



WILLARD CITY
Conditional Use Permit (CUP) Review Committee – Special Meeting
June 25, 2025 – 3:00 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

1 The meeting was a special meeting designated by resolution. Notice of the meeting was provided 24 hours
2 in advance. A copy of the agenda was posted at City Hall and on the State of Utah Public Meeting Notice
3 Website.

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5 The following members were in attendance:

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7 Jeremy Kimpton, City Manager
8 Colt Mund, City Attorney (participated in the meeting digitally)
9 Madison Brown, City Planner
10 Chris Breinholt, City Engineer (participated in the meeting digitally)
11 Theron Fielding, Police Chief
12 Van Mund, Fire Chief
13 Payden Vine, Public Works Director
14 Michelle Drago Deputy City Recorder

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16 Excused: Sid Bodily, Planning Commission Chair, and Chad Braegger, Planning Commission.

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18 Others in attendance: Danny Olson

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20 1. CALL TO ORDER

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22 Madison Brown, City Planner, called the meeting to order at 3:08 p.m. The secretary recorded a roll call
23 attendance.

24
25 2A. REVIEW AND CONSIDERATION OF A REQUEST FROM JULIE OLSON TO PERATE A FOOD
26 CART AT 39 SOUTH MAIN (02-051-0183)

27
28 Time Stamp – 0:00 06/25/2025

29
30 Madison Brown, City Planner, stated that Julie and Danny Olson had applied for a conditional use permit
31 to operate a food cart in the parking lot of The Grumpy Goat Bike Shop, which was located at 39 South
32 Main. The food cart would be called Lunch Box 101. Mr. Olson had provided a site plan, parking plan, and
33 permission from the property owner. There were a couple of food trucks in Willard. The owner of the Kowboy
34 Chuckwagon received a conditional use permit last year to operate a food truck on her own property, which
35 was located on Highway 89. The other food truck was called Daughter vs. Dad. They did not have a
36 conditional use permit because it was based in Pleasant View. They did not have a permanent spot in
37 Willard. She felt the Olson's request should be a conditional use permit because it would have a permanent
38 location in Willard.

39
40 Ms. Brown explained that a conditional use was a use that was allowed with certain conditions. The
41 conditional use would be tied to the property, not the food cart.

42
43 Danny Olson stated that he did not plan to operate the food cart anywhere else. He wanted to be able to
44 keep the cart on the site permanently. He spoke with the Bear River Health Department. They were okay
45 with the food cart as long as the fryer was covered each night and he had access to a commissary. He
46 planned to use the three-compartment sink in The Grumpy Goat as his commissary. Mr. Merrill was also
47 providing restrooms. His wife had applied for a managerial food handler's permit from the Bear River Health
48 Department. They understood what they had to do for the health department.



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Mr. Olson said he planned to keep the menu simple and cost effective by offering only three items per week. He only planned to be opened for lunch. He felt lunch was the busiest time. He could not complete with Maddox, nor did he want to. He understood it might take some time to build up a clientele.

Ms. Brown asked if this business would be seasonal or year-round. Danny Olsen said he planned to be open all year.

Ms. Brown asked about the parking plan. Mr. Olson said he had told Mr. Merrill that he would pay to have the parking lot striped. He didn't want to complicate things

Madison Brown asked the City Attorney if the application needed to include a property owner affidavit.

Colt Mund, City Attorney, was concerned that the applicant for the conditional use permit wasn't the owner of the property. He felt the property owner needed to submit the application because the conditional use permit would run with the property. Mr. Mund was also concerned that Mr. Olson had not provided approved certifications or food handlers' permits from the Bear River Health Department.

Danny Olson stated that the food cart used to be located at a truck wash he owned in Salt Lake City. He sold the truck wash and moved to Pleasant View. He could get a food handler's permit from the Bear River Health Department. He had information about what was needed to have the food cart approved by the health department. He could not open until he had followed all the guidelines from the health department. The health department was very strict. They had a three-strikes-you're-out policy. He liked to keep things clean and do things by the book so there wouldn't be any problems. He was in a Catch-22. He needed a business license from Willard before he could receive approval from the health department. Willard was saying he needed approval from the health department before he could get a business license. He had to be set up and ready for business before he could get an inspection from the health department.

Madison Brown asked if Mr. Olsen had a food handler's permit. Mr. Olson said he did not, but he could get one if the city wanted one in advance. His wife had started the managerial permit. He used to have one in Salt Lake, but it had expired. If it didn't work out at this location, he didn't plan to move somewhere else.

Fire Chief Van Mund felt Mr. Olson could get the food handlers' permits before the health department inspected the food cart. Those permits could be turned into Willard.

Michelle Drago, Deputy Recorder, asked about the difference between a managerial permit and a food handler's permit. Danny Olson said a managerial permit covered and was responsible for food storage requirements. A food handler's permit covered food preparation by individuals.

Michelle Drago asked if the food cart would interfere with the Daughter vs. Dad food truck who used Spencer Merrill's parking lot as well. If both were there at the same time, would there be enough parking?

Danny Olson was not aware of another food truck. He hoped they could compliment each other. Madison Brown did not feel Daughter vs. Dad was there enough to be a problem.

Michelle Drago felt Willard needed an application filed by the property owner, Spencer Merrill, and food handler's permits from the health department.

Danny Olson felt he could have the permits from the health department by Monday, July 7th.



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Chief Mund asked if Danny Olson had propane tanks on the food cart. Danny Olson said he did, and he had a fire extinguisher. Chief Mund stated that the Fire Department would require a fire extinguisher with a current certification tag.

Payden Vine, Public Works Director, asked if Danny Olson planned to tie into the city's water system with a hose. Danny Olson said he would not have a hose connected to the building. His cart had a place for water storage, which would be drained offsite. He had talked to two different businesses about dumping his wastewater.

Mr. Vine asked if Mr. Olson had a booster pump or anything that could potentially force water backward into the city's water system. Mr. Olson said his food cart had a backflow device so he could not flow back into the clean water.

Payden Vine asked about the dimensions of the parking stalls. Jeremy Kimpson, City Manager, stated that Willard's standard parking space was 9 feet by 20 feet.

Chris Breinholt, City Engineer, asked how a permanent food truck was different than a building. Jeremy Kimpson said the food cart was less than 200 square feet so it would not meet the requirement for a building. He felt the cart was mobile, even if it was tied down.

Mr. Breinholt asked about the use of the existing building. Chief Mund said it was currently a bike shop. There was a candy shop south of the bike shop that was only open a few times a year. Mr. Breinholt did not feel shared parking would be an issue. Ms. Brown agreed.

Van Mund stated that a big portion of the parking area was part of the state right-of-way. A fire hydrant was located behind the sidewalk on the south side.

Chris Breinholt wondered if UDOT would be concerned about this use. Anytime a use was added to UDOT's right-of-way, they wanted to have a say.

Payden Vine didn't feel this use would generate enough traffic to be a concern.

Van Mund felt this was a good location. It was paved, visible, and in the lower speed zone.

Madison Brown stated that Danny Olson needed to provide the city with food handlers' permits and Spencer Merrill needed to be included in the application. She would reach out to him. The conditions that had been mentioned so far were an up-to-date fire extinguisher, up-to-date food handler's permits, and a Willard business license.

Colt Mund did not feel the conditional use permit should be approved until Olson's had complied with the list from the health department. He didn't see any evidence the Olson's had attempted to complete it. He didn't feel he had any information to review. He did not feel the conditional use permit should be approved until the city received the proper information and application.

Danny Olson stated that before the health department would approve his food cart, it had to be in place and ready to serve food. The health department needed to be able to see how food would be stored, check water temperatures, etc. They also had to have their managerial license and food handler's permits. The commissary in Spencer Merrill's building had to have three compartments along with a wash sink. They had to have a restroom within 500 feet of the cart. He felt the conditional use permit could be approved



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subject to him obtaining approval from the board of health. He didn't want to spend a lot of money if he couldn't get approval. He felt his food cart would help Spencer Merrill.

Colt Mund didn't feel the city should rely on Mr. Olson's statement that he had spoken with the Bear River Health Department. He felt Mr. Olson should provide written verification from the health department. The role of the Conditional Use Permit Review Committee was to vet a prospective use and make sure everything was in order before an application was sent to the Planning Commission. The committee was meant to make sure the work was done up front.

Madison Brown asked if Spencer Merrill's kitchen had been approved by the health department. Danny Olson stated that the kitchen would be approved when the health department made their inspection. He didn't feel there was anything he could do before the health department's inspection. To receive approval to open, he had to be set up for business. He needed a business license from Willard before he could receive approval from the health department.

Danny Olson stated that his cart had a place for handwashing, and a way to capture and dispose of wastewater. His grills and fryer were NSF rated (National Sanitation Foundation). His cart was stainless steel that could be washed off and cleaned easily. The health department would be concerned about the water tanks, the backflow device, temperature of the water, the commissary, and the restrooms.

Van Mund stated that if Mr. Olson had a regular food truck that had received approval from the health department and had a business license from his base of operations, he could set up anywhere. A conditional use permit would not be required.

Colt Mund agreed that a portable food truck was a permitted use in the Commercial General zone.

Jeremy Kimpton stated that this location was zoned Old Town Willard. This was not a permitted or conditional use in the Old Town Willard Zone.

Van Mund felt that even though Danny Olson planned to keep the food cart in one location, it was still mobile. He felt Willard was making this more complicated than it needed to be. It seemed Mr. Olson was seeking a conditional use permit to be as legal as possible because he would be there more. Was Willard sure other food trucks had the necessary permits from the health department?

Colt Mund stated that Chief Mund was suggesting a temporary food truck that was moving around. He didn't feel that was what Mr. Olson had presented. The City Planner needed to determine if this use was temporary or permanent. If the food cart was temporary, it was a permitted use, and the committee didn't need to review the application. If this was a permanent food truck, there were zoning codes that had to be followed. He wasn't comfortable recommending approval of a conditional use permit because Mr. Olson wasn't prepared. He would be satisfied with a letter from the Bear River Health Department that said Mr. Olson's application would not be reviewed until Willard made a decision. He wanted to make sure Willard was approving the application correctly in accordance with its standards.

Danny Olson felt caught between Willard and the health department. This was like a snow cone shack. The health department didn't inspect them until the shack was set up and ready to open.

After further discussion, **Jeremy Kimpton moved to table consideration of Olson's application until issues could be resolved. Payden Vine seconded the motion. All voted "aye." The motion passed unanimously.**



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Madison Brown stated that she would meet with Mr. Olson and get more details from the Bear River Health Department. She would also contact Mr. Merrill about submitting an application as the property owner.

Van Mund felt the administration needed to look at the zoning to see what was possible in the Old Town Willard Zone.

2B. CONSIDERATION AND APPROVAL OF MAY 15, 2025, MINUTES

Jeremy Kimpton moved to approve the minutes from May 15, 2025, as written. Van Mund seconded the motion. All voted “aye.” The motion passed unanimously.

3. ADJOURN

Madison Brown moved to adjourn at 3:59 p.m. Payden Vine seconded the motion. All voted “aye.” The motion passed unanimously.

Minutes were read individually and approved on: _____

Madison Brown, City Planner

Michelle Drago, Deputy City Recorder

dc: CUP 06-25-2025