Farmington City Council Meeting
August 19, 2014

WORK SESSION:

Present: Mayor Jim Talbot, Council Members Doug Anderson, John Bilton, Brigham Mellor and Cory Ritz, City Manager Dave Millheim, Finance Director Keith Johnson, Associate Planner Eric Anderson, GIS Administrator/IT Specialist Matt McCullough, intern Brittany Griffen and City Recorder Holly Gadd. Council Member Jim Young was excused.

Trap and Neuter Return Program

Clint Thacker, Director of Davis County Animal Control, said their goal is to end euthanasia in shelters. When he first heard of the Best Friends program he did not believe it was possible; however, during the first quarter, the County had an 88% live release rate.

Allison Stapleton, Shelter Outreach Coordinator for the Best Friends Animal Society, said they have a new approach for managing cat populations in Utah where 52% of all cats entering shelters are euthanized, and the return to owner rate is 5% for cats. She explained that a community or feral cat is a free roaming cat that is without visibly discernible or microchip owner identification and ear tips and has not been vaccinated or sterilized. Management will include trapping, spaying/neutering, vaccinating, ear tipping and rereleasing. Rereleasing cats back into the environment actually reduces the overall number of cats, shelter admissions and operating costs, increases adoption rates, creates safer communities by reducing the number of unvaccinated cats in the area, improves the health of free-roaming cats, and reduces the nuisance behaviors associated with unsterilized cats.

Clint Thacker pointed out that Farmington has a moderate problem with feral cat (approximately 166 cat intakes per year), and Best Friends will pay 100% of the fees involved with the program. The County would like approval from the City Council to begin the 5-year pilot program. **Dave Millheim** thanked **Clint** and his team for their efforts, and the City Council instructed staff and the County to move forward with the implementation of the program.

Communications Committee

Matt McCullough said one employee from each department serves on the Committee the communication between departments has improved. Summer intern **Britteny Griffen** studied the role of technology in Farmington City's communications efforts and interviewed communication specialists from several other cities, compiled the information, and divided Farmington's communication needs into six main sections:

1. Website – minimize text on main pages, update old information, add graphics, create links on the home page and improve forms;
2. Newsletter – increase electronic distribution;
3. Press releases – make them more accessible;
4. Email lists – the most effective means of communication;
5. Social media – pros and cons
6. Applications/Tracking

She also mentioned an app called "buffer" which allows a person to post on Facebook, Twitter, Google Plus and Linked In from one site.

REGULAR SESSION:

Present: Mayor Jim Talbot, Council Members Doug Anderson, John Bilton, Brigham Mellor and Cory Ritz, City Manager Dave Millheim, Associate Planner Eric Anderson, City Recorder Holly Gadd, and Youth City Council Members Haley VanOverbeck, Ian Oldryd, Michael Harris and Devin Madsen. Council Member Jim Young was excused.

CALL TO ORDER:

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

Mayor Talbot welcomed those in attendance including members of the Youth City Council. The invocation was offered by **Doug Anderson** and the Pledge of Allegiance was led by local Boy Scout **Britton Gregson** of Troop 603.

REPORTS OF COMMITTEES/MUNICIPAL OFFICERS:

Executive Summaries for two Planning Commission meetings

Eric Anderson reported that the only item on the July 29, 2014 agenda—the Preliminary Plat for Symphony Homes' Eastridge Cove Conservation Subdivision—was unanimously approved, and the following items were reviewed during the August 7, 2014 meeting:

- A request to rezone property located at 1725 W 450 N from A to AE was approved;
- A request to rezone property located at 86 W 1600 S from A to LR was approved;
- A request to amend the Regulating Plan (Chapter 18) was approved with a condition that staff meet with the affected property owner prior to City Council consideration;
- A request by Todd Gibbs to amend Chapter 15 of the Zoning Ordinance to allow ATV rentals in the BR Zone ended in a tie vote to deny and a second tie vote to table which resulted in an automatic continuance until the August 21, 2014 meeting;
- A request to amend Chapters 10, 11, 12 and 28 of the Zoning Ordinance regarding Conservation Subdivisions was tabled.

John Bilton pointed out that the State law regarding ATVs recently changed, and street legal ATVs (with signal lights, tail lights and license plates) are now allowed on City streets. He questioned the complete removal of the open space waiver, and **Eric Anderson** said staff is in favor of the waiver option, but several Planning Commission members feel it has been abused.

PUBLIC HEARINGS:

Local Consent – Event Permit for SteelFist Fight Night ("Temporary Beer" liquor license)

Dave Millheim said the applicant is requesting permission to sell beer during a mixed martial arts event on October 4th at the Davis County Fairgrounds, and a local consent form from Farmington City is required. Two similar events were held previously, and the Police Department

reported that there was no increase in police calls during either event. The promoters of the event have complied with all applicable state codes and staff is recommending approval.

Brady Grant, 1150 West 820 North, Layton, producer for SteelFist Fight Night, said it will be a professional mixed martial arts event—judo, karate, boxing, wrestling—under the Pete Suazo Utah Athletic Commission (PSUAC). The fighters are licensed and weigh-ins and drug are performed to ensure fair competition. Approximately 2000 people attended each of the two events held previously in Farmington.

Public Hearing:

The public hearing opened at 7:30 p.m.

Wendy Rasmussen, 1233 West 175 South, said MMA fights are notorious for having aggressive, rowdy fans and fights among their spectators—the consumption of alcohol is asking for problems to erupt. The location is directly across from a residential neighborhood, and people park on local streets even when parking spots are available. She asked the Council to consider the impact on people who live close to the Legacy Center and not grant the permit.

Residents **Byron Gates** and **Eva Isaacson** sent emails to the City Council stating their opposition to the Permit.

The public hearing closed at 7:35 p.m.

John Bilton would like to see better parking regulation. **Doug Anderson** said people who attend events in the Legacy Center park on nearby streets to avoid parking fees. **Cory Ritz** said parking is an issue that needs to be dealt with, and he will vote to deny the permit. **Brigham Mellor** said because there have been no problems in the past and the applicant has complied with all of the regulations, he will approve the permit. **Mayor Talbot** said all of the concerns are valid, and he encouraged the promoters to work with the City/County to deal with issues that may arise.

Motion:

Brigham Mellor made a motion to approve the Local Consent forms for the State of Utah Event Permit "Temporary Beer" for SteelFist Fight Night LLC. **John Bilton** seconded the motion which was approved by Council Members **Anderson**, **Bilton** and **Mellor**. Council Member **Ritz** voted against the motion.

PRESENTATION OF PETITIONS AND REQUESTS:

Final Plat for the Bell Estates First Amended Conservation Subdivision

Eric Anderson said this is a simple lot split in an AE zone and the developer is requesting a waiver of the open space provision. The negotiated price of $9,750 needs to be approved by the City Council and paid prior to recordation of the final plat.

Motion:

Cory Ritz made a motion to approve the Final Plat for the Bell Estates First Amended Conservation Subdivision, subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The City Manager has determined just compensation for the waiver of the 14,484 square feet of open space to be $9,750 which must be paid prior to final plat recordation;
2. There is an agreement which will be recorded with the Final Plat that vacates the ROW and Easement, and a note will be placed on the Final Plat referring to said agreement prior to recordation.

Brigham Mellor seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed subdivision is in substantial compliance with all subdivision and zoning requirements for final plat approval.
2. The Davis County School District has no use for the right-of-way as they plan to build the school in the northwest corner of the property in a land swap with Fieldstone Homes as part of the Farmington Park Subdivision. Access to the school will be from 1100 West off of Glover Lane.

SUMMARY ACTION:

Summary Action List

1. Residential Fire Sprinkler Ordinance Modification
2. Surplus Property – Three Vehicles
3. Approve of August 5, 2014 Minutes

Motion:

John Bilton made a motion to approve the items on the Summary Action List. **Cory Ritz** seconded the motion which was unanimously approved.

GOVERNING BODY REPORTS:

City Manager – Dave Millheim

- The July Police and Fire Department Activity Reports were included in the staff report.

- UTA Shuttle – He will meet with Lagoon, Station Park and UTA officials in the near future to discuss the continuation of the shuttle.

- Country Lane Open Space Easement – He is meeting meet with several Country Lane residents on August 20th to discuss an easement the City owns on the east side of Country Lane. The City does not currently need the easement, and residents have expressed interest in purchasing the property.

- The City has 40% ($562,000) of the funds necessary to purchase a ladder truck. Impact fee laws mandate that the funds must be committed with an invoice and/or contract and they must be used within 6 years or they must be refunded. In one year Farmington will be approaching the sixth year so it is time to get serious about purchasing a ladder truck. There are very few manufacturers—Pierce Arrow owns the western U.S. from a market share standpoint, and they have offered this year's demo model to the first taker at a discount of $250,000 ($1,071,000 vs. $1.3 million for the comparable Rosenbaum model). The Council directed staff to pursue the offer and have the Fire Chief prepare a numbers report.

City Council

Cory Ritz

- Residents have complained about the new traffic light on 650 West which was supposed to allow for right turns only. Instead there is a left turn only and a straight ahead/right turn so both lanes are stopped under all circumstances unless a car is not going straight. **Dave Millheim** said the lines were painted exactly as the Council recommended with an unobstructed left turn. If a car is turning right on a red light, it will be stopped if it is going straight through the intersection. (Most of the turn movements are left and right; very few cars will go straight). He suggested that the City rent video equipment and track the light, counts, stops and the wait time over a 24-hour period. **Cory Ritz** said that would be fine, but the striping is contrary to the plan that was approved by the Council.

- He asked when the traffic light on 200 West/State Street will be installed, and **Dave Millheim** said UDOT has finished the powder coating on the poles and is waiting for the contractor to schedule the placement of the poles—hopefully in the next 2 weeks.

- Parking around the Legacy Center was an absolute nightmare during the Davis County Fair. The residential streets were full to overflowing while the County parking areas had numerous open spaces. **Dave Millheim** said there is only one solution—a City ordinance that states "no event parking on residential streets"—which could then be enforced by the Police Department.

- West Farmington residents are requesting an increase in law enforcement during the Labor Day soccer tournament, and the City Manager said he would arrange it.

Brigham Mellor:

- He asked about the dumping of debris along the creek in the fairgrounds area and was told that Davis County has been dumping debris as they construct the soccer fields.

- The bike tour will be held on August 20, 2014 at 9:00 a.m.

Mayor – Jim Talbot

- He asked the City Manager to send details of the fall social to the City Council.

- He plans to schedule a joint Council/Planning Commission meeting as soon as possible.

- He challenged the Council to do the ALS fundraiser (with buckets of ice water) and said they could possibly do it following the bike tour.

- He continues to receive positive feedback regarding Festival Days and the great support given by the City Council.

- The annual ULCT conference will be held September 10-12 in Salt Lake City—he asked the Council to contact **Holly Gadd** regarding their plans to attend.

CLOSED SESSION

Motion:

At 8:35 p.m. **Brigham Mellor** made a motion to go into a closed meeting to discuss potential property acquisition and potential litigation. The motion was seconded by **John Bilton** and unanimously approved.

Sworn Statement

I, **Jim Talbot**, 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.

Jim Talbot, Mayor

Motion:

At 9:00 p.m. **John Bilton** made a motion to reconvene in an open meeting. The motion was seconded by **Brigham Mellor** and unanimously approved.

ADJOURNMENT

Motion:

Doug Anderson made a motion to adjourn the meeting. The motion was seconded by **Brigham Mellor** and unanimously approved, and the meeting was adjourned at 9:00 p.m.

Holly Gadd, City Recorder
Farmington City Corporation

Zimbra **hgadd@farmington.utah.gov**

Fwd: OPPOSED to beer permit for fight night

From : Dave Millheim <dmillheim@farmington.utah.gov> Tue, Aug 19, 2014 07:28 PM
Subject : Fwd: OPPOSED to beer permit for fight night
To : Holly Gadd <hgadd@farmington.utah.gov>

Sent from my iPad

Begin forwarded message:

From: <eisaacson@readytek.net>
Date: August 19, 2014 at 4:58:44 PM MDT
To: <mayor@farmington.utah.gov>, <jbilton@farmington.utah.gov>, <bmellor@farmington.utah.gov>, <critz@farmington.utah.gov>, <jyoung@farmington.utah.gov>, <dmillheim@farmington.utah.gov>
Subject: OPPOSED to beer permit for fight night

Dear City Council,
I understand that you have an item before you tonight concerning whether or not to allow a temporary beer permit at an event at the Legacy Events Center (Fairgrounds). As a resident of the neighborhood, I encourage you to deny the permit for safety reasons.

This is an area under construction, which requires attentive driving even in broad daylight by a completely sober driver. The freeway entrances are particularly confusing, even for those of us who live here. Allowing a beer permit when it is obvious that whose who will be consuming it will then need to navigate the roads here puts both the public and the attendee at risk of a head-on collision.. No amount of money that the event or the city could reap from allowing beer at the event would justify putting the public at this risk.

I understand that your decision tonight will set a precedent. I ask you to deny the permit to sell beer due to safety issues.. If those promoting this event have very strong feelings about the need to sell beer at their event, perhaps they could be allowed to find another venue.
Sincerely,

Eva Isaacson
441 S. 1100 West
Farmington, Utah

Zimbra **hgadd@farmington.utah.gov**

Fwd: Temporary Liquor License at Fair Grounds

From : Dave Millheim <dmillheim@farmington.utah.gov> Tue, Aug 19, 2014 07:27 PM

Subject : Fwd: Temporary Liquor License at Fair Grounds

To : Holly Gadd <hgadd@farmington.utah.gov>

Sent from my iPad

Begin forwarded message:

From: Bryon Gates <bryon.gates@gmail.com>
Date: August 19, 2014 at 6:35:07 PM MDT
To: "mayor@farmington.utah.gov" <mayor@farmington.utah.gov>, "jbilton@farmington.utah.gov" <jbilton@farmington.utah.gov>, "bmellor@farmington.utah.gov" <bmellor@farmington.utah.gov>, "critz@farmington.utah.gov" <critz@farmington.utah.gov>, "jyoung@farmington.utah.gov" <jyoung@farmington.utah.gov>, "dmillheim@farmington.utah.gov" <dmillheim@farmington.utah.gov>
Subject: Temporary Liquor License at Fair Grounds

Hello,

I understand you will be seeking public comment at this evening's City Council meeting in response to Steel Fist Fight Night's request for a license to sell beer at their event to be held at the Fair Grounds. I will not be able to attend this evening's meeting, but appreciate the opportunity to share my opinion with you through e-mail.

As a homeowner in the Chestnut Farms neighborhood, and as a Farmington resident in general, I am opposed to the idea of a company being issued a liquor license for an event held at the Fair Grounds. While I understand issuing a license falls within the letter of the current law, I am concerned with the close proximity of our neighborhood, which is literally filled with small children, to the Fair Grounds.

When we moved to Chestnut Farms a little more than 3 years ago, we had every expectation that the events held at the Fair Grounds would be

consistent with the values of our community and small town environment. We have seen a significant rise in the number of events, and understand this is a result of the County's need to make the Fair Grounds a profitable asset. However, a drive for increased profitability should not be over-shadowed by the desire of our local community to keep the events held at the venue consistent with the values of the community as a whole.

I respectfully ask that the request for a temporary liquor license be denied and that the Council consider amending the current law to not allow liquor sales as a whole at the Fair Grounds. To allow for picking and choosing which event sponsors may be authorized to sell liquor can easily be interpreted as discriminatory. The best way to avoid inevitable backlash from such discrimination is to make a declaration that the residents of Farmington, and therefore the City of Farmington, do not want liquor sold at events held at a County-owned venue such as the Fair Grounds.

Thank you!
Bryon Gates

256 S 1275 W
Farmington, UT 84025

Sent from my iPad