

1 **FILLMORE CITY COUNCIL MEETING**

2 November 19, 2024

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4 *Minutes of the regular meeting of the Fillmore City Council held November 19, 2024 in the Council*
5 *Chambers of the Fillmore City Building. Notice of the time and place of the meeting was posted on the*
6 *Utah State Public Notice website, the Fillmore City website, the Council Chambers, the City Office*
7 *bulletin board, and the President Millard Fillmore Library. Notice was also provided to the Chronicle-*
8 *Progress, radio station KMTI and each member of the governing body on November 15, 2024.*
9

10 Those present were:

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

16
17 Others present were: Dan Rowley, Larry Edwards, Matt Ward, and Devan Shields.

18
19 6:30 p.m. Welcome by Mayor Holt and pledge of allegiance.
20
21

22 **ADMINISTRATIVE BUSINESS**

23
24 Minutes

25
26 MOTION: To accept the meeting minutes from the November 7, 2024 city council
27 meeting, as written.
28 By: Councilmember Winget
29 Second: Councilmember Larsen
30 Vote: Unanimous. Motion carried.
31

32 Payroll and Bills

33
34 MOTION: To approve the payment of bills listed on the invoice register dated
35 November 8, 2024 – November 19, 2024, and payroll dated November
36 10, 2024.
37 By: Councilmember Hare
38 Second: Councilmember Winget
39 Vote: Unanimous. Motion carried.
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49 **OTHER BUSINESS BROUGHT BEFORE COUNCIL**

50
51 Minor Lot Subdivision Located at Approximately 210 West 200 South for Brandon
52 Bartholomew with Conditions for Approval.

53
54 MOTION: To table until a plat map is provided to the city office from Brandon
55 Bartholomew.
56 By: Councilmember Winget
57 Second: Councilmember Hare
58 Vote: Unanimous. Motion carried.
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60
61 Resolution 24-20 Amending the Fillmore City Electric Fee Schedule and Resolution 24-23
62 Approving a Power Cost Adjustment (PCA).

63
64 MOTION: To table Resolution 24-20 amending the Fillmore City Electric Fee
65 Schedule, and Resolution 24-23 approving a power cost adjustment
66 (PCA).
67 By: Councilmember Hare
68 Second: Councilmember Winget
69 Vote: Unanimous. Motion carried.
70

71 MOTION: To table approval of a minor lot subdivision located at approximately
72 210 West 200 South for Brandon Bartholomew with conditions for
73 approval.
74 By: Councilmember Stevens
75 Second: Councilmember Winget
76 Vote: Unanimous. Motion carried.
77

78 **PUBLIC HEARING**

79
80 MOTION: To go into a public hearing at 6:35 to receive public comment regarding
81 a Planning Commission recommendation to the City Council to approve
82 a minor lot subdivision with conditions for approval for Michael Zurn
83 (Parcel # F-FE-7340-6; 19.55 acres).
84 By: Councilmember Hare
85 Second: Councilmember Larsen
86 Vote: Unanimous. Motion carried.
87

88 No comments were offered by the public.
89

90 MOTION: To go out of the public hearing at 6:36 p.m.
91 By: Councilmember Winget
92 Second: Councilmember Larsen
93 Vote: Unanimous. Motion carried.
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96 **OTHER BUSINESS BROUGHT BEFORE COUNCIL (CONT'D)**

97
98 Resolution 24-17 Amending the Fillmore City Sidewalk Policy

99 The city's legal counsel advised the council to discontinue the sidewalk cost-share program
100 that is currently included in the city's sidewalk policy. The reason for this would be to
101 decrease liability to the city. The city's highway tax revenue can be used for the city installing
102 sidewalks completely on their own. Councilmember Alldredge expressed a desire to use a
103 portion of that tax revenue to replace/install sidewalks every budget year.

104
105 MOTION: To table.
106 By: Councilmember Stevens
107 Second: Councilmember Hare
108 Vote: Unanimous. Motion carried.

109
110 Minor Lot Subdivision for Michael Zurn (Parcel # F-FE-7340-6; 19.55 Acres into 4 Lots)

111 In response to a question asked by Councilmember Winget regarding utility and infrastructure
112 plans/needs, Mr. Zurn said that he does not currently have a plan in place for that. Tonight Mr.
113 Zurn is simply requesting that his property located just south of the airport be subdivided into
114 four equal sized lots. Mr. Zurn plans to develop his property into a private airplane hanger
115 park with direct access to the airport runway. Mr. Zurn also expressed an interest in providing
116 fuel services for the airport.

117
118 The council expressed their desire to be welcoming to Mr. Zurn and are hopeful and excited
119 that he can bring new business to Fillmore. Regarding waiving a plat requirement for a
120 subdivision, it was determined by the city engineer that an engineered/surveyed plat would be
121 required to be submitted prior to approving the subdivision. It is difficult to approve a waiver
122 for a plat when plans for the property are not in place that would provide a basis for findings
123 that would allow a waiver. The plat to be submitted needs to include plans for increasing
124 utility lines going into the property.

125
126 MOTION: To approve a minor lot subdivision for Michael Zurn (Parcel # F-FE-
127 7340-6; 19.55 Acres into 4 Lots) contingent on Mr. Zurn submitting an
128 engineered/surveyed plat.
129 By: Councilmember Alldredge
130 Second: Councilmember Larsen
131 Vote: Unanimous. Motion carried.

132
133 Fillmore City Industrial Park Land Sale Agreement Between Fillmore City and Matt Haupt

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135 MOTION: To approve the Industrial Park land sale agreement between Fillmore
136 City and Matt Haupt contingent upon Mr. Haupt signing the proposed
137 agreement.
138 By: Councilmember Winget
139 Second: Councilmember Alldredge
140 Vote: Unanimous. Motion carried.

142 Proposed Development Agreement Draft Between Fillmore City and Fillmore Homes, LLC for
143 the Prairie Haven Planned Development.

144
145 MOTION: To table.
146 By: Councilmember Stevens
147 Second: Councilmember Alldredge
148 Vote: Unanimous. Motion carried.
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152 **COUNCIL REPORTS**
153

154 Councilmember Larsen

155 **Airport**

- 156 • In 2005, the city's airport overlay plan was updated and it was recently determined that
157 according to that plan, all buildings built within the city boundaries will need to be
158 inspected for height regulations with all building permits (form 7460).
- 159 • The airport will not receive FAA funding until there are at least ten aircraft based at the
160 airport. According to the city's airport engineers, a good goal for the airport runway
161 would be to extend it to be 6,500 feet in length. It is currently 5,000 feet long.
- 162 • The FAA discourages any off-airport operations or "though-the-fence" agreements.
163 Such agreements may also jeopardize possible future FAA funding. Councilmember
164 Alldredge asked if a potential developer's land could be annexed into the city's airport
165 boundaries. The city staff will look further into this possible option.
- 166 • The Mustang Meadows subdivision area will be changed to the Light Industrial zone.
167

168 Councilmember Winget

169 **Parks**

- 170 • The scoreboard at the North Park baseball field has been temporarily repaired. The city
171 continues to be interested in replacing it with a new scoreboard. There may be several
172 local businesses that would be willing to sponsor a new scoreboard.
173

174 Councilmember Alldredge

175 **Flood Mitigation**

- 176 • There was a final flood diversion installed up the canyon recently. That is the final
177 installation of the project.
178

179 **Sewer**

- 180 • Councilmember Alldredge reiterated the need for an upgrade of the city's sewer system
181 and that rate studies are currently underway. Rate increases are needed to fund the
182 project as well as balance the sewer fund that has been running at an operational loss
183 over the last four years.

184 **Landfill**

- 185 • Terms included in the current landfill agreement do not necessarily cancel terms that
186 are included in prior landfill agreements between the city and the county. Because of
187 this, discussions between the two entities need to continue to figure out how to keep the

landfill operational, and what would be best concerning the operations. There are mixed feelings among the three county commissioners where in their last meeting, there was one commissioner who expressed a desire to negotiate with the city regarding keeping the landfill going, one who expressed a desire to close the landfill, and the other remained silent on the issue. Councilmember Alldredge went on to say that in the initial landfill agreement, the creation of the Fillmore landfill was not an appeasement to Fillmore City, but rather the county at the time stating that it was a necessity to have a landfill located in Fillmore. The county's position on that has changed in that they assert that it would be less expensive to compact the waste and haul it to the Delta landfill as opposed to keeping the Fillmore landfill open.

Other – Water Rights

- The State Division of Water Rights (DWR) will now conduct a water rights audit where they will be looking at every water right in this area and they will be searching for accurate dates of issuance. As the audit gets underway, the newest water rights will be taken away first. That means that possibly any water rights newer than 1957 may be terminated. The city owns a few water rights newer than 1957 totaling 1,900 acre-feet of water. It may be 2040 before the DWR would start cutting off water to certain shareholders. This concerns the council because they are encouraging economic growth and if water shares are taken away, that may hinder growth efforts.

Councilmember Stevens

Celebrations

- The celebrations committee is underway with planning for the annual Christmas celebration event. The light parade will be reinstated in this year's event. The council has been asked to be judges for the parade.

Fire Department

- There recently was a \$10,000 donation given to the fire department. That money has been used to purchase extrication equipment. A thank you letter will be sent to the donor.
- Councilmember Stevens will resume work on making sure that a Community Impact Board (CIB) application for a new fire station will be submitted by the next submittal deadline.
- The new rescue truck is in Salt Lake City having warranty work done on it. The backup rescue truck is being used in the meantime.

Councilmember Hare

Electric

- Councilmember Hare explained that the reason that electrical rates are trending downward over the next five years in the proposed electrical rate resolution is that the city is shifting the service costs that are currently included in the hourly rate to simply charging a flat service fee. That service fee will increase each year, and that will result in a net increase in the electrical rate year-over-year.

Recorder Kevin Orton

Financials

- Mr. Orton provided a budget summary for the council to review and provided an overview of the budget for all city funds.
- As there have been more than five years of inactivity with the city's redevelopment agency, the State has required that the City's RDA be dissolved.

Mayor Holt

- The Utah Highway Patrol will continue to patrol on Interstate 15 between the two Fillmore exits. The contract to do that will be renewed.
- The Utah legislature is currently trying to pass a bill to do away with small natural gas plants that UAMPS is wanting to install in Millard County.

ADJOURNMENT

Upon motion by Councilmember Hare and second by Councilmember Winget, the meeting adjourned at 8:32 p.m.

The next regularly scheduled council meeting will be held December 3, 2024 at 6:30 p.m.

APPROVED December 3, 2024

Michael D. Holt, Mayor