

FILLMORE CITY COUNCIL MEETING

July 18, 2023

Minutes of the regular meeting of the Fillmore City Council held July 18, 2023 in the Council Chambers of the Fillmore City Building. Notice of the time and place of the meeting was posted on the Utah State Public Notice website, the Fillmore City website, the Council Chambers, the City Office bulletin board, and the President Millard Fillmore Library. Notice was also provided to the Chronicle-Progress, radio station KMTI and each member of the governing body on July 14, 2023.

Those present were:

Mayor:	Michael D. Holt	Council:	Curt Hare
Attorney:	Elise Harris		Kyle Monroe
Recorder:	Kevin Orton		Eric R. Jenson (excused)
			Michael B. Winget (excused)
			Dennis W. Alldredge

Others present were: Wayne Aston, Devan Shields, Dan Rowley, and Sherry Hare

6:30 p.m. Welcome by Mayor Holt and pledge of allegiance.

ADMINISTRATIVE BUSINESS

Minutes

MOTION: To accept the meeting minutes from the July 6, 2023 council meeting, as written.

By: Councilmember Hare

Second: Councilmember Monroe

Vote: Unanimous. Motion carried.

Payroll and Bills

MOTION: To approve the payment of bills listed on the invoice register dated July 7, 2023 – July 18, 2023 and payroll dated July 15, 2023.

By: Councilmember Monroe

Second: Councilmember Hare

Vote: Unanimous. Motion carried.

Licenses and Permits

- Business License Application BL23-20 for Willoughby Produce, Owner: John Willoughby. Business description includes sale of produce from a stand to be located on Main Street.
- Business License Application BL23-21 for Fillmore Feed & Farm, Owner: Ian Adams. Business description includes a feed and farm store.

48 **PUBLIC HEARING**

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50 MOTION: To go into a public hearing at 6:36 p.m. to receive public comment
51 regarding consideration of approval of a subdivision application for the
52 Ridges Subdivision located at approximately 200 East to 700 East and
53 500 South to 340 South (Parcel F-7039-A) for a major subdivision.
54 Applicant: Fillmore Homes, LLC.
55 By: Councilmember Hare
56 Second: Councilmember Monroe
57 Vote: Unanimous. Motion carried.
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59 The council asked if there were any outstanding engineer's comments that need to be
60 addressed, to which Devan Shields of Sunrise Engineering stated that there are two comments
61 outstanding that need to be addressed.
62

63 MOTION: To go out the public hearing at 6:37 p.m.
64 By: Councilmember Monroe
65 Second: Councilmember Alldredge
66 Vote: Unanimous. Motion carried.
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69 **COMMUNICATIONS AND REQUESTS**

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71 Councilmember Hare stated that the current city council collectively possesses seven college
72 degrees, 60-plus years of working for the Federal Government, two retired law enforcement
73 officers, and one retired educator. Additionally, three of the council members are retired and
74 two are currently working in their current careers. With this information, Councilmember Hare
75 went on to say that this council, whether considering a large or small city, possesses a good
76 amount of education and life experiences. Councilmember Hare continued to say that while
77 developers who have come to Fillmore have done and are currently doing very good things for
78 Fillmore, some have expressed that Fillmore City is a small community with a "backwoods"
79 mentality, and that some big city developers have a propensity to try and tell Fillmore City
80 "how things should be done." Councilmember Hare emphasized that the city council, with
81 their education and real-life experience, are more than capable of assessing and deliberating to
82 make good, thoughtful, and sound decisions when it comes to what is best for Fillmore and its
83 community. It was also mentioned that the next city council that will be in place in January of
84 2024 includes a community member who has already served two city council terms and two
85 terms as Mayor for Fillmore City, thus perpetuating a council that has plenty of relevant
86 experience.
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95 **OTHER BUSINESS BROUGHT BEFORE COUNCIL**

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97 Annexation and Development Agreement for the Valley Forge Impact Park Fillmore Between
98 Fillmore City and Valley Forge Impact Park, LLC

99 Wayne Aston, of Valley Forge Impact Park, LLC shared the most recent update of the
100 development agreement between Valley Forge Impact Park, LLC and Fillmore City and asked
101 for the council's approval of this agreement. Mr. Aston acknowledged that the city council had
102 asked that the development plans contained in this agreement be scaled back to the original
103 plan that was first presented to the city council last year. Mayor Holt reiterated that the city
104 will only consider approval of Phases 1 and 2 of the project, and that no plans beyond those
105 two initial phases will be considered for approval at this time.

106
107 Councilmember Hare agreed with Mayor Holt that the council is interested in considering the
108 development plans included in Phases 1 and 2 of the overall project, however, the current
109 development agreement draft that is being reviewed and considered this evening still contains
110 development plans that are beyond the scope of (or not included in) the first two phases.
111 Councilmember Hare reiterated that the city council is very adamant that Phases 1 and 2 are
112 completed before further development be considered.

113
114 Mr. Aston expressed a desire to develop a relationship with Fillmore City that is not
115 disingenuous in that Mr. Aston wants to be able to convey to the council exactly what he wants
116 to do with his overall project plans right now. Consequently, there are some elements of the
117 project that are included in phases beyond the first two phases that are contingent upon
118 financing and approvals from other entities.

119
120 Councilmember Alldredge reiterated to Mr. Aston that the council has explained to him several
121 times Fillmore City's limitations in its ability to provide adequate infrastructure for the overall
122 planned project. These limitations are a major reason that the council is willing to only provide
123 approval on the 151 acres that is owned by Mr. Aston. Councilmember Alldredge also asked
124 for clarification on projected water demand, to which Mr. Aston explained that the planned
125 extrusion facility will recycle the water in that operation thus reducing the amount of water
126 demand.

127
128 Councilmember Monroe expressed concern about the proposed facility emitting four level-D
129 carcinogens into the atmosphere. Mr. Aston stated that his goal is to be net-zero in terms of
130 emissions and stated that he would address that concern.

131
132 The council stated that they will start a review of a revised development agreement that
133 includes the changes and updates requested by the council as soon as they receive it.

134
135
136 Subdivision Preliminary Plat Application for Phases 1-A and 1-B of the Ridges Subdivision.
137 Applicant: Fillmore Homes, LLC

138 The council may accept the Planning Commission's recommendation to approve the Ridges
139 Subdivision phases 1-A and 1-B contingent on the city engineer's comment letter being
140 addressed and by through the city engineer.

142 MOTION: To approve the Ridges Subdivision phases 1-A and 1-B contingent on
143 the city engineer's comment letter being addressed and approved by the
144 city engineer.
145 By: Councilmember Alldredge
146 Second: Councilmember Hare
147 Vote: Unanimous. Motion carried.

148

149 Appointment of Mayor Pro-Tem for the Next Action Item on the Agenda

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151 MOTION: To appoint Councilmember Monroe to act as Mayor Pro-Tem for the
152 next action item on this meeting agenda.
153 By: Councilmember Hare
154 Second: Councilmember Alldredge
155 Vote: Unanimous. Motion carried.

156

157 Fillmore City Garbage Collection, Transportation, and Disposal Agreement Between Fillmore
158 City and Holt Waste

159 Mayor Pro-Tem Monroe explained that the proposed garbage collection, transportation, and
160 disposal agreement has been thoroughly reviewed by the city council and the city's legal
161 counsel and is acceptable to the council. Councilmember Hare suggested modifying the
162 agreement to require Mayor Pro-Tem Eric Jenson to sign the agreement on behalf of Fillmore
163 City after the agreement is approved by the city council.

164

165 MOTION: To approve the Fillmore City Garbage Collection, Transportation, and
166 Disposal agreement between Fillmore City and Holt Waste as presented
167 to the council with the modification of Mayor Pro-Tem Eric Jenson to
168 sign the agreement on behalf of Fillmore City.
169 By: Councilmember Alldredge
170 Second: Councilmember Hare
171 Vote: Unanimous. Motion carried.

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174 Reinstatement of Mayor for the Remainder of This City Council Meeting

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176 MOTION: To reinstate Mayor Holt as acting Mayor for the remainder of this city
177 council meeting.
178 By: Councilmember Hare
179 Second: Councilmember Alldredge
180 Vote: Unanimous. Motion carried.

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189 **COUNCIL REPORTS**

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191 Councilmember Monroe

192 **Garbage/Landfill**

- 193 • Councilmember Monroe explained that he is continuing to work with Millard County
194 regarding the Fillmore landfill and will keep the council updated on the progress.

195 **Justice Court**

- 196 • June Justice Court revenues increased significantly. Those revenues were \$9,630 of
197 which Fillmore City retained \$5,305.

198
199 Councilmember Hare

200 **Library**

- 201 • The library is utilizing every space of the library building, so there is a need for either
202 an expansion of the building or a new building altogether. If an expansion for
203 additional space is not done, some programs provided by the library may need to be
204 curtailed. Councilmember Hare has begun the process of funding considerations and
205 options for such a project.

206
207 Councilmember Alldredge

208 **Millard County**

- 209 • Pat Manis is no longer the Millard County Assessor and Laura Clarich is serving in that
210 capacity in the interim.
211 • A company named Solar One is planning on placing a solar facility within close
212 proximity of IPP.
213 • Millard County may be receiving extra funding from a federal program that includes a
214 study at the county level to repair roads in Millard County. At some point of the
215 process, Mayors across Millard County will be involved in the study to determine
216 where the federal funding can best be used for those county road repairs.

217 Mayor Holt

- 218 • The fire department will be doing search and rescue training at the airport on August 5,
219 2023.
220 • There is a company that would like to put four charging stations at Arby's. The council
221 will need to consider projected power demand amounts and decide if it would be
222 feasible with the city's current power system.

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225 **`ADJOURNMENT**

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227 Upon motion by Councilmember Hare and second by Councilmember Monroe, the meeting
228 adjourned at 7:39 p.m.

229
230 The next regularly scheduled council meeting will be held August 1, 2023 at 6:30 p.m.

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232
233 APPROVED August 1, 2023 _____

234 Michael D. Holt, Mayor