

## FARMINGTON CITY COUNCIL MEETING

November 3, 2015

### WORK SESSION

*Present: Mayor Jim Talbot, Council Members Doug Anderson, John Bilton, Brigham Mellor, and Jim Young, City Manager Dave Millheim, Parks and Recreation Manager Neil Miller, City Recorder Holly Gadd and Recording Secretary Melanie Monson.*

*Cory Ritz was absent.*

**Mayor Talbot** thanked DeAnn Carlile and Holly Gadd for planning out and providing the meals for the Council's work sessions.

### Baseball

Representatives from FABL were present to discuss baseball. **Neil Miller** said the city will run recreational baseball similar to how it has been run in the past. FABL will run the Allstar teams. The Parks and Recreation department will coordinate field use and field preparation. **John Bilton** pointed out that field maintenance has been a tremendous amount of work. **Mayor Talbot** asked if the Allstars are considered to be another league or if they just play a few games. It was explained that coaches nominate players who have played during the regular season to try out for the Allstar teams, which will then play against other City's recreation leagues. **Dave Millheim** asked who would manage the accounting, and **Neil Miller** said Parks and Recreation will. Representatives from FABL stated that they are ready to fill in any gaps the City has and are ready to form a board, but have been waiting for the City to make some decisions. **Doug Anderson** said baseball is a big deal in Farmington, and said the City needs to do a good job this coming spring. **Neil Miller** said the concessions, restrooms and lockers have been under FABL's lock and key, and will need to be coordinated. He said the City will take over cleaning the restrooms. **Mayor Talbot** said the City and FABL each need to have their own place to store equipment.

### Gym Rules and Fee Structure

**Neil Miller** referred to a copy of the rules and regulations. Many of the rules carry over from the pool and other City facilities. They looked at the fees from gyms in South Davis and Weber for comparison. He said they feel good about the fees for residents/non-residents. **John Bilton** pointed out that the rules indicate that the participant to coach ratio should be appropriate, but wondered if a number should be specified. **Neil Miller** said they try to average 7-8 kids per adult for the most part. **Jim Young** asked if the City could consider a free track pass for seniors in the community. He said he got a lot of feedback on that during his campaign. **Doug Anderson** and **John Bilton** said they would be fine with that. **Mayor Talbot** said the City could look into that. He wants to make sure that residents know they are getting a good deal. **Jim Young** said senior citizens get in free at the Bountiful Rec Center. **Mayor Talbot** reminded the Council that this is a gymnasium with a track, and not a rec center. **Doug Anderson** asked if the survey compared the fees for equivalent facilities. **Neil Miller** said the closest comparisons were Syracuse and South Weber. He said the fees do not

cover the costs to the City to run the facility and that the facility will be expensive for the City to run. He said they are hoping to open on March 1. **Dave Millheim** said the Parks and Recreation director will be able to add new rules at his or her discretion as needed, but he wants to publish the rules and fee structure to let the community know what to expect before the gym opens its doors. He also said they had considered letting people get in for free during the first 60 days in order to show what the City has paid for. He said if the Council wants to make any adjustments to the rules or the fee structure, they need to do so tonight before it goes out to the public. **Mayor Talbot** said to address Jim's previous comment, he wants to make the distinction that this facility is a gymnasium and not a rec center. He said he could see letting seniors in for free if it was a rec center. **Neil Miller** said it would be difficult to track residents versus non-residents if they allowed seniors in for free. He said if they want to charge \$5 for a 20-punch pass instead of \$10, he would be fine with that, but that he thinks non-residents should have to pay more for using the facility. **Jim Young** said he wants to be sensitive to the pushback they have gotten on the bond from senior residents. **Mayor Talbot** asked if anyone had feedback on the fee structure and regulations. He said as soon as it gets published, residents will likely provide feedback. **Dave Millheim** asked how the Council feels about a 30 day free pass for residents, and all Council members agreed. **Neil Miller** said they plan to hold a big open house with food vendors in the parking lot. **Dave Millheim** said they would proceed with publishing the rules and fee structure. He said they will publish the open house information closer to the date. He thanked Neil Miller and his team.

**Mayor Talbot** said all candidates for the City Council election were invited to get together for hors d'oeuvres after the meeting tonight.

**Jim Young** said he does not have any problem with the Starbucks application, but is impressed with how thorough their application was.

**Dave Millheim** said there were a few housekeeping items. Relative to the Starbucks application, he said cities can regulate the number of applications for liquor license. Local consent indicates that "this application meets our local ordinance", with respect to proximity to schools, parks, etc. The number of licenses can be issued based on population, based on a flat number, etc. The City backed into a population formula. The formula in the City's ordinance can be changed and the population formula updated if needed. Going forward, these applications will not be done by public hearing. The State code as well as our City code says local consent must be granted in a public meeting, but it does not have to happen at a public hearing. So in the future they will be taken care of on Summary Action. **Doug Anderson** asked if a person would have to order food at Starbucks in order to purchase beer or wine. **Dave Millheim** said no, but a certain amount of their sales has to be food, and they have to open the bottle of beer or wine when it is purchased. **Brigham Mellor** asked if denying the application could lead to a lawsuit. **Dave Millheim** said yes, there has to be a valid reason for denying it. **Brigham Mellor** clarified that if they comply with the rules, the City has to allow it.

**Dave Millheim** informed the Council that Villa Susanna had a pre-construction meeting this morning and will start construction soon. He said the settlement agreement with the Evans will come forward tonight. **Brigham Mellor** commended Dave for that and said it will have a good impact on the City.

**REGULAR SESSION**

*Present: Mayor Jim Talbot, Council Members Doug Anderson, John Bilton, Brigham Mellor, Cory Ritz and Jim Young, City Manager Dave Millheim, City Recorder Holly Gadd and Recording Secretary Melanie Monson.*

**CALL TO ORDER:**

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

The invocation was offered by Councilmember **Doug Anderson** and the Pledge of Allegiance was led by **Kent Hansen** from the Farmington Post of the American Legion.

**Kent Hansen** said the American Legion has had a presence in Farmington since 1927. Once a year, citizens have the opportunity to honor Veterans on Veteran's Day. This year, the ceremony will take place on November 11<sup>th</sup> at the Farmington City cemetery. He invited the Council and residents to attend the program.

**PUBLIC HEARINGS:**

**Local Consent for Coffee House Holdings, Inc. dba Starbucks for a Limited-Service Restaurant Liquor License**

**Dave Millheim** said state code requires that if liquor sales are to take place, local consent must be given. Local Consent says that the application complies with the City's ordinances. The State maintains control of liquor licenses.

*Mayor Jim Talbot opened the public hearing at 7:08 p.m.*

*Mayor Jim Talbot closed the public hearing at 7:08 p.m.*

**John Bilton** said with local consent, the City is bound by state law and local ordinance for limited or full service restaurant liquor licenses. The City has developed a formula for determining the number of liquor licenses that will be granted within the City.

***Motion:***

**John Bilton** made a motion that the City Council approve local consent for Coffee House Holdings, Inc. dba Starbucks for a Limited-Service Restaurant Liquor License.

**Jim Young** seconded the motion which was unanimously approved.

**NEW BUSINESS**

### **Food Bank Donations**

**Cory Ritz** said he appreciates the Council granting the time to discuss this item from the 4-H group. He said about 11 years ago, Kelly Maxfield approached the 4-H group about donating a few lambs to some needy families after the County Fair. Over the years, it has evolved into something bigger. This year they passed a milestone of donating over 1 million pounds of meat to needy families through the Farmington 4-H group.

**Justen Smith** said he is a resident of Farmington and is the director of the USU Extension Program and the 4-H club in Davis County. Each year this program has evolved and has grown with corporate sponsorship to purchase animals from the kids at the County Fair to be donated to needy families. This program has fed countless needy families, and has been the largest donation of processed meat for hungry families across Utah. This year they also began donating to the Safe Harbor Women's Shelter. He said this morning they donated 600 pounds of meat and filled their freezers. What has made it possible is Farmington's ability to raise animals, but that ability is disappearing across the County. He has spoken to City Councils and Planning Commissions about preserving people's ability to raise animals and participate in 4-H clubs. He encouraged the City to carefully consider these programs as they are planning and developing the City and encouraged the Council to preserve the farming part of Farmington.

**Cory Ritz** said in his time on the Council, the City has always been cognizant of the rural aspect to the City. The ability to have animals in their backyard is important to Farmington residents. He challenged the Council to maintain that ability to participate in this aspect of life in Farmington.

### **SUMMARY ACTION**

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

1. Gym Rules and Fee Structure
2. Implementation of Farmington Recreation Baseball
3. Approval of Minutes from City Council held October 20, 2015
4. Villa Susanna Improvements Agreement
5. Settlement Agreement with E&H Land LTD

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

**Jim Young** made a motion to approve the items on the Summary Action List 1-5. **Doug Anderson** seconded the motion. Items 1, 2 and 4 were approved with a 5-0 vote; Cory Ritz abstained on item 3; and voted no on item 5 so the vote was a 4-1 on item 5.

**Cory Ritz** abstained from item 3 because he was out of town. He wanted to be clear that on item 5, he was opposed to it on principle, and believes that hard feelings are being transferred elsewhere.

### **GOVERNING BODY REPORTS:**

**City Manager – Dave Millheim**

1. Executive Summary for the Planning Commission meeting held on October 22, 2015
2. Police and Fire Monthly Activity Reports for September
3. ICSC Regional Meeting Request: **Mayor Talbot** said the ICSC is a convention of the top retailers. The local ICSC convention here in Utah will be held in Farmington this year at Station Park. Many of the top retailers in the Western US, as well as other parts of the Country, will be there. **Mayor Talbot** said he and Dave Millheim think it is a good idea and will be a good opportunity to showcase Farmington. The 2 day convention will be in February. The City will have the opportunity to make a 10 minute presentation. **Dave Millheim** added that South Jordan hosted it several years ago and it was a good opportunity for them. He asked the Council for a budget, and he recommended \$10,000, which could be used for gift bags and ski passes, etc. **Mayor Talbot** said he thinks the budget will provide a good opportunity to showcase Farmington and the Snowbasin ski resort and will help get people here in February. **Brigham Mellor** said he knows of some developers who are excited about it. **John Bilton** asked if the money would come from the General Fund and **Dave Millheim** said it would come from the Council's discretionary fund. The Council unanimously said they were comfortable with the proposed budget.
4. Strategic Planning Date (Feb. 10) and Outline: **Dave Millheim** informed the Council that he would need to propose different dates.
5. Justice Court Update: there was a meeting with all the Cities, the AOC, and the County last week. The matter has not been finalized, but in 2 weeks they anticipate bringing the interlocal agreement which will put the City back where it was when this all started. They will also bring an RFP to pay for prosecution services. The County only wanted the agreement to last for 1-2 years, but they are trying to arrange for a 6 year term, reviewing it after 3 years with the opportunity to opt out. **Mayor Talbot** said the County has graciously allowed the City to come to the County court. **Brigham Mellor** said in the end, the City is not going with the least expensive option, but is having to pay for prosecution services (as opposed to the possibility of netting in the positive if the City had run the Court). **Dave Millheim** said the City's responsibility is to the residents of Farmington, but at the end of the day they could not recommend a revenue/cost-sharing structure that would cost the tax payers in a few years. **Jim Young** asked if every City has to pay for their prosecution now. **Dave Millheim** said each city has to either pay for their own prosecution services or pay the County for it. **Mayor Talbot** said previously the City was the only community not paying for prosecution services.
6. **Dave Millheim** expressed that this has been the finest City Council he has worked with. He said on behalf of staff, he hopes each incumbent does well in the election but staff would serve whoever is elected. Annual training for sexual harassment, open meeting laws, etc. will need to take place, and he will let the Council members know after the election takes place.
7. Last night there was a tragedy where a Kaysville resident sat in front of the Frontrunner to kill himself. The Farmington City Police and Fire departments handled the matter. He wanted the Council to hear about it from him and not from the rumor mill. **Mayor Talbot** said he appreciates the way Police and Fire handled the incident.

**Cory Ritz:** He said his kids went for a bike ride recently and noticed a squatter's camp along Farmington Creek where the DNRG crosses it off the edge of the County property. **Dave Millheim** said he would look into it tomorrow.

**John Bilton:** He asked about the traffic circle and also about the red barn project- he said it looks like they are pouring the footings. **Mayor Talbot** said Dave Dixon will be putting a plan together for the roundabout and the City will be getting the drawings back in about a month. He said the University of Utah will be funding 60-70% of the project. **Dave Millheim** said he did not know what is going on by the Red Barn, as they do not have approval to build anything. **John Bilton** also asked if the signage issue has been resolved with the State. **Dave Millheim** said the State of Utah has a regulation distinguishing between onsite signage and billboards along the freeway. On State highways that receive Federal funds, businesses have to be physically connected to the pylons of the signs. YesCo, the company who put up the sign for Cabela's and McDonald's, ought to have known. They came to the City after getting a warning from the State asking the City to fix it. They are considering creating a long finger-like subdivision that runs all the way to the pylons. He told them that they need to get their legal counsel together with the City's legal counsel. **Mayor Talbot** said he spoke with Scott Harwood and informed him that this is not the City's problem, and that he needed to work it out between his attorneys and UDOT. He and **Dave Millheim** both expressed appreciation for being kept in the loop.

### Mayor Jim Talbot

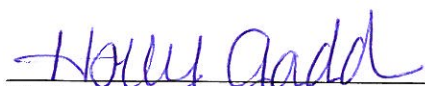
1. The Talbot Christmas party for the City Council and their spouses will be held on Saturday December 12<sup>th</sup> at 6:30 pm. He wanted to have a fun evening to show appreciation for the Council.

Council members **Doug Anderson**, **Brigham Mellor**, and **Jim Young** did not have anything to report at this time.

### ADJOURNMENT

#### *Motion:*

At 8:03 p.m., **John Bilton** made a motion to adjourn the meeting. **Doug Anderson** seconded the motion which was unanimously approved.

  
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**Holly Gadd**, City Recorder  
Farmington City Corporation