

FILLMORE CITY COUNCIL MEETING

June 18, 2024

Minutes of the regular meeting of the Fillmore City Council held June 18, 2024 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 June 14, 2024.

Those present were:

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

Others present were: Russell Anderson, Karen Anderson, Mike Peterson, Rachel West, Kevin Morris, Mark Stevensen, and Larry Edwards.

Councilmember Hare made a motion to appoint Councilmember Alldredge as Mayor Pro Tempore for this meeting. The motion was seconded by Councilmember Stevens. All voted in favor. Motion carried.

6:30 p.m. Welcome by Mayor Pro Tempore Alldredge and pledge of allegiance.

ADMINISTRATIVE BUSINESS

Minutes

MOTION: To accept the meeting minutes from the June 4, 2024 city council meeting, as corrected.

By: Councilmember Winget

Second: Councilmember Larsen

Vote: Unanimous. Motion carried.

Payroll and Bills

MOTION: To approve the payment of bills listed on the invoice register dated June 5, 2024 – June 8, 2024 and payroll dated June 9, 2024.

By: Councilmember Hare

Second: Councilmember Winget

Vote: Unanimous. Motion carried.

49 Purchase Order

50
51 MOTION: To approve Purchase Order 24-25 in the amount of \$7,200 payable to
52 Power West Engineering for purchase of 40 Tantalus electric meters.
53 By: Councilmember Winget
54 Second: Councilmember Stevens
55 Vote: Unanimous. Motion carried.
56

57 Licenses and Permits

- 58 • Building Permit Application 24-27 for Bruce and Mary Robison located at 295 South
59 100 East for construction of a new garage.
- 60 • Building Permit Application 24-31 for Quinn Harrison located at 110 West 100 North
61 for construction of a new bedroom and bathroom to an existing house.
62
63

64 **PUBLIC HEARINGS**

65
66 MOTION: To go into a public hearing at 6:38 p.m. for the purpose of receiving
67 public comment regarding a proposed simple lot subdivision located at
68 290 North 400 West. Applicant: Colton and Megan Darnell.
69 By: Councilmember Hare
70 Second: Councilmember Larsen
71 Vote: Unanimous. Motion carried.
72

73 There were no comments offered by the public.
74

75 MOTION: To go out of the public hearing and into another public hearing at 6:40
76 p.m. to receive public comment regarding amending the Fillmore City
77 Municipal Code Subdivision Sections, in that Section 10-18-4 (Minor
78 Subdivisions 4-9 that do not require a plat) be removed from the code,
79 and to keep within the code Section 10-18-3 (Simple Lot, 1-3 lots), and
80 to combine the Minor and Major Subdivisions (4 or more lots) that
81 require a plat.
82 By: Councilmember Hare
83 Second: Councilmember Stevens
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 the regularly scheduled city
89 council meeting at 6:42 p.m.
90 By: Councilmember Hare
91 Second: Councilmember Larsen
92 Vote: Unanimous. Motion carried.
93
94
95

96 **COMMUNICATIONS AND REQUESTS**

97
98 Discuss Possible Lease of Fillmore City Land for a Digital Billboard – Millard County
99 Tourism, Rachel West and Kevin Morris

100 Millard County Tourism is currently working on installing a digital billboard somewhere along
101 Interstate 15 in or near Fillmore. One of the preferred locations where they would like to put
102 the billboard is located on Fillmore City-owned property. Millard County Tourism is applying
103 for a co-op State grant to help fund the billboard. The council came to a unanimous consensus
104 to move forward with assisting Millard County Tourism with this project with an
105 understanding a lease agreement will need to be negotiated and executed by the parties.

106
107
108 **OTHER BUSINESS BROUGHT BEFORE COUNCIL**

109
110
111 Ordinance 24-13, Amending the Fillmore City Zoning Map to Show a Change of Zone for
112 Property Located at Approximately 600 West 900 South, Totaling Approximately 6.9 Acres, to
113 a Residential Multi-Family (RMF) Overlay and Approving the Execution of a Development
114 Agreement.

115
116 MOTION: To adopt Resolution 24-13 and the development agreement with the
117 correction to reflect the correct acreage amount.

118 By: Councilmember Hare

119 Second: Councilmember Larsen

120 Roll-Call Vote:

121 Councilmember Hare - Yes

122 Councilmember Winget – Yes

123 Councilmember Larsen - Yes

124 Councilmember Stevens - Yes

125 Unanimous. Motion carried.

126
127 Simple Lot Subdivision for Colten and Megan Darnell Located at 290 North 400 West.

128
129 MOTION: To approve the simple lot subdivision located at 290 North 400 West for
130 Colten and Megan Darnell.

131 By: Councilmember Winget

132 Second: Councilmember Stevens

133 Vote: Unanimous. Motion carried.

134
135 Ordinance 23-14, Amending the Fillmore City Municipal Code Chapter 23: Home Occupation
136 The council discussed a few proposed changes to the original draft of the proposed ordinance
137 to section 10-23-5.

138
139 MOTION: To adopt Ordinance 23-14 to include the changes described above.

140 By: Councilmember Hare

141 Second: Councilmember Larsen

142 Roll-Call Vote:

Councilmember Hare - Yes
Councilmember Winget – Yes
Councilmember Larsen - Yes
Councilmember Stevens - Yes
Unanimous. Motion carried.

Ordinance 24-17, Amending the Fillmore City Municipal Code Title 10, Chapter 8A, General Commercial District, Generally, Including but not Limited to the Use Table and Development Standards.

The council discussed excluding single-family housing from the use table for this zone. Councilmember Larsen stated that including single-family housing in the light industrial district would inevitably drive out businesses from that zone. Councilmember Hare agreed and added that he would like to see apartments remain included in the list of allowed uses.

MOTION: To adopt Ordinance 24-17 to include the changes described above.

By: Councilmember Winget

Second: Councilmember Larsen

Roll-Call Vote:

Councilmember Hare - Yes
Councilmember Winget – Yes
Councilmember Larsen - Yes
Councilmember Stevens - Yes
Unanimous. Motion carried.

Ordinance 24-18, Amending the Fillmore City Municipal Code Title 10, Chapter 8B, Highway Commercial District, Generally, Including but not Limited to the Use Table and Development Standards.

MOTION: To adopt Ordinance 24-18 to include changes in the language regarding fencing standards in the code.

By: Councilmember Hare

Second: Councilmember Larsen

Roll-Call Vote:

Councilmember Hare - Yes
Councilmember Winget – Yes
Councilmember Larsen - Yes
Councilmember Stevens - Yes
Unanimous. Motion carried.

Fillmore City Fire Chief Compensation

Councilmember Stevens shared a proposal related to a possible increase in compensation for the Fillmore City Fire Department fire chief. The proposal includes starting a new chief at \$300.00 per month and increasing that amount to \$400.00 per month upon being reelected for a subsequent 3-year term. It was also proposed that an additional \$10.00 per month be added to the base amount for each fire training related certification that the chief earns. Councilmember Stevens provided a list of certifications related to fire training that can be earned. Recorder Orton will draft a resolution for consideration in the July 2, 2024 city council meeting.

COUNCIL REPORTS

Councilmember Larsen

No report

Councilmember Winget

Parks

- Two signs have been ordered for the purpose of naming the North Park amphitheater.

Councilmember Alldredge

State Legislation

- This week there will be changes to the IPP bill that has already been signed by Governor Cox. Governor Cox agreed to hold a special session to discuss concerns of involved parties. The State of Utah has indicated that they do not wish to take ownership of IPP. The State's main interest is to save the plant from closing. If the plant can be saved, there is a lot of power that can be generated for Utah's use instead of it going to California.

Landfill

- The scales are still not installed at the landfill; however, the county is starting to charge for loads coming into the landfill.

Councilmember Stevens

Celebrations

- There will be a military jet fly-over for the 4th of July event this year. Councilmember Stevens recognized the efforts of office staff and celebrations committee members in making this happen.
- The high school cheerleaders asked if they could use a flamethrower type device in the 4th of July parade. The fire chief recommended that the city council not approve of this, to which they agreed.

Councilmember Hare

Electric

- PacifiCorp recently applied for a 45% increase in electric transmission costs. This will likely increase the city's power costs as the wheeling fees will increase.

Closed Executive Session

MOTION: To go into a closed executive session at 8:14 p.m. to discuss the purchase, exchange, or lease of real property, as described in Subsection 52-4-205(1)(d) of Utah Code annotated. Those asked to attend the closed session in addition to all councilmembers were Attorney Elise Harris and City Administrator/Recorder Kevin Orton. Councilmembers Stevens, Winget, Larsen, and Hare all voted yes.

By: Councilmember Hare
Second: Councilmember Winget

236 Vote: Unanimous. Motion carried.

237
238 The council returned to the open public meeting at 8:27 p.m.

239
240 The city's legal counsel strongly advised against the city council holding work meetings with
241 developers to discuss developers' ideas in terms of city code as it relates to development issues
242 or standards. The city council recently adopted an RMF overlay ordinance for the purpose of
243 helping the housing affordability issue. In addition, Fillmore City has been compliant with
244 recently passed state legislation aimed at increasing affordability of housing. The city council
245 does not need to hold a separate work meeting to consider waiving or substantially changing its
246 development standards, particularly when the City has been and is currently now going through
247 a review and revision of its land use title with a contracted planner and there is opportunity for
248 public comment on such development standards at each noticed public hearing.

249
250
251 **ADJOURNMENT**

252
253 Upon motion by Councilmember Hare and second by Councilmember Larsen, the meeting
254 adjourned at 8:31 p.m.

255
256 The next regularly scheduled council meeting will be held July 2, 2024 at 6:30 p.m.

257
258
259 APPROVED July 2, 2024

260 Michael D. Holt, Mayor