

FARMINGTON CITY – CITY COUNCIL MINUTES

February 18, 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,
Community Development Director Dave
Petersen,
Assistant Community Development
Director/City Planner Lyle Gibson,
City Planner/GIS Specialist Shannon
Hansell,
Finance Director Greg Davis, and
Assistant Finance Director Levi Ball.*

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

CW HERITAGE PROJECT DISCUSSION

City Manager **Brigham Mellor** presented this agenda item, which is a proposed CW Urban/**Spencer Plummer** residential and commercial development. CW is under contract on Buffalo Ranch, who plans to submit an application. If the barns stay, they will be for a commercial use. This could have political consequences and use political capital, causing a lot of heartache with current residents. The applicant doesn't want to go through that if the City Council isn't open to the idea.

Assistant Community Development Director/City Planner **Lyle Gibson** said the development review team started reviewing a schematic application.

Councilmember **Scott Isaacson** said he is familiar with history of the past conservation easement, which doesn't exist anymore because the court ruled that it is gone. Therefore, the property reverts to Agricultural Very Low (AA) zoning. The starting place is looking at what is allowed in the zone; otherwise they can ask for a zone change. The General Plan should also be considered. When the City did the last General Plan, there was still a conservation easement there. However, the General Plan is now being updated. Everything on the west side was AA or Agricultural Estates (AE) at one time, and now it is all houses. There shouldn't be a commercial operation in the barns there.

Councilmember **Alex Leeman** said a rezone would be needed in order to do a density of housing. So, the question is if the City Council is open to a rezone, considering there would be some kind of commercial operation going on in the barns. **Mellor** said existing residents would be upset if there was both a commercial operation and massive housing.

Jason Boal, representing the applicant, said there is a pending application for residential, and they would like to know about the comfort level for commercial uses out there. They are here tonight to solicit feedback and establish a baseline going forward.

Collin Wright, representing Cole West/CW Urban, said a rezone for the Utah Department of Transportation (UDOT) property was recently granted. They are under contract to purchase the Plummer property. Their contract is for all but the barns and the property necessary to operate them. They would like to preserve the neighborhood and offer affordable housing. In order to be made whole, the Plummers need to retain the barns and their use of them. Therefore, they intend to leave the barns and rezone the rest residential. Questions about the use of the barns and any commercial applications is for the Plummers to answer, not them.

Mellor said the use of the barns, especially to operate a commercial business, has been the source of contention.

Landowner **Spencer Plummer** said he had 300 acres of prime land for a horse business. They have owned the land for 20 years, well before the neighbors moved in, and invested in Farmington. They owned nine lots, and have been treated poorly. Their use was equestrian with horse breeding in associated pastures and buildings. There are five buildings there, but they propose continuing the use of only two. They plan to take down the horse stalls. There has been some interest in doing a trampoline park, swimming pool, and indoor pickleball courts. They would like their children to own lots on this property, living next to the buildings they help operate along with a professional operator. He said a horse race track and soccer park are not good ideas. He said he had been made promises by Staff that aren't being fulfilled.

Gibson said as Staff, they were helping **Plummer** by giving him information about the new Agriculture Planned (AP) District. However, Staff didn't promise anyone an outcome.

Leeman and **Isaacson** acknowledged the bad situation that **Plummer** is in, as it was forced upon him by UDOT. Staff can share options, but they don't make promises.

Plummer said he takes a lot of pride in this location and wants it to be amazing. They are impressed with Cole West's development experience in the City.

Leeman agreed that CW Urban does a good job. This is an area of town that was never contemplated for a freeway, and it doesn't have the infrastructure to support what Plummer is contemplating. While he can get behind a future residential use similar to that of the neighbors, he can't see how a residential plus commercial operation would work. The road is not big enough and it is not what the neighbors bought into. It would be too intense and high of a use. He cannot get behind the proposed density.

Isaacson said the residents on Buffalo Ranch Road with two-acre parcels are going to come unglued about the proposed density because they paid a lot of money for what they thought would be a nice view of Antelope Island for the rest of their lives. Instead, they are going to get a freeway and a whole bunch of houses. Having a commercial operation next door would add to that disappointment. It is hard enough to put houses there, and allowing commercial uses would likely get all the Councilmembers kicked out of office. What they are considering today is if the Council would be willing to rezone in order to allow for commercial uses.

Leeman said he would be willing to fight for rezoning for residential in order to eliminate commercial use. But he is unwilling to fight for both.

Councilmember **Roger Child** said he is a proponent of personal property rights, something he has spent his career fighting for. While he acknowledged **Plummer's** investment, he also noted

that the neighbors have likewise invested significantly. There needs to be a balance between both. In his opinion, the highest and best use of the property is residential. He personally is not a proponent of large lots by a freeway, as it doesn't make financial sense. He feels the existing residents need an economic out, as they purchased rights for horses and ranchettes. However, the proposal offers no stubs onto their property. They need to be able to sell their value on a future sell out. Their lifestyle has been completely changed from what they invested in. If they want to bale, they should be given the economic motive to do so. Offering them stubbed roads with utilities in case they want to get rid of their ranchettes would help. In his opinion, commercial use would be the hardest use out there, as there is not an economic driver with traffic counts that would drive a healthy commercial use. Commercial has a low margin of success. If existing neighbors are given economic incentive, they could participate in the party as well.

Councilmember **Amy Shumway** said she prefers to see it all residential. She doesn't see a commercial use being successful long-term.

Mayor Anderson said while commercial use is an issue, so is the density of residential. **Leeman** said access is another issue.

Plummer said he is open to the City's ideas. He already built commercial buildings and pays commercial taxes on them. To afford this property, you have to be a millionaire, and his children aren't millionaires. He would like his children to live in Farmington and have lots there.

Councilmember **Melissa Layton** said she wants his children to get along with their neighbors, who historically haven't been nice to them.

Plummer said his parents put between \$20 million and \$30 million into this place, and now he doesn't know what to do with it. Various members of his family have lived there at different times trying to figure out uses there. If he can't do commercial, what could absorb taking out commercial? He wants heavy feedback. He is not asking to build a building, but to repurpose what is already there. He thought his ask was minimal compared to a soccer complex.

Isaacson said this is a tragic situation that no one wanted to be in. UDOT ruined the lives of many of his neighbors, and he is sympathetic. Where people were expecting open space, they got a freeway and maybe businesses instead.

Mayor Anderson welcomed input from the Council and Staff.

CLOSED SESESSION

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,
Community Development Director Dave
Petersen,
Assistant Community Development
Director/City Planner Lyle Gibson,
Finance Director Greg Davis, and
Assistant Finance Director Levi Ball.*

Motion:

At 6:52 p.m., Councilmember **Alex Leeman** made the motion to go into a closed meeting for the purpose of property acquisition.

Councilmember **Scott Isaacson** seconded the motion. All Council members 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

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 7:03 p.m., Councilmember **Melissa Layton** made the motion to reconvene to an open meeting.

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

Mayor Pro Tempore/Councilmember 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

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,
Community Development Director Dave
Petersen,
Assistant Community Development
Director/City Planner Lyle Gibson,
Finance Director Greg Davis, and
Assistant Finance Director Levi Ball.*

CALL TO ORDER:

Mayor **Brett Anderson** called the meeting to order at 7:07 p.m. Councilmember **Roger Child** offered the invocation, and the Pledge of Allegiance was led by Councilmember **Amy Shumway**.

PRESENTATION:

Ava Henderson performs a musical number from Annie

Ava Henderson sang a solo, “Opportunity” from the musical *Annie*, for the Council. She takes music lessons in Farmington and took initiative to get on the City’s agenda tonight.

PUBLIC HEARING:

Recommendation for a Zone Text Amendment to Chapter 11-39 regarding Penalty Provisions for Deterioration by Neglect

Community Development Director **David Petersen** presented this agenda item addressing an amendment to Section 11-39-070, DETERIORATION BY NEGLECT, of Title 11, ZONING REGULATIONS to amend the penalty to the standards set forth in Title 1 GENERAL PROVISIONS of the City Code (ZT-1-25). In the event that a home on the historic landmark list falls into disrepair, the Historic Preservation Commission (HPC) will address the issue and give the homeowner 30 days to remedy it. Upon request, Staff will usually work with the homeowner to extend the initial 30 days. The HPC can recommend to the City that penalties be imposed.

The language used to read that the HPC would recommend penalties to the City Council, but the proposed draft changes that to the City (Staff). When a decision made by Staff is appealed, it goes to a third-party hearing officer before going to court. This is less expensive than going straight to court. If the City Council made the decision, it could be controversial and would be appealed straight to court. **Petersen** said the citation route is much easier and more user friendly. He noted that a landmark may be demolished if it is not repairable.

Mayor Anderson opened the Public Hearing at 7:19 p.m.

James Stewart (847 Ramsgate Road, Farmington, Utah) said he would hope the homeowner is notified before it goes straight to the penalty phase. He asked how big of a problem this is and

how many landmark homes the City has in disrepair. **Child** said most are on Main Street, and two to four have fallen into disrepair in the last few years.

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

Petersen said Farmington is not a code enforcement town compared to other Wasatch Front communities with four full-time code enforcement officers. Farmington has one part-time code enforcement officer, and Staff works with property owners. Farmington sends out a notice, calls, and otherwise tries to contact landowners before even sending out a notice. If the City has a law on the books, it also has to have a related penalty.

Councilmember **Melissa Layton** said the HPC often aids residents in getting grants and is instrumental in helping them find resources to fix their properties.

Child noted that some of the landmark homes are owned by a corporation or business. Without allowing HPC oversight, the homes may become so dilapidated that they would be condemned. This would benefit the corporation/business because then they would not have to take care of a historic home, and instead could come in and change the property's use. The City would prefer the company to go through the proper channels to update and preserve the homes rather than allow them to become condemned.

Motion:

Child moved that the City Council approve the enabling ordinance (enclosed in the Staff Report) amending section 11-39-070 DETERIORATION BY NEGLECT, as set forth in said ordinance, subject to all applicable Farming City development standards and ordinances.

Finding 1:

1. The existing penalty standards for deterioration by neglect have been in place for a while, and the more recent provisions in Title 1 are better suited to encourage compliance with Section 11-39-070 of the Zoning Ordinance.

Layton 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

Adoption of FY25 Budget Amendment #1 – Municipal Budget

Finance Director **Greg Davis** presented this agenda item. The amendments included a boiler replacement at City Hall (\$76,350), boiler replacement at police station (\$26,000), sewer pump replacement for the police station (\$13,500), façade grant spending for Buttered Bake Shop (\$42,100), general plan amendment (\$92,000), fire station roof replacement (\$122,089), fire engine replacement (\$380,000), furnace replacement at the Community Center (\$5,300), ambulance purchase (\$333,000), ballfield fourplex speaker replacement (\$10,000), water service truck (\$215,000), and vactor truck repairs and rental (\$80,000).

Davis said he anticipates another budget amendment in June. The adjustments will put the City under 35% in general fund reserves, or in better compliance with State guidelines. He plans to more consistently calculate and report percentages of general fund reserves, which can be impacted by sales tax revenues.

City Manager **Brigham Mellor** said the façade grant was for Buttered Bake Shop. The business paid for half, and the City paid for \$42,100, which was the other half. The Davis Fund for Economic Development co-sponsored the grant to assist businesses along main business corridors to beautify main street areas in Davis County, increase economic development, attract additional funding sources, and support local small businesses throughout the County.

Assistant Community Development Director/City Planner **Lyle Gibson** said the first of such grants was for Precision Windshield in Fiscal Year 2021. That one was for the project totaling \$15,813 to replace windows and exterior trim.

Mellor noted that many boilers in City buildings have needed replaced at the same time. He said governments usually budget for immediate expenses rather than long-term ones. He gave examples including hydraulic elevators and overhead fire station doors. Because Farmington has many buildings in its portfolio and a lot of associated maintenance needs, they now need a full-time building maintenance employee. Right now response is more reactive than proactive.

Davis said going forward, he would like to focus more on long-term and life-cycle costs. Future budget requests will address equipment replacement. This might cause the City to consider vehicle purchases (rather than leasing), energy efficient lighting, and permanent Christmas lights (which would save the City \$15,000 in installation costs annually). The initial cost would end up saving the City in the long run.

Mayor Anderson opened and closed the Public Hearing at 7:35 p.m. as nobody signed up in person or electronically to address the Council on the issue.

Motion:

Councilman **Alex Leeman** moved that the City Council approve the resolution to amend the Fiscal Year 2025 municipal Budget Amendment 1 (as listed in the Staff Report).

Shumway 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

SUMMARY ACTION:

Minute Motion Approving Summary Action List

The Council considered the Summary Action List including:

- Item 1: Monthly Financial Report

- Item 2: Resolution – Main Street (Park Lane – Shepard Lane) Davis County Interlocal Agreement for cooperation and reimbursement on the Main Street Widening transportation project
- Item 3: Resolution appointing **Scott Behunin** to serve as a full-term member of the Planning Commission. He will be replacing **Sam Barlow**, who recently resigned. **Behunin** was previously an alternate member. **Mayor Anderson** said the City always has two Alternate Commissioners. Interest in serving on the Planning Commission has waned in recent years, as Farmington only had one applicant this year. **Mayor Anderson** said **Behunin** is a level-headed former government worker who is well suited for this position. **Scott Isaacson** said he has known **Behunin** for 30 years and can endorse him. He lived near him in Centerville.
- Item 4: Approval of Minutes from February 4, 2025.

Motion:

Child moved to approve the Summary Action list Items 1-4 as noted in the Staff Report.

Leeman seconded the motion. All Council members 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

GOVERNING BODY REPORTS:

City Manager Report

Mellor suggested holding the annual Council Retreat the same weekend as the Utah League of Cities and Towns Midyear Conference in St. George April 16-19.

Mellor reported that footings in the new park structures will be poured in three weeks. He had discussions recently with Davis County and CenterCal about the Housing and Transit Reinvestment Zone (HTRZ) plans including a FrontRunner station and residential housing developed by the Utah Transit Authority (UTA). Over 30 years, CenterCal plans to develop buildings along the outside of the parking lot and add structured parking inside. He said UTA got the land for free from the Utah Department of Transportation, and then lobbied the State for the ability to fully develop it with some kind of an affordable housing component on 12% of it. A proposed people mover would start at the HTRZ and head north past the Red Barn.

Mellor said Main Street construction will begin in the next couple of weeks. Crews are now connecting up to 600 North where the water tank will be.

Mayor Anderson and City Council Reports

Leeman asked about the UDOT betterment plan. **Mellor** said Farmington has submitted a plan including trees for the first \$350,000 tranche, since that is something all parties have agreed on so far. The trees have to be planted before the end of the year. The residents will have to irrigate

and maintain the trees. He also said the money could be used to run electrical to power the sprinkler system at the practice field on 1100 and Glovers.

Isaacson said he would like all proposed agreements and anything that is binding on the City to first be reviewed by the City Attorney before it is put on the City Council agenda. He was surprised that some items from past agendas hadn't been first reviewed by the City Attorney. He also reported that there were 53 deaths from West Nile last year in the United State, none of which were in Utah.

Mellor said the bridge over the freeway on Shepard will not close until April.

Layton was happy to report that All West would be installed at her home, but only after she pulled the "City Council card." **Mayor Anderson** said the problem is the subcontractor.

Shumway asked if anyone had advice to offer her for an upcoming emergency preparedness presentation she is making at an area women's conference. **Mellor** suggested wind and fire are Farmington's biggest emergency threats.

Mayor Anderson said any Farmington resident can be part of the Old Farm Committee, not just people from Somerset. He also said the parking problem on Miller Way is now extending to the north. People are now double parking on the street, which has nearby residents concerned. Perhaps there is more space on school property for parking, or there is surrounding land that could be rented. He suggested that he and **Mellor** meet with the Davis School District Superintendent. Councilmembers should expect to see many emails coming in about this.

Shumway suggested contacting **Michelle Barber**, who is a former Kaysville City Councilmember now sitting on the Davis School Board. **Leeman** said parking should be for everybody or nobody on that street, since it is difficult to enforce different standards and check for identification.

ADJOURNMENT

Motion:

Child made a motion to adjourn the meeting at 8:08 p.m.

Layton seconded the motion. 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

/s/ DeAnn Carlile

DeAnn Carlile, Recorder