

# Town Council Meeting

## May 21, 2025

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

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

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

**1. Call to Order –** Mayor Brown called the meeting to order at 7:02pm.

- a. Michael Vail gave the opening prayer.
- b. Douglas Aagard led the pledge of allegiance.

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

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

**3. Approval of Expenditures**

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

**4. Approval of Work Orders**

- a. There were no work orders for approval

**5. Commission & Staff Reports**

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

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

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

**PUBLIC HEARINGS -**

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

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

- i. Councilman Curtis Thomas made a **motion** to open the public hearing. Councilman Grant Lundberg **Second** and the motion **Passed** 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

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

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

- i. Councilman Eric Hazelet made a **Motion** to close the public hearing. Councilman Curtis Thomas **Second** and the motion **Passed** 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

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 show 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

- 168 4. Councilmember Curtis Thomas – YES  
169 5. Vacant  
170  
171 c. Councilman Eric Hazelet made a **Motion** to adopt ordinance 2025-05 officially creating the Fire  
172 and EMS Department. Councilman Curtis Thomas **Second** and the motion **assed** all in favor.  
173 1. Mayor Neil Brown – YES  
174 2. Councilmember Eric Hazelet – YES  
175 3. Councilmember Grant Lundberg – YES  
176 4. Councilmember Curtis Thomas – YES  
177 5. Vacant  
178

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

- 182 a. It was noted that this was recommended by the planning commission. They discussed the two  
183 parcels and that the smaller parcels was in existence before the 1974 subdivision ordinance.  
184 b. Mayor Neil Brown made a Motion to approve Ordinance 2025-06 a rezone for 2 parcels located at  
185 approximately 366 S 800 E to rezone from A-1 to R-1.  
186 1. Mayor Neil Brown – YES  
187 2. Councilmember Eric Hazelet – YES  
188 3. Councilmember Grant Lundberg – YES  
189 4. Councilmember Curtis Thomas – YES  
190 5. Vacant  
191

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

- 193 a. Mayor Brown stated that he does have one bid for a building, but after speaking with Chris Steele  
194 he feels that it is important that they expand the size of the building. Mr. Steele feels that it would  
195 be beneficial to have more bathrooms in the area besides just the one that is currently attached to  
196 the town office; they need some office space, a breakroom, bathroom and shower, and extra  
197 storage space. Mayor Brown feels that they could put some of this storage space above the  
198 office space. They are looking at the building's dimensions being 120 feet long and have 4 bays.  
199 The mayor stated that he had received a bid structure only and it was \$358,000.00. This wouldn't  
200 include the French drain, septic system or the completing of the inside of the building. They  
201 discussed different needs that the building might need, concrete specifications, septic system,  
202 etc. They talked about using the location that is over by the Towers, and because of the tower  
203 easements they are limited in how the space could be used anyway so this could be an excellent  
204 use of the space. They discussed the types of uses for the building and the need to make sure  
205 that this is also built for the future not just the present. They discussed the difference between a  
206 steel structure or a wood structure. They recognize the bids for those would vary differently  
207 because on a steel structure you would get a bid but then have a separate bid to build the  
208 building, versus the wood structure the bid would include the cost of the building and the  
209 construction of the structure. Councilman Hazelet said that he would like to see the costs of both  
210 kinds of buildings so that they can better judge what might be best for the town. It was suggested  
211 to have John Rosenberger counsel on this as he is a construction manager and could give some  
212 good insight and more professional consultation into the different kinds of building types.  
213

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

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

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

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

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

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

- a. The State legislature required counties to address homelessness within their communities. Utah County has done this and opened shelters for those that need it during the winter months. They are asking that each community contribute to it, our portion would be \$200. Mr. Nielsen has looked at the agreement and is fine with it.
- b. Mayor Neil Brown made a **Motion** to approve Resolution 2025-09 approved Agreement 2025-7 an interlocal agreement in support of the unsheltered in Utah County. Councilman Grant Lundberg **Second** and the motion **Passed** all in favor.
  - i. Mayor Neil Brown – YES
  - ii. Councilmember Eric Hazelet – YES
  - iii. Councilmember Grant Lundberg – YES
  - iv. Councilmember Curtis Thomas – YES
  - v. Vacant

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

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

#### 14. Council Comments

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

- 280  
281  
282  
283  
284  
285  
286  
287  
288  
289  
290  
291  
292  
293  
294  
295  
296  
297  
298  
299  
300  
301  
302  
303  
304  
305  
306  
307  
308  
309  
310  
311  
312  
313  
314  
315  
316  
317  
318  
319  
320  
321  
322  
323  
324  
325  
326  
327  
328  
329  
330  
331  
332  
333  
334  
335
- b. **Councilmember Curtis Thomas** – he asked about code violations and how that works. He was told that he can file a complaint himself if he would like. He was told that the town policy has been to respond to complaints, but not to seek out violations. He expressed his sadness at the passing of councilman Hale Robison. He asked about the process to replace Councilman Hale Robison he just wanted to make sure that he understood. Mayor Brown reported that state law requires the city takes immediate action. The town will advertise and accept applications for a period of time and at the next meeting they will appoint a new member who will serve until the next municipal elections which will take place this year.
  - c. **Councilmember Eric Hazelet** – He didn't have anything to report.
  - d. **Mayor Neil Brown** –
    - i. He reported that UDOT will be redoing the intersection of 141 meets Hwy 6. They are planning on filling in the dip, put in a left turn lane heading east, widen the road and ultimately plan on a right turn lane on 400 West. They are planning to start next spring of 2026, the design is done and they are working on getting the logistics all worked out. Estimated cost of 3 million dollars.
    - ii. He brought up that the Town has zoning requirements regarding strawberry water and that has always been based on the premise the strawberry water must remain on the land. Because of several projects that are planned with Strawberry Highline Canal. There is now an effort to work with congress to change the restriction so that the water can be moved off the land. It is expected that the decision to come by the end of the year. And he is worried that this could create a situation where residents could sell their water to the highest bidder and leave Genola without any irrigation water. He stated that the county for a while has required that the developers sign a document that stated that they will keep the water on their land indefinitely and record this document on their deed. He says that this can't necessarily prevent people from selling their water, but it could give the County proper recourse. He is worried that if the Town doesn't do something he is fearful that we could have a real problem with the water. The other option is to require that the developer must dedicate the water to the city. This would then give the town ownership of the water but then we also must take on the management of the water. He is worried that if we don't do something that the Town could be in big trouble with irrigation and culinary water in the future.
    - iii. He reported that we are a part of the Nebo Water Association, they facilitated a study based on ground water. This is based on federal government computer models in the aquifers. He showed the slides of where our aquifers and the pump records of all the well that they have access too including Genola's. He showed that in the aquifer the old well shows that the models are already showing it at the top of the bottom section of the aquifer. They feel that within the next 25 years the data projects are projected that we could be in real trouble. We share an aquifer with Bateman Farms and the Church of Jesus Christ of Latter-Day Saints, and that aquifer is already lower than the models say it should be. He feels that if we don't address this issue especially with the chance of losing Strawberry Water he feels that the town could be in a real bind. He stated that the agency is trying to work with those organizations to see if there can be anything done to help with recharge and explained that recharge is where the water goes back down into the aquifer. He asked the council to think about it so that they can discuss it further in future meetings. Mayor Brown noted that just because we have paper water will not help us if we don't have water actually in the aquifer. Councilman Lundberg stated that he would like to see if a model could be set up where the Town can own the water rights but we would still use Strawberry Highline as the delivery system and a resident would be able to place their own water orders etc. He asked Josh to start looking at what models are out there to start having the water deeded to the city.

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**

346 Minutes prepared by Deputy Clerk Nicole Preston  
347  
348  
349

350 Minutes Approved on: June 18, 2025

*Lucinda Thomas*

Lucinda Thomas City Recorder