

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, November 14, 2024**. The meeting will be held at 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 & Public Hearings

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

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. New Business

- a. Discussion regarding water allocation.

5. Minutes

- a. Approval of October 24, 2024, 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 December 12, 2024

10. Mayor's General Correspondence and Information

Deer Run Subdivision

11. City Manager's Report

Employee Christmas Party December 10, 2024, at 6:00 p.m.

12. City Planners Report

13. City Attorney Report

14. 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.

15. Adjourn

/s/ Susan O Bray

City Recorder, Willard City

Posted November 11, 2024

9.0 WATER RIGHT ALLOCATION FOR NEW DEVELOPMENT

9.1 Background

This section outlines the Willard City policy regarding water rights for current culinary water demands and for new development. The city currently holds enough water rights for current uses and for some future growth. Utah State Code (10-9a-508 (3)(b)) states that “A municipality may not impose an exaction for a water interest if the culinary water authority's existing available water interests exceed the water interests needed to meet the reasonable future water requirement of the public”. In order to comply with this section of the code, Willard City will adopt the water right policy in this section.

9.2 Current City Owned Water Rights

This is a summary of the water rights that the city currently owns for culinary water usage.

Table 9.2.1 – City Owned Water Rights

Location	Water Right No.	Volume	Notes
Springs	29-3691	200 ac*ft	Based on max. historical production
North Well	29-3690	1,400 ac*ft	Defined by right
South Well	29-1268	1,839 ac*ft	Calculated by flowrate
1936 Well	29-240	524 ac*ft	Calculated by flowrate
Total Existing Water Rights		3963 ac*ft	Total Existing Water Rights

9.3 System Specific Sizing

The total annual water use per Equivalent Residential Connection (ERC) is set by the Utah Division of Drinking Water (the Division), and it is specific to Willard’s culinary water system. The quantity is set in the System-Specific Minimum Sizing Standard as determined by the Division. These numbers will be updated periodically by the Division and this section should be updated to reflect the most current standard when it is updated.

The current annual use value per ERC was set in a letter from the Division dated November 9, 2023. Following is a summary of the values set by the Division that are pertinent to water rights issues.

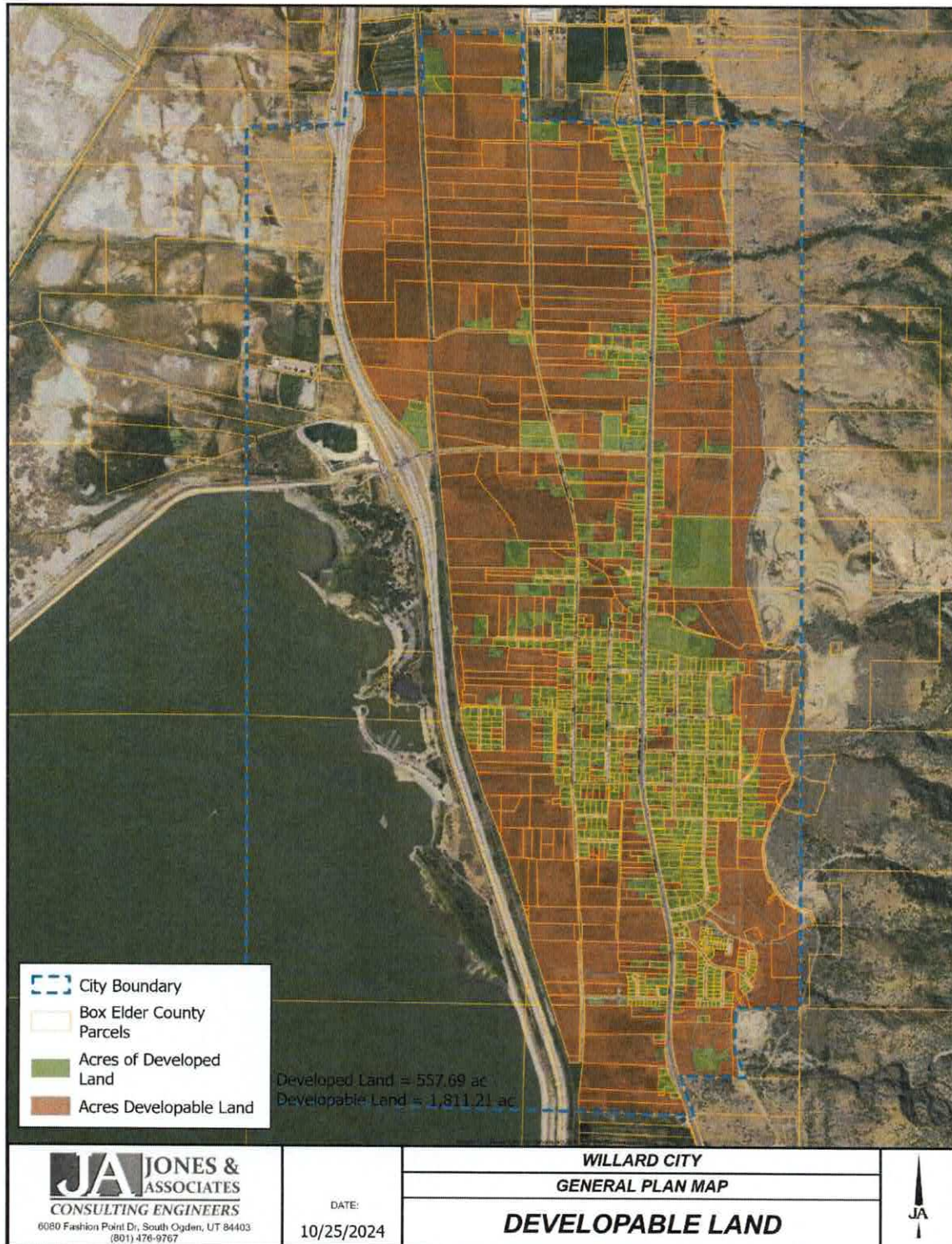
Table 9.3.1 – System Specific Sizing Summary

Description	Value	Notes
Average Annual Demand	266,434 gallons/ERC (0.818 ac*ft/ERC)	Stated in the System Specific Sizing letter
Total ERC's	906 (at the end of 2022)	Stated in the System Specific Sizing letter
Water Rights Needed for Current Operation	741.11 ac*ft	Calculated from values above

9.4 Developable Acreage

The estimated developable acres within the core city limits of Willard City are shown on *Figure 9.4.1*. The amount of developable acreage is estimated at **1811.2 acres**. Excess water rights should be credited across the developable acres for proposed residential development. Areas outside of this core center of the city should not have the credit applied.

Figure 9.4.1 – Developable Acreage



9.5 Water Right Allocation

This is a summary of how the city's water rights are allocated. The table includes some existing and future development that has been approved development without the need for additional water. This is typically done when the developer has committed other infrastructure or money toward the development of the water system. An amount has also been set aside for a buffer and for commercial development. Under this policy commercial development will not be required to bring water rights in order to develop. The credit should not be applied to multifamily housing projects.

Table 9.5.1 – Water Right Allocation

	Water Volume		ERC's		Notes
Water Rights Volume Summary					
Total Current Water Rights	3963	ac*ft			Section 9.2
Water Rights Needed for Existing Uses	741.11	ac*ft			Section 9.3 906 ERC x 0.818 acre*ft/ERC
Water Rights Held That Are in Excess of Current Demand	3221.89	ac*ft			Calculated diff.
Committed Water					
Granite and Wells property	114.52	ac*ft	140	ERC's	
Deer Run	148.06	ac*ft	181	ERC's	
Granite Ridge Subdivision	58.08	ac*ft	71	ERC's	
Set aside for future					
Buffer	263.40	ac*ft	322	ERC's	10% of remaining
Commercial	395.09	ac*ft	483	ERC's	15% of remaining
Excess Water Rights after deductions	2242.74	ac*ft	2742	ERC's	Calculated diff.
Water Credit Calculation					
Excess Water rights per developable acre	1.238	ac*ft/developed acre			2242.74 ac*ft/ 1811.2 acres

9.6 Policy Summary

Section 9 should be updated to reflect current water demands and developed acreage every 3 to 5 years. At a minimum, this should be updated when the State of Utah updates the System Specific Sizing standard for Willard City.

When calculating the water right requirement, the total impact of the development in ERC's should be multiplied by the "Base demand on system" stated below. A credit for extra water rights held by the city should then be applied by multiplying the total acreage of the development by the number shown below under "Credit for excess water rights". If the credit is equal to or greater than the base demand, no additional water rights are required. If the base demand exceeds the credit, the difference is the quantity of water that the developer must submit to the city in water rights after the water right is converted for municipal use.

Water Right Requirement for New Development

Base demand on system

0.818 acre*ft per ERC

Credit for excess water rights (when applicable)

1.238 acre*ft / developed acre

City Council Meeting

Meeting minutes

Willard City Council Meeting
October 24, 2024, 6:30 p.m.
Willard City Council Chambers
80 West 50 South Willard Utah 84340

Officials Present:

Mayor Travis Mote
Council Member Mike Braegger
Council Member Jordan Hulsey
Council Member Rod Mund
Council Member Rex Christensen
Council Member Jacob Bodily

City Staff:

Colt Mund, City Attorney
Jeremy Kimpton, City Manager
Susan K O Bray, City Recorder
Chief Theron Fielding
Madison Brown, City Planner

Others Present:

Chad Call
Lynn Murphy
Ken & Ruth Ormond

Call to Order & Public Hearings

Invocation

The meeting began with an invocation led by Council Member Braegger.

Pledge of Allegiance

The pledge of allegiance was led by Mayor Mote.

Conflict of Interest Declaration

Mayor Mote inquired if there were any declarations of conflict of interest regarding the published agenda. There were no declarations.

Open Comment Period

1 Mayor Mote initiated the open comment period, giving individuals three minutes to address
2 any topic.

3 Chad Call spoke about inconsistencies in the approval of subdivision plans for Granite Ridge
4 Phase 5. Chad highlighted discrepancies in the number of lots approved compared to the
5 original approved number and expressed concerns over clerical errors that led to an increased
6 number of lots. The issue was noted, and city staff and engineering were scheduled to review
7 it further. He commented that the subdivision shows on the master service agreement there
8 are 25 lots. 25 lots were voted on and approved. It had been recorded with 32 lots; something
9 was overlooked. He said it needs to be looked at again by the engineer, the square footage
10 and open space is going to be different from what was agreed upon. The amount of water that
11 needs to get turned over to the city is different by 7 lots. Mayor Mote stated that city
12 engineers and staff will investigate it.

13 **Planning Commission Report**

14 Mayor Mote stated the planning commission was canceled due to the lack of a quorum.

15 **New Business**

16 **Confirm Ken Ormond as an Alternate Planning Commission Member**

17 The council discussed the proposal to confirm Kenny Ormond as an alternate member of the
18 Planning Commission, replacing the current member Blake Harrop who had expressed a
19 desire to step down.

20 Motion: Council Member Mund move to approve Ken Ormond as an Alternate Planning
21 Commission Member. Council Member Bodily seconded motion. Motion carried.

22 **Certify the Bay View Estates Annexation**

23 Mayor Mote introduced the certification of the Bay View Estates annexation located at 8190
24 South Highway 89, Developer Brian Robbins. Colt Mund, City Attorney explained the city
25 had authorized it for further consideration, resulting in certification by the City Recorder and
26 City Attorney. No action was needed, as it was merely an informational step in the process
27 toward public hearing.

28 **Discussion with Willard Coalition-Lynn Murphy**

29 Lynn Murphy from the Willard Coalition thanked the council for efforts toward reopening
30 canyon access. She noted trailhead improvements but continued barriers due to existing
31 signage and fenced areas. Mayor Mote replied, acknowledging ongoing negotiations,
32 anticipated adjustments for access, and coordination with relevant entities. Lynn Murphy
33 stated word for word:

34 I wanted to thank the council members for all your efforts to restore access to the canyon. I
35 have not been able to get up there and do much hiking for the last few months, so I took a
36 quick walk up there and I noticed that there has been trail maintenance going on. I do not
37 know who exactly is responsible for that, but I very much appreciate it. The base of the south
38 trail has been repaired so that hikers do not have to scramble up steep bank to get onto the
39 trail now.

40 Also, above where the water tanks are, that fence around those water tanks. That trail above
41 there has been rerouted so that you do not have to wade through those prickly weeds. That is
42 awful. They put in some nice switchbacks to the north of that area. I would like to thank those
43 who braved the signage and the fence to make the trail more family and pet friendly.

1 Unfortunately, the fence is still a barricade to many enthusiastic hikers, and there is no good
2 entrance from the parking area. Granite has placed a chain link on their gate, so stepping
3 through it is not really an option anymore. I prefer to put the days of crawling through barbed
4 wire behind me, so I find a boulder on the south side of the gate to get around that. It is not a
5 great option for a lot of people. They really should not have to do that.

6 They should not have to decide between boulders and barbed wire to get into that area.
7 Because Granite buried access to the trail from the parking area, I personally find the best
8 option to avoid having to go through overgrown weeds is to walk up Granite's Road to turn
9 off into the canyon. I realize that is not an ideal situation since gravel trucks do occasionally
10 use that and until we have a better access point, threw, I feel that's acceptable. I do not know
11 how I feel about that. I know the city does not control what happens on the Wells property.

12 However, because the city is negotiating with Granite and the Wells family, I feel like you do
13 have the ability to encourage removal of at least a section of the fence to allow hikers to
14 access a start of the trail.

15 Also, removing signage from that area is critical to let people know that they can use the trail.
16 I have had people ask me if the trail is open or not and how they can access it. I give them my
17 own opinion and tell them it is up to you. The county has acknowledged the public easement.
18 It will eventually be recorded.

19 In the meantime, the trail needs to be used and maintained. I ask the council members, please,
20 to strongly encourage the removal of some or all the fences and signage. That is really all I
21 have to go over now. I would like to make that safer for everybody to use and more pleasant
22 and so that people know what is accessible and what is not.

23 Lynn Murphy was thanked by the Mayor for her comments.

24 **Minutes**

25 **Approval of October 10, 2024, Minutes**

26 It was brought up that Council Member Bodily was not listed on October 10, 2024, meeting
27 as being in attendance.

28 Motion: Council Member Braegger moved to approve the minutes of the October 10, 2024,
29 meeting with the amendment to list Jake Bodily as present. Seconded by Council Member
30 Christensen. Motion carried.

31 **Financial**

32 **Warrants, Vouchers, Reports**

33 The financial documents provided to the council were made available for review. They were
34 reviewed and signed.

35 **Department Reports**

36 **Public Works**

37 Updates on public works included details of snow preparation, maintenance schedules, and
38 improvements on facility structures. It was noted that preparations for winter continued on
39 schedule, despite needing additional equipment.

40 **Police Department**

41 Chief Fielding provided updates regarding the assembly of newly acquired gear with the
42 grant money they received, which was progressively beginning to arrive.

1 **Fire Department**

2 The Fire Department presented updates on repairs of equipment, specifically mentioning a
3 water pump replacement and potential offers on surplus equipment. Additionally, discussions
4 noted the dynamics of managing fire coverage alongside South Willard's fire services,
5 expressing interest in formalizing agreements to update compensation. The Mayor asked for a
6 copy of the Fire Contract with the County.

7 **Council Member Reports**

8 **Jacob Bodily**

9 No comments offered.

10 **Rod Mund**

11 Raised concerns about the maintenance of trails.

12 **Mike Braegger**

13 Noted concerns regarding legal aspects of utility charges and effectively responding to citizen
14 concern about unexpected additional utility charges.

15 **Rex Christensen**

16 Emphasized the previous discussion on beginning truth-in-taxation processes for the
17 following year, advocating it aligns municipal responsibility and attains financial
18 accountability.

19 **Jordan Hulsey**

20 No comments offered.

21 **Next Agenda Items**

22 Future agenda plans in potential fire and police agreements specifically within joint
23 municipal districts.

24 **Mayor's General Correspondence and Information**

25 No specific comment under this agenda item.

26 **City Manager's Report**

27 City staff have been actively preparing for winter conditions. The Staff have been working on
28 Civic Review. The preliminary part of the budget will be brought to the department heads in
29 January or February. Jeremy said the truth and taxation will take place February or March.
30 Possibly have the County come and give a presentation on Truth and Taxation.

31 **City Planners Report**

32 The Mayor asked Madison Brown, City Planner about an update on the power poles. She said
33 she talked with Rocky Mountain Power, and they are doing the lights in the Orchards
34 Subdivision first, and the pole that was knock over in Deer Run. They will send someone up
35 next week to look at it.

36 **City Attorney Report**

37 Nothing to report.

1 **Consideration of Motion to Enter a Closed Session-7:25 p.m.**

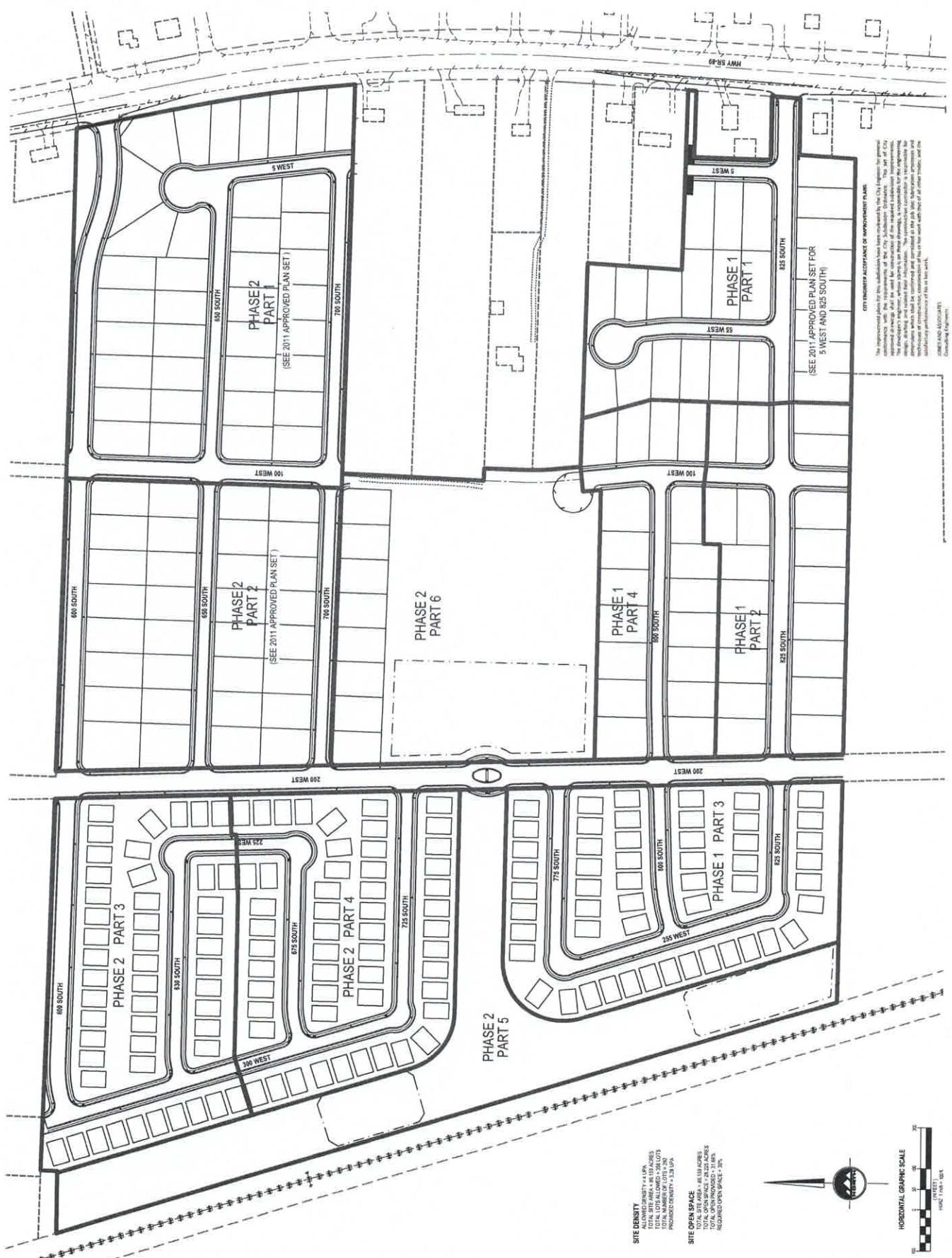
2 Motion: Council Member Braegger moved to enter a closed session for a discussion.
3 Seconded by Council Member Mund. Roll call unanimous agreement, resulting in
4 adjournment to a closed session.

5 Motion: Council Member Bodily moved to close the closed session and open the regular
6 meeting. Council Member Mund seconded the motion. Motion carried.

7 **Adjourn**

8 Motion: Council Member Braegger moved to adjourn. Council Member Christensen
9 seconded the motion. Motion carried.

DRAFT



CITY ENGINEER ACCEPTANCE OF IMPROVEMENT PLAN

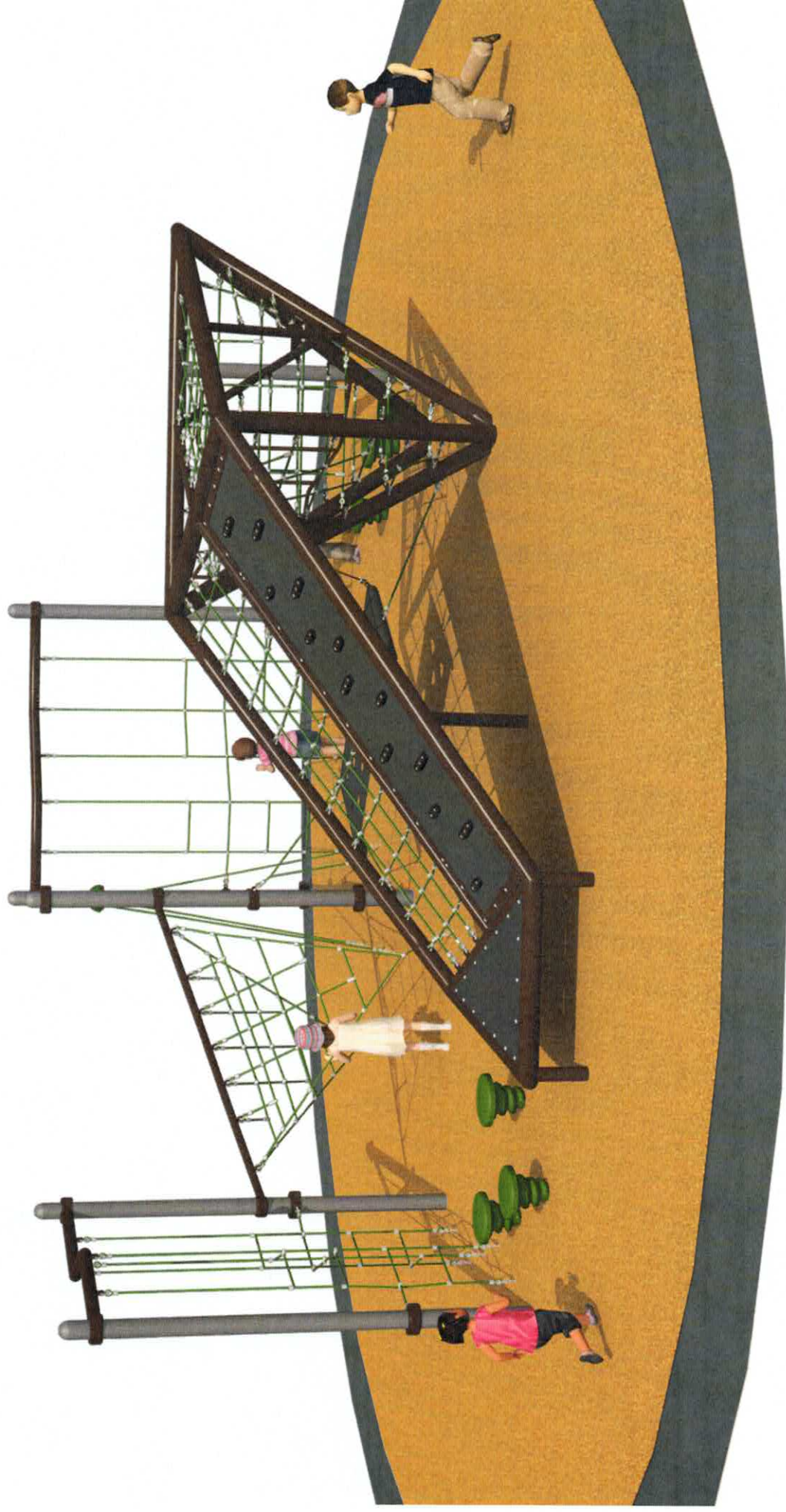
The improvement plan for this subdivision has been submitted to the City Engineer for general review and approval. The City Engineer's review is limited to the technical aspects of the plan and does not constitute a warranty of the accuracy or completeness of the information provided. The City Engineer's review is not a substitute for the engineer's own investigation and design. The engineer is responsible for the accuracy and completeness of the information provided and for the safety of the project. The City Engineer's review is not a substitute for the engineer's own investigation and design. The engineer is responsible for the accuracy and completeness of the information provided and for the safety of the project.

DATE AND ASSOCIATES
David A. Smith
City Engineer
2-25-2019

SITE DENSITY
TOTAL SITE AREA = 41.00 ACRES
TOTAL LOT AREA = 41.00 ACRES
TOTAL NUMBER OF LOTS = 100
PROPOSED DENSITY = 2.45 UPA

SITE OPEN SPACE
TOTAL OPEN SPACE = 2.25 ACRES
TOTAL LOT AREA = 41.00 ACRES
PROPOSED OPEN SPACE = 5.5%





Deer Run Willard, UT - Color Opt. 1