

# 1 Town Council Meeting

2 May 21, 2025

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4 **Elected Officials Present:** Mayor Neil Brown, Councilmembers: Grant Lundberg, Eric Hazelet, Curtis  
5 Thomas

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7 **Staff Present:** Deputy Clerk Nicole Preston, Planning Chairman Avery Fitzgerald, City Attorney Josh  
8 Nielsen, Fire Chief William McMullin, Sgt Austin Lerwill

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10 **Public Present:** Corinne Aagard, Michael Vail, Douglas Aagard, Danielle Lundberg, Meranda Erickson,  
11 Daniel Vail, Corey Carter

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13 1. **Call to Order** – Mayor Brown called the meeting to order at 7:02pm.  
14 a. Michael Vail gave the opening prayer.  
15 b. Douglas Aagard led the pledge of allegiance.

16  
17 2. **Approval of Minutes for April 16, 2025**

18 a. Councilman Curtis Thomas made a **Motion** to approve the minutes for April 16, 2025.  
19 Councilman Grant Lundberg **Second** and the motion **Passed** all in favor.  
20 i. Mayor Neil Brown – YES  
21 ii. Councilmember Eric Hazelet – YES  
22 iii. Councilmember Grant Lundberg – YES  
23 iv. Councilmember Curtis Thomas – YES  
24 v. Vacant

25  
26 3. **Approval of Expenditures**

27 a. Councilman Eric Hazelet made a **Motion** to approve the expenditures in the amount of forty-  
28 seven thousand three hundred seventy-four dollars and forty cents. (\$47,374.40). Councilman  
29 Grant Lundberg **Second** and the motion **Passed** all in favor.  
30 i. Mayor Neil Brown – YES  
31 ii. Councilmember Eric Hazelet – YES  
32 iii. Councilmember Grant Lundberg – YES  
33 iv. Councilmember Curtis Thomas – YES  
34 v. Vacant

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36 4. **Approval of Work Orders**

37 a. There were no work orders for approval

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39 5. **Commission & Staff Reports**

40 a. **Police Chief Report** – Sgt Austin Lerwill, he reviewed the police CAD stats from the previous  
41 month.  
42 b. **Fire Chief Report** – Chief William McMullin - He wanted to recognize Corey Carter who was the  
43 State of Utah EMT of the year. They will also be escorting the body of Councilman Hale Robison  
44 to the cemetery the following day for the funeral.  
45 c. **Planning Commission Report** – Chairman Avery Fitzgerald he reviewed the agenda items from  
46 the previous planning commission meeting. He asked the council's opinion on a couple of  
47 amendments that the commission is currently discussing:  
48 i. R-1 Ordinance - The council discussed the different options that had been presented  
49 including the option 1-to vacate the public utility easement, 2-to sign an agreement with  
50 the property owner where they acknowledge the risk in building in the public utility  
51 easement and if it ever came to need the easement they would then have to be willing to  
52 move, vacate, or tear down the structure. The council would like to see some examples  
53 of how this would take place.  
54 ii. Building Permit Ordinance - They discussed the building permit requirements including  
55 soils reports, accessory building engineering, Manual J, Res Check, and gas schematics.

56 Mayor Brown stated that he is worried that the building inspector is required to inspect an  
57 accessory building that he can't verify will stand up to the current standards is a liability  
58 that he isn't sure that the town should take on. Councilman Lundberg said that he didn't  
59 like that the idea originally, but he is more persuaded if we have to be inspecting it then it  
60 probably needs to be engineered. He doesn't like the idea of adding additional cost to  
61 the resident but he also doesn't want to put the Town at a liability. Mayor Brown noted  
62 that most kit type buildings including Cleary and Roper buildings, and other steel type  
63 barns etc. often come with the engineering already done. He felt that this is really more  
64 of a situation for those who are building and designing the buildings themselves. It was  
65 clarified that our building inspectors are not engineers, and we are not paying them to do  
66 those calculations. Chairman Fitzgerald expressed his concern that he hates to see the  
67 Town require a lot of extra money just for someone to park their tractor or some hay  
68 under it. Mayor Brown stated that he is worried about a building not built to quality  
69 standards or being engineered properly and then the building blows over causes damage  
70 or worse comes apart and damages the neighbors property and then the resident,  
71 neighbor, or the insurance company comes and sues the Town. Councilman Thomas  
72 asked the City Attorney if he felt that this is something that the town could be held liable  
73 for. He stated that he is very worried about the town's liability here. He clarified that as  
74 soon as we require the inspections (and the state building code does require them) then  
75 the town becomes liable, and he feels that it is a huge liability that the Town ensues if we  
76 don't require engineering. Councilman Eric Hazelet brought up that an insurance  
77 company could come after the Town in the event that something happens and especially  
78 in an event where an insurance company insured the building based on the building  
79 passing inspections we could easily have a lawsuit. Chairman Fitzgerald asked why this  
80 has now come to be such a big deal and he was told that the Town's new building  
81 inspector is very aware of his liability as well as protecting the Town's liability and he  
82 brought it to the Town Council's attention.  
83

84 **PUBLIC FORUM –There was no one signed up for public forum.**

85 **PUBLIC HEARINGS -**

86 **6. Discussion on possible compensation increases for executive municipal officers. Excluding  
87 the elected officials and appointed officials the employees will be adjusted to a 3% increase  
88 for COLA.**

89 **a. Motion to open the public hearing on a 3% increase for employees.**

90 i. Councilman Curtis Thomas made a **motion** to open the public hearing. Councilman  
91 Grant Lundberg **Second** and the motion **Passed** all in favor.  
92 1. Mayor Neil Brown – YES  
93 2. Councilmember Eric Hazelet – YES  
94 3. Councilmember Grant Lundberg – YES  
95 4. Councilmember Curtis Thomas – YES  
96 5. Vacant

97 ii. There was no one signed up for the public hearing. The Mayor then asked the audience  
98 if anyone would like to speak and no one spoke up.  
99

100 **b. Motion to close the public hearing**

101 i. Councilman Eric Hazelet made a **Motion** to close the public hearing. Councilman Curtis  
102 Thomas **Second** and the motion **Passed** all in favor.  
103 1. Mayor Neil Brown – YES  
104 2. Councilmember Eric Hazelet – YES  
105 3. Councilmember Grant Lundberg – YES  
106 4. Councilmember Curtis Thomas – YES  
107 5. Vacant

112 7. Discussion on an amendment to the FY 2025 budget and a proposed budget for FY 2026.

113 a. Motion to open the public hearing on an amendment to the FY 2025 budget and a  
114 proposed budget for FY 2026.

115 i. Councilman Curtis Thomas made a **Motion** to open the public hearing. Councilman Eric  
116 Hazelet **Second** and the motion **Passed** all in favor.

117 1. Mayor Neil Brown – YES

118 2. Councilmember Eric Hazelet – YES

119 3. Councilmember Grant Lundberg – YES

120 4. Councilmember Curtis Thomas – YES

121 5. Vacant

122  
123 ii. There was no one signed up for the public hearing. The Mayor then asked the audience  
124 if anyone would like to speak and no one spoke up.

125  
126 iii. Councilman Grant Lundberg made a **Motion** to close the public hearing. Councilman  
127 Curtis Thomas **Second** and the motion **Passed** all in favor.

128 1. Mayor Neil Brown – YES

129 2. Councilmember Eric Hazelet – YES

130 3. Councilmember Grant Lundberg – YES

131 4. Councilmember Curtis Thomas – YES

132 5. Vacant

133  
134 **Deputy Clerk made Mayor Neil Brown aware that there were two residents who signed up on the**  
135 **public hearing page, but they wanted to be on the public forum. Mayor Brown stated that he**  
136 **would allow them to speak.**

137  
138 The Public Forum was then reopened:

139 **Corrine Aagard** – She wanted to speak out against the possible requirement of adding  
140 engineering on accessory buildings. She feels that this is just a way to grow the government, and that  
141 these should not be required. She stated that she feels that the role of the council is to keep the  
142 government small not to try to protect the residents from themselves. She feels that the risk of somebody  
143 going to sue is just an excuse and until we have something happen, we shouldn't worry about it. She is  
144 asking the council not to approve this.

145 **Douglas Aagard** – He wanted to second what his wife said. He feels that it isn't necessary to  
146 even be requiring inspections on these buildings let alone engineering.

147  
148 8. Discussion and possible action on Ordinance 2025-05 an amendment to the Fire Department  
149 Ordinance appointing a fire marshal for the fire department.

150 a. Mayor Brown noted that the Town has never had a Fire department ordinance, and this would not  
151 be an amendment but an adoption of the whole ordinance. He noted that they have discussed  
152 this ordinance over the past couple of months and feels like they should be ready to vote.

153  
154 b. Motion to open the public hearing.

155 i. Councilman Eric Hazelet made a **Motion** to open the public hearing. Councilman Grant  
156 Lundberg **Second** and the motion **Passed** all in favor.

157 1. Mayor Neil Brown – YES

158 2. Councilmember Eric Hazelet – YES

159 3. Councilmember Grant Lundberg – YES

160 4. Councilmember Curtis Thomas – YES

161 5. Vacant

162  
163 ii. Councilman Eric Hazelet made a **Motion** to close the public hearing. Councilman Curtis  
164 Thomas **Second** and the motion **Passed** all in favor.

165 1. Mayor Neil Brown – YES

166 2. Councilmember Eric Hazelet – YES

167 3. Councilmember Grant Lundberg – YES

4. Councilmember Curtis Thomas – YES
5. Vacant

c. Councilman Eric Hazelet made a **Motion** to adopt ordinance 2025-05 officially creating the Fire and EMS Department. Councilman Curtis Thomas **Second** and the motion **assed** all in favor.

1. Mayor Neil Brown – YES
2. Councilmember Eric Hazelet – YES
3. Councilmember Grant Lundberg – YES
4. Councilmember Curtis Thomas – YES
5. Vacant

9. Discussion and possible action on Ordinance 2025-06 a proposed rezone for LKBD Investments parcel #29.035.0171 and 29.035.0127 located at approximately 366 S 800 E in Genola from an A-1 Agricultural Zone to a R-1 Residential Zone.

- a. It was noted that this was recommended by the planning commission. They discussed the two parcels and that the smaller parcels was in existence before the 1974 subdivision ordinance.
- b. Mayor Neil Brown made a Motion to approve Ordinance 2025-06 a rezone for 2 parcels located at approximately 366 S 800 E to rezone from A-1 to R-1.
  - 1. Mayor Neil Brown – YES
  - 2. Councilmember Eric Hazelet – YES
  - 3. Councilmember Grant Lundberg – YES
  - 4. Councilmember Curtis Thomas – YES
  - 5. Vacant

## **10. Discussion and possible action on a new public works building**

a. Mayor Brown stated that he does have one bid for a building, but after speaking with Chris Steele he feels that it is important that they expand the size of the building. Mr. Steele feels that it would be beneficial to have more bathrooms in the area besides just the one that is currently attached to the town office; they need some office space, a breakroom, bathroom and shower, and extra storage space. Mayor Brown feels that they could put some of this storage space above the office space. They are looking at the building's dimensions being 120 feet long and have 4 bays. The mayor stated that he had received a bid structure only and it was \$358,000.00. This wouldn't include the French drain, septic system or the completing of the inside of the building. They discussed different needs that the building might need, concrete specifications, septic system, etc. They talked about using the location that is over by the Towers, and because of the tower easements they are limited in how the space could be used anyway so this could be an excellent use of the space. They discussed the types of uses for the building and the need to make sure that this is also built for the future not just the present. They discussed the difference between a steel structure or a wood structure. They recognize the bids for those would vary differently because on a steel structure you would get a bid but then have a separate bid to build the building, versus the wood structure the bid would include the cost of the building and the construction of the structure. Councilman Hazelet said that he would like to see the costs of both kinds of buildings so that they can better judge what might be best for the town. It was suggested to have John Rosenberger counsel on this as he is a construction manager and could give some good insight and more professional consultation into the different kinds of building types.

**11. Discussion with Josh Nielsen, the Town's Legal Counsel, on impact fee studies and the process of a capital facilities plan and an impact fee analysis.**

a. He went to a conference where he attended a presentation from Zion's Bank on impact fees. He spoke with the presenter and asked how often should impact fees be revisited and he suggested every 5-10 years unless your municipality seeing a lot of growth and then it might be every 3-5 years. The Town of Genola hasn't done an analysis on their impact fees for over 10 years, so he recommends that we start the process of looking at them. He stated that without the proper documentation it could leave the town open where someone could challenge the impact fee and we could run the risk of having to return them. He stated that this has happened in a community not far from us recently. Currently the town of Genola has 3 impact fees; parks, water, and roads.

224 He stated that impact fees can only be used to help maintain the level of service that you are  
225 offering now, you have to use a facilities plan that shows the different projects where you could  
226 possibly use the impact fees. He stated that because our population is under 5,000 people you  
227 don't have to have an in-depth facilities plan, but we should still have a plan of projects that we  
228 would like to work on in the next years. The Town will have to hire a company to do the impact  
229 fee analysis and that analysis determines how much a city can charge for an impact fee. He is  
230 unaware if our engineering firm will do impact fee analysis, but he does know that Zion's Bank will  
231 and they charge anywhere from \$5,000-\$7,500 per impact fee. Mr. Nielsen stated that at this  
232 time he believes that we will need to do one for each of our individual impact fees which means  
233 the total will be 15,000-25,000 total costs. He was asked if Zion's Bank does back up there  
234 number and will help out if needed in court to justify the analysis he reported that he wasn't  
235 absolutely positive but he is pretty sure that they will defend there analysis. He stated that the  
236 analysis could come back and we wouldn't need to change the fees at all, but we wouldn't know  
237 that unless we do the analysis. Mr. Nielsen stated that because our analysis is old, he is worried  
238 about being able to justify and defend our fees if they were contested. Mayor Brown stated that  
239 he has spoken with another company as well so we know of at least 2 different options to obtain  
240 this analysis. It was concluded that because our analysis is so old this is something that the  
241 council should do. Mayor proposed that we start to go through the process of getting dollar  
242 amounts and timelines and discuss this again at the next meeting.  
243

244 **12. Discussion and possible action on a surcharge added to the new fire truck**

245 a. The council discussed that this is in direct response to the tariff issues. Currently there will be an  
246 additional charge of \$40,000 on to the price of the truck. They discussed that they really don't  
247 have a choice and that we will just have to pay it and hope that the tariff issue is resolved so that  
248 this extra costs goes away or that it is at least reduced. There was no action taken on this agenda  
249 item.

250  
251 **13. Discussion and possible action on Resolution 2025-09 approving Agreement #2025-7 an  
252 interlocal agreement in support of the unsheltered in Utah County**

253 a. The State legislature required counties to address homelessness within their communities. Utah  
254 County has done this and opened shelters for those that need it during the winter months. They  
255 are asking that each community contribute to it, our portion would be \$200. Mr. Nielsen has  
256 looked at the agreement and is fine with it.

257 b. Mayor Neil Brown made a **Motion** to approve Resolution 2025-09 approved Agreement 2025-7  
258 an interlocal agreement in support of the unsheltered in Utah County. Councilman Grant  
259 Lundberg **Second** and the motion **Passed** all in favor.

260 i. Mayor Neil Brown – YES  
261 ii. Councilmember Eric Hazelet – YES  
262 iii. Councilmember Grant Lundberg – YES  
263 iv. Councilmember Curtis Thomas – YES  
264 v. Vacant

265 It was brought out that there was a public hearing held but the council had no discussion on agenda items  
266 6 and 7

267 Mayor Brown went back and asked if there was any discussion or comments on the budgets or  
268 on the 3% raise for the employees. There were no comments on the raises for the employees. Mayor  
269 Brown noted that Santaquin had increased dramatically the police contract and the court and judge  
270 contracts. He noted that the judge and court contracts haven't changed in over 24 years, but the police  
271 contract increased in an effort to keep good officers. Sgt Lerwill reported that the Victims Advocate costs  
272 have increased dramatically as Santaquin takes in the largest number of Domestic Violence Victims.  
273

274  
275 **14. Council Comments**

276 a. **Councilmember Grant Lundberg** – He asked Sgt Lerwill to just pass on that they are doing the  
277 same set up as last year and ask them to help tape off in front of the soccer fields and helping  
278 with parking. The fireworks will be shot off on 400 South just like last year. They will be having  
279 the dance again; and he isn't sure that the helicopter will be coming through again.

280  
281     b. **Councilmember Curtis Thomas** – he asked about code violations and how that works. He was  
282     told that he can file a complaint himself if he would like. He was told that the town policy has  
283     been to respond to complaints, but not to seek out violations. He expressed his sadness at the  
284     passing of councilman Hale Robison. He asked about the process to replace Councilman Hale  
285     Robison he just wanted to make sure that he understood. Mayor Brown reported that state law  
286     requires the city takes immediate action. The town will advertise and accept applications for a  
287     period of time and at the next meeting they will appoint a new member who will serve until the  
288     next municipal elections which will take place this year.  
289  
290     c. **Councilmember Eric Hazelet** – He didn't have anything to report.  
291  
292     d. **Mayor Neil Brown** –  
293         i. He reported that UDOT will be redoing the intersection of 141 meets Hwy 6. They are  
294         planning on filling in the dip, put in a left turn lane heading east, widen the road and  
295         ultimately plan on a right turn lane on 400 West. They are planning to start next spring of  
296         2026, the design is done and they are working on getting the logistics all worked out.  
297         Estimated cost of 3 million dollars.  
298         ii. He brought up that the Town has zoning requirements regarding strawberry water and  
299         that has always been based on the premise the strawberry water must remain on the  
300         land. Because of several projects that are planned with Strawberry Highline Canal.  
301         There is now an effort to work with congress to change the restriction so that the water  
302         can be moved off the land. It is expected that the decision to come by the end of the  
303         year. And he is worried that this could create a situation where residents could sell their  
304         water to the highest bidder and leave Genola without any irrigation water. He stated that  
305         the county for a while has required that the developers sign a document that stated that  
306         they will keep the water on their land indefinitely and record this document on their deed.  
307         He says that this can't necessarily prevent people from selling their water, but it could  
308         give the County proper recourse. He is worried that if the Town doesn't do something he  
309         is fearful that we could have a real problem with the water. The other option is to require  
310         that the developer must dedicate the water to the city. This would then give the town  
311         ownership of the water but then we also must take on the management of the water. He  
312         is worried that if we don't do something that the Town could be in big trouble with  
313         irrigation and culinary water in the future.  
314         iii. He reported that we are a part of the Nebo Water Association, they facilitated a study  
315         based on ground water. This is based on federal government computer models in the  
316         aquifers. He showed the slides of where our aquifers and the pump records of all the  
317         well that they have access too including Genola's. He showed that in the aquifer the old  
318         well shows that the models are already showing it at the top of the bottom section of the  
319         aquafer. They feel that within the next 25 years the data projects are projected that we  
320         could be in real trouble. We share an aquifer with Bateman Farms and the Church of  
321         Jesus Christ of Latter-Day Saints, and that aquifer is already lower than the models say  
322         it should be. He feels that if we don't address this issue especially with the chance of  
323         losing Strawberry Water he feels that the town could be in a real bind. He stated that the  
324         agency is trying to work with those organizations to see if there can be anything done to  
325         help with recharge and explained that recharge is where the water goes back down into  
326         the aquifer. He asked the council to think about it so that they can discuss it further in  
327         future meetings. Mayor Brown noted that just because we have paper water will not help  
328         us if we don't have water actually in the aquifer. Councilman Lundberg stated that he  
329         would like to see if a model could be set up where the Town can own the water rights but  
330         we would still use Strawberry Highline as the delivery system and a resident would be  
331         able to place their own water orders etc. He asked Josh to start looking at what models  
332         are out there to start having the water deeded to the city.  
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336     **15. Motion to Adjourn**

337     a. Councilman Curtis Thomas made a **Motion** to adjourn. Mayor Neil Brown **Second** and the motion  
338     **Passed** all in favor.

339         i. Mayor Neil Brown – YES

340         ii. Councilmember Eric Hazelet – YES

341         iii. Councilmember Grant Lundberg – YES

342         iv. Councilmember Curtis Thomas – YES

343         v. Vacant

344

345     b. **The meeting was then adjourned at 9:24 pm**

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347     Minutes prepared by Deputy Clerk Nicole Preston

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350     Minutes Approved on: June 18, 2025

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Lucinda Thomas  
Lucinda Thomas City Recorder