

FARMINGTON CITY – CITY COUNCIL MINUTES

October 3, 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,
City Attorney Paul Roberts,
City Recorder DeAnn Carlile*

*Recording Secretary Deanne Chaston,
Assistant City Manager/City Engineer Chad
Boshell,
Accountant Kyle Robertson,
Public Works Director Larry Famuliner,
Police Chief Eric Johnsen, and
Assistant Public Works Director Cory
Brazell.*

Mayor **Brett Anderson** called the work session to order at 6:07 p.m. Councilmember **Amy Shumway** was excused.

NO PARKING SIGN DISCUSSION

City Manager **Brigham Mellor** said Farmington has no parking signs in three areas of the City, and there are different versions. They can be found by the school, across the street from the Legacy Events Center, further south on 1100, Chestnut Farms, and State Street. They call for “no event parking” as well as parking permitted only for adjacent property owners and their guests. Recently no parking signs at Glover Lane and 475 West were taken down because they were non-enforceable.

Mayor Anderson said the City should decide where and why no parking signs are put up. Councilmember **Scott Isaacson** said his neighbors complain a lot when Davis County Fair parking backs clear up to their neighborhood. Assistant City Manager/City Engineer **Chad Boshell** said parking spilled onto Farmington streets when Davis County began charging for parking at the Legacy Events Center. Even though the parking lot was half full, some motorists would rather park on City roads than pay for parking. The County has since discontinued paid parking. **Mellor** said the determination of “guests” became problematic at The Avenues.

Mellor said there are three alternatives to consider. First, red curbs are easy to enforce with tickets, as nobody can park there. Second, no parking signs are an alternative. Near Heritage Park by the mortuary, parking is allowed on one side of the street, but not on the freeway side of the street. Farmington Greens has no parking around the park in the center, but allows parking on the other side of the street. Lastly, putting in permits is an option. However, it can be financially and administratively prohibitive. This is similar to how universities and downtown Salt Lake handle parking, which is enforced by full-time meter maids. Residents could be issued permits or decals.

Councilmember **Alex Leeman** said since enforcement is non-existent, the no parking signs are merely meant as a deterrent that keeps 90% of the problem off the street. It was never about enforcement.

Public Works Director **Larry Famuliner** said the high school only has about seven football games a year and maybe one basketball game each year where parking is a problem. Therefore, the signs are up for only seven nights each year. Now that the use of the Legacy Events Center is changing, the County may need to keep evaluating how parking problems affect the City.

Police Chief **Eric Johnsen** said the purpose of no parking signs should be directly related to public safety issues. He said there is no public safety problems parking in neighborhoods by the golf course. It is just inconvenient for people when others are parked in front of their home.

Isaacson said on 1100 there is a safety concern because there are no sidewalks on one side of the road. **Mellor** said there is no way to red curb that area, as there are no curbs there. **Isaacson** said the residents on 1100 feel strongly about this.

Boshell said at the angled trail crossing, there are many reasons to restrict parking such as not having an ample shoulder. However, there is no curb there either. In the redesign of the Legacy Events Center, Davis County considered pathways to alternative parking such as the justice court lot, which is never used on the weekends.

Mellor said Station Park put up signs prohibiting event parking, but now the County is cooperating with both Station Park and the University of Utah. A free shuttle will weave from the FrontRunner station to Station Park, UTA bus stops, and Lagoon. Lagoon users don't park at the Clark trail head. The signs as they are don't work.

Leeman said he is less concerned with event parking such as high school football games and more concerned with Pioneer Lane along State Street. If there are cars on both sides of the road all summer long every day, it could be a fire drill problem. **Mellor** said the north side of the road could be red curbed after taking down the signs. He said Lagoon putting in a north parking lot could change things in the future.

Ed Rose, who lives four houses in south of 475 West, addressed the Council. He felt he and his neighbors were singled out when the City recently removed no parking signs. His street is now used for drag racing. It is a safety issue to turn left because he can't see oncoming cars when stopped at the stop sign. He agrees that the no parking signs are deterrents, and that many people ignore the signs. He is worried that the City took something away and didn't give citizens the right to appear in support or opposition of the change. When people park on the street during high school games, they litter. He said the City should take down all no parking signs, or none at all. Only taking down his makes him feel targeted.

Assistant Public Works Director **Cory Brazell** said corners are red curbed 40 to 50 feet out, including all entrances and intersections from Glover to the high school. **Boshell** said it is standard practice to analyze sight distances for intersections, and to stop at a stop sign before then pulling forward to look for oncoming traffic. There is no cross walk at 650. **Mellor** said he would like to hold off on mid-block beacons for now on Doberman Lane, as there is not that much parking there during the day. **Famuliner** said that compared to four to five years ago, there are fewer students parking there now. **Mellor** said allowing traffic to park at Innovator and Maker Way actually acts as a deterrent to slow traffic. Cars parked on the sides of the road can help mitigate drag racing. **Isaacson** said he is shocked at the drag racing that occurs on 1100. He would like to study the issue more, especially as the Legacy Events Center is built out. This

could include new sidewalks. **Boshell** said there could be a new signal at University Avenue. **Mellor** said there is no way the County or City can pay for a pedestrian bridge.

CLOSED SESSION

Present:

*Mayor Brett Anderson,
Mayor Pro Tempore/Councilmember Scott
Isaacson,
Councilmember Roger Child,*

*Councilmember Melissa Layton,
Councilmember Alex Leeman, and
City Attorney Paul Roberts.*

Motion:

At 6:38 p.m., Councilmember **Roger Child** made the motion to go into a closed meeting for the purpose of character, professional competence, or the physical or mental health of an individual.

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

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 7:02 p.m., Councilmember **Alex Leeman** made the motion to reconvene to an open meeting.

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

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,
City Attorney Paul Roberts,
City Recorder DeAnn Carlile
Recording Secretary Deanne Chaston, and
Assistant City Manager/City Engineer Chad
Boshell.*

CALL TO ORDER:

Mayor **Brett Anderson** called the meeting to order at 7:06 p.m. Councilmember **Amy Shumway** was excused.

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

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

Mayor Anderson said he recently read a Court decision about prayer in public meetings. The Utah Supreme Court said it is permissible. However, the City Council or Staff reading and approving the prayer beforehand—such as was done in Murray, Utah—is not permissible. That is discrimination. If you have an open forum, you can't pick which voice you are going to hear.

Councilmember **Scott Isaacson** said that because Farmington has different congregations that meet in the City, the Council has had prayers offered by denominations outside the predominant religion of the area.

PRESENTATION:

Hopebox Theater presents a selection from The Little Mermaid

This is closing week for this production, and tickets are sold out for Friday and Saturday.

UDOT I-15 Environmental Impact Statement (EIS) Study Update by UDOT Program Manager Mike Romero and Consultant Project Manager Shane Marshall

Utah Department of Transportation (UDOT) reached a milestone when it released the EIS draft last Friday, and they are still looking for feedback. Traffic analysis for the Interstate 15 EIS assumes all other projects in the 2050 Regional Transportation Plan (RTP) are already successfully implemented. This plan includes over 53 planned projects and improvements for all modes within the study area including double tracking and electrifying FrontRunner in Davis and Salt Lake Counties; extending Legacy Parkway Trail and more than 30 other projects improving and adding new facilities for those who walk and bike; constructing future phases of West Davis Corridor and widening I-80, I-215, Redwood Road, and Legacy Parkway.

In 2019, northbound travel time from Park Lane in Farmington to 400 South in Salt Lake City took 19 minutes. Travel southbound in the same area took 18 minutes. If no action is taken, those travel times would increase significantly by 2050. Northbound would take 66 minutes, and

southbound would take 55 minutes. The study considered the entire corridor and all travel needs along it, including for motorists, pedestrians, and cyclists.

The study was done for many purposes and needs including improving safety, better connecting communities, strengthening the economy, and improving mobility for all users. The study addressed improving the safety and operations of the I-15 mainline, I-15 interchanges, bicycle and pedestrian crossing, and connected roadway network. The study considered consistency with planned land use, growth objectives, and transportation plans; and will support the planned FrontRunner double track projects and enhance access and connectivity to Fronrunner, regional transit and trails, and across I-15. The study considered replacing aging I-15 infrastructure and enhancing the economy by reducing travel delay on I-15. The study also considered improving mobility and operations on the I-15 mainline, I-15 interchanges, connected roadway network, transit connections, and bicyclist and pedestrian facilities to help accommodate projected travel demand in 2050.

There is aging infrastructure and drainage issues that require more maintenance. With its sharp curves, the current roadway was designed for lower speed limits and less traffic. The study considered a crash history “heat map.” The 6th North interchange is not currently user friendly from a traffic, pedestrian, or bicyclist standpoint. There are limited connections for people to walk to school and work both safely and comfortably. There will be walking and biking improvements, including changing geometry and marking where drivers should stop to give pedestrians and bikers a chance to cross. In Farmington, the State Street east-west crossing will be wider for pedestrians. Also, the 200 West interchange is getting comments.

The EIS is now online (i15eis.udot.utah.gov) with interactive GIS maps that can be zoomed in on. There is also a link for comments on the map. Comments can be shared via email at I15EIS@utah.gov or facebook.com/groups/udoti15eis. Comments can also be shared in-person from 5 to 7 p.m. at the online open house Oct. 16; open house and hearing Oct. 17 at the State Fair Park, Bonneville Building; or open house and hearing at the South Dais Rec Center on Oct. 18. The 45-day comment period ends Nov. 11.

UDOT has determined to proceed with Option A, as it is a better balance to meet travel needs. Option B was 16 feet wider (242 feet) and affected more property. Right now the width of I-15 varies, and it is 226 feet in Salt Lake City. Option A (226 feet wide) features one right-hand auxiliary lane and five lanes on each side of the freeway, as well as two hot lanes between the two directions. Using these hot lanes, travel times by 2050 are estimated to be 28 minutes southbound during the morning peak, and 30 minutes northbound during the evening peak.

Next steps include preparing the final EIS, releasing the final EIS, issuing a record of decision by the Spring of 2024, and funding the project. The priority of the project with the legislature is not yet known.

Isaacson said traveling from Farmington to a Brigham Young University football game recently took 2 hours, which was very frustrating.

BUSINESS:

Consolidated Fee Schedule (CFS) Amendments

Accountant **Kyle Robertson** presented this agenda item. The amendments address recovery costs and fines for illicit discharge into the City's storm water system; fines for nuisance, zoning, and building violations; and fines for violations of posted orders.

Containing and mitigating an illicit discharge into the City's storm water system requires extensive time and equipment. Administration proposes having the cleanup fee separate from any fines to ensure that the violator does not confuse fines with cost recovery. Discharges into the City storm water system are expensive to redress and greatly impact the environment and the community. Administration proposes that fines be established for illicit discharges or connections into the storm drain system. The proposed fines are higher for hazardous waste (sewage, cleaning chemicals, concrete dust, etc.) than they are for non-hazardous waste (soaps, grass clippings, etc.). The proposed fines are also higher for intentional discharges than they are for negligent discharges. If violations are continuous (like a sewer system surreptitiously connected to the storm drain line), daily fines may be assessed. Administration also proposed that fines double and triple if an offender has made multiple illicit discharges within 12 months of the initial violation.

Regarding fines for nuisance, zoning and building violations, the City is requesting a more robust set of tools to enforce City code. Currently, citations can be issued each day at \$100 per citation. However, the administrative burden of issuing daily citations is high and can be taxing on all parties involved. The proposed fee schedule retains the smaller, one-time penalty for citations on the grounds of nuisances like weeds and junk vehicles. For building code, zoning, and business licensing violations, Administration requests the ability to impose daily fines through Notices of Violation (NOV). Daily fines through an NOV are useful tools for continuous violations. Rather than issue a citation every day, the NOV serves as a standing citation until the property is brought into compliance. The City's standard practice would be to issue the smaller, daily fines while working with individuals, resorting to the larger fine (\$1,000) only if individuals have demonstrated that they will not comply with the code.

Staff seeks the imposition of fines for individuals who violate posted orders. For instance, if the Building Official posts a stop work order due to lack of a permit or safety concerns, anyone working on site would be subject to the fine.

Leeman asked what makes building code or zoning violations "severe." This may need to be defined and standardized if the City proposed to assess fines per day. He feels there needs to be more commentary in the ordinance. City Attorney **Paul Robertson** said if the violator demonstrates noncompliance, that could be considered severe. **Isaacson** suggested flagrant, repeated, or intentional noncompliance. City Manager **Brigham Mellor** said situations could be brought to the attention of the Council, who could preauthorize the fine. **Roberts** said that could prove to be a long process, and may need to be assessed by an enforcement official. **Mayor Anderson** said he likes the proposed language, but it is a bit subjective and needs more refining. **Roberts** will bring a zone text amendment that provides factors to be used by an administrative officer to assess a fine up to \$1,000.

Councilmember **Melissa Layton** asked about the length of time it takes to get police reports. **Roberts** said that since records are digitized in Lexus Nexus, it should take only two weeks.

Motion:

Leeman moved that the City Council adopt the resolution amending the Consolidated Fee Schedule, with one change: in Section G3 of the proposed fee schedule, the penalty for severe building code or zoning violations be “up to” \$1,000, instead of just \$1,000. This would add the words “up to.”

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

SUMMARY ACTION:

Minute Motion Approving Summary Action List

The Council considered the Summary Action List including:

- Item 1: UDOT Jurisdictional transfer of the frontage roads near the Highway 89 Main Street interchange. **Mayor Anderson** noticed the use of the term “maintenance,” and he wants to know what that means and doesn’t mean.
- Item 2: Fraud Risk Assessment. The Office of the State Auditor requires that all local government complete an annual fraud risk assessment internally. After completing the State Auditor’s fraud risk assessment questionnaire, Farmington has been found to be at low risk for fraud.
- Item 3: Approval of minutes for September 5, 2023, and September 19, 2023.

Motion:

Child moved to approve the Summary Action list items as noted in the Staff Report.

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

GOVERNING BODY REPORTS:

City Manager Report

Mellor had nothing to present.

Mayor Anderson and City Council Reports

Layton mentioned a recent Clearfield City Staff recommendation for a social media policy, where City Council members' online presence would be controlled. She will send an email from Clearfield City Councilmember **Nike Peterson** to **Roberts**. It will be interesting to follow this.

Isaacson asked about the Glover Lane roundabout, saying it feels open and weird. **Mellor** said they have contacted those who are responsible. Discussions included a guard rail on the back of the sidewalk, a sound wall, and vegetation for privacy screening. Since, stamped concrete has been put in the middle of the roundabout. Farmington Staff is considering hiring an artist for an art installation in the center of the roundabout. It may be the same artist the City will be hiring to do an art installation on the northwest corner of the new park. Farmington has \$700,000 to \$800,000 in UDOT betterment money they can use. Staff will bring costs back to the Council for consideration.

Isaacson said he recently spoke with the residents who live north of the tennis facility, and asked why they didn't come to recent public meetings regarding that facility. They responded that they didn't get notice of the meetings because during construction, the Post Office wouldn't deliver their mail, so they had to go pick it up. They live next door, but didn't get notice of the agenda item until after the fact. They said they didn't support the recent changes, as they create parking problems. They were also promised that the applicant would put in a fence, but that never happened. **Mellor** said the City put up a framed sign with notice as well, and they were surprised when the applicant's neighbor didn't show up for the public hearing.

Isaacson said it is very frustrating to hear that residents don't hear about agenda items. He feels the 300-foot notice should be increased for noticing purposes. During a future work session, he wants to discuss the opportunity for residents to get due process and be heard. He wants to take away all excuses for residents not to get notice of items that affect them.

Leeman said the office buildings to the west of the credit union don't have trees planted in the park strip, when he thought the City was making everyone put trees in park strips. **Mayor Anderson** said Community Development Director **Dave Petersen** would look into the issue.

Child said due to the current economy, interest rates, and construction rates, he doesn't predict any new projects starting in Farmington for a long time. It might be a couple of years before Farmington gets any impact fees, so they should plan accordingly. From an economist's perspective, things are slowing down.

ADJOURNMENT

Motion:

Child made a motion to adjourn the meeting at 7:58 p.m.

Layton seconded the motion. All Council members voted in favor.

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

/s/ DeAnn Carlile

DeAnn Carlile, Recorder