

1 **FILLMORE CITY COUNCIL MEETING**

2 May 7, 2024

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4 *Minutes of the regular meeting of the Fillmore City Council held May 7, 2024 in the Council Chambers*
5 *of the Fillmore City Building. Notice of the time and place of the meeting was posted on the Utah State*
6 *Public Notice website, the Fillmore City website, the Council Chambers, the City Office bulletin board,*
7 *and the President Millard Fillmore Library. Notice was also provided to the Chronicle-Progress, radio*
8 *station KMTI and each member of the governing body on May 3, 2024.*
9

10 Those present were:

11 Mayor: Michael D. Holt Council: Curt Hare (excused)
12 Attorney: Elise Harris Kyle Stevens
13 Recorder: Kevin Orton Eugene R. Larsen
14 Michael B. Winget (excused)
15 Dennis W. Alldredge
16

17 Others present were: Dan Rowley, Devan Shields, Russell Anderson, Mike Peterson, Mark
18 Stevenson, Matt Haupt, Patritia Haupt, Larry Edwards, Don E Fullmer,
19 and Dallas Griffith.
20

21 6:30 p.m. Welcome by Mayor Holt and pledge of allegiance.
22
23

24 **ADMINISTRATIVE BUSINESS**

25
26 Minutes

27
28 MOTION: To accept the meeting minutes from the April 16, 2024 regular city
29 council meeting, as written.
30 By: Councilmember Alldredge
31 Second: Councilmember Larsen
32 Vote: Unanimous. Motion carried.
33

34 Payroll and Bills

35
36 MOTION: To approve the payment of bills listed on the invoice register dated April
37 17, 2024 – May 7, 2024 and payroll dated April 28, 2024.
38 By: Councilmember Alldredge
39 Second: Councilmember Stevens
40 Vote: Unanimous. Motion carried.
41

42 Purchase Orders

43
44 MOTION: To approve Purchase Order 24-22 payable to VersaTube Building
45 Systems in the amount of \$12,623.00 for a 30 by 30-foot summit garage
46 at the fire station.
47 By: Councilmember Alldredge
48 Second: Councilmember Stevens

49 Vote: Unanimous. Motion carried.

50

51 Licenses and Permits

- 52 • Building Permit Application 24-12 for Garrett Johnson located at 170 East 600 North,
53 Lot 16, for construction of a new house.
- 54 • Building Permit Application 24-16 for OLC Construction Group located at 10 South
55 Main Street (Eagle Market), for decorative reconstruction of the existing business
56 building.
- 57 • Building Permit Application 24-21 for Chad Vawdrey located at 195 East 600 North,
58 for construction of a new house.
- 59 • Building Permit Application 24-14 for Brandon Bartholomew located at 545 North 200
60 East, Lot 22, for construction of a new house.

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62

63

PUBLIC HEARINGS

64

65 MOTION: To go into a public hearing at 6:36 p.m. to receive public comment
66 regarding amendments to the entirety of the Fillmore City Municipal
67 Code, Title 10, Chapter 6: Agricultural Zoning District, generally,
68 including but not limited to the use table and development standards.

69 By: Councilmember Larsen

70 Second: Councilmember Alldredge

71 Vote: Unanimous. Motion carried.

72

73 The council explained that this is part of an ongoing effort to update the city's code in the land
74 use section. There were no comments offered by the public.

75

76 MOTION: To go out of the public hearing and into another public hearing at 6:40
77 p.m. to receive public comment regarding amending the Fillmore City
78 Zoning Map for property located at approximately 600 West 900 South,
79 totaling approximately 6.9 acres, to reflect a change of zone to the
80 Residential Multi-Family (RMF) Zoning District Overlay and approving
81 the execution of a development agreement.

82 By: Councilmember Stevens

83 Second: Councilmember Alldredge

84 Vote: Unanimous. Motion carried.

85

86 There were no comments offered by the public.

87

88 MOTION: To go out of the public hearing and into another public hearing at 6:45
89 p.m. to receive public comment regarding amendments to the entirety of
90 the Fillmore City Municipal Code, Title 10, Chapter 7: Rural Residential
91 District, generally, including but not limited to the use table and
92 development standards.

93 By: Councilmember Stevens

94 Second: Councilmember Alldredge

142 MOTION: To approve the uncollectable utility write-off amount for 2024 in the
143 amount of \$106.05.

144 By: Councilmember Larsen

145 Second: Councilmember Stevens

146 Vote: Unanimous. Motion carried.

147

148 Ordinance 24-13, Amending the Fillmore City Zoning Map to Show a Change of Zone for
149 Property Located at Approximately 600 West 900 South, Totaling Approximately 6.9 Acres, to
150 a Residential Multi-Family (RMF) Overlay and Approving the Execution of a Development
151 Agreement.

152 Mike Peterson and Mark Stephenson discussed with the council a few items that are included
153 in the draft development agreement. The main item discussed was reconstruction of 900 South
154 and who will be responsible for what portions of that reconstruction.

155

156 MOTION: To table until the May 21, 2024 city council meeting to allow time for
157 additional revisions to the draft development agreement.

158 By: Councilmember Alldredge

159 Second: Councilmember Larsen

160 Vote: Unanimous. Motion carried.

161

162 Ordinance 24-14, Amending the Entirety of Fillmore City Municipal Code, Title 10, Chapter 6:
163 Agricultural Zoning District, Generally, Including but not Limited to the Use Table and
164 Development Standards.

165 Amendments are being made to this section of the code to provide needed clarification of
166 certain parts of the code section.

167

168 MOTION: To adopt Ordinance 24-14.

169 By: Councilmember Alldredge

170 Second: Councilmember Larsen

171 Roll-Call Vote:

172 Councilmember Stevens – Yes

173 Councilmember Alldredge – Yes

174 Councilmember Larsen - Yes

175 Unanimous. Motion carried.

176

177 Ordinance 24-15, Amending the Entirety of Fillmore City Municipal Code, Title 10, Chapter 7:
178 Rural Residential Zoning District, Generally, Including but not Limited to the Use Table and
179 Development Standards.

180 Amendments are also being made to this section of the code to provide needed clarification of
181 certain parts of the code section.

182

183 MOTION: To adopt Ordinance 24-15.

184 By: Councilmember Alldredge

185 Second: Councilmember Stevens

186 Roll-Call Vote:

187 Councilmember Stevens – Yes

188 Councilmember Alldredge – Yes

189 Councilmember Larsen - Yes
190 Unanimous. Motion carried.

191

192 Ordinance 24-16, Amending the Fillmore City Municipal Code, Title 8, Chapter 3: to Include a
193 Section Regarding the City Shutting Off Water for the Purpose of Making Repairs, Extending
194 Lines, or for Other Purposes.

195 Adding this section to the code will make it easier for the city to communicate water shut offs
196 for culinary system repairs to the public and businesses before such action takes place.

197

198 MOTION: To adopt Ordinance 24-16.

199 By: Councilmember Larsen

200 Second: Councilmember Stevens

201 Roll-Call Vote:

202 Councilmember Stevens – Yes

203 Councilmember Alldredge – Yes

204 Councilmember Larsen - Yes

205 Unanimous. Motion carried.

206

207 Resolution 24-08, Terminating the Schedule Rider Power Cost Adjustment (PCA) that is
208 Currently in Place.

209 Earlier in the year, the city council decided to increase the base power rate by 2.0% with the
210 stipulation that the PCA would be terminated in May of this year (2024).

211

212 MOTION: To adopt Resolution 24-08.

213 By: Councilmember Stevens

214 Second: Councilmember Alldredge

215 Roll-Call Vote:

216 Councilmember Stevens – Yes

217 Councilmember Alldredge – Yes

218 Councilmember Larsen - Yes

219 Unanimous. Motion carried.

220

221

222 COUNCIL REPORTS

223

224 Councilmember Stevens

225 **Fire Department**

226 • Recently, approximately 90% of the volunteers are responding to fire calls, which is a
227 welcomed increasing trend.

228 • A new larger fire station is needed due to recent growth in Fillmore. The fire
229 department would like to explore CIB or other funding opportunities to fund a new
230 station.

231 **Library**

232 • Councilmember Stevens stated that any work being done to design a new addition to
233 the existing library should be invoiced to the city, and that no pro-bono type work
234 should be done for this project.

235

236 Councilmember Alldredge

237 **Landfill**

- 238 • Portions of the scale have been moved up to the landfill location. It is still unknown as
239 to when the scales will be fully assembled and ready to use.

240 **Water**

- 241 • If the city is going to require water acquisition of all prospective developers, then that
242 may effectively stop all economic development in Fillmore. Many of the current
243 owners of water shares in the area are looking for more water sources. If the city or
244 other developers drill additional wells, they may need to go further west than the
245 current city wells to find it.

246
247 Councilmember Larsen

248 **Airport**

- 249 • Councilmember Larsen stated that the city's new airport engineering firm (J-U-B
250 Engineering) does a very good job with the city's airport engineering needs.
251 • There is a developer that is looking for 5 acres near the airport on which to construct
252 buildings for manufacturing and several hangars on the south side of the airport
253 runway. This operation is projected to provide 20 to 30 new jobs in Fillmore.

254
255 Mayor Holt

- 256 • Mayor Holt referred to a Fillmore ordinance verifying that homeowners are responsible
257 for all repairs to sewer lateral lines.
258 • There is an asphalt requirement in the city's Industrial Park policy that Mayor Holt
259 brought to the council's attention as a matter of information.

260
261 Closed Executive Session

262
263 MOTION: To go into a closed executive session at 8:12 p.m. to discuss the
264 purchase, exchange, or lease of real property, if public discussion of the
265 transaction would prevent the public body from completing the
266 transaction on the best terms possible, as described in Subsection 52-4-
267 205(1)(d) of Utah Code annotated. Those asked to attend the closed
268 session in addition to all councilmembers were Attorney Elise Harris
269 and City Administrator/Recorder Kevin Orton. Councilmembers
270 Alldredge, Stevens, and Larsen voted yes.

271
272 By: Councilmember Alldredge
273 Second: Councilmember Stevens
274 Vote: Unanimous. Motion carried.

275
276 The council returned to the open public meeting at 8:55 p.m. where they allowed Dallas
277 Griffith to address them regarding a recent property purchase that he made within
278 Fillmore city limits. During the discussion, the city council repeatedly referred to city
279 ordinance in maintaining that the building on said property cannot be reconstructed as it
280 is a non-conforming use in that zone within the city.

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282

ADJOURNMENT

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Upon motion by Councilmember Stevens and second by Councilmember Larsen, the meeting adjourned at 8:55 p.m.

The next regularly scheduled council meeting will be held May 21, 2024 at 6:30 p.m.

APPROVED May 21, 2024 _____
Michael D. Holt, Mayor