

FARMINGTON CITY – CITY COUNCIL MINUTES

JUNE 6, 2023

WORK SESSION

Present:

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

*City Planner/GIS Specialist Shannon
Hansell,
Assistant City Manager/City Engineer Chad
Boshell,
Finance Director Greg Davis,
Accountant Kyle Robertson,
City Treasurer Shannon Harper,
Pool Manager Sylvia Clark, and
City Lobbyist Eric Isom.*

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

LINDQUIST MORTUARY AND OLD FARM DISCUSSION

Stuart Adams presented this agenda item. Lindquist has locations throughout Davis and Weber Counties, and they are looking at Farmington as a potential site, particularly the City-owned Old Farm site. This would not be a heavy retail business. They are looking to build a mortuary, but not a cemetery.

Craig McMillan of Lindquist Mortuary addressed the Council, saying they have wanted to come to Farmington for a long time. He said they have a mortuary in Bountiful, and nine more throughout Davis and Weber Counties. The most recent purchases were in Syracuse and Brigham City. He has deep roots in Farmington. On his mother's side, his great-great grandfather, Joseph Lee Robinson, was the first LDS bishop, patriarch, and justice of the peace in Farmington. George and Bertha Elliott on his father's side raised a family in Farmington. He graduated from Davis High School and a lot of his friends were from Farmington. They need 2.5 acres minimum, with 3 acres total needed considering parking. A parking lot east in the winter may be difficult. In most Utah communities, a mortuary is the same zoning as a church.

City Manager **Brigham Mellor** said the City owns a total of 16.5 acres, and doesn't own the detention basin, as it is a Utah Department of Transportation (UDOT) facility on the north end. The Ali Rose white house is privately owned. **Steve Anderson** bought it and sold it to the **Halls**, who are turning it into a bakery. The City owns the garden next to the white house as well as the red house. There are two main access points and a stubbed road. This was a contentious issue when **Rulon Gardner** was trying to develop it in the past. Now that Station Park has been developed, it may not be contentious. In the long run, he does not believe this is the right place for commercial, as it is in a neighborhood mixed use zone custom-zoned for this property. It was controversial when Russon Mortuary wanted to add a crematorium in the past. **McMillan** said they are not seeking a crematorium in Farmington, as they already have one in Ogden.

Mellor said there has been a request for the development of townhomes off 200 West by Verizon, but Staff told them it is zoned commercial. The size of that is a bit more than 2 acres. He doesn't believe a mortuary is a contentious use here. However, he believes that if the City is going to do something with the Old Farm land, it should be as a whole and not piecemeal. A delineation for wetlands has never been done on this property. There is a stream from some spring run off on the property. A four-way intersection may need to be lighted in the future. A pump house for a well may need to be constructed in the future as well. **Mellor** said the detention could be done underground (at a cost of \$6.50 per acre), freeing up the 2.5-acre detention basin for future parking, open space, or access. City Staff mows grass at the current detention basin.

Mayor Anderson said things that have been considered with this site include botanical gardens, a large refuge center, and Ivory housing. When the possibility of a mortuary comes up, residents mention there is already one across the street.

McMillan said competition is good and the area could support two. Lindquist is the oldest mortuary in Utah, and the largest by far. They have done their homework. The baby boomers are now passing away, and the average age in the United States is 72.2 years.

Councilmember **Roger Child** said having Lindquist in the community would be awesome. The key issue on this area is how compatible a mortuary is with other adjacent uses. This is a prime location for a lot of uses. The zoning makes it a valuable piece of property, and it should be developed properly. The big picture would drive the decisions here.

McMillan said their mortuary buildings take \$2 to \$5 million to construct, and it would be a replica of the one in Syracuse. The mortuary does generate some sales tax, as items such as caskets, vaults, and markers are for sale. However, it would not be heavy retail. The City should study what other uses would go well with a mortuary. In Clearfield, Lindquist owns a mortuary next to the City-owned cemetery. Lindquist has three cemeteries, and it is three too many. The Kaysville cemetery was originally known as the Layton-Kaysville cemetery. In 1984, they charged more to open graves for nonresidents than residents. (\$1,100 vs. \$200). Afterward, there was a lot of pressure for Layton to have their own cemetery. Layton decided it was not profitable for cities to run cemeteries, and it should be left to the private sector. He said 50 acres is needed to make a cemetery profitable. They don't have a set timeline, but they would like to be in Farmington in the future. They were established in 1867, five generations ago. It is hard to put mortuaries in commercial and residential areas. Visibility is important to a mortuary location. A recent survey done had residents asking for a mortuary on the northeast end of the City. But that is not the only option.

Mayor Anderson said a scheduled revamp of the General Plan will cause a hard look at uses throughout the City through build-out. **Child** said there are two future interchanges off the West Davis Corridor (WDC). Councilmember **Scott Isaacson** said the Church of Jesus Christ of Latter-day Saints has some parcels on Farmington's west side (1525 and Glover Lane) and they have recently cut back on their building program. The two-hour time block allows more wards to be in each building. The church may be interested in selling those parcels in the future. **Isaacson** said the Glovers Lane property may be in Davis County, not the City.

CONSOLIDATED FEE SCHEDULE (CFS) DISCUSSION

Accountant **Kyle Robertson** presented this agenda item. The enterprise funds need rate changes listed on the Consolidated Fee Schedule. Staff is asking for Council feedback on the proposed rate changes, with proposed increases between 10-13%. Utility changes are the largest changes. All the budget materials that have been tentatively approved previously included the proposed increases. The culinary water rate increase is 13%. Base monthly water rates will increase from \$20.90 to \$23.70. The overage amount would increase 13-14%.

Mayor Anderson asked if the overage should be more aggressive to encourage water conservation. City Recorder **DeAnn Carlile** said that the average family in Farmington uses 8,000 gallons of water per month, and the base is figured on a 5,000-gallon basis. **Mayor Anderson** said therefore the average family uses more than the base water rate each month.

Mellor said the increases are due to pass-through increases. For example, garbage rates are increasing because the cost to haul trash is increasing. The Sewer District is increasing their fees by 13%, and the City does all the billing for the Sewer District. Tripling the utility fees would still not cover the replacement costs for aging pipes on the City's east side. There were many water pipe breaks last summer due to record-breaking heat. The Weber Basin secondary water lines in West Farmington had three breaks last summer, compared to 64 breaks in East Farmington. The City is going through an extensive analysis that can help pinpoint how much funds should be set aside to handle future maintenance. Four months ago, the Council approved a contract with a company to analyze the water rates. This proposed rate increase will help with some of needed maintenance. Anything charged in utility fees has to be used for the utility it was collected for. For example, water money can't be used for parks. Transportation fees can't be used for building maintenance. Auditors ensure this is being followed. Building up funds for large projects is a strategic process. The 2% annual water rate increase the Council previously approved did not contemplate the rapid increase in inflation. **Mellor** said the City is still falling behind even after that.

Robertson said Central Davis Sewer District is raising their rates, and the City keeps \$2 per account to cover overhead billing expenses. Garbage collection hauling costs increased, and that increase will be passed on to residents. The first can will be \$17.80 per month and each additional can will increase from \$12.70 to \$14.50. Recycling will increase 40 cents. Public Works is proposing new fees to retrieve unused cans and deliver new cans. Cans cost \$110 to replace, but residents have only been paying \$50. Cans often disappear after windstorms.

Councilman **Alex Leeman** said he thinks the second can should be more expensive than the first can rather than cheaper. With water rates, if you use more water, you pay a higher rate, which encourages conservation. He feels it should be the same for garbage. Recycling should be encouraged, and a discount for extra garbage doesn't make sense. He is proposing additional garbage cans be \$20 per month, and the monthly cost of the first can is lowered. The haul from Wasatch Integrated to the secondary landfill 90 miles away is the cost that is increasing.

Child agreed with **Leeman**. **Mellor** said this is a good time to propose a change to garbage rates. Councilmember **Melissa Layton** said even if a second can costs \$5 more than the first can, she doesn't feel that would be enough to change behaviors. Education is more likely to do that.

Mellor said a brown can could be for green waste during the summer, but as another garbage can otherwise. While that is an option, it would not penalize anyone for producing extra garbage.

Robertson said penalties for late payments and non-payments will be increasing. Ambulance fees haven't been tied to the state fees, and the new proposed fee would link them. Storm water is going up \$1.20. Transportation is proposed to go up 40 cents. **Mellor** said this has not increased since the creation of the transportation fee for road maintenance and replacement. It should have probably gone up each year for the last seven years as Class C road money from the state has been drying up. City Lobbyist **Eric Isom** said the Legislature will be taking a look at transportation fees on June 14, 2023, to implement a reasonable fee. **Mellor** said Farmington's fee was set after extensive study about resident user miles traveled, etc. Adjusting the fee would necessitate hiring a consultant to look at impact fees.

REGULAR SESSION

Present:

*Mayor Brett Anderson,
City Manager Brigham Mellor,
Mayor Pro Tempore/Councilmember Scott
Isaacson,
Councilmember Roger Child,
Councilmember Melissa Layton,
Councilmember Alex Leeman,
Councilmember Amy Shumway,
City Attorney Paul Roberts,*

*City Recorder DeAnn Carlile,
City Planner/GIS Specialist Shannon
Hansell,
Finance Director Greg Davis,
Accountant Kyle Robertson,
City Parks and Recreation Director Colby
Thackeray, and
City Treasurer Shannon Harper.*

CALL TO ORDER:

Mayor **Brett Anderson** called the meeting to order at 7:08 p.m.

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

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

PRESENTATION:

Student Spotlight: Deaglan Blackburn, Centerville Elementary School

Deaglan started the year new to the school with only one friend that he knew. **Deaglan** continued to make progress through the year, working on improving his day-to-day experience at school. He gained a lot more calm and confidence, and loves to share his witty humor with friends and class. **Deaglan** has a smile each day and continues to keep people around him laughing. **Deaglan** is a leader and a hero at the school.

Introduction of New Police Officer, Harrison Chen

Chief Eric Johnsen presented **Harrison Chen** as Farmington's newest police officer. He came after working a year in Ogden. He was involved in the March shooting and protected his fellow officers. **Chen** said he was born and raised in Utah and majored in economics at both Weber State University and the University of Utah before training to be a police officer. He was sworn in in February of 2023.

PUBLIC HEARINGS:

Surplus of 0.094 acres of property at approximately 1160 W. Park Lane

City Planner/GIS Specialist **Shannon Hansell** presented this agenda item. It was part of the Innovator Way Right of Way (ROW). It will be surplused to the neighboring land owner, E&H Land. Maverik has a site plan application for this property. City Manager **Brigham Mellor** said there is a deed included that will be cleaned up in the plat. It has been a long few years designing these roads.

Mayor Anderson opened and closed the Public Hearing at 7:22 p.m. Nobody signed up in person or electronically to address the Council on the issue.

Mellor said it will be quit claimed to the Evans, and when they come back with the plat, the ROW to the north will be identified with the City. This portion will be merged into the parcel that the Maverik is on.

Motion:

Mayor Pro Tempore/Councilmember **Scott Isaacson** moved that the City Council approve the transfer of 0.094 acres of property as outlined in the quit-claim deed (included in Staff Report).

Findings 1-3:

1. The transfer of the property will not restrict or impact the City's anticipated or potential future use of remaining City property.
2. The transfer of the property will clean up property in relation to the Park Lane Right of Way and is consistent with the planned and approved development and platting at this location.
3. The proposed offer complies with the provisions of FCC 3-6-110 in that it serves the interest of City residents and produces a fair return.

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

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

Whether to exercise condemnation authority for Parcel 08-283-0002, located at approximately 901 N. Shepard Creek Parkway for public park use

City Attorney **Paul Roberts** presented this agenda item. It is acceptable under State code to use eminent domain to condemn property for use as a public park. Staff has reached out to affected property owners and has not had a response. Staff wants to make sure that the affected landowners got notice of tonight's hearing. If they were not, this item may have to be postponed to June 20, 2023. **Roberts** is not positive they received the notice, only that it was mailed. The public hearing can be held tonight, but the decision may need to be postponed.

Isaacson said the City has looked at this a few times in the past. In 2001, this parcel was created as part of surrounding development. It was placed in the ownership of “Residential Zone Owner Association,” which was governed by four surrounding homeowner’s associations. However, that association reportedly failed to pay property taxes on the parcel, and the County conducted a tax sale of the parcel in 2007. The **Browns** acquired the land at that time, and it has remained in its current state since then. It is proposed that the land be acquired as an expansion of the public park that the City owns and maintains to the west of the parcel. Attempts to initiate negotiation with the **Browns** via correspondence have not been successful.

Mayor Anderson said the City has received quite a few emails about this agenda item in support of the City using condemnation power for this purpose. These have been reviewed and will be made part of the record. There was a Homeowner’s Association (HOA) meeting tonight that many residents were attending, which made it impossible for them to attend this public hearing.

Mayor Anderson opened and closed the Public Hearing at 7:29 p.m. Nobody signed up in person or electronically to address the Council on the issue.

Roberts said the negotiations and strategies regarding this agenda item may be discussed in a closed session. **Mayor Anderson** said if eminent domain is used, the landowner must be given the right of first refusal to buy it back from the City in the future if the City doesn’t end up using it. The eminent domain needs to be authorized in an open public meeting.

Motion:

Councilmember **Melissa Layton** moved that the City Council schedule this item for the June 20, 2023, Council meeting to vote on the proposed taking.

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

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

BUSINESS:

Landmark Design Master Plan discussion

Madison Merrill with Landmark Design presented this agenda item. Farmington has a great Level of Service (LOS), as noted a few months ago. Farmington has a LOS of 4.3 acres per 1,000 residents, which is pretty high and in the upper tier along the Wasatch Front. The average is 3 acres. Distribution of parks across the City is doing well also. There are a few areas that are less served, but the planned parks at the business park, Glovers Lane, and Farmington Pond expansion will help. That will bring the total acreage of parks to 22 acres. Those planned parks are not included in the 4.3-acre metric. There are currently 112 acres of parks in Farmington.

The three options are: maintaining the 4.3 LOS, which would require construction of the planned 22 acres as well as an additional 27 acres as population increases; allow LOS to drop to 3.6 after developing the 22 planned acres; and something in between. She said some of the existing parks

could use improvement, and amenities could be added. If LOS was 4.0, an additional 17 acres would be needed on top of the 22 planned acres.

Isaacson said as the population grows, to maintain an LOS of 4.0, the City would need to add 17 acres of parks on top of the 22 acres already planned. Old Farm is the last big piece of property the City owns. **Mellor** said a fourth park is the 2.5-acre detention basin northwest of the business park. It will be landscaped with park amenities. This is not on the map presented tonight. The possibility of Old Farm including a park is slim. **Merrill** said bike parks are classified as a special use. Since they don't provide traditional park services, they are not included in the LOS. **Child** said that parcel is significantly used. **Mellor** said 50 feet from the center of all the creeks will have a public trail easement and open space amenities. **Merrill** said that is considered open space, not parks. **Mayor Anderson** said it would be interesting to see what the LOS would be if Lagoon and the County fairgrounds were included in the figures. There are also parks adjacent to schools and churches that the public accesses regularly, which takes demand away from the City.

Mellor said in addition to this Landmark Design discussion, an impact fee analysis considering the next six years is forthcoming. **Merrill** said the analysis is different for the two purposes. **Isaacson** asked if there is anything around Buffalo Ranches that could be a park in the future. **Leeman** said benches and landscaping are planned around the West Davis Corridor.

Leeman said Farmington may be at its limit on traditional grassy parks due to the mowing effort required. He would rather use the budget to add amenities along the trails than whole new parks. **Child** said trails, the bike park, Eagle Bay, etc. makes it so the sense of open space is accomplished in Farmington, which has more trails than most Wasatch Front cities. **Leeman** asked if Buffalo Ranch ponds are actual ponds owned by the Utah Department of Transportation (UDOT). **Mellor** said UDOT would likely turn them over to a nature conservancy or the Utah Department of Natural Resources (DNR) in the future. There are bridges that will be constructed near the pond, with another one planned going south.

Child said the City may anticipate land at Little Valley Farm for future park area once it is annexed and improved. That is several hundred acres that may be annexed into the City in the future. Some of that could be dedicated public open space.

City Parks and Recreation Director **Colby Thackeray** said he supports quality over quantity. He would rather spend the budget on updating existing parks vs. more grass and playgrounds. Replacing a playground at Shepard behind Knowlton Elementary recently cost \$135,000, so playgrounds are expensive. It has solid rubber surfacing.

Open Sky Drone Light Show Presentation

CEO and founder of Open Sky Drone Light Shows **Nate Mortensen** presented this agenda item. They have shows set up all across Utah this summer. They are the first and only drone light show company in Utah, and were established in 2021. They inspire with aerial drone light shows to capture fascination with light in the sky. They have done over 50 light shows across the country in the last 12 months, with almost half in Utah. They were at Salt Lake's Illuminate Light Festival in November. Other founders of the business have been involved in entertainment ventures such as ice castles across the country.

The typical show size is between 100-200 drones with a cost of between \$15,000 and \$45,000, which is comparable to fireworks. It is not priced by length of show, but by number of drones and customizations such as logos. They have done Fourth of July shows, which are usually stock. They have done as small as 50 drones for intimate events such as birthday parties that are space-constrained. For larger areas, he recommends 100 or more drones. They used 100 drones for the University of Colorado, and they could be seen from miles away. Words, texts, and logos are viewable only one way, but 3D images can be designed to be viewable from any direction.

The FAA puts a cap of 400 feet on how high drones can go. At the Salt Flats, they had drones flying between 6 and 400 feet above ground. They were in Farmington's Station Park earlier this year. They can cooperate with local radio for sound. Wind gusts over 25 miles per hour, temperatures below 10 degrees, and line-of-sight visibility less than 3 miles can affect the drone shows. Wifi is not needed. They are self-contained with battery power and a generator. A 50% deposit secures a show date, and the other 50% is due upon completion. The soonest they could be booked for Festival Days is next year, 2024. Two to 20 weeks' notice is needed, although he prefers at least six weeks. A typical show lasts between 10 and 13 minutes, but less in the winter months due to the effect cold can have on batteries. They can launch two shows in one evening, if allowed enough time in between to switch batteries.

Coupling light with narration, sound, and music can be moving for audiences. **Leeman** said Farmington can offer sponsorships to businesses, who could pay for inclusion of their logo in the drone show. Drone shows don't typically affect pets, livestock, or individuals with PTSD because they lack the loud sounds associated with typical fireworks. They charge less for Utah shows because they don't have to ship drones or fly the crew in. It can be the cost difference of 50 drones. Most Utah shows take 150 drones. The maximum available is 450 drones. Fourth of July prices double. Between June 30 and July 4 this year, they are flying more than eight shows.

Resolution thanking Representative Chris Stewart and his family for his service in the United States Congress

Mayor Anderson presented this agenda item. Farmington resident **Chris Stewart** is resigning from Congress, so this is a good time to publicly thank him for his support of Farmington over the years.

Motion:

Alex Leeman moved that the City Council approve the resolution thanking Rep. **Chris Stewart** and his family for his service in the United States Congress as proposed in the Staff Report.

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

Mayor Pro Tempore/Councilmember Scott Isaacson
Councilmember Roger Child
Councilmember Melissa Layton
Councilmember Alex Leeman
Councilmember Amy Shumway

X Aye ____ Nay
X Aye ____ Nay
X Aye ____ Nay
X Aye ____ Nay
X Aye ____ Nay

Resolution to consider Kaysville/Farmington boundary adjustment

City Planner **Shannon Hansell** presented this agenda item. This is on Farmington's northern border, from the WDC interchange to 950 North, which connects the WDC to the new Shephard Lane interchange, Innovator Drive, Maker Way, and the new mixed use area. It is an important connecting road for Farmington. Splitting the road between Farmington and Kaysville would complicate things such as road maintenance. Staff would like the Council to submit this for study before making a decision. Three weeks of public notice is required before holding a public hearing. Farmington's preferred option is to have the Park and Ride in Kaysville, which is Option 1.

Mellor said the Park and Ride would require some maintenance. The UDOT land in question could have potential commercial development possibilities, but it would take time for UDOT to sell it off. If a gas station were located there, it would generate just enough taxes to maintain that portion of road. **Mayor Anderson** said Kaysville is eager for additional revenue sources. Even if there is not an annexation or de-annexation, there would need to at least be a maintenance agreement for that road. There could be ROW resolutions to tackle on North Station Lane.

Motion:

Roger Child moved that the City Council adopt the resolution (enclosed in the Staff Report) initiating proceedings to adjust the common boundary lines between Farmington City and Kaysville City.

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

Mayor Pro Tempore/Councilmember Scott Isaacson
Councilmember Roger Child
Councilmember Melissa Layton
Councilmember Alex Leeman
Councilmember Amy Shumway

X Aye ____ Nay
X Aye ____ Nay
X Aye ____ Nay
X Aye ____ Nay
X Aye ____ Nay

Utility billing procedure

Roberts presented this agenda item. The code needs to be brought up to current practices, and the Council has a say on policy changes. Water is shut off after 90 days nonpayment. Proposed is removing a trash can after nonpayment. Both are very rare. Delivery fees of trash containers were also added. Another proposal was landlords being listed as a primary, with tenants being listed second on a utility bill. That way landlords pay any balances. There is a question of who should pay for utilities while homes sit vacant. A six-month or two-year deferral was also discussed. The penalty for not paying water bills needs to be brought into alignment with the code. The penalty starts to be assessed 30 days after the bill's due date. The appeal procedure would be noted.

The Council could eliminate deferrals and penalties should they choose. **Roberts** said the Council could provide general parameters Staff could implement including users providing proof of income or hardship, etc. Administrative costs to verify income would need to be covered. If a reduction was offered to a user, the other users would have to subsidize it.

Isaacson asked if Staff could make it an incentive to exchange a black garbage can for a blue recycling one instead. Councilmembers thought that would be a good idea. **Isaacson** said if residents are charged for returning a garbage can, that would not incentivize recycling.

Shumway said she would like to keep deferrals. **Child** doesn't want to have Staff have to inspect tax records to prove hardship. Instead, Staff should maintain a list of community resources to refer residents to in times of hardship. **Layton** would like to have recycling picked up every week instead of every other week. Green waste is another big issue.

Motion:

Scott Isaacson moved that the City Council adopt the ordinance amending sections 7-30-030, 9-1-010, 9-1-130, and enacting section 9-1-015 of the Farmington City Municipal Code, related to utility billing practices.

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

Mayor Pro Tempore/Councilmember Scott Isaacson
Councilmember Roger Child
Councilmember Melissa Layton
Councilmember Alex Leeman
Councilmember Amy Shumway

X Aye ____ Nay
X Aye ____ Nay
X Aye ____ Nay
X Aye ____ Nay
X Aye ____ Nay

Employee Appeals Amendments

City Attorney **Paul Roberts** presented this agenda item. The current system is a bit unworkable and could leave the City open to potential liability. Most employees are merit protected, so employees can't be fired for no reason, unlike the private sector. This does not apply to department heads, who can be fired for no reason. This has been recognized as a right with due process. Currently, a board is only staffed when there is a need, and this process could be open to politicking since those who are put on the board would know they are going to be deciding a specific issue.

Roberts is proposing to remove employees and Councilmembers from the formula. The considerations the board would need to make (if there is evidence to support the allegations and if the discipline imposed was proportionate) are legalistic. Administrative hearing officers are trained to handle this sort of thing and review the action. He would like to bifurcate the proceedings, or consider the evidence separately from the discipline imposed. It would require that a record is created so a hearing doesn't need to be held again. Other proposed changes bring Farmington's language in line with Utah's Anti-discrimination Act. Hopefully the City will never need it, but it is good to have a process ready should it be needed in the future.

Mellor said this is very important when some employees are represented loosely by a union, such as the police. The City has already replaced the Board of Adjustments with a Land Use Hearing Officer. This would be similar and would be even more rare than Board of Adjustment issues. **Isaacson** noted that the Administrative Officer would charge for his time, which would be an added expense. While more expensive, **Roberts** said the end result would be a well written, defensible decision, which discourages appeals that can drag on and be demoralizing.

Under the code, these decisions do not proceed to District Court but would go straight to the Court of Appeals instead.

Motion:

Alex Leeman moved that the City Council adopt this ordinance amending Chapter 3-4 of the Farmington City Municipal Code related to employee appeals as indicated in the Staff Report.

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

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

Mellor noted the 15 footnotes on this item in the Staff Report. **Roberts** said he is very aware that half the Council is composed of attorneys, and he likes to support his information.

SUMMARY ACTION:

Minute Motion Approving Summary Action List

The Council considered the Summary Action List including:

- Item 1: All West Franchise Agreement for Cable Television Services
- Item 2: Approval of Minutes for May 16, 2023

Motion:

Melissa Layton moved to approve the Summary Action list items 1-2 as noted in the Staff Report.

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

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

GOVERNING BODY REPORTS:

City Manager Report

Mellor presented said the Council can discuss the Consolidated Fee Schedule (CFS) during their next meeting on June 20, 2023, when a couple of options about garbage cans can be presented.

Notice of Conditional Contract Award under RFP #032423, Investment Advisor Services

City Treasurer **Shannon Harper** presented this agenda item. The City recently sent out a Request For Proposal (RFP) to get a new investment advisor service. Four were returned, and

the City has chosen Meeder Public Services Finance. Out of the four, they had the largest staff. They had a competitive fee. They have a more active approach to investing rather than the hold-to-maturity approach the others had. Their fee is between \$10,000 to \$12,000 a year, and **Harper** wanted the Council to be aware of the change. The City would be investing between \$10 million to \$20 million with them. Accountant **Kyle Robertson** said he approves of this firm as well.

Mayor Anderson and City Council Reports

Layton said the citizen police academy graduation will be held tomorrow. Participants recently went to the District Attorney's office to go through their virtual training facility recreating a school shooting. These police academies are held twice a year, in the spring and the fall.

She recently met with **Tom Owens**, and brought her historian mom along. He has a lot of documents including old Heidelberg Restaurant menus. Things need to be scanned and indexed to preserve history. **Leeman** said this could involve church history, and church service missionaries may be able to help out.

Isaacson asked who is responsible for the weed-covered berm in front of Cabela's. **Mellor** said no one was assigned responsibility, but it is City property. Trees can't be planted that would block visibility. Something needs to also be done on the Park Lane Commons side. This is a prominent corner. It should be added as a change order when the Innovator medians are landscaped. **Mellor** will talk to Assistant City Manager/City Engineer **Chad Boshell** about it. Construction on everything north of Burke won't begin until August. The landscaping for the medians on Burke will be done at the same time as Innovator.

Isaacson would like to know when 1100 West will be widened in front of Canyon Creek Elementary. It will be added as a change order to another project. This is **Isaacson's** neighborhood, and he wants to be able to tell people if it will be done before school starts.

He recently visited Knudsen Park in Salt Lake County near Cottonbottom on I-215. He liked the water feature there, and wanted to bring Staff attention to it. **Mellor** said a water feature is planned for the new Farmington business park.

Shumway said 2014 was the first time a Farmington trails guide was published. After going through 30 proofs, there is now an updated version available. **Shumway** thanked Assistant Community Development Director/City Planner **Lyle Gibson** for his help on the project. She noted that residents can earn patches for the number of miles they hike.

Leeman said 950 North opened this morning between 1875 and Sharpshooter Drive, and the residents are excited about it. Bike paths have been installed on the sides of the road. Also, he recently heard a radio broadcast about Salt Lake City planning a 32% tax increase and the reasons why. These are the talking points that Farmington could also use to explain why they need to raise taxes.

Child said mosquitoes are flourishing. He asked if the Council could have an open microphone for five minutes every quarter. He has a lot of people wanting to talk about the community pool. **Mellor** said in the past, Farmington held a community open house once a month under **Mayor Scott Harbertson**, and **Mayor Jim Talbot** intended to continue it, but people stopped showing up. He doesn't believe it is constructive. **Mayor Anderson** said they could hold one per year. **Roberts** said there is a push on the State level to have public open mic sessions mandated in all

public meetings. **Isaacson** said the Community Council serves this purpose. **Child** said people don't know how to put things on an agenda, and he has referred them to Staff, who can decide whether to put it on an agenda.

ADJOURNMENT

Motion:

Roger Child made a motion to adjourn the meeting at 9:39 p.m. **Alex Leeman** seconded the motion. All Council members voted in favor, as there was no opposing vote.

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

/s/ DeAnn Carlile

DeAnn Carlile, Recorder