



# Regular City Council Meeting

## Minutes

Tuesday, July 28, 2026 at 6:30 pm

**75 West Center, Fillmore, Utah 84631 - (435) 743-5233**

To join remotely: [Click to Join Zoom Meeting](#)

**MAYOR:** Curt Hare

**CITY COUNCIL:** Kyle Stevens (excused), Eugene Larsen, Michael B. Winget, Dennis W. Alldredge, Amber Rausch

### 1. CALL TO ORDER and Pledge of Allegiance

#### Minutes:

6:30 p.m. Welcome and pledge of allegiance by Mayor Hare. Mayor Hare excused Councilmember Stevens  
Others present were: Larry Dutson, Howard Quackenbush, Danny Dutson, Alison Robison, Darla Ewert. Kevin Morris, Russell Shields, Vickiann Mitchell, Kris Ewert, Larry Edwards, and Dan Rowley.

### 2. ADMINISTRATIVE BUSINESS

#### a. Approve Minutes of the Previous Meeting

##### Minutes:

MOTION: To accept the meeting minutes of the July 14, 2026 city council meeting, as corrected. By: Councilmember Larsen; Second: Councilmember Winget VOTE: 3-0 in favor. Councilmember Rausch abstained. Motion carried.

#### b. Approve Purchase Orders, Payroll and Payment of Bills

##### Minutes:

MOTION: To approve the payment of bills listed on the invoice register dated July 15, 2026 – July 28, 2026, and payroll dated July 19, 2026. By: Councilmember Alldredge Second: Councilmember Winget Vote: Unanimous. Motion carried.

MOTION: To approve Purchase Order 27-04 payable to Ascent Aviation Group in the amount of \$20,801.68 for purchase of 4,890 gallons of Jet A aviation fuel. By: Councilmember Winget Second: Councilmember Alldredge Vote: Unanimous. Motion carried.

MOTION: To approve Purchase Order 27-05 payable to Fireworks & Stage FX

America in the amount of \$25,000 for purchase of the 2027 July 4th fireworks display. By: Councilmember Winget Second: Councilmember Alldredge Vote: Unanimous. Motion carried.

**c. Licenses and Permits**

**Minutes:**

Building permit application # 26-49 for Travis Prows located at 240 East Canyon Road, for construction of a new storage unit.

**PUBLIC HEARING 6:35 PM**

Public hearing to receive public comment regarding an appraisal completed in reference to possible disposition of real property. The subject property is a 184.91-acre vacant land property located at approximately 400 North 1100 West, Fillmore, Millard County, Utah 84631. The property consists of two tax parcels: Parcel F-7000-0, containing approximately 177.59 acres, and Parcel F-7000-4, containing approximately 7.32 acres. The site is unimproved and is predominantly characterized by vacant land with an industrial orientation within the Historic Capitol Project Area.

**Minutes:**

Motion to go into a public hearing at 6:42 p.m. to receive public comment regarding an appraisal completed in reference to possible disposition of real property. The subject property is a 184.91-acre vacant land property located at approximately 400 North 1100 West, Fillmore, Millard County, Utah 84631. The property consists of two tax parcels: Parcel F-7000-0, containing approximately 177.59 acres, and Parcel F-7000-4, containing approximately 7.32 acres. The site is unimproved and is predominantly characterized by vacant land with an industrial orientation within the Historic Capitol Project Area.

By: Councilmember Alldredge  
Second: Councilmember Larsen  
Vote: Unanimous. Motion carried.

Danny Dutson, who has put in an offer to purchase the property, explained what he would like to do to develop the property. He is planning on constructing a new concrete production plant to service the east side of the county. This has nothing to do with the construction of the data centers planned to be built nearby.

Russell Shields stated that if the city sells their land, then it is likely that the city won't be able to support public works and other needed uses that would benefit the city in the future as the city grows. It is difficult to get land back once it is disposed of. Since this property is being sold at fair market value, the city has no right of first refusal on the property. Mr. Shields also expressed concern as to how the money will be spent that is received from the sale of the land. The city needs to be responsible with that money. Mayor Hare indicated that it would likely be spent on future infrastructure needs.

Mayor Hare explained that the property being considered falls within the Utah Inland Port Authority boundary and could benefit from participating in what they can do for them in terms of tax incentives and assistance with infrastructure needs for their business.

Motion to go out of the public hearing at 6:53 p.m.

By: Councilmember Winget

Second: Councilmember Larsen

Vote: Unanimous. Motion carried.

## **PUBLIC COMMENTS**

### **Minutes:**

Kris Ewert asked if the city would consider using laser or drone fireworks for the 4th of July fireworks show instead of traditional fireworks. Councilmember Rausch mentioned that those are extremely expensive.

Russel Shields commented regarding the discretion in the proposed code enforcement that is given to the code enforcement officer. He suggested that the city provide a monthly report to the public that includes all actions taken by the officer in terms of code enforcement. Mayor Hare stated that one intent of the new policy is to provide appropriate and proportionate penalties for city code violations. The current enforcement mechanism is the nuisance ordinance, and that ordinance is too subjective in its ability to enforce equally and fairly. Also, the only way violations are currently being reported is by members of the community "telling on each other." A code enforcement officer would mitigate that. The city council does not want to be arbitrary in its enforcement.

Mr. Shields also suggested that the city be less regulating when it comes to food trucks. It is too expensive for most people to start a business and that is why many people have started a food truck business. He urged that the city does not overregulate them.

### **3. COMMUNICATIONS AND REQUESTS**

#### **a. Darla Ewert to discuss and present Healthy Utah program**

##### **Minutes:**

Darla Ewert, Health Coordinator for the Central Utah Health Department, presented information regarding the Healthy Utah Community designation and encouraged the City Council to submit an application. The program is intended to improve community health and provide designated communities with priority consideration for grant opportunities.

Ms. Ewert explained that Fillmore is already meeting many of the program requirements. The City may use the existing East Millard Prevention Coalition as its required community coalition, provided that a City representative attends coalition meetings at least quarterly. The City may also demonstrate collaboration with the Central Utah Health Department by posting the department's resource guide on the City's website.

Additional qualifying activities include supporting the community garden located at the hospital or adopting a tobacco-free parks policy. Because Fillmore's population is fewer than 10,000 residents, the City is required to complete only one qualifying activity.

Ms. Ewert stated that Fillmore is expected to qualify for the designation and that the remaining step is to complete and submit the application.

### **4. OTHER BUSINESS BROUGHT BEFORE COUNCIL**

**a. Discuss and possibly approve to dispose of real property (177.59 acres) located at 400 North 1100 West**

**Minutes:**

Larry Dutson stated that he intends to recruit two or three additional businesses to develop nearby, which would help offset the cost of installing infrastructure. He also indicated that he plans to subdivide the property and sell individual parcels to other developers. In response to Councilmember Rausch's question regarding the types of development anticipated, Mr. Dutson explained that the nature of the additional businesses remains uncertain.

Mr. Dutson plans to locate his concrete plant near the transfer station, where existing infrastructure is relatively close. The business would initially add approximately five employees, with the potential to employ 15 to 20 individuals as operations expand and additional business opportunities are pursued.

Councilmember Alldredge discussed the Inland Port Authority as a potential financing mechanism for the project's infrastructure. He explained that this option could help fund infrastructure improvements while retaining tax revenues locally. Mr. Dutson stated that he was not interested in pursuing this option and preferred to finance the project without assistance.

Councilmember Rausch requested that Mr. Dutson provide a business plan. Mr. Dutson responded that he would not provide one until the project had progressed further. Councilmember Rausch expressed concern that several businesses had previously proposed projects but had not followed through. She stated that she would prefer to retain the property for potential future municipal use.

The City Council and Mr. Dutson agreed that the portion of the property located east of Interstate 15 would be excluded from the proposed sale.

MOTION: To approve to sell the city-owned property located at 400 North 1100 West to Mr. Dutson excluding the portion that is east of Interstate 15 for the price of the appraised value of \$4,650 per acre.

By: Councilmember Alldredge Second: Councilmember Winget Vote: 3-1 in favor. Councilmember Rausch voted no. Motion carried.

Following the motion and vote, Mayor Hare expressed his excitement of another successful business coming to town and welcomed them to Fillmore.

**Vote results:**

Ayes: 3 / Nays: 1 / Abstains: 0

**b. Discuss and possibly adopt Resolution 26-14 enacting a code enforcement policy.**

**Minutes:**

Councilmember Larsen reported that a prospective resident touring available lots in Fillmore observed widespread debris and neglect on surrounding properties. He emphasized the importance of the proposed ordinance and urged prompt enforcement.

Councilmember Alldredge noted confusion regarding the city's current code-enforcement procedures, specifically the lack of clarity about consequences when property owners do not respond to enforcement notices. He stated the draft ordinance permits consideration of extenuating circumstances and allows

the city or the code-enforcement officer to take a flexible, remedial approach to achieve compliance.

Mayor Hare concurred, adding that the draft ordinance establishes a clear enforcement framework, including defined penalties for noncompliance.

Councilmember Winget observed that the enforcement officer retains discretionary authority and that the City Council may intervene as needed. He also noted the ordinance provides an appeal process for property owners who dispute imposed penalties.

Councilmember Rausch expressed support for adopting the ordinance but opposed creating a new code-enforcement officer position, citing citizen feedback against adding the role. She affirmed that the critical issue is effective follow-through on enforcement rather than who performs it.

Mayor Hare proposed tabling the item until the next council meeting to allow additional review and public input. The council agreed to defer further action.

MOTION: To table. By: Councilmember Larsen Second: Councilmember Winget  
Vote: Unanimous. Motion carried.

## 5. COUNCIL/CITY ATTORNEY/MAYOR DEPARTMENT REPORTS

### **Minutes:**

#### **Councilmember Rausch**

Councilmember Rausch announced that a historic preservation meeting will be held in August. The meeting is open to the public, and Carl Aldrich of the Territorial Statehouse is expected to attend.

Councilmember Rausch reported receiving substantial public feedback regarding potential improvements to future Fourth of July celebrations. She expressed enthusiasm about implementing the community's suggestions. Concerns included vehicles remaining parked on Main Street before the parade, which obstructed businesses and interfered with the parade route. Concerns were also raised about children entering the parade route. One proposed solution was to prohibit participants from throwing candy from floats and instead have individuals walk alongside the floats and distribute candy from a safer position.

Preparations for the community garden are underway. Councilmember Rausch requested donations to support the project.

Councilmember Rausch also announced that the Utah Association of Republican Women is seeking new members and invited interested individuals to join the organization.

#### **Councilmember Alldredge**

Councilmember Alldredge reported that a sign has been posted at the landfill advising patrons that fines may be imposed for improperly secured or uncovered loads. Mayor Hare suggested that individuals who receive a fine be provided with a tarp to help them properly cover future loads. City employees currently operate the landfill, although it remains under Millard County's authority.

Councilmember Alldredge provided an update on an audit being conducted to determine the number of acre-feet of water available in the basin. The audit is also expected to establish the basin's recharge rate and clarify how much water the city may use.

Councilmember Alldredge contacted officials in Cedar City and Parowan regarding whether municipalities are protected from the loss of water shares. Officials from both

cities indicated that municipal water shares are not protected and that shares predating a date established by the State may eventually be subject to forfeiture or reduction. It has been speculated that shares predating 1955 may be affected. If 1955 is established as the applicable date, Fillmore could lose approximately two-thirds of its water. Councilmember Alldredge noted that Parowan lost approximately 86% of its water shares.

Because water availability will significantly affect future growth, the City Council will need to consider whether to continue imposing a water acquisition fee or require developers to convey water shares to the city as a condition of development.

Councilmember Alldredge stated that it would be inappropriate for the city to sell water it knows may not be available in the future.

**Councilmember Winget**

Councilmember Winget reported that the traffic lines on Main Street have been painted and that the completed work looks good. Painting of the crosswalks has also been scheduled.

**Councilmember Larsen**

Councilmember Larsen reported a complaint regarding wild turkeys damaging vehicles within the city. Mayor Hare is coordinating with the State to address the issue.

Councilmember Larsen also reported that he will attend several meetings in August and will provide additional information regarding power matters following those meetings.

**Administrator/Recorder Kevin Orton**

Administrator/Recorder Kevin Orton reported that, following a review with Millard County and Sunrise Engineering of expenses associated with the Halfway Hill Fire flood-mitigation project, the city will be required to pay Millard County approximately \$70,000.

**Mayor Hare**

Mayor Hare reported that the city has been served with a lawsuit filed by Eagle Market. Mayor Hare also asked the council to consider whether QuikTrip should be included in the Inland Port Authority project area. If included, the project could generate approximately \$380,000 in tax revenue for infrastructure improvements associated with the development. This would be the first project included within the city's designated Inland Port Authority area.

**Closed Session**

MOTION: To go into a closed session at 8:40 p.m. for a strategy session to discuss pending or reasonably imminent litigation as described in Section 52-4-205(1)(c) of Utah Code Annotated.

By: Councilmember Larsen; Second: Councilmember Winget Roll-Call VOTE:

Councilmember Alldredge - Yes Councilmember Winget - Yes Councilmember Larsen - Yes Councilmember Rausch - Yes Unanimous. Motion carried.

The council returned to the regular meeting at 9:31 p.m.

## **6. ADJOURN**

**Minutes:**

Upon motion by Councilmember Alldredge and seconded by Councilmember Larsen, the meeting adjourned at 9:33 p.m.

The next regularly scheduled city council meeting will be held on August 11, 2026 at 6:30 p.m.

NOTICE: The City Council reserves the right to move any agenda item forward. Any

item, regardless of how stated on the agenda, may be acted on by the City Council at this meeting. The Council may vote to discuss certain matters in Closed Session at any time during this meeting pursuant to Utah Code annotated 52-4-205.

\*[[www.fillmoreutah.gov](http://www.fillmoreutah.gov)](<https://fillmoreutah.gov>

**NOTICE OF SPECIAL ACCOMMODATIONS:** In accordance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting (including auxiliary communicative aids and services) must notify the city office at 75 West Center Street (435-743-5233) at least three (3) working days prior to the meeting.

**CERTIFICATE OF POSTING:** I hereby certify that the above agenda was posted on the Utah State Public Notice website, the Fillmore City website, furnished to the Mayor and Fillmore City Council, the Chronicle-Progress, KMTI radio station and posted in three public places within the Fillmore City limits on the date listed below. Kevin W. Orton, City Recorder [recorder@fillmoreutah.gov](mailto:recorder@fillmoreutah.gov).

Approved by Mayor Curt Hare \_\_\_\_\_