

FILLMORE CITY COUNCIL MEETING

October 17, 2023

Minutes of the regular meeting of the Fillmore City Council held October 17, 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 October 13, 2023.

Those present were:

Mayor:	Michael D. Holt (excused)	Council:	Curt Hare
Attorney:	Elise Harris		Kyle Monroe (arrived at 7:13 p.m.)
Recorder:	Kevin Orton		Eric R. Jenson
			Michael B. Winget
			Dennis W. Alldredge

Others present were: Matt Ward, Eugene Larsen, Dan Rowley, Russell Anderson, Russell Shields, Gabe Miller, Rick Roberts, Kyle Stevens, Vickiann Mitchell, Kris Ewert, and Jason Brunson.

MOTION: To appoint Councilmember Eric Jenson as Mayor Pro Tem for this meeting.

By: Councilmember Hare

Second: Councilmember Winget

Vote: Unanimous. Motion carried.

6:30 p.m. Welcome by Mayor Pro Tem Jenson and pledge of allegiance. Mayor Pro Tem Jenson excused Mayor Holt and Councilmember Monroe. Councilmember Monroe arrived later in the meeting.

ADMINISTRATIVE BUSINESS

Minutes

MOTION: To accept the meeting minutes from the October 3, 2023 council meeting, as written.

By: Councilmember Winget

Second: Councilmember Hare

Vote: Unanimous. Motion carried.

Payroll and Bills

MOTION: To approve the payment of bills listed on the invoice register dated October 4, 2023 – October 17, 2023 and payroll dated October 15, 2023.

By: Councilmember Winget

Second: Councilmember Alldredge

Vote: Unanimous. Motion carried.

Purchase Order(s)

MOTION: To approve Purchase Order 24-06 payable to Ascent Aviation Group, Inc in the amount of \$25,823.22 for purchase of 4998 LL aviation gasoline.

By: Councilmember Winget

Second: Councilmember Hare

Vote: Unanimous. Motion carried.

Licenses and Permits

- Building Permit Application 23-49 for Nolan & Chelsey Leatham located at 525 East 500 South, Lot 13, for construction of a new home.

COMMUNICATIONS AND REQUESTS

Fiscal Year 2022-2023 Annual Financial Audit Report – Kimball & Roberts

Rick Roberts, of Kimball & Roberts, quoted from the provided financial statement report that “in our opinion, the accompanying financial statements present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of Fillmore City, as of June 30, 2023, and the respective changes in the financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.”

Gabe Miller, also of Kimball & Roberts, went over the compliance reporting section of the audit and reported that there were no findings for this year’s audit, and that any prior findings from previous audits have been resolved by the city staff.

Creation of a Utah Inland Port Authority (UIPA) Project Area

Councilmember Alldredge explained the UIPA would be a governing body that would manage the financial part of the project area. Councilmember Alldredge asked the council to consider allowing for a UIPA project area on city owned, and potentially privately owned, property west of Interstate 15 in Fillmore, and wants to know if the council thinks that would be a good idea. One question to consider is how much of that area the council would like to include in the project area should the council decide to create such a project area. There is one developer that is petitioning the city to create a UIPA area, however, the area should include property that is owned by several owners so as not to provide a benefit to only one entity or business. The purpose of a UIPA is to provide financial support for infrastructure developments within the project area. Another question is whether the 300 or so acres being considered would even be large enough for a project area. There are other UIPA project areas around the state that include thousands of acres in their project areas. Councilmember Winget suggested that the city council invite the UIPA to visit the council again but to proceed with extreme caution.

96 **OTHER BUSINESS BROUGHT BEFORE COUNCIL**

97
98 Resolution 23-19 Implementing a Fence Construction Application Process

99 There is a need to implement a fence application because there have been several instances
100 where citizens begin construction of a fence and later find out that the fence needs to be moved
101 due to setback requirements in the city code. Requiring a fence application process will ensure
102 that fences are installed according to city code, thus saving the builder time and money. There
103 was also a proposal of a processing fee for the application and the council unanimously
104 decided to not implement a processing fee associated with this application process.
105

106 MOTION: To table until the next regularly scheduled city council meeting.
107 By: Councilmember Alldredge
108 Second: Councilmember Hare
109 Vote: Unanimous. Motion carried.
110

111
112 **COUNCIL REPORTS**
113

114 Councilmember Monroe arrived at this point of the meeting (7:13 p.m.)
115

116 Councilmember Monroe

117 **No report**
118

119 Councilmember Hare

120 **No report**
121

122 Councilmember Alldredge

123 **Electric**

- 124 • Construction of the new cheese plant loop line extension has made its way into town in
125 the 100 East area. That project is nearing completion.
126 • An emergency backup electrical system is needed to support the city's water supply
127 system. During the current middle eastern conflict, the first thing that happened in that
128 region of the world was that the water and power were shut off. This was mentioned
129 only to illustrate what could possibly happen here. Fillmore has two water tanks that
130 will not support the city for an extended period. If the city's electrical grid were to
131 become non-functional for an extended amount of time, Fillmore's citizens would be
132 without water. The city currently is in a contract for portable electric backup units
133 should they be needed; however, the city could still face a problem should those units
134 take a long time to arrive here. It would be better for the city to own and possess their
135 own backup generators.

136 Councilmember Winget

137 **Fire Department**

- 138 • The new rescue truck has been delivered and is on site and will be used here in Fillmore
139 as soon as the logos are applied. It is a very superb rescue truck and the department is
140 very excited about using it for rescue operations.

141 **Streets & Sidewalks**

- Councilmember Winget shared the thought of constructing a roundabout where the Millard High School Eagle is painted on Center Street so that they would not have to repaint it every year. The traffic that drives over it constantly fades it and creates a need for an annual re-painting. Councilmember Alldredge stated that if a roundabout were to go in there, that would eliminate a considerable amount of parking in that immediate area, and the seniors paint the eagle every year as part of their homecoming tradition. Councilmember Monroe suggested to wait to make that decision until after the new high school is built.

Councilmember Jenson

Other

- Love's is looking to move their annual car show into town. They would like to hold the show in one of the city's parks, preferably the Territorial Statehouse Park.

Sewer

- Any water that is treated and discharged from the city sewer lagoons can only be used on city property. Mechanical treatment of wastewater is very expensive but less restrictive on its uses. Currently there is not enough water being discharged to justify moving up to the next level of wastewater treatment. The city may want to conduct a study to determine when it might be possible to move to a higher level of treatment. Councilmember Monroe stated that even mechanically treated wastewater cannot be issued for use outside of the city's uses for it.

City Council Annual Meeting Schedule

MOTION: To change the originally scheduled city council meeting on Thursday, November 9, 2023, to Tuesday, November 7, 2023.

By: Councilmember Hare

Second: Councilmember Winget

Vote: Unanimous. Motion carried.

City Recorder/Administrator Kevin Orton

- Mr. Orton reviewed the current financial/budget report with the council.

The council directed Mr. Orton to ensure that when anyone applies for a building permit that they are told that there is to be no digging of any kind on the construction site prior to their building permit being finalized and approved.

Closed Executive Session

MOTION: To go into a closed executive session at 7:36 p.m. to discuss pending or reasonably imminent litigation. Those asked to attend the closed session in addition to all council members were Attorney Elise Harris and City Recorder/Administrator Kevin Orton. Councilmembers Alldredge, Winget, Monroe, and Hare all voted yes.

By: Councilmember Winget

Second: Councilmember Alldredge
Vote: Unanimous. Motion carried.
The council returned to the open public meeting at 7:41 p.m.

MOTION: To retain outside legal counsel to handle a legal case that Fillmore City is involved with.

By: Councilmember Monroe
Second: Councilmember Jenson
Vote: Unanimous. Motion carried.

ADJOURNMENT

Upon motion by Councilmember Monroe and second by Councilmember Hare, the meeting adjourned at 7:46 p.m.

The next regularly scheduled council meeting will be held November 7, 2023 at 6:30 p.m.

APPROVED November 7, 2023

Michael D. Holt, Mayor