry garages only work on wider lots, and these type of lots have appropriate street frontage to better accommodate homes with more garage space and provide opportunities to minimize the greater mass and scale which often accompany such larger garages.

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

Councilmember Roger Child	X Aye	___	Nay
Councilmember Melissa Layton	X Aye	___	Nay
Councilmember Alex Leeman	X Aye	___	Nay

Councilmember Amy Shumway

X Aye ___ Nay

Zone Text Amendment regarding fences and open storage

Gibson presented this agenda item, which addresses fences and what can be stored on lots. Everything east of Interstate 15 and Highway 89 is zoned residential. Everything west of I-15 is agricultural, though not necessarily farmland. Instead it is mostly residential neighborhoods that are not in a residential zone, so certain residential ordinances can't be enforced there. Staff has proposed the amendment to address property in residential areas, not necessarily zones. This will help code enforcement efforts.

Mayor Anderson opened the Public Hearing at 8:40 p.m.

Terry Remington (492 W. Miller Way, Farmington, Utah) addressed the Council via Zoom to inquire what color of green this new change would apply to, referencing the map included in the Staff Report. Staff answered it was just the light green areas.

Mayor Anderson closed the Public Hearing at 8:42 p.m.

Motion:

Leeman moved that the City Council approve the proposed changes to the zoning ordinance in Chapter 11-2 and Sections 11-28-140 and 11-28-160.

Findings 1-2:

1. The proposed changes impose regulations on neighborhoods that while developed under an agricultural designation are residential in nature.
2. The regulations support characteristics of residential development and match requirements for neighborhoods and homes built within a residential zoning district.

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

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 License Regulations – Fireworks Outlets

Gibson presented this agenda item. While updating software to help City Staff more efficiently manage business licenses and create new forms, two things came up that could use changing. These are covered in this agenda item as well as the next agenda item.

Staff suggests modifying the text for fireworks stands in order to make it more practical and mirror how the City has already been administering them. Fireworks stands are regulated by the State of Utah, and can only operate on certain dates as designated in Utah code. To ensure Farmington is not in conflict with the State, the City will defer to State statute. The City Council gets to decide what to do with funds that come from firework stands, although it does not create a huge revenue. At issue is the applicant applies for a business license in June, and the license expires by the end of the year. They then have to apply for a new license to sell fireworks for New Year's in January, and possibly Chinese New Year's in February. The new proposal is to get licensed once, and have that license remain good for 365 days afterward.

Mayor Anderson opened the Public Hearing at 8:46 p.m. Nobody signed up in person or electronically to address the Council on the issue. **Mayor Anderson** closed the Public Hearing at 8:47 p.m.

Motion:

Child moved that the City Council approve the proposed changes to the Title 6, modifying business licensing regulations related to fireworks.

Findings 1-2:

1. The proposed changes ensure the City’s ordinances are consistent with the regulations of the State of Utah.
2. The changes to the text make review and monitoring of licenses more practical for Staff to allow for more flexibility of the City Council in using permit fees.

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

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

Amendments to Section 6-1-027: PROPERTY OWNERS’ ASSOCIATIONS to eliminate the requirement for property owners’ associations to pay a fee to be registered with the City

Gibson presented this agenda item. A recent review of business licenses shows that in a town of approximately 8,000 residents, there are only two Homeowner’s Associations (HOAs) on the books. While Staff can go out and force HOAs to register and pay their fees, their recommendation is now to remove the requirement to pay, since HOAs are nonprofit. In addition, it is valuable to know their contact information and members so they can be contacted in case of an emergency. Now Staff can reach out, track down HOAs, and get their information on file. If the Council approves this tonight, the Consolidated Fee Schedule will need to be updated to reflect the change.

Mayor Anderson opened and closed the Public Hearing at 8:50 p.m., as nobody signed up in person or electronically to address the Council on the issue.

Motion:

Layton moved that the City Council approve the proposed changes to the Title 6, removing the requirement for payment for the registration of an HOA in Farmington City.

Findings 1-2:

1. The proposed changes encourage the registration of HOAs with the City to ensure that City offices have good contact information for HOA boards or property managers.
2. As the purpose of an HOA is to meet needs and not to generate profit, it is consistent with other regulations where the City does not charge fees.

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

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

Zone Text Amendment regarding Title 16 Stormwater Regulations

Planning and GIS Specialist **Shannon Hansell** presented this agenda item. The Stormwater Official asked Staff to add definitions including “aquifer recharge areas,” “environmentally sensitive areas,” “frequently flooded areas,” and “steep slope.” These will be added to better regulate building permits that require earth moving, including cuts and fills in environmentally sensitive areas.

Roberts said a Supreme Court decision recently removed the wetland designation in a lot of areas. The definitions were added because the previous text was vague, and Staff wanted to narrow what they worry about. In order to not flood neighbors, permits are needed in specific circumstances.

Mayor Anderson opened and closed the Public Hearing at 8:55 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 the enabling ordinance (enclosed in the Staff Report) for the proposed zone text changes to section 16-1-090 Definitions and changes to 16-3-010 City Stormwater Permit Required.

Findings 1-2:

1. Clarifying definitions helps property owners and the City by reducing confusion caused by subjectivity.
2. Defining the type of permit required in 16-3-010 outlines a clearer path to protect environmentally sensitive areas.

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

Councilmember Roger Child	X Aye	___	Nay
Councilmember Melissa Layton	X Aye	___	Nay
Councilmember Alex Leeman	X Aye	___	Nay
Councilmember Amy Shumway	X Aye	___	Nay

Layton mentioned sheep grazing in historic areas. **Mayor Anderson** said he recently discovered there was a dump north of Tom Owen’s property that was just covered over with dirt.

BUSINESS:

Consolidated Fee Schedule (CFS) Update

Accountant **Kyle Robertson** presented this agenda item. Inadvertently, Administration did not update the non-residential transportation utility fee as part of the prior CFS update in June. The update proposes the same 13% increase considered in June. The new language also proposes clarifying adjustments to the notes.

Changes are also proposed for cemetery fees to align with Section 8-1-070 of the City Code. However, changes are not proposed to the fees charged to residents and non-residents for cemetery services. The changes will be in how the cemetery fee is used.

The changes proposed to the business licensing fees reflect the HOA changes voted on previously in this meeting. HOAs will register without paying a fee.

Motion:

Child moved that the City Council adopt the resolution (enclosed in the Staff Report) amending the Consolidated Fee Schedule.

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

Councilmember Roger Child	X Aye	___	Nay
Councilmember Melissa Layton	X Aye	___	Nay
Councilmember Alex Leeman	X Aye	___	Nay

GOVERNING BODY REPORTS:

City Manager Report

Mellor noted that on today’s agenda, only the first item needed to be a public hearing. The Legislature does not require as many public hearings as Farmington has been holding. The City could hold fewer public hearings, especially on text changes that don’t have a lot of public interest. It could expedite meetings and make them run smoother.

Mayor Anderson said he always worries when things don’t stay consistent. For the one time the City doesn’t hold a public hearing, the public will be interested and ask why they didn’t.

Roberts said public notices are noticed on the City’s website as well as the State’s public site. He said Staff could always make the choice to include a public hearing if the item is something the public is really engaged in. Another option is to postpone an item for a later public hearing if it proves to generate a lot of public interest.

Gibson said that any land use item is required to have only one hearing, which can be on the Planning Commission level only. **Roberts** asked the Councilmembers to notify him if they want to change the practice.

Mayor Anderson and City Council Reports

Mayor Anderson said he has heard that many Utah cities have open mic night for public comment. It often has to be regulated, and each commenter held to three minutes. It is a way for the public to feel heard and that they have an immediate audience. Some cities like it and some don’t.

Leeman said it is tricky because that can start discussions that weren’t noticed on the official agenda. **Roberts** said things can be discussed, but actions can’t be taken. Sometimes these open mic sessions can be helpful and sometimes they are not, and usually they are less efficient. Sometimes they work well, and other times it can take up a lot of time. He has heard word that the State Legislature may consider a bill that every city has open mic time. Currently, only school boards are required to do so.

Mellor said it has been nice that the City Council has started doing things like student recognition and musical numbers that cultivate community spirit. It sets a good tone. Based on his experience at Syracuse and Kaysville, the people who will take the most advantage of an open mic are the fringe element who comes to take advantage of it. This can mean people not living in Farmington take up the most time discussing unpleasant things. It can be a destructive community element.

Mayor Anderson said he and Councilmembers are very reachable through email, text, and social media. He even gives out his personal cell phone number. There is not a lack of ways to reach the Council. Residents can ask to put items on an agenda. That would keep the showboating and argumentative element out of public meetings so business can be conducted better. He doesn’t want people to feel unheard.

Layton suggested putting the open mic public comment period at the end of the meeting. That way, those who really want to participate would show it by waiting. **Shumway** said government officials in this town are very approachable.

Shumway said at a recent Utah League of Cities and Towns (ULCT) conference, she heard dialogue about incentivizing owner-occupied units. She considered adding something to Farmington’s affordable housing plan to incentivize owner occupation. The shift needs to happen in Utah in order to accommodate children getting into houses. **Layton** said she took notes on this during the meeting, and

she will pass them on to **Roberts**. She has heard that in Seattle, they are allowing ADUs to be sold separately.

Mellor said he has noticed in talking with other city managers and councilmembers that the attitude toward multifamily has been changing in the last five to six years. **Shumway** said that the Development Agreement with Stack doesn't even have owner-occupied units as part of the dialogue. Now it is becoming part of the broader conversation. **Leeman** said he has been noticing on social media people discussing how they are grateful for apartments in the City. That is a change. **Mayor Anderson** said the Utah Legislature is always applauding Farmington and trying to get other cities to do what Farmington has done. The City takes political heat for it, but in the end it is the right thing to do.

Layton said at the ULCT conference, supporting military families was mentioned. She would like to thank and show appreciation for young recruits in Farmington. She would like to contact recruiters in the area for a list of new recruits in Farmington. That way, the City could send them letters of appreciation.

She also mentioned partnering with the drone class at Davis County Catalyst Center to build their resumes yet get great shots of Farmington that the City could use, such as an overview of new roads being constructed. **Mellor** said the City's insurance provider is super strict about using drones. Farmington needs to establish liability. **Shumway** said South Jordan has 11 different drones and they use it for many different things such as assisting police to clear a house. **Mellor** said he is shocked at how much Farmington uses their drone.

ADJOURNMENT

Motion:

Layton made a motion to adjourn the meeting at 9:19 p.m.

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

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



Carly Rowe <crowe@farmington.utah.gov>

Historic Main Street Designation

2 messages

Bob Aamodt <bob@rockhousefinancial.com>
To: Carly Rowe <crowe@farmington.utah.gov>
Cc: David Barney <dbarney@farmington.utah.gov>

Fri, Sep 15, 2023 at 2:06 PM

Hi Carly,

Please read the following or put into comments for the hearing on Tuesday night.

To the Farmington City Council,

I am writing to voice my support as a resident and local business owner of the recommendation from the Farmington City Historical Preservation Committee to include the Main Street Historic District in the Landmarks Register. Farmington City has been my home since I was 6 years old and my progenitors were some of the first to arrive in Farmington in 1848 and include Ira Rice, Leonard Gurley Rice and Thomas Smith. As many of you know, I have taken a keen interest in preserving two of the city's valuable historic rock structures. The preservation of our historic sites adds intrinsic value to the entire community. The history and struggle of the early pioneers now adds a wonderful texture to our city. The Historic Main Street District, with its historic homes, overgrown sycamores provide a core anchor to those values of family, freedom and overcoming difficulties that we all cherish. I encourage you all to vote in favor.

Sincerely,



Bob Aamodt, CFP®, MBA

Financial Advisor

[CLICK HERE](#) to schedule a meeting with me
[CLICK HERE](#) to send me files securely

phone: 801.447.4200

fax: 801.447.4201

text: 385.786.8001

address: 630 N. Main Street, Farmington, UT
84025





DeAnn Carlile <dcarlile@farmington.utah.gov>

Fwd: September 19 public hearing about adding the Main Street Historic District to the Landmarks Register

1 message

Melissa Layton <mlayton@farmington.utah.gov>
To: DeAnn Carlile <dcarlile@farmington.utah.gov>

Mon, Oct 2, 2023 at 5:01 PM

Sent from my iPhone

Begin forwarded message:

From: Melissa Layton <mlayton@farmington.utah.gov>
Date: September 18, 2023 at 3:17:47 PM MDT
To: David Petersen <dpetersen@farmington.utah.gov>
Subject: Fwd: September 19 public hearing about adding the Main Street Historic District to the Landmarks Register

Sent from my iPhone

Begin forwarded message:

From: David Barney <dbarney@farmington.utah.gov>
Date: September 13, 2023 at 7:59:12 PM MDT
To: Roger Child <rchild@farmington.utah.gov>, Scott Isaacson <sisaacson@farmington.utah.gov>, Melissa Layton <mlayton@farmington.utah.gov>, Alex Leeman <aleeman@farmington.utah.gov>, Brett Anderson <banderson@farmington.utah.gov>
Subject: September 19 public hearing about adding the Main Street Historic District to the Landmarks Register

Hi Everyone : I plan to speak at the public hearing in support of adding the Main Street Historic District to the Landmarks Register. Lagoon has told us that they are against adding the district to the Landmarks Register. As the Chairman of the Commission, I think residents and the City Council need to know the following information. What do you think ?

In 2009, Farmington's first historic district, Clark Lane, was added to the Landmarks Register. Two of the historic homes in this district are owned by Lagoon. The Landmarks Register has a section about Deterioration by neglect. It says that an owner of a historic resource shall not allow any building to deteriorate by failing to provide ordinary maintenance or repair. The Nathan George Clark home at 268 West Street was built in 1899. This Lagoon owned property was falling apart. The roof had not been replaced for over 30 years and it was leaking and causing damage to the interior of the home. Kids had broken in the back door and nothing was being done to fix it up. In 2019, Farmington City forced Lagoon to put on a new roof and paint the exterior of the home. I think most homeowners would agree that ordinary maintenance and repair is not too much to ask. Now Lagoon does not want the Main Street Historic District to be on the Landmarks Register. Do they want to be allowed to let their

buildings in the Main Street Historic District deteriorate by failing to provide ordinary maintenance?

Nathan George Clark home at 268 West Street that was built in 1899. The Clark Lane Historic District was added to the Landmarks Register in 2009. This home is owned by Lagoon. Before 2019 when the roof was leaking and causing damage



After 2019 when a new roof was added and the building painted.

--

David A. Barney - Chairman
Farmington City Historic Preservation Commission
[160 South Main](#)
Farmington, Utah 84025
Mobile: 801-706-7512
dbarney@farmington.utah.gov





DeAnn Carlile <dcarlile@farmington.utah.gov>

Fwd: Proposed Historical District

1 message

Melissa Layton <mlayton@farmington.utah.gov>
To: DeAnn Carlile <dcarlile@farmington.utah.gov>

Mon, Oct 2, 2023 at 5:00 PM

Here you go Deann

Sent from my iPhone

Begin forwarded message:

From: Bradley Bornemeier <middleb24@yahoo.com>
Date: September 19, 2023 at 9:21:51 AM MDT
To: mlayton@farmington.utah.gov
Subject: Re: Proposed Historical District
Reply-To: Bradley Bornemeier <middleb24@yahoo.com>

Thanks again for taking the time and calling me a couple weeks ago about this Historical designation. I would like to suggest that the homes south of State Street be left off this designation. We are Zoned R4 and this designation will adversely effect my investment in my property. I have room on my property to build a secondary dwelling and this designation will have a negative effect. Talk to Dave Peterson in your meeting before the public meeting how this designation affects differ between OTR and R4. It's an apples to orange difference. I hope after everything said today you will vote no. No resident in this town should have this designation forced on them.

Thanks for your time
Bradley Bornemeier

Sent from Yahoo Mail on Android

On Fri, Sep 1, 2023 at 7:38 AM, Melissa Layton
<mlayton@farmington.utah.gov> wrote:

Hi Brad,
I'd love to chat with you. I'm available after noon today. Can I call you then?
Melissa

Sent from my iPhone

On Sep 1, 2023, at 6:58 AM, Bradley Bornemeier <middleb24@yahoo.com> wrote:

I just received a certified letter about the meeting about the historic district being in a couple weeks. If you have 10 minutes to discuss this before the meeting I would appreciate it.

Brad Bornemeier

Sent from Yahoo Mail on Android

On Tue, Aug 22, 2023 at 11:08 PM, Melissa Layton
<mlayton@farmington.utah.gov> wrote:

Hi Brad,

Thanks for your email. Let me talk with Dave tomorrow morning and see where this is in the process. I understood that this was an opt in thing. Maybe I'm wrong. I'd love to have a chat with you. I've got some time in the morning if that works for you.

Melissa Layton

Sent from my iPhone

On Aug 22, 2023, at 1:28 PM, Bradley Bornemeier
<middleb24@yahoo.com> wrote:

Last month the Historical Society passed a request to place Main St in a Historic District per City Code **11-39-050 Section E 1**. May I point out that no property owner requested this to take place. This was done independently by the Historical Society. Dave Peterson mentioned that this request was going to be taken up by the City Council sometime in August or September. I know your lives are busy with other meetings and such but I am reaching out to see if any of you would have 10-15 before or after a meeting to talk about this request. (I live 2 homes North of the park) I am also open to correspond via email or phone if that works better for you.

Thank you for your time

Brad Bornemeier
54 S Main St
385-262-1418