

FARMINGTON CITY – CITY COUNCIL MINUTES

JUNE 1, 2021

WORK SESSION

Physically present:

*Mayor Jim Talbot,
City Manager Shane Pace,
Councilman Brett Anderson,
Councilman Shawn Beus,
Councilman Scott Isaacson,
Councilwoman Amy Shumway,
Councilwoman Rebecca Wayment,
City Recorder Heidi Bouck,
Recording Secretary Deanne Chaston,
Community Development Director Dave Petersen,*

*Assistant City Manager/Economic
Development Director Brigham Mellor,
Finance Director Greg Davis,
Assistant City Manager/City Engineer Chad Boshell,
City Attorney Todd Godfrey,
City Parks and Recreation Director Neil Miller,
Public Works Director Larry Famuliner,
Police Chief Wayne Hansen, and
Fire Chief Guido Smith.*

Mayor **Jim Talbot** called the work session to order at 6:03 p.m. City Recorder **Heidi Bouck** offered the invocation.

BUDGET QUESTIONS AND DISCUSSION

The work session was held to consider the budget. Finance Director **Greg Davis** said there were over 200 items requested in the budget, and all couldn't be accommodated. Things were trimmed down from the \$10 million worth of requests. Everyone realized that the City couldn't afford everything. There was \$1.757 million in ongoing requests, and \$7.991 million in one-time requests, for a total of \$9.748 million. Fire Chief **Guido Smith** came the closest to getting all his requests granted, but out of necessity.

In the water fund, there are a total of \$1.6 million in one-time expenditures including funding the Shepard Creek well house, \$250,000 in business park water infrastructure, and \$350,000 for project design services for a tank crossing Interstate 15 (I-15) and Main Street. These are water impact fee projects. **Mayor Talbot** said water will continue to be a priority moving forward, as at least one future well needs to be dug.

City Manager **Shane Pace** said \$2.8 million will come over the course of two years from the federal American Rescue Plan (ARP), which he wants to put toward water. The State

Legislature approved a matching grant for the ARP funds, so now the funding will go twice as far, which is great news for Farmington. This will help get projects done for the business park and the long-term future of the City.

Pace said two mistakes in the budget were found and need to be brought up tonight. **Davis** said \$37,000 had been left out of the Police Department budget for police simulation training and radio replacements. Also, the Fire Chief had requested replacement of handheld radios that are 10-15 years old. Upgrading the \$200,000 worth of handheld and in-vehicle radios has been kicked down the road for too long. Being requested is \$24,000 from the general fund and another \$24,000 from the ambulance fund. The old radios need to be phased out and replaced in the next two years. There could be some economy of scale and discounts if all are replaced rather than just a quarter of them.

Funding paramedics in the City is a huge budget item. **Pace** reviewed the three funding options available to the Council:

Option 1: Don't do anything, and fund with existing revenue.

Option 2: An actual transfer of the amount the County eliminates. That same amount will be implemented on Farmington property taxes, which would require a Truth in Taxation hearing. This does not fund the service fully, and 68 percent of paramedic services will have to be subsidized from the General Fund or Redevelopment Agency (RDA) funds.

Option 3: Do a full tax increase to pay for six full-time paramedics. This would require a Truth in Taxation hearing, setting the rate to fund the total service. The rate would drop the following year when the General Obligation bond falls off the rolls. The net impact to an average Farmington residence is \$22 per year. That would keep the RDA money intact.

Pace said if he were a Council member, he would do Option 3 and fund the whole thing from the beginning. It is an essential, life-saving purchase, and all nine entities are doing this. It is a valid property tax increase, and he doesn't believe there will be a lot of negative feedback. There will be a joint press release with the Sheriff, including the history so the public will know why Farmington is bringing this forward. It will increase the paramedic presence in the City, and decrease response times. The stations nearest to Farmington will be Kaysville or Centerville, two cities that will also serve the City if needed.

The tentative budget was prepared with Option 2 as a middle ground. **Pace** anticipates that some residents won't like this, because the nature of Utah is that residents don't like tax increases. However, if the Council is going to raise property taxes for anything, he recommends doing it for

this. Other cities including Kaysville, Syracuse, South Weber, and Clinton are planning to increase property taxes to cover paramedic services. The two fire districts are also doing tax increases. North Davis Fire District is doing a huge \$1.2 million property tax increase in order to build another station. A total of nine entities are doing tax increases the same week for the same issue in varying degrees. Layton did a 19 percent increase for fire previously, and now there will be the tax transfer this year.

Assistant City Manager/Economic Development Director **Brigham Mellor** said the property tax increase would be an average \$22 per home for an average \$350,000 assessed value Farmington home. The average home being built in the City right now is assessed at \$850,000.

Mayor Talbot said that considering growth in the City, and with everyone else in the County doing it, it will be easier for Farmington residents to swallow a property tax increase.

Pace said that the Council can decide to modify the budget in August if 300 people with pitch forks attend the meeting. However, he doesn't believe that will happen. There needs to be a decision by June 15, the same night that the Truth in Taxation hearing date must be set.

Councilman **Shawn Beus** said that because safety is fundamental in a City, he prefers a budget prepared with Option No. 3. He asked if there would be a need to build an additional station five years down the road. **Pace** replied that he didn't know yet, as Fruit Heights may want to cooperate with Farmington to build a future station together. Kaysville, however, wants to build their own station. He reminded the Council that impact fees can be used to construction a new building.

Councilman **Scott Isaacson** agreed, saying he prefers Option 3 as well, as long as it is communicated appropriately. People will understand, but he wants to get ahead of the curve and get the information out there in the newsletter and the website.

Pace said there have already been three articles in the media about this: one in the Davis Journal and two in the Standard-Examiner. All three have been positive. Because the Sheriff has a good relationship with a journalist at Channel 4, they hope to get a press release out to them and get the word out on TV as well. It should be published in the City newsletter at the first of August, before the Truth in Taxation is held later that month.

Councilwoman **Amy Shumway** said because she likes things to fund themselves, she also favors Option 3. Councilwoman **Rebecca Wayment** agreed.

BRYCE THURGOOD CASTLE CREEK HOMES DISCUSSION

Community Development Director **Dave Petersen** said that Castle Creek Homes and **Zach Hartman** came in with a Project Master Plan (PMP) in June, with tiered two-, three-, and four-story elements. However, their road ended up too close to the Denver and Rio Grande.

Assistant City Manager/City Engineer **Chad Boshell** said he has worked with CRS Engineers to create a new road alignment. It can't exceed half an acre of the mitigated wetland area, or it will enter a new realm of approvals. The road would cut through three of Castle Creek's proposed buildings, as well as a club house of the proposed development. **Boshell** tried to adjust the alignment and not go over half an acre, and it couldn't be done. So, they brought in **Bryce Thurgood** and **Hartman** to see what lay out could be worked out.

Petersen said **Thurgood** and **Hartman** came up with a good idea. **Mellor** said they came up with something that could lend to better office space on a massive road that is super busy.

Hartman addressed the Council. The Evans family hired him to follow this application through. While he has not sold the Evans on this newest proposal yet, he wants Council feedback. **Craig Trottier** with CenterCal used to be his boss. He has learned that the residents there want to see a lighter build up and flow. If this new proposal does not get great support, the proposal can be changed.

Thurgood, a land and multifamily developer with Castle Creek Homes, addressed the Council. The new alignment would come off of Park Lane instead of what was originally planned. There would be a new building along Park Lane with a leasing office and club house on the bottom floor. While it will be residential, it will have a different look than originally planned. It will no longer have a single-story club house, as originally proposed.

Mellor said the ground level of the newly proposed building with a gym, swimming pool, and club house amenities will feel like a commercial use similar to development across the street. This is better than the bank or credit union with a drive-through that had been originally proposed for that area and did not meet the form-based code.

Boshell said that 1,300 feet is needed past the Park Lane intersection in order to have another traffic signal. The main access to the site needs to be shifted to the north. Most people will enter off Park Lane, with access onto Commerce.

Petersen asked if the Council would be O.K. with a three-story building on Park Lane. This will be going to the Planning Commission on Thursday night.

Wayment asked for an aerial view of the new proposal, including everything around it (the Avenues) so she could better picture what is going on. She wants to make sure this is buffering for those already there. She wants to see the bigger picture. **Mellor** said it would be good to see how close the Avenues are to the residences, and how tall they are. **Pace** said the Avenues has a whole preserve between them and the residents.

Mayor Talbot asked if there would be room on the June 15 agenda for Castle Creek. He would like an aerial as well, so that everyone can have an opportunity to sense what is being discussed and the Council can have the opportunity to make a better decision. He thanked the applicant for being willing to work with the City on the road alignment. He said it is not unheard of to have three stories, and he feels this can be worked out.

Isaacson said he likes the idea of removing commercial off the road.

Mellor said that this may allow for a third office building in the future, if the City allows three stories and gives up a drive-through bank. This needs to be able to be built by 2022. **Hartman** would like to get this to the plat level, then dedicate the road, and then all can be relieved. He reminded the Council that the Army Corp has not yet stamped their approval.

Mayor Talbot would like to see them come back on June 15. Lining up the road is a big deal that could result in a better piece of commercial ground. It is good to work on this together.

Shumway asked the applicant to make the new building look better size wise.

REGULAR SESSION

Physically present in Council Chambers:

*Mayor Jim Talbot,
City Manager Shane Pace,
Councilman Brett Anderson,
Councilman Shawn Beus,
Councilman Scott Isaacson,
Councilwoman Amy Shumway,
Councilwoman Rebecca Wayment,*

*City Recorder Heidi Bouck,
Recording Secretary Deanne Chaston,
Community Development Director Dave
Petersen,
City Attorney Todd Godfrey, and
Fire Chief Guido Smith,*

CALL TO ORDER:

Mayor **Jim Talbot** called the meeting to order at 7:06 p.m.

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

Mayor **Jim Talbot** offered the invocation, and the Pledge of Allegiance was led by Councilwoman **Rebecca Wayment**.

PRESENTATIONS:

Introduction of New Fire Fighters and Administration of Oath of Office

Fire Chief **Guido Smith** introduced **Nate Judson, Tyson Hatch, Will Fenton,** and **Tommy Franco**. They are not new to the City and have been serving for some time. This is the first chance to swear them in officially. He said three of these individuals will be enrolled in the Weber State University paramedic program. City Recorder **Heidi Bouck** performed the Administration of the Oath of Office.

Franco has been employed by the Fire Service for 10 years, is an Army Reservist, and attends Weber State University. He worked with South Davis Metro Fire before being employed by Farmington as an engineer.

Fenton has been a fire fighter for five years, starting part-time in Syracuse. He was hired full-time in Farmington two years ago and has a wife and two children.

Hatch started as a volunteer for Sunset. His wife of six years works at Station Park, and they are happy to both work in Farmington.

Judson, a 10-year resident of Farmington, has a six-year career after beginning as a volunteer. He worked for 1.5 years at North Davis Fire before accepting a full-time opportunity in Farmington. He plans to enroll in the paramedic program this fall. He and his wife recently celebrated their first anniversary.

PUBLIC HEARINGS:

Zone Text Amendment – Remove Transfer of Development Rights (TDR) Language for Special Exceptions for Additional Lots Related to Blight

Community Development Director **Dave Petersen** presented this agenda item. If there is blight on a property, the City can use their police power and give additional lots to help clean up blight. The City has not done this very often. One instance was the southwest corner of 650 West and Glovers, an area that was considered blight. As the City has very little blight, this has only been done twice in 30 years. He doesn't anticipate that the City Council will have to use this very often at all. He said in the previous cases, Staff verified blight with photos. **Mayor Talbot** noted that the language of the ordinance is at the discretion of the Council.

Mayor Tabot opened the Public Hearing. Nobody signed up in person or electronically to address the Council on the issue. **Mayor Talbot** closed the Public Hearing.

Wayment said she doesn't want to have people let property become blighted just so they can sell more lots.

Councilman **Scott Isaacson** agreed, saying he doesn't want someone to let their property go to blight in order to get more lots. While the City can issue citations, the property owner can still let their property become blighted. The fact that this would make it at the discretion of the Council makes this doable.

Motion:

Councilman **Brett Anderson** moved that the City Council approve the enabling ordinance amending Section 11-3-045 A. 3. of the Zoning Ordinance to remove the TDR language for special exceptions for additional lots related to blight with Findings 1-2.

Findings 1-2:

1. An objective to eliminate blight is consistent with the goals and policies of the City's General Plan and Zoning Ordinance and advances the public health, safety, and welfare of citizens in the community.

2. Under the right circumstances, approval of additional dwelling units to remove blight may be an appropriate use of the City's power; and if the City Council determines that this is the case, it is counterproductive for a property owner to pay for an incentive—as now required under the current TDR language.

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

Zone Change – Wood Property

Peterson presented this agenda item. **Doug and Teresa Wood** received approval from the Planning Commission for a two-lot subdivision by metes and bounds for their property located at 823 North Main Street, as well as a recommendation for a zone change related to this lot split. The Commission approved it on condition that the City Council zone it residential. They also recommended the zone change.

This is an acre lot that is long and narrow, and the bulk of their property is zoned Agriculture. When zoning came to the area in 1957, it was not uncommon that along the highway property was zoned residential, while behind it was zoned agricultural to match the current use.

Their small project is part of the East Park Lane Small Area Master Plan, which was approved by the City Council in 2018. The Master Plan includes commercial and office mixed use development, with residential aspects. Part of the residential plan includes 823 N. Main Street, which is shown as residential. The Wood's subdivision borders The Rose Planned Unit Development (PUD). The applicant has access to a rear lot through an open space/access easement, which connects the rear lot to 850 North. The proposed lot may also have access to Lagoon Drive.

Applicants **Doug** and **Teresa Wood** addressed the Council, thanking them for their time.

Mayor Talbot opened the Public Hearing.

Wayne Kartchner (396 N. 200 E, Farmington, Utah) with the Davis Journal clarified that this was only two lots, not multiple. The 15 houses shown in the visual are next to the property in question.

Mayor Talbot closed the Public Hearing.

Isaacson asked why there were two different residential zones. **Petersen** answered that the zone on the front part to the north is Residential (R), which would match the surroundings. As such, some Large Residential (LR) will change to R.

Motion:

Councilman **Shawn Beus** moved that the City Council approve the enabling ordinance to change the zone designation for a portion of the Wood property located at 823 North Main Street from Agriculture (A) and Large Residential (LR) to Residential (R), along with Findings 1-4.

Findings 1-4:

1. The proposed R zone is the same as The Rose development adjacent to the north boundary of the property and is in keeping with the Farmington City General Plan for the area.
2. The elimination of the A zone on the Wood property is consistent with long-standing precedent of previous City Councils rezoning remnant agriculture zones along with sides of State Route 106 and Main Street the entire length of the City, which remnants were created by early zone designations coupled with past annexations years ago.
3. The zone change accommodates the Wood lot split, which is an appropriate development adhering to the East Park Lane Master Plan.
4. The lot split creates a more efficient use of land, which benefits both the property owner and the City.

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

NEW BUSINESS:

Jason Lindsey (NOI DUE LLC) Agreement

Petersen presented this agenda item. Previously, the City deeded portions of Rock Mill Lane and the 600 North Rights of Way north and west of this parcel to adjacent property owners, but as per discussion with the County did not do so for the Lindsey parcel. The proposed agreement will, among other things:

- 1) Clean up a property line which traverses through an existing historic single-family dwelling, and
- 2) Preserve water, sewer, and possibly other easements which may exist related to Rock Mill Lane and 600 North (or require the creation/recordation of such if they do not exist).

This is near Stoney Brook Way and the four plexes, with Old Mill to the north. The owners have been parking in the City's 99-foot Right of Way (ROW). While Farmington vacated a portion of

the 600 North ROW and others to Rock Mill Estates, the City still owns two properties, as verified by County records.

The property owners met with **Petersen** and **Pace** wanting to make it right. The agreement they came up with together is to convey the ROWs to **Lindsey** for \$5,000. The City would like the sewer and water easements on those to remain the same. The best way to clean this up is to have a one-lot subdivision with the understanding that if **Lindsey** ever remodels significantly, adds to, or demolishes the historic home, that property would be subject to the subdivision process. The applicant asked if he could have a garage with a story above it. Staff agreed he could, but anything beyond that would have to come to the City for approval. The City Attorney drafted the agreement. As the legal description is not metes and bounds, they may have to hire a surveyor.

City Attorney **Todd Godfrey** addressed the Council. He said when there are talks of vacating ROWs, the City Council has to decide. The 600 North ROW is a different character. If the City vacates the ROW, the fee doesn't go to the owner; it goes to the City.

Applicant **Stefanie Lindsey** addressed the Council via Zoom. She cares about this historic land, and would like to maintain this piece as intact as possible.

Councilman **Shawn Beus** said that while surprising, this is the correct decision.

Motion:

Shumway moved that the City Council approve the agreement to convey a portion of Rock Mill Lane, which the City owns in fee title, and vacate a portion of the 600 North right-of-way to NOI DUE LLC to provide a more usable building lot for the existing home at 29 East 600 North.

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

SUMMARY ACTION:

Minute Motion Approving Summary Action List

The Council considered the Summary Action List including approval of a New Agreement for the Transfer of Paramedic Services in Davis County. **Mayor Talbot** said there had been discussion on this for several weeks now, and this has been explained numerous times.

Motion:

Shumway moved to approve the Summary Action list items as noted in the staff report.

Beus seconded the motion. City Attorney **Todd Godfrey** is fully on board with it. All Council members voted in favor, as there was no opposing vote.

GOVERNING BODY REPORTS:

City Manager Report

Pace presented the Fire Activity Report for April. He informed the Council that he would be out of town July 22-August 7. He cautioned the Council on how to address and react to situations discussed on social media, saying if there was a danger to the community, **Pace** would contact individual Council members. Until Council members hear from **Pace**, they don't need to worry about things that blow up on social media. If something is really a danger or important, the Police Chief would contact **Pace**, who would then contact the Mayor and Council members.

This last weekend was a classic example of something being blown out of proportion. The police were looking for someone who had shoplifted at Station Park. Four people were followed by police onto the freeway, where their car broke down. Three were caught, but a fourth escaped by running away into the neighborhood and was never found. The sergeant on duty didn't call the chief because it was just shoplifting and there was no danger to the community. He was just trying to avoid a shoplifting citation. However, neighborhood facebook sites erroneously said there was a shelter in place.

Mayor Talbot and City Council Reports

Shumway asked about the traffic study. **Pace** said Police Chief **Wayne Hansen** had contacted the residents about the 85th percentile being 15 miles per hour. **Shumway** also mentioned that there was a miscommunication about what the Forest Service wanted this week regarding an application for the Farmington Creek section. Farmington needs an official design of what needs to happen, even though it is less than 10 percent of the trail that needs to be changed. Assistant City Manager/Economic Development Director **Brigham Mellor** and **Meagan** have been working on an application. Her dream is to have something connecting the trails to Festival Days. There are 7 to 8 miles of trails that can be walked continuously.

Pace said since it is Forest Service property, they will make it happen how they want it to. Farmington will have to do a design they can approve before they can do their work. It may take six months or longer, but the City has no other choice. Money slated for construction will now have to be used for design.

Pace said that he had scheduled an Art Council meeting for this week, but now **Shumway** is going to be out of town.

Wayment congratulated Farmington's graduating class of 2021, the first group who started at the new school as sophomores.

Beus noted that Affordable Housing Zone Text Amendments would be on this week's Planning Commission Agenda, and thanked **Petersen** for his hard work on it. Pace said he anticipates the Commission will recommend approval to the City Council on an upcoming agenda.

ADJOURNMENT

Motion:

At 8:01 p.m., **Anderson** made a motion to adjourn the meeting. **Wayment** seconded the motion, which was unanimously approved.

Heidi Bouck, Recorder