

# Willard City Corporation

80 West 50 South  
Box 593



Willard, Utah 84340  
(435)734-9881

The Willard City Council of Willard City Corporation will hold a **City Council** meeting on **Thursday, February 8, 2024**. The meeting will be held at the Willard City Offices 80 W 50 S. The meeting will begin promptly at **6:30 p.m.** The agenda will be as follows:

**6:30 p.m.**

## **1. Call to Order**

1. Invocation
2. Pledge of Allegiance
3. Conflict of interest declaration

**6:30 p.m.**

**2. Open Comment Period** (Individuals have three minutes for open comments. If required, items may be referred to department heads for resolution. Items requiring action by the City Council will be placed on the agenda for a future meeting.)

## **3. Planning Commission Report**

### **4. Presentations and New Business**

- a. Presentation by Family Support Center
- b. Consideration/Recommendation from the Planning Commission to amend Chapter 12-100 of the Willard City Zoning Ordinance by adopting the General Plan DRAFT.
- c. Preliminary/Final approval for the Marion Stokes Subdivision 1395 North Main Willard Utah 84340 Applicant Doug Thompson.
- d. Confirm Mayors recommendation for Planning Commission new Alternate member Ruth Beebe.

## **5. Minutes**

- a. Approval of the January 11, 2024, City Council Minutes.
- b. Approval of the January 25, 2024, City Council Minutes.

**6. Financial**

- a. Warrants, Vouchers, Reports

**7. Department Reports**

- a. Public Works
- b. Police Department
- c. Fire Department

**8. Council Member Reports**

- a. Jacob Bodily
- b. Rod Mund
- c. Mike Braegger
- d. Rex Christensen
- e. Jordan Hulsey

**9. Next agenda items (March 14, 2024) February 22, 2024, City Council Meeting is canceled.**

**10. Mayor's General Correspondence and Information**

**11. City Manager's Report**

**12. Consideration of Motion to Enter a Closed Session (if necessary)** pursuant to UCA §52-4-205 (a) except as provided in Subsection (3), discussion of the character, professional competence, or physical or mental health of an individual; (b) strategy sessions to discuss collective bargaining; (c) strategy sessions to discuss pending or reasonably imminent litigation; (d) strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares (e) strategy sessions to discuss the sale of real property, including any form of a water right or water shares; (f) discussion regarding deployment of security personnel, devices, or systems; or (g) investigative proceedings regarding allegations of criminal misconduct.

**13. Adjourn**

/s/ Susan O Bray  
City Recorder, Willard City  
Posted February 5, 2024

# WILLARD CITY PLANNING COMMISSION SUBDIVISION APPLICATION

Application Date \_\_\_\_\_

Proposed Subdivision Data

Subdivision Name

Applicant

Marion Stokes Subdivision

Doug Thompson

Application Level (Check One)

Mailing Address

Sketch Plan

4075 W 5600 N

1/11/24

Date \_\_\_\_\_ Approval \_\_\_\_\_

Brigham City UT 84302

Preliminary Plat\*  
\*(Not required for In-fill Subdivisions)

Project Address

1395 N Main

Date \_\_\_\_\_ Approval \_\_\_\_\_

Willard UT 84340

Final Plat

Email Address Colleen.gardner@hotmail.com

Phone Number 435-279-5150

Date \_\_\_\_\_ Approval \_\_\_\_\_

Cell Phone (435-720-2974)  
Doug

Assessor Parcel Number 02-040-0004

Fax Number \_\_\_\_\_

Number of lots 1

FEES MUST ACCOMPANY APPLICATION SUBMISSION AT EACH LEVEL.

FEE COMPUTATION

	Administrative	Engineering	Attorney	TOTAL
Sketch Plan	\$50 + \$2/Acre	Billed to the Developer		
Preliminary Plat	\$50 + \$15/Lot	Billed to the Developer	\$100 + \$10/Lot	
		Billed to the Developer	\$50 + \$5/Lot	

WILLARD CITY CORPORATION  
 80 W 50 S  
 PO Box 593  
 Willard UT 84340  
 Receipt No: 1.019048  
 435-734-9881  
 Jan 11, 2024  
 Doug Thompson Subdivision Application  
 Fines and Forfeitures  
 Sundry Revenues  
 Total: 50.00  
 Check 50.00  
 Check No: 8682  
 Total Applied: 50.00  
 Change Tendered: .00  
 Duplicate Copy  
 01/11/2024 1:46 PM

Division may be sold or offered for sale until the council.

VISION APPLICATION.DOCX

Form SD-1 Rev. 01/11/05

**APPLICANT'S AFFIDAVIT**

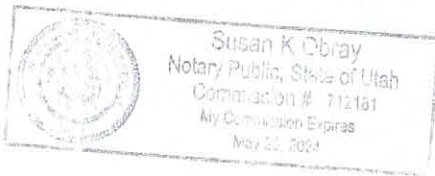
STATE OF UTAH )  
 ) SS  
COUNTY OF BOX ELDER )

I, (we) Donna Thompson, being duly sworn, depose and say that I, (we) am (are) the owner(s)\*, or authorized agent(s) of the owner, of property located at 1395 N main in Willard City, which property is involved in the attached application and that the statements and answers therein contained and the information provided in the attached plans and other exhibits present thoroughly, to the best of my (our) ability, the argument in behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

SIGNED \_\_\_\_\_

AGENT Donna B. Thompson  
Property Owner(s)

Subscribed and sworn before me this 11 day of January 2024



Susan K. O'Bray  
Notary Public

Residing in Farm West Ut  
My commission expires: May 25, 2024

\* May be owner of record, contract owner, part to valid earnest money agreement, option holder or have other legal control of property.

**AGENT AUTHORIZATION**

I, (we) \_\_\_\_\_, the owner(s) of real property described above, hereby appoint \_\_\_\_\_, as my (our) agent(s) to represent me (us) with regard to this application affecting the above described real property, and do authorize them to appear on my (our) behalf before any Willard City Boards considering this application.

SIGNED \_\_\_\_\_  
Property Owner(s)

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Notary Public  
Residing in \_\_\_\_\_  
My commission expires: \_\_\_\_\_





NORTH ↑







WILLARD CITY  
**Subdivision Land Use Authority (SLUA) – Special Meeting**  
January 18, 2024 – 2:00 p.m.  
Willard City Hall – 80 West 50 South  
Willard, Utah 84340

240 Chris Breinholt said he had seen this concept plan many times. His previous concerns had been addressed,  
241 although he reserved the right to tweak the road design at the south end of 500 West.  
242

243 Zac Burk asked if the wells had been capped. Marshae Stokes said they had been capping the wells as  
244 development progressed. Until development occurred, Randy Lemon was still farming the land and using  
245 the wells. Bryce Wheelwright said there had been discussion about using the wells for a private irrigation  
246 system. Ms. Stokes was aware that had been discussed. A final decision had not been made.  
247

248 Michelle Drago asked when Heritage Land and Willard City would enter into a development agreement.  
249 Bryce Wheelwright said approval of the MPC Zone would start the development agreement process. Ms.  
250 Stokes said they had a draft development agreement. Mr. Wheelwright thought the City Attorney had  
251 reviewed the draft agreement.  
252

253 Bryce Wheelwright felt the proposed concept plan and rezone were ready to be forwarded to the Planning  
254 Commission. He asked if the SLUA felt the plan and rezone complied with City ordinances.  
255

256 **Chris Breinholt moved to forward the concept plan and rezone request from Heritage Land**  
257 **Development to the Planning Commission with a recommendation of approval. Zac Burk seconded**  
258 **the motion. All voted “aye.” The motion passed unanimously.**  
259

260 2D. **CONSIDERATION OF A CONCEPT PLAN FOR THE MARION STOKES SUBDIVISION**  
261 **LOCATED AT APPROXIMATELY 1395 NORTH MAIN (PARCEL NO. 02-040-0004)**  
262

263 Time Stamp 51:38 01/18/2024  
264

265 Bryce Wheelwright stated that Marion Stokes had lived in the home at 1395 North Main. She passed away  
266 almost a year ago, and her family needed to divide the land so the home could be sold.  
267

268 Larry Holmes, 1561 Hargis Hill, stated that they were originally going to sell the home with one acre of  
269 ground. However, they discovered there was more acreage between the highway and 200 West than they  
270 thought. The family that submitted the offer for the home had agreed to purchase additional land. The house  
271 would now sell with 3.49 acres. Another buyer was going to purchase the remaining nine acres.  
272

273 Michelle Drago stated that the preliminary plan would have to be revised to reflect the change in lot size.  
274 Mr. Wheelwright agreed. The plan which had been submitted was no longer correct. It would have to be  
275 updated.  
276

277 Larry Holmes did not feel this was a subdivision. Bryce Wheelwright said if a parcel was divided into two  
278 parcels, it was a subdivision by definition. Mr. Holmes felt the City had already divided the property by  
279 building 200 West.  
280

281 Michelle Drago stated that the front portion of the property was zoned R-1/2. The proposed lot met the  
282 requirements of the R-1/2 Zone. If they were just making the lot bigger, she felt the SLUA could forward a  
283 recommendation to the Planning Commission subject to submission of a revised preliminary plan.  
284

285 Zac Burk asked if the remainder parcel was subject to zoning regulations. Michelle Drago said the  
286 remainder parcel was zoned A-5 and had more than five acres. It had frontage on 200 West.





WILLARD CITY

**Subdivision Land Use Authority (SLUA) – Special Meeting**

January 18, 2024 – 2:00 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

287 Chris Breinholt stated that a new building lot was not being created. The division would create a remainder  
288 parcel. He did not see a problem.

289  
290 There were not any comments from Van Mund, Payden Vine, or Jeremy Kimpton.

291  
292 **Michelle Drago moved to forward the preliminary/concept plan to the Planning Commission with a**  
293 **recommendation of approval subject to a revised plan being submitted prior to the Planning**  
294 **Commission meeting. Payden Vine seconded the motion. All voted “aye.” The motion passed**  
295 **unanimously.**

296  
297 2E. CONSIDERATION OF A CONCEPT PLAN AND REZONE REQUEST FROM A-3 AND A-5 TO  
298 R1/2 FROM LYNC CONSTRUCTION FOR APPROXIMATELY 3700 SOUTH 1200 WEST (AKA  
299 200 WEST) (PARCEL NOS. 02-035-0061, 02-035-0063, 02-035-0075, AND 02-035-0079)

300  
301 Time Stamp: 1:01:12 01/18/2024

302  
303 Bryce Wheelwright stated that Lync Construction had submitted a rezone request for 37.22 acres located  
304 at approximately 3700 South 1200 West from A-3 and A-5 to R-1/2.

305  
306 There was a discussion about the address of the lot and the street name. Van Mund asked if the proposed  
307 development would have Perry addresses. Bryce Wheelwright said the addressing would have to be  
308 changed. Van Mund said Willard Police and Fire would respond, not Perry.

309  
310 Bryce Wheelwright asked how many lots were proposed. Alex Owens, Lync Construction, said their current  
311 concept plan contained 46 lots. Mr. Wheelwright asked if all the lots were half-acre. Mr. Owens said they  
312 were. Mr. Wheelwright liked the proposed concept plan. He felt it was a good fit for Willard.

313  
314 Zac Burk asked about Parcel A and Lot 1. Alex Owens said Lync Construction did not own Lot 1. He wasn't  
315 sure why it had been included in the concept plan. Parcel A had been set aside to do a land swap with  
316 Chad Braegger. The land swap had not been finalized.

317  
318 Bryce Wheelwright asked if Chad Braegger's property was included in the rezone request. Mr. Owens said  
319 it was. Michelle Drago stated that Chad Braegger had not signed the petition. If he wanted to be included  
320 in the rezone, he needed to sign the petition. Mr. Owens said Chad Braegger had been part of the MPC  
321 rezone request. Lync Construction needed to have him sign the latest petition.

322  
323 Fire Chief Mund said his only concern was addressing. The lots needed to have Willard addresses.

324  
325 Chris Breinholt stated that gravity sewer would not work on this property. The development would need  
326 some type of sewer pumping system. Details regarding the pumping system had not been nailed down,  
327 which wasn't necessary for a rezone. The requested rezone was not consistent with the 2017 Future Land  
328 Use Map nor was it consistent with any surrounding zone.

329  
330 Bryce Wheelwright stated that the property was currently zoned A-5. The Future Land Use Map designated  
331 it as A-3 and A-5.

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The City Council of Willard City met on January 11, 2024, at 6:30 pm in the Council Chambers of the Willard City offices, located at 80 W 50 S, Willard UT 84340.

Present: Travis Mote, Mayor  
Mike Braegger, Council Member  
Rod Mund, Council Member  
Jacob Bodily, Council Member  
Jordan Hulsey, Council Member

Excused: Rex Christensen, Council Member

Staff Present: Colt Mund, City Attorney  
Jeremy Kimpton, City Manager  
Bryce Wheelwright, City Planner  
Susan K. Obray, City Recorder  
Payden Vine, Public Works Director

Others present: Zach Ainsworth, Mike Bastian, Clyde Westley, Ken and Ruth Ormond, Diana Baker, Larry Holmes, Lynn Murphy, Rew Wiley, Jay Thackery

**1. Call to Order**

- a. Mayor Travis Mote called the meeting to order at 6:30 pm
- b. Invocation offered by Council Member Hulsey
- c. Pledge of Allegiance led by Council Member Bodily.
- d. Conflict of Interest Declaration
  - i. None.

**2. Presentation by the Family Support Center**

Will present at the January 25 City Council meeting.

**3. Public Hearing regarding Ordinance 2024-01.** The Orchards consists of approximately 81.05 acres. Taking in parcel 01-45-0118, 01-045-0015, 01-045-0032, and 01-045-0016. Representative Mike Bastian.

**Motion: Council Member Mund motioned to open the public hearing. Council Member Braegger seconded the motion. All in favor.**

John Larkin

1 "I'm John Larkin, from South Willard. That piece of ground is just across the railroad. I don't  
2 know what you're going to do about your water off that. Where's that water going to go when  
3 you put all those houses on that? That piece of ground has water coming from this way and that  
4 way and it will be right in the corner, right on that road. I own the ground to the west of there.  
5 That water has got to go somewhere if they build on there. There's no place for it to go except  
6 down on me. If you build all these houses and get all those people in there... Eventually it's going  
7 to come over the railroad. We farm a lot of ground below that, almost all of it, and we've got  
8 cattle trucks going up and down. I'm not going to stand for any water coming over."

9 **Motion: Council Member Braegger motioned to close the public hearing. Council Member**  
10 **Bodily seconded the motion. All in favor.**

11 **4. Open Comment Period**

12 Nathan Nelson, Farmington, Utah, with IORAA (International Outdoor Recreation Asset Alliance)

13 "We are partnering with a local community coalition for providing access to Willard Canyon for  
14 recreational purposes. We understand the city is considering some arrangements related to city  
15 property up the canyon with Granite Construction. Part of that potentially includes maybe some  
16 land trades or some easements that are officially recorded for a trail up the canyon. We aren't  
17 sure, we haven't seen anything, we understand the Council might be meeting behind closed  
18 doors to have a closed meeting to go over those proposals and make a decision. For a  
19 resolution, this coalition has looked to us to help with some ideas for how to ensure public  
20 access continues in the canyon. We also think that maybe we could serve the city in some way  
21 as an advisory role at no cost, just to look at some of the other potential benefits of having trails  
22 in the canyon system that could go along with the benefits that we hope you are getting from  
23 Granite Construction in exchange for any trade you might be doing with them, or any  
24 arrangement you might be making with them for their desire to mine further up the canyon.  
25 That's our comment. Thank you."

26 Lynn Murphy, 180 W 100 S, Willard UT

27 "I would like to address the issue of why this whole trail thing is even an issue. We have a public  
28 easement there according to the Prescriptive Road Statute found in 72-5-104 of the Utah Code.  
29 It states, 'A road crossing private property becomes a public right of way if it is used by the  
30 public continuously for at least ten years.' That's not new to any of you I'm sure, we've been  
31 stating that. I'm not sure why that is not being followed. We have a city attorney, they should  
32 know that upside down. I don't understand what's not clear about that. Just wanted to bring  
33 that point up. I'm happy we have some support right now."

34 Clyde Westley, 221 E 100 S Willard UT

35 "Now, I came before the last city council meeting about a year ago with justification, reasoning,  
36 and a plan. I asked them to delay any decision on selling the city gravel for ten years. My  
37 justification was Granite could not move into city material for ten to twenty years. I spoke with  
38 Brad Sweet and he said it would probably be closer to ten years. My reasoning was, if Willard



1 City opens a gravel pit, what would stop anyone else. My plan was to protect two parcels of  
2 property around Cook's Canyon owned by a gravel interest for a future pit. If that pit opens up,  
3 pretty much the entire east side of Willard will become a gravel pit. I have been in touch with  
4 Daniel Olson from the habitat group with the Division of Utah Wildlife Resources. He said, 'The  
5 two parcels are the type of property that the state tries to protect. However, it's a very involved  
6 process. It can take years to complete.' First they would have to determine if the purchasing of  
7 the land was even an option. He did agree that ten years was a reasonable time. And I figured if  
8 it didn't happen in ten years, it wouldn't happen. This property is a critical wildlife winter range  
9 and the Bonneville Shoreline Trail passes through both parcels. Federally owned property is  
10 almost surrounding it, and just south of the government property is owned by the State of Utah,  
11 Brigham Face Wildlife Management area. The state and federal government work together on  
12 these areas, keeping ownership separate, but working together for a common goal: Wildlife  
13 Management. The Federal government and the state of Utah also have a stake in the Bonneville  
14 Shoreline Trail. Bill HR 2551 Bonneville Shoreline Trail Advancement Act was introduced by Utah  
15 representative, John Curtis. The Utah State Legislature has created the Bonneville Shoreline Trail  
16 program to fund the development of the trail. Governor Spencer Cox has said, "The Bonneville  
17 Shoreline Trail is a treat for Utahns and visitors alike." With more public awareness and support,  
18 these two parcels could become a higher priority for our state to protect and purchase. I would  
19 like to see Willard City strive to protect what is left of the mountain to the east. It is a premier  
20 view from Willard Bay. It is also one of the showcases of the mountains along the Wasatch  
21 Front, a significant number of people pass through this area very close to this area on a daily  
22 basis. Thank you for your attention."

23 Sydney Stevens, Farmington, UT, IORAA

24 "Our organization is really focused on the benefits of prioritizing recreational assets in  
25 communities. Willard really is sitting on a gold mine in a sense of gravel in Willard Canyon. It  
26 already has a great reputation with rock climbing and ice climbing communities as well as with  
27 hikers. A lot of what our organization does is go into communities that have had previous  
28 relationships with mining companies and agricultural companies that quickly decimate the land  
29 by over using and not being prudent with the resources that they use. Of course, you already  
30 have relationships with the mining company as it is, but I want to encourage prudence with how  
31 much you let them go into the canyon and selling land that you already have. Recreational  
32 tourism is a multi-million dollar industry and it's growing exponentially. Half of the top 25 most  
33 growing sports in the US are all dependent on wilderness spaces. The money to that is quite  
34 prominent and has supported a lot of small communities similar to Willard that is a little more  
35 spread across the city in restaurants, direct farm purchases, hospitality and other things. I would  
36 just encourage thoughtful consideration about the way that you can consider your canyon. Not  
37 just from an environmental aspect, but from a utilitarian aspect of its value to your city."



1 **5. 2023 Audit Report presentation by Cami Moss, Child Richards LLC, and Chuck Palmer,**  
2 **Christensen, Palmer, and Ambrose.**

3 Cami Moss from Child Richards CPAs and Advisors gave an update. She stated that the audit was  
4 completed before the deadline of December 31, 2023 and posted to the state auditor's  
5 website. She explained that on page one, the Independent Auditor's Report, is the opinion of  
6 the auditors. This report states there were no major concerns regarding the following:  
7 identifying and assessing the risks of material misstatement, obtaining an understanding of  
8 internal controls of the city, evaluating the appropriateness of accounting policies, and  
9 concluding whether there are any conditions that are a going concern.

10 She directed the Council to page 60, which states there were no findings that raised concerns.  
11 Willard City was in compliance with state laws in all aspects. They also evaluated the internal  
12 controls, and they were deemed acceptable.

13 She asked the Council to refer to the most recent financial statements she provided. The fiscal  
14 year began on July 1, 2023, so only 50% of the year has passed as of this meeting. The report  
15 shows that the revenues to date are over budget by 54.6%. She said this is normal. Expenditures  
16 to date are under budget at 42.1%, also normal. She said, overall things are looking good and  
17 Willard is in close alignment with their budget. The taxes have exceeded the budget of revenues  
18 and is currently at 72.8%. The main reason for this is the Gravel Tax that started coming in  
19 November and December of 2023. The budget will be amended to accommodate these new tax  
20 amounts. Licenses are below budget at 39.8%. Planning and zoning is at 46.7%. All other general  
21 fund departments are close to or below the 50% of expenditures.

22 She stated there was an additional \$101,000 in the general fund at the end of 2023. These funds  
23 must be committed by June 30, 2024. The project that will be covered by these funds must be  
24 under contract or spent by June 30, 2024. Cami Moss said that Utah State Law requires the city  
25 cannot have an accumulated fund balance of over 35% of the city's revenue in the general fund  
26 for that current year. She said Willard is currently at 47%, about \$270,000 above the limit. She  
27 recommends moving those funds to capital projects and allowing some of the aging equipment  
28 to be replaced. She said there will be some budget amendments done as the end of the fiscal  
29 year approaches, which is normal.

30 77.6% of the capital projects fund has been spent on police vehicles.

31 The enterprise funds (water and garbage funds) revenues are at the budget at 46.5%, and  
32 expenditures are 36%. She said the sewer fund is also looking great.

33 Council Member Braegger asked about the insurance. He says it seems to be overlooked, "Is  
34 that just because of the time of year?" Cami Moss responded that the insurance payment is  
35 made yearly, and it was estimated low and might have been underestimated.

36 **Motion: Council Member Braegger motioned to accept the audit report. Council Member**  
37 **Mund seconded the motion. All in favor. Motion carried.**

38

1 **6. Planning Commission Report**

2 Planning Commission was canceled on January 4, 2024.

3 **7. New Business**

- 4 a. Discussion/Action on Ordinance 2024-01 Willard City council annexing the Orchard  
5 Annexation property into Willard City which has been approved for annexation by the  
6 Box Elder County Commission.

7 Council Member Braegger mentioned that John Larkin's comments have previously  
8 been discussed. He said there will have to be a retention facility, which will require the  
9 developers to come up with a way for the water to remain off of Mr. Larkin's land.

10 Council Member Hulsey asked, "If this gets annexed into Willard, does that kind of  
11 cement that we are going to end up annexing all of South Willard in? Or can we put a  
12 pause on annexing pieces until we figure that part out?" The Mayor said there is this  
13 annexation and several more in the pipeline. He said, if we don't take everything in  
14 South Willard in, we end up with a pockmarked city. Council Member Hulsey asked how  
15 annexing South Willard into Willard City limits would work. Mayor Mote said he has  
16 spoken with the County Commissioner Perry about this issue. The county is prepared to  
17 let Willard City annex South Willard into city limits. He said the county is supposed to  
18 work with their attorneys and discuss setting up a public meeting. There are some  
19 concerns in the county about the soils on the west side of the highway being able to  
20 contain septic tank waste. If residents in South Willard connect to the Willard sewer  
21 line, they will most likely need to be annexed in to cover the sewer expenses. Council  
22 Member Mund agreed with the Mayor that further discussion needs to be had about  
23 annexing properties one by one or doing a blanket annexation. There is an option for  
24 South Willard becoming their own city, which has been turned down in the past. Council  
25 Member Hulsey said she has spoken with a few people who are strongly opposed to  
26 being annexed into Willard City. Council Member Braegger said the South Willard tax  
27 base is relatively low, and the county is aware of that and wanting to make some  
28 change. Colt Mund said the county has imposed a municipal tax for South Willard  
29 residents, which could lead to them being more in favor of annexing into Willard City.

30 Council Member Braegger said that the City Council in 2004 completed an annexation  
31 zone, which goes to the county line to the south and to the bay to the west. The  
32 Annexation Zone indicates land that is continuous to Willard so it could be considered  
33 for annexation. Colt Mund explained that the state code requires each municipality to  
34 have an annexation zone. The Mayor explained that the county's new ordinance  
35 requires that anyone in the annexation zone come to Willard for services. Colt Mund  
36 explained that the county would prefer to have South Willard annexed into Willard City,  
37 which explains their reasoning behind this ordinance.

38 Colt Mund reminded the Council of the previous edits to this ordinance: the applicants  
39 are compliant with Willard City's Dark Sky ordinance, the HOA will have a one year



1 probatory period to determine its viability, and the maximum density being tied to  
2 the number of units to be built.

3 **Motion: Council Member Mund motioned to approve Ordinance 2024-01. Council**  
4 **Member Braegger seconded the motion. Roll call vote. All in favor. Motion carried.**

5 b. Present Hadfield Annexation to City Council to deny or accept for further consideration.

6 This is not an approval of an annexation, this is just to determine if the City Council is  
7 interested in moving forward with this annexation. Zach Ainsworth was present and  
8 gave some information. Hadfield Construction is a small construction company based in  
9 Mississippi and has a branch in Ogden currently. They perform railroad construction.  
10 They are looking to build a new location in Willard to replace their Ogden property. It's a  
11 20 acre parcel and the furthest west 8 acres will be rezoned for commercial use and the  
12 other 12 will remain farmland. Council Member Braegger explained there may need to  
13 be a new sewer pump installed in the area, or septic tanks will need to be installed. Zach  
14 Ainsworth said they have talked with Utah State Water Resources about water, and they  
15 are going to redo the well on the property.

16 Mayor Mote said he didn't want to delay Zach Ainsworth's process by hashing it out  
17 among the Council. Council Member Braegger agreed they should punt it to the county.

18  
19 **Motion: Council Member Braegger motioned to deny the annexation request. Council**  
20 **Member Mund seconded the motion. All in favor. Motion carried.**

21  
22 c. A request to the City Council from Dave Evans for a streetlight on 300 E and 50 S.

23 Dave Evans has spoken with Bryce Wheelwright and is worried about his elderly  
24 neighbor, Carma Gregerson. He reported that he has chased wildlife away from the  
25 area. He would like to request the city put in a street light up there. The dirt road  
26 leading to her house is owned by the city. Council Member Mund asked how much it  
27 costs to put in a street light. Bryce said the city would have to purchase the fixture, but  
28 Rocky Mountain Power would maintain it. Bryce said his solution would be to put a bar  
29 light on the building. Council Member Mund said the Council should recommend  
30 installing a light on her building. Dave Evans reported that there was solar lighting  
31 installed but it didn't work well. Mayor Mote said the streetlight would typically go on  
32 the corner, which is a distance from their houses. Bryce Wheelwright said he would like  
33 to go up there at night to see how dark it is. Council Member Mund said he would like to  
34 consider other solutions other than a streetlight. The rest of the Council agreed. Council  
35 Member Braegger suggested sending the officers up there to investigate. Mayor Mote  
36 said he would be willing to help her install a motion sensor light.



- 1
- 2
- 3 d. Discussion/Action on the Development Agreement for Kunzler Subdivision.
- 4 Moved to January 25, 2024 meeting.
- 5

6 **8. Minutes & Information**

- 7 a. Approval of the December 14, 2023 City Council Meeting minutes.
- 8 Moved to January 25, 2024 meeting.

- 9 b. Approval of November 30, 2023 City Council Meeting minutes.

10 **Motion: Council Member Braegger motioned to approve the November 30, 2023 City**

11 **Council Meeting minutes. Council Member Mund seconded the motion. All in favor.**

12

13 **9. Financial**

- 14 a. Warrants, Vouchers, Reports

15 **10. Department Reports**

- 16 a. Public Works

17 Payden Vine, Public Works Director was present. They have been using the new blue salt

18 that seems to be working better. Payden reported there was an issue with some of the

19 new meters, and Austin from Master Meter was out repairing meters and programming

20 them. They have been working with the Police Department to tag cars left out on the

21 road during the snow storms.

- 22 b. Police Department

- 23 c. Fire Department

24 Van Mund told Council Member Mund that he would like to follow up with the survey.

25 Mayor Mote said Van could text him and he will pass it on to Susan.

26 **11. Council Member Reports**

- 27 a. Mike Braegger

28 Council Member Braegger mentioned that a resident had recently contacted him about

29 their water bill. The meter went unread for a long time because the Public Works

30 couldn't locate the meter. When it was finally found and read, the resident was left with

31 a large balance on their bill. The resident was told they didn't have to pay it all at once,

32 but they needed to begin paying it off. The resident had made their monthly minimum

33 payment every month and wasn't aware they were going over their allotted usage.

34 Council Member Braegger has spoken with Michelle Drago about it. He asked how it is

1 going to be moving forward. Payden Vine said they thought the city was only going to  
2 charge them half of the amount. Mayor Mote said that is the case if there is a leak in the  
3 water line. Mayor Mote said he doesn't currently agree with the current policy that  
4 residents are required to pay for the water even if they aren't using it. He would like the  
5 city to be able to shut off the water and leave it off if it's not being used. Payden Vine  
6 said they still need to be charged a minimum connection fee.

7 Council Member Braegger would like to know what he should say to residents with this  
8 issue. Mayor Mote said it is the residents responsibility to keep the meter  
9 visible/accessible. Payden Vine said there are several meters that don't line up with the  
10 properties. There are 25 meters that haven't been located in some time. Mayor Mote  
11 said they should contact residents that they are responsible for locating their water  
12 meter, and tell them they have a month to locate it. Payden said they do their best to  
13 locate as many as they can using metal detectors, but still many of these haven't been  
14 found. Council Member Hulse suggested calculating the monthly average and using  
15 that amount to help them get caught up. Michelle Drago hasn't been given the  
16 discretion to waive these fees, said Mayor Mote.

17 Payden said they have sent out letters asking people to locate their meters, but they  
18 have only received ten responses back. Council Member Mund said it's not right to  
19 charge people for water used before the home was purchased, and it can be difficult to  
20 tell who should be responsible for the water bill when people move in and out. He  
21 suggested that the meters need to be located and then the residents need to be  
22 charged according to their water usage from that point on. When unknown meters are  
23 located, the residents should not be responsible for the back pay from the time the  
24 meter was not read (as long as they have been making a minimum monthly payment).  
25 Mayor Mote said he agreed with that but emphasized finding the unknown meters. Colt  
26 Mund said he could research what steps need to be taken to find these meters. Council  
27 Member Braegger asked that this be added to the next agenda.

28 Council Member Braegger also brought up the repair project on Hargis Hill road.

29 Last year, Flood Control raised the impact fees in district one from .07 to .26 impervious  
30 foot. This rate is the same as South Willard's. This change began on January 10, and  
31 Bryce Wheelwright is moving forward with it.

32 The city engineers are working on solutions for north cook's canyon and the flooding  
33 that occurred on 200 S. A larger basin needs to be built up above to prevent future  
34 flooding. Flood Control and the engineers are working on this project.

35 Payden reported that some individuals have been ice fishing on the fishing pond, which  
36 is dangerous as there is running water in the pond. Council Member Braegger suggested  
37 adding a "Dangerous Ice" sign. Payden will look into getting a sign made and posting it.

38 b. Rod Mund



1 No updates.

2 c. Jacob Bodily

3 No updates.

4 d. Jordan Hulsey

5 No updates.

6 e. Rex Christensen

7 Excused.

8 **12. Next agenda items (January 11, 2024)**

9 a. Water Plan.

10 b. Approval of the December 14, 2023 City Council meeting minutes.

11 c. Discussion/Action on the Development Agreement for Kunzler Subdivision.

12 d. Presentation by the Family Support Center.

13 e. Colt Mund presentation on the Open Meetings Act.

14 **13. Mayor's General Correspondence and Information**

15 Mayor Mote has been told by another mayor that he has some eight millimeter tape of  
16 the Willard Bay Construction and possibly some canyon information. He said he is willing  
17 to give it to Willard City if Willard is willing to convert it to electronic form. It is around  
18 \$100. Bryce Wheelwright said Lisa Clark also has a video of the first blast in the canyon  
19 that needs to be converted as well.

20 Mayor Mote said two more representatives are needed. One to replace Fred Ward on  
21 the Mosquito Abatement and one to replace Kaleb Kunzler on the Sewer Board. Council  
22 Member Christensen was nominated to be on the Sewer Board, and the Mayor will  
23 discuss this with him. Council Member Bodily offered to be on the Mosquito Abatement  
24 Board.

25 Mayor Mote would like to have a planning session about water. It is becoming more and  
26 more important that the city decide what they are going to do with the existing water  
27 the city has. There are a lot of requests coming in. Council Member Mund said future  
28 projects to improve the water system also need to be discussed. By state law, Willard  
29 City needs to have a Water Plan by 2025. An analysis has been done, but it needs to be  
30 determined what needs to be in the Water Plan.

31 Mayor Mote brought up the monument for Marlene Braegger Jones. It has been  
32 suggested that a bench be put in at the Pioneer Cemetery. He asked what Council  
33 Member Braegger's thoughts on that were. Council Member Braegger reported they  
34 have received some donations and they have put that money away to help with the



1 monument. Council Member Mund said a bench would be nice, but a plaque would be  
2 nice, too. Council Member Hulsey said she knows someone who does laser engraving  
3 and will speak with them to get a cost estimate.

#### 4 **14. City Manager's Report**

5 **Consideration of Motion to Enter a Closed Session** (if necessary) pursuant to UCA §52-4-205 (a)  
6 except as provided in Subsection (3), discussion of the character, professional competence, or  
7 physical or mental health of an individual; (b) strategy sessions to discuss collective bargaining;  
8 (c) strategy sessions to discuss pending or reasonably imminent litigation; (d) strategy sessions  
9 to discuss the purchase, exchange, or lease of real property, including any form of a water right  
10 or water shares (e) strategy sessions to discuss the sale of real property, including any form of a  
11 water right or water shares; (f) discussion regarding deployment of security personnel, devices,  
12 or systems; or (g) investigative proceedings regarding allegations of criminal misconduct.

13 **Motion: Council Member Mund motioned to move into a closed session to discuss mitigation**  
14 **and personnel. Council Member Braegger seconded the motion. All in favor. Meeting entered**  
15 **a closed session.**

16 **Motion: Council Member Mund motioned to open regular city council meeting. Council**  
17 **Member Bodily seconded the motion. All in favor.**

18 **Motion: Council Member Mund motioned to finalize Jeremy Kimpton's contract. Council**  
19 **Member Braegger seconded the motion. All in favor. Motion carried.**

20 **Motion: Council Member Mund motioned to close the January 11, 2024, City Council meeting.**  
21 **Council Member Bodily seconded the motion. All in favor. Meeting closed.**