

# FARMINGTON CITY – CITY COUNCIL MINUTES

February 4, 2025

## WORK SESSION

Present:

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

*Assistant Community Development  
Director/City Planner Lyle Gibson,  
City Planner/GIS Specialist Shannon  
Hansell,  
Assistant City Manager/City Engineer Chad  
Boshell,  
Finance Director Greg Davis,  
Assistant Finance Director Levi Ball,  
Planning Commissioners Frank Adams and  
Tyler Turner.*

Mayor **Brett Anderson** called the work session to order at 6:00 p.m.

## **MANDATORY ANNUAL TRAINING**

City Attorney **Paul Roberts** presented the annual mandatory open meetings training. Councilmembers should remember to take actions and conduct deliberations openly. The Legislature recently changed what defines a meeting to all of the following: a gathering of a quorum of a public body, convened by an authorized individual, following appropriate processes, for the express purpose of acting as a public body. It also includes receiving public comment about a relevant matter, deliberating a relevant matter, and taking action on a relevant matter.

Before 2024, it was called “discussing,” or talking about something in order to reach a decision or to exchange ideas. Now it is “deliberation,” or long and careful consideration or discussion, slow and careful movement or thought. New in 2024 was also that anti-predetermination is an element to be considered when defining a meeting. A quorum may not act together outside of a meeting in a concerted and deliberate way to predetermine an action to be taken by the body. **Roberts** has heard of County Commissioners discussing items before a meeting, and then voting in a meeting with no discussion. He cautioned Councilmembers to watch their email and text exchanges for this element.

Defining an electronic meeting was also new in 2024. If all members of a public body will be attending remotely, then an anchor location is not needed unless a member of the public requests it at least 12 hours before the meeting takes place. Electronic meetings are now permitted, so long as adequate notice is provided to all elected officials.

Closed meetings are only appropriate under certain circumstances including: legal advice; real estate; a person’s character, professional competence, and health; pending or imminent litigation; and the deployment of security devices, personnel, or systems. Items distributed during a closed meeting are considered “protected” under the Government Records Access and Management Act (GRAMA). Recordings are kept except in two circumstances: security devices/personnel, and a

person's character, professional competence, or health. Discussions in closed sessions should be kept confidential.

Agendas should be published 24 hours in advance, and items not on the agenda should not be discussed. Minutes are a simple record reflecting the substance of discussion as well as a summary of comments made by members of the public body. Names of people who give comment are required, but under State law, no other information is required. Pending minutes should be prepared within 30 days. Approved minutes should be posted within three business days on the City website.

**Roberts** told Councilmember that if their intentions are to openly conduct deliberations and take actions, they should be fine. If not, they should second guess themselves.

Regarding ethics, the public elects and trusts Councilmembers to make good policy decisions. The Council in turn appoints boards and employees, whom they trust to apply good policy and make good decisions. Self-dealing leads to bad policy.

Conflicts of interest can be both direct and indirect. A direct conflict of interest is when you are the applicant, or own a business directly regulated by the City. An indirect conflict of interest is when you, or a business you work for, receive compensation for assisting an applicant with a transaction. An associational conflict of interest is when a close friend or relative is an applicant.

To remedy conflicts of interest, Councilmembers should disclose and/or recuse. Disclosure can be made in writing to the Mayor in advance of a decision. Recusal is not legally required, but it is good practice. This would mean getting up and walking out of the meeting while that matter is being discussed. That means no participation or discussion of the matter in the public meeting.

Councilmembers should not accept gifts from applicants or those seeking to do business with the City. It is problematic to receive a gift that is offered to influence an action, decision, or vote. Non-pecuniary gifts worth less than \$50 are acceptable and do not include campaign contributions or awards for public service awarded publicly. These are all acceptable, but bribes are illegal. **Roberts** said the purpose of elected office is to serve the community, and he counseled Councilmembers not to lose sight of that. Officials abusing the public's trust while using their office for their own purposes is aggrandizement. It is unlawful to use power to substantially further personal economic interest or secure special privileges for others.

There are avenues to address ethical concerns, including consulting peers, **Mayor Anderson**, the City Attorney, or even the Utah State Political Subdivision Ethics Review Commission. Every Councilmember needs to be able to come to **Roberts**, who technically represents the City. He is obligated to report unlawful behavior such as stealing.

**Roberts** discussed the land use liability court case Springdale Lodging v. Springdale, (2024 UT app 83) that lasted five years. It was a zone change application for 2.5 acres of property in 2019. He said this case shows that Councils should allow applicants to be heard as well as advocate for their application. It is common in most cities to allow members of the public to speak for 3 minutes. However, land use applicants are not considered members of the public; instead, they are a party, and therefore allowed more time to speak. **Roberts** counseled Councilmembers not to text, especially amongst themselves, during a meeting.

City Planner/GIS Specialist **Shannon Hansell** presented a public notice map tool that she has been working on. It will be available on the Planning Commission website.

Councilmember **Scott Isaacson** would like to expand the State-prescribed public notice distance beyond 300 feet, if possible. City Manager **Brigham Mellor** said Farmington would need to make it standard for every issue. **Roberts** said expanding it beyond 300 feet would incur more time and expense. Communication Specialist **Jody Peeters** posts agendas on the City Facebook page.

**ADJOURNMENT**

***Motion:***

**Isaacson** made a motion to adjourn the meeting at 6:55 p.m.

All Council members voted in favor, as there was no opposing vote.

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

## **REGULAR SESSION**

Present:

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

*Assistant Community Development  
Director/City Planner Lyle Gibson,  
City Planner/GIS Specialist Shannon  
Hansell,  
Assistant City Manager/City Engineer Chad  
Boshell,  
Finance Director Greg Davis,  
Assistant Finance Director Levi Ball,  
Former Police Chief Eric Johnsen,  
Police Chief Austin Anderson, and  
Building Official Eric Miller.*

### **CALL TO ORDER:**

Mayor **Brett Anderson** called the meeting to order at 7:00 p.m. Councilmember **Melissa Layton** offered the invocation, and the Pledge of Allegiance was led by Councilmember **Scott Isaacson**.

### **PRESENTATION:**

#### **Student Spotlight: Liam Griffin**

Coach **Stan Allen** nominated **Liam Griffin** for this honor. **Liam** strives to improve himself, strengthening his arm so he can pitch. He is the “consummate team player,” providing words of encouragement and support to his teammates. He plays any baseball position he is asked to play, always with a smile. As one of the smallest players in the 3<sup>rd</sup>/4<sup>th</sup> Grade League, he has one of the biggest hearts.

#### **Recognition of Eric Miller**

Former Police Chief **Eric Johnsen** presented this agenda item recognizing Building Official **Eric Miller**. **Johnsen** presented **Miller** with a flag that has flown over the Police Department for the past year in recognition of his contributions to his department. Although **Miller** is not a resident of Farmington, he should be for all the many hours he spends in the City. The building housing the Police Department is old, and the employees there appreciate his attentiveness and support.

**Mayor Anderson** presented **Isaacson** with a gift for his enthusiasm serving as the City’s representative on the Mosquito Abatement Board. It is a mosquito encased in amber.

#### **Introduction of New Police Chief Austin Anderson, badge pinning and administration of Oath of Office**

**Johnsen** said when he took the oath of office 2.5 years ago at the height of his career, it was a great time to be a cop, despite what the media said. After being in the Police Department for more than 20 years, he knows it is not easy being a family member to a police officer. The job

takes a little bit of your soul every day. As the large audience rose to their feet in applause, he said it has been a privilege to be a police officer in Farmington.

**Johnsen** introduced new Police Chief **Austin Anderson**. His wife, two sons, and one daughter pinned the insignia on his collars. City Recorder **DeAnn Carlile** administered the oath of office.

**Anderson** addressed the audience, which had officers from several different jurisdictions in attendance. He spoke of unity, pride, family, and taking the department to new heights. He would like to raise the bar and standard higher than it has ever been raised. He would like Farmington to be a “destination department,” meaning people want and fight to be part of their team.

### **Inauguration Debrief from Police Department**

Four Farmington police officers had the opportunity to provide security at President **Donald Trump**’s recent inauguration in Washington D.C. They physically stood guard for 12 hours in 19 degree weather (with a wind chill of 10 degrees) along the parade route from the White House to the Capitol to secure the motorcade. They said it was a once-in-a-lifetime opportunity, even though the weather was terrible. While immersing themselves with thousands of officers from outside agencies, they were able to see how others do things. For example, DC Metropolitan Police aren’t allowed to be proactive in their patrols. Their world has changed, and they are only able to respond to calls.

### **Fiscal Year 2024 Annual Comprehensive Financial Report (ACFR) and Audit Report Review and Acceptance**

Finance Director **Greg Davis** presented this agenda item. The City’s independent auditor firm Gilbert & Stewart, Certified Public Accountants, has completed its annual audit of the City’s financial records and financial statements. This is the third audit they have performed for Farmington. It started in September and concluded in December with the financial report.

**Ron Stewart** addressed the Council via Zoom. They considered three things including if finances are correct; internal controls are effectively working; and state compliance. They make sure that checks match invoices for the proper period, pull invoices to look at different balances, evaluate internal controls, and do analytical reviews. They also review budgetary compliance, government fees, and cash management, which is what the State Auditor has asked them to do. Farmington’s controls are working effectively. They issued an unmodified opinion, which is the best the City can receive for meeting standards.

**Stewart** pointed out that any city’s unrestricted fund balance is not to exceed 35% of total revenue, and Farmington exceeded that. If there is going to be a finding, that is the one to have because the funds can be used for capital projects. The State requires cities to have so much insurance with a treasurer’s bond, and Farmington now needs an increased amount.

**Davis** said some of that fund balance can be moved to other funds. It is hard to predict where everything will land at the end of the fiscal year, or he would have moved some of it over to the capital improvement fund, particularly for fleet replacement. **Davis** said Farmington has requested a quote to bump up the treasurer’s bond; the new policy will start in March.

**PUBLIC HEARING:**

**Schematic Subdivision Plan, Preliminary Planned Unit Development (PUD) Master Plan and Development Agreement (DA) – The Ana at approximately 1000 N. 650 W. (formerly The Ivy)**

Planning and GIS Specialist **Shannon Hansell** presented this agenda item for the 6.5-acre PUD at 1000 N. Shepard Park Road. Originally proposed as The Ivy in 2022, this project has 75 townhomes. Assistant Community Development Director/City Planner **Lyle Gibson** said the boundary and fence issue with Symphony Homes to the north has been resolved.

Councilmember **Amy Shumway** said she recently spoke to **Russell Wilson** with Symphony Homes, who said they are O.K. with this application because the developer is going to take care of the back of it and put a fence in. The developer would follow the Council's recommendation. She feels bad that The Ana has to take care of a park strip and put a fence up.

**Hansell** said it is a better alignment. While double frontage lots are prohibited in the subdivision ordinance, it is addressed in the Development Agreement. The driveway to the home on the corner isn't in conflict with Farmington ordinances.

Applicant **Chase Freebairn**, representing Cole West, addressed the Council. He realizes the unique circumstances, respects Symphony to the north, and feels things have been resolved. The 2017 Master Plan shows this alignment. He wants to make sure the Council doesn't have a problem with the Homeowner's Association (HOA)-maintained park strip abutting Symphony. They would be happy to look at landscaping and trees. They have no agreement in writing with Symphony for the fencing along the north side.

Councilmember **Alex Leeman** said last he heard from Symphony via email, there would be a 10-foot landscaping buffer and masonry fence. **Freebairn** said that is not what he had in mind, and he wished Symphony would call him. Moving the road alignment would have ramifications on not just their own project, but on others as well. This has been part of the City's Master Plan for a long time. They are willing to add landscaping in order to soften it, but not shift it 10 feet. They were planning a 7.5-foot park strip and a sidewalk right up to the property line, to be maintained by the HOA.

**Gibson** said Staff thinks there is no need for a 10-foot buffer because this is a residential use, not a commercial one.

City Manager **Brigham Mellor** said the problem is the double frontage lots and who takes care of the landscaping on the back. The applicant said the HOA would. The alternative is to have the sidewalk curb-tight, which becomes a problem when the snow is plowed. The City prefers wider park strips for planting more robust trees. **Leeman** said he agreed, and he would rather see trees than landscaping against a fence.

**Freebairn** said they do intend to landscape, as they don't like a plain, blank wall. It will be more than just gravel or sod. The landscaping should complement the housing project and surrounding residential, which is a lot cheaper than a sound wall.

City Attorney **Paul Roberts** said it is difficult to ask the developer the change plans, and it puts pressure on them to get the deal done.

**Leeman** asked about the possibility of residents putting in their own preferred fence. **Freebairn** said it is easiest and most logical to match fencing that is already there, dress up the park strip, and have the HOA maintain it. Regarding the proposed pickleball courts, it is not their intention to have them be open to the public. Legally, it would be a private entity that has to follow City ordinances for lighting, and it would be managed by the HOA.

**Freebairn** said parking would be inside garages first, with the possibility of spilling into driveways, which would have two 18-foot long stalls for every unit. There would also be a north central overflow area. He noted that there is nothing prohibiting parking on a public roadway. He said there is already ample parking there now, and most cities are over-parked in their ordinances. Parking cuts out green space.

**Mayor Anderson** opened the Public Hearing at 8:13 p.m.

**Damon Martin** said he is involved in construction, and he feels this project has limited green spaces for that many families. He lives in a similar complex that doesn't have enough green space.

**Sheri Dye** moved from Salt Lake to Farmington and has served as a county delegate. She doesn't want Farmington to become like downtown Salt Lake City and is supportive of affordable growth.

**Mayor Anderson** closed the Public Hearing at 8:16 p.m.

**Freebairn** said the project has Scandinavian themed architecture that should fit in well in this new, up-and-coming part of Farmington. The price point is difficult to set until hard costs are dialed in. However, their goal is the \$400,000 to \$475,000 range. In the last two years, they have seen construction costs follow inflation.

**Shumway** said she was surprised to see four-bedroom units. **Freebairn** said three is the standard, and four allows families to stay longer. Councilmember **Roger Child** said having lots of stairs will push older people out of them eventually.

**Hansell** noted that the Planning Commission did make a condition that the Development Agreement have an updated fee for moderate-income housing, as the one in the packet is from 2022. **Gibson** said the formula used to calculate the fee in the ordinance remains the same. This is the only project to successfully use the formula before the Council. The inputs such as interest rates change over time based on sold product in a certain period of time. If houses are selling for more or less than they were in 2022, interest rates being higher could change the whole thing.

**Child** said he is happy to see things happening out there, and it has been a long while since it was approved. It is nice to see things come out of the ground. He prefers no space between the fence and the sidewalk because it is difficult to maintain. Larger park strips are good for snow pushed off the side of the street. It will sell quickly if it is in the \$400,000 price range.

**Shumway** said she would like the fence addressed, and the fee is close enough and in the ball park to be approved as-is.

**Motion:**

**Leeman** moved that the City Council approve the schematic subdivision plan, preliminary PUD master plan and Development Agreement for The Ana, subject to all applicable Farmington City development standards and ordinances, and the following Conditions 1-2:

1. Language be added to the Development Agreement to ensure that maintenance of the park strip on both sides of 1015 North Street be the responsibility of the HOA set up for The Ana, sticking with measurements and dimensions in the schematic subdivision plan.
2. Developer is responsible for the construction of fencing along the northern property line along the 1015 North Right-of-Way abutting Symphony Homes Hidden Farms Subdivision, compatible with the fence already there, trying to match as best as possible.

Findings 1-5:

1. The project follows the East Park Lane Small Area Master Plan.
2. The project complies with the City’s General Plan and zoning ordinances for the Commercial Mixed Use (CMU) zone.
3. 1015 North will be constructed concurrent with The Ana. 1015 North provides a connection from Main Street to Shepard Park Road (700 West) and eliminates dead-ends longer than 1,000 feet.
4. The project completes the connection of Shepard Park Road from Shepard Lane to Lagoon Drive.
5. The project was previously approved by the City Council in 2022 with the same proposal.

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

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

**Leeman** left the meeting at 8:27 p.m.

**Amend the Rice Farms Planned Unit Development (PUD) overlay to allow Internal Accessory Dwelling Units (IADUs) on lots smaller than 6,000 square feet**

**Gibson** presented this agenda item. While the State mandated allowing IADUs a few years ago, they also allowed cities limiting tools. Farmington IADUs wouldn’t be allowed if the lot is under 6,000 square feet; otherwise they would be allowed. In this case, the Rice Farms subdivision has large enough homes with enough parking to have IADUs, but their lots are not large enough. Many of the homes are built with separate entrances. Because Rice Farms is a PUD, it can be looked at separately from the entire City; it may be a case study that could be expanded throughout the City in the future. After holding a public hearing, the Planning Commission voted in favor. Any IADUs would still have to meet other standards in the ordinance such as parking, on-site owner occupancy, etc. Since it is part of an HOA, the HOA will have to approve it separately as well.



Applicant **Jourdan Biesinger** said the Rice Farms HOA has 37 homes and townhomes. Her home is 4,200 square feet with seven bedrooms, two full kitchens, separate entrances and laundry rooms, a two-car garage, and a driveway large enough for two cars. She didn't realize that her property didn't meet the square footage requirements for an IADU, which can provide affordable housing options.

**Mayor Anderson** opened the Public Hearing at 8:35 p.m.

**Damon Martin** addressed the Council, saying he has lived in the same community for six years, and his home is 3,000 square feet with a finished basement. He has no objections.

**Jeff Bevan** (782 S. Rice Road, Farmington, Utah) said that while his home is well suited for an IADU, he is unlikely to use it as that. However, he is in favor. He has lived in Farmington for 16 years. The requirements that the owner must live on site and live in it for at least two years keeps things residential and prevents investors. The HOA rules prohibit parking in the street. This provides the balance of responsible ownership.

**Mayor Anderson** closed the Public Hearing at 8:39 p.m.

**Shumway** applauded the applicant for helping the Council realize that ordinances may not be one-size-fits-all. She is in favor of this, especially with housing costs so high. It is great to ask questions and follow the process. **Mayor Anderson** said it will be interesting to test this in an area that is interested. **Isaacson** said this makes sense, and the Council seems to all be in favor.

**Child** said that following the process is really good, as many residents go ahead and do it without permission. He is a strong proponent of personal property rights, and is therefore in favor of granting the applicants this opportunity. The HOA will help police parking issues. The fact that they must be owner-occupied solves any landlord issues.

***Motion:***

**Isaacson** moved that the City Council approve the enabling ordinance (enclosed in the Staff Report) amending the Rice Farms PUD overlay to allow IADUs on lots less than 6,000 square feet within this development, subject to all applicable Farmington City standards and ordinances.

**Findings 1-2:**

1. The impact of an IADU on a lot less than 6,000 square feet is the same (or minimal) as compared to other lots within the Rice Farm PUD, so long as the property owner is able to meet all other IADU standards (i.e. parking, owners must live on-site, etc.) set forth in the Farmington City Zoning Ordinance.
2. The deviation to the standard of the underlying zone is limited to the Rice Farms PUD and does not apply to the rest of the City.

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

Councilmember Roger Child	X Aye	___	Nay
Councilmember Scott Isaacson	X Aye	___	Nay
Councilmember Melissa Layton	X Aye	___	Nay
Councilmember Amy Shumway	X Aye	___	Nay

**Schematic Subdivision for the Miller Meadows Phase 10, approximately 400 South 555 West**

**Gibson** presented this agenda item. The property is zoned Agricultural Estates (AE) with a minimum lot size of 1 acre. Under this scenario, the two-acre property yields two lots. If the property becomes part of the Miller Meadows subdivision as proposed, two more lots are possible because the overall Miller Meadows project did not use all the lots in its half-acre yield plan. Phase 1 final plat of the Miller Meadows conservation subdivision was recorded on November 10, 2004. The six-lot total proposed in the schematic plan is made possible via a Transfer of Development Right (TDR) transaction with the City for the last two lots. Six 1/3-acre lots are proposed, with three on each street.

Applicant **Brock Johnston** (1157 Gullane Circle, Syracuse, Utah), a 45-year resident of Syracuse, said the proposed lot sizes are similar to those in surrounding areas on lots built for the last 18 years.

**Mayor Anderson** opened and closed the Public Hearing at 8:48 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 Miller Meadows Phase 10 schematic plan (enclosed in the Staff Report) subject to all applicable development standards and ordinances.

**Findings 1-2:**

1. The average Phase 10 lot size is comparable to lot sizes in other phases of the Miller Meadows subdivision.
2. Phase 10 provides better local street circulation for the area by connecting Cottle Lane to Miller Meadows Phase 7.

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

Councilmember Roger Child	X Aye	___ Nay
Councilmember Scott Isaacson	X Aye	___ Nay
Councilmember Melissa Layton	X Aye	___ Nay
Councilmember Amy Shumway	X Aye	___ Nay

**BUSINESS:**

**Zone Change , TDR Agreement, Schematic Subdivision Plan, and Development Agreement – Farmstead Subdivision at approximately 675 S. 1525 W.**

**Gibson** presented this agenda item for this project which is in the southwest part of town off 1525 West. The proposed 30-lot subdivision would match the zoning of the properties to the north. Neighbors have voiced concern with traffic and lot size. The applicant has come back with 28 lots, dropping two to make each a little larger. Dropping two lots makes it so the amount per TDR lot drops. The costs are roughly the same for both iterations, but the developer would sell fewer lots and therefore not be able to purchase the TDRs for as much as previously negotiated. The \$19,400 would drop \$10,000 per lot under the 28-unit iteration.

**Isaacson** said he has been concerned about the water table in this area. Being very close to the flood zone would require sump pumps and drainage systems. He wants to make sure the City is as protected as it can be, and has done everything under the law it can do to ensure this property is protected from being flooded. He wants it on the record that Farmington looked at these issues and did all they could do. Every three years, he gets 2 to 3 feet of groundwater that he has to pump to the spring.

**Gibson** said the applicant is interested in doing basements, but until they get more studies, they won't know if it is possible or not. **Mellor** said there may be a criteria to build up the property in order to have basements.

Assistant City Manager/City Engineer **Chad Boshell** said geotechnical studies will help determine the base elevation that has to be met. They may have to build up the subdivision to match Flatrock, which was raised 5 feet. The City requires developers to do certain things in the floodplain. A new study of the Great Salt Lake, which has been in the works for six years, may change things.

**Gibson** said that at public hearings, the public has mentioned water issues, and worries that this development could make it worse. There is yard drainage in Flatrock, and this development proposes the same.

**Boshell** said surface water drains to the existing drainage to the south. The crossing under the West Davis Corridor is sized to handle this new development. He worries that building up the Great Salt Lake will bring others into the floodplain, and he has contacted the state to figure out what they are predicting for floodplain. On-site detention is not being required, as Staff wants their water out to the lake before everyone else's gets to them. Staff will work with engineers to determine elevations, and if the applicant violates those, that will be on them.

**Roberts** said the City would not be legally responsible for such flooding, but sometimes cities take responsibility due to public clamor. The City should rely on geotech engineers to review the plans, and likewise rely on their stamped plans. There is nothing the Council can do to prevent public clamor, but they can follow the code.

**Isaacson** said that although he was not present at the meeting to hear all the public comments, he read the minutes and responded to emails. There is not much a difference between 28 and 30 lots when it comes to traffic and the other issues the public brought up. However, there is a difference for the developer and the City when it comes to the price offered for the TDRs. Thus, he is in favor of 30 lots. He is amazed that a developer wants to put single-family homes next to a freeway, where storage units, warehouse, large apartment buildings, and transitional zoning is typically found. The neighbors should feel lucky that higher density is not being proposed.

**Shumway** said she has lost sleep over this issue. Residents don't typically talk about lots in square footages, but rather acreage. When she calculated it, they are a third of an acre. As such, she is willing to approve 30 lots.

**Layton** said she likewise lost sleep over this. The developer is proposing beautiful, big homes that are not typically seen so close to a freeway. The City loses significantly between the 28- and 30-lot configuration.

**Child** said the lots along the freeway would be ideal for Detached Accessory Dwelling Units (DADU) as a buffer to the single-family homes. He is fine with the 30 lots. However, if the lots were a bit bigger, DADUs could be placed in the back of those homes.

***Motion:***

**Child** moved that the City Council approve the rezone of 15.5 acres from Agricultural Very Low Density (AA) and Agriculture (A) to AE, the TDR Agreement for 17 TDR lots, the 30-lot Schematic Subdivision Plan, and the Development Agreement for the Farmstead Subdivision, subject to all applicable Farmington City development standards and ordinances.

**Findings 1-4:**

1. One of the purposes of the conservation subdivisions is to provide greater design flexibility and efficiency, and diversify lot sizes as a benefit to more residents; this plan supports that purpose.
2. The plan supports open space initiatives which benefit the City as a whole, such as Ivy Acres park, Tom Owens/Rock Mill Park, and the Regional Park.
3. The agreement contemplates a value based on a previously reviewed understanding of profit to the developer for the additional lots.
4. The additional lots in the subdivision are compatible with other lots in the AE zoning district.

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

Councilmember Roger Child	X Aye	___	Nay
Councilmember Scott Isaacson	X Aye	___	Nay
Councilmember Melissa Layton	X Aye	___	Nay
Councilmember Amy Shumway	X Aye	___	Nay

**Council determination of disbursements of need-based utility assistance fund**

**Roberts** presented this agenda item. This fund was established a year ago and has grown a bit to \$830. **Mayor Anderson** said the City hasn't found a way to make it easy for residents to donate to this fund. It is difficult because people who use auto pay can't round up. But he isn't convinced yet that it can't be done. **Roberts** said the fund could grow if it was advertised better. He was expecting it to get up to \$1,000 by the end of the fiscal year. He now wants guidance from the Council on if and how to disperse this money.

**Shumway** said it should be dispersed, especially since there has already been a request. Changes can always be made in the future if necessary. She is hesitant to pay toward the sewer district since the City only handles their billing. She proposes covering a maximum of six months' worth of utility bills. Any changes can be reviewed after that.

**Isaacson** noted that often residents are already behind on their utility bill before they ask for help. **Carlile** said it is renters that typically ask for assistance paying their utility bills. **Roberts** said Farmington is trying to switch utility bills to go only to landowners rather than renters. Farmington is going to use the organized Home Energy Assistance Target (HEAT) rules to qualify for help on Farmington utility bills. **Isaacson** said it needs to be easier and more public.

**Motion:**

**Shumway** moved that the City Council provide direction to City Staff related to the disbursement of funds in the need-based utility trust account, as follows:

1. Provide up to 6 months of full bill
2. Come back and reevaluate

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

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

**Main Street (Park Lane – Shepard Lane) Federal Aid Agreement**

**Boshell** presented this agenda item. Farmington has been working with Davis County, the Utah Department of Transportation (UDOT), and the Wasatch Front Regional Council (WFRC) to widen and construct improvements along Main Street for sections of road between Park Lane and Shepard Lane. Due to inflation, funding this project has been challenging, but is now fully funded as follows: \$7.9 million in federal money through the WFRC; \$1 million in federal Transportation Alternatives Program (TAP) money through UDOT; \$3.5 million in Davis County funds; \$562,616 in UDOT funds for asphalt overlay; and \$574,073 in federal matching funds from Farmington City. The agreement describes roles and responsibilities in administering federal funds, and ensures that design and construction requirements are met.

A change needs to be made, as there was an error showing \$4.31 million from the local government fund. This was an error because it was double counting funds. The WFRC will change this later this week and UDOT will update the contract to \$3.5 million. Farmington asked the WFRC to transfer funds from Innovator and the business park to this project.

The City has various financial obligations with this agreement. The first is the \$547,073 federal match, some of which has been paid and some is currently budgeted. Farmington has already designed the project, and there is one remaining property owner that the City still needs to purchase the Right of Way (ROW) from.

The second obligation is the \$3.5 million in funds awarded to the City from Davis County. The City will be entering into an agreement with Davis County detailing the use and reimbursement of these funds. The third obligation is that if the project overruns the budget, the City will be held financially responsible. There is a significant contingency fund in the estimate, as well as funding to prevent this. **Boshell** said that this has taken a lot of time and a lot of politics to get done. It is anticipated that construction will begin in the Spring of 2025.

**Motion:**

**Layton** moved that the City Council approve the supplemental federal aid agreement with UDOT for the Main Street Widening Project on the condition that the local government fund is changed to \$3.5 million and authorize Chad Boshell to sign the electronic agreement.

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

Councilmember Roger Child	X Aye	___	Nay
Councilmember Scott Isaacson	X Aye	___	Nay
Councilmember Melissa Layton	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: Consider approval of the agreement and award of the Lower Farmington Creek Trail Project. The contract is with Mecham Brothers to construct the project in the amount of \$298,354. **Mellor** said this item will be pulled tonight, as there is some bad news from the Forest Service that needs to be worked out. This may not be coming back for another year. **Isaacson** said he noticed that there was nothing in the agreement asking for the contractor to be licensed and bonded, so that should be checked once it comes back. **Boshell** said it may be in the bidding documents, as bids cannot be accepted without it.
- Item 2: Main Street (Park Lane – Shepard Lane) Davis County Interlocal Agreement. The City applied for a grant from the Davis County 3<sup>rd</sup> Quarter grant application. The Davis County Council of Governments awarded the City \$3.5 million for the project.
- Item 3: Approval of January 21, 2025, Minutes.

***Motion:***

**Child** moved to approve the Summary Action list Items 2-3 as noted in the Staff Report.

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

Councilmember Roger Child	X Aye	___	Nay
Councilmember Scott Isaacson	X Aye	___	Nay
Councilmember Melissa Layton	X Aye	___	Nay
Councilmember Amy Shumway	X Aye	___	Nay

**GOVERNING BODY REPORTS:**

**City Manager Report**

**Mellor** asked Councilmembers to check their calendars for a March 29 Saturday morning retreat that will be close to home. He wants the new police chief to be there. He also asked for Councilmember input for replacing chairs used behind the lectern.

**Mayor Anderson and City Council Reports**

**Layton** mentioned that the Communities That Care (CTC) has been working with Parents Empowered to launch a spring campaign. It may be nice to mention it in the April newsletter.

**Shumway** noted that there is a new candy shop at Lagoon. **Mellor** said that there may be some future reconfiguration of the drop-off location at Lagoon, making it so it won't be on the road anymore.

**Isaacson** said he wants to discuss TDRs at the future retreat or during a work meeting. If TDRs are dedicated to parks and open space, he wonders if there will ever be any moderate-income housing. He said "Innovation Park" may be a good name for the new City park.

**Shumway** said the flower box made of railroad ties at Heritage Park is deteriorating, and there should be funds to replace that. She asked who maintains the long fenced area heading to Zions Bank on Main Street, as there has been a lot of dog excrement in the bark there.

**Shumway** also asked if the City has considered offering an RV dump station to residents. **Mellor** said the only place it makes sense is the Public Works facility. Because plans are not solidified for the salt shed yet, there is still some uncertainties of where to locate a dump station.

**Shumway** said the State Legislature is discussing changing some requirements with the municipal tourism tax that Farmington may want to look into, considering the new Western Sports Park (WSP) will open soon. **Mellor** said it is based on a certain percentage of hotel units compared to housing units, and he is not sure if it would apply to Farmington. It does apply to Moab, St. George, Park City, and Salt Lake City.

**Shumway** said a future Sunset State Park from Bountiful to Farmington has been put on a federal list, so there has been some movement. For it to be successful, the City may need to issue a letter of support in the future. It could become a big enforcement issue.

### **ADJOURNMENT**

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

**Child** made a motion to adjourn the meeting at 9:54 p.m.

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

Councilmember Roger Child	X Aye	___	Nay
Councilmember Scott Isaacson	X Aye	___	Nay
Councilmember Melissa Layton	X Aye	___	Nay
Councilmember Amy Shumway	X Aye	___	Nay

    /s/ DeAnn Carlile    

**DeAnn Carlile**, Recorder