

1 **FILLMORE CITY COUNCIL MEETING**

2 November 3, 2015

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4 *Minutes of the regular meeting of the Fillmore City Council held November 3, 2015 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 stations KMTI and each member of the governing body on October 30, 2015.*
9

10 Those present were:

11 Mayor: Eugene R. Larsen Council: Michael D. Holt
12 Attorney: Greg Greathouse N. Wayne Jackson
13 Recorder: Kevin Orton Eric R. Jenson
14 Deborah S. Oeppinger
15 Michael K. Rhinehart

16
17 Others: Todd Leeds, Ian Adams, Todd Meyers, Terry Scottorn, Amanda Allen, Jeff
18 Mitchell, Nathan Terry, Dave Allen, Vicki Allen, Kelly Gillins
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20
21 6:37 p.m. Welcome and Pledge of Allegiance- Mayor Larsen
22
23

24 **ADMINISTRATIVE BUSINESS**

25 Minutes

26 MOTION: To approve the minutes of the meeting held October 20, 2015 as
27 corrected.

28 By: Councilmember Oeppinger

29 Second: Councilmember Jackson

30 Vote: Unanimous. Motion carried.
31

32 Bills – Payroll

33 MOTION: To approve the October 30, 2015 payroll and payment of bills listed on
34 the invoice register dated October 21 – November 3, 2015.

35 By: Councilmember Rhinehart

36 Second: Councilmember Jenson

37 Vote: Unanimous. Motion carried.
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39 Building Permits

- 40 • 15-19 Kent and Theresa Rasmussen for a new garage at 395 East Canyon Road
41 • 15-21 Eric Jenson to remove old shingles and replace with new ones at 180
42 West 400 South

43 Business Licenses

- 44 • Poplar Village LLC, David Remkes for mobile home park rental business at
45 655 North Main Street
46 • Stevens Hotel and Furnishings, Greg and Susan Roper for hotel, reception,
47 convention and furnishings business at 20 South Main Street
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50 **COMMUNICATIONS AND REQUESTS**

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52 Terry Scottorn – American Legion Post 61 Annual Report

53 There was a scheduling conflict in using the Legion Building on November 28. That conflict
54 has been resolved. This year was a busy one for the Legion as with many of their activities and
55 services outlined as follows:

- 56 • Provided graveside services for thirteen veterans.
- 57 • Nineteen flag-posting color guards for high school football and basketball games.
58 That number will increase next year because they have been asked to perform them at
59 the girls’ home games as well.
- 60 • Hosted the State American Legion convention in June that attracted 300 people to the
61 community.
- 62 • Sent one boy to Boys State. They would like to send four boys this year.
- 63 • Served 300 people at the annual pancake breakfast event on the Fourth of July.
- 64 • Provided the 2014 Veterans Day dinner where they served 192 meals.
- 65 • Provided scholarships to three high school seniors.
- 66 • Provided 600 hours of community service to the community and schools.
- 67 • Provided 150 hours of free use of the building to various qualified groups.
- 68 • One Eagle project was done at the Legion Hall repairing exterior walls and other
69 cosmetic enhancements.
- 70 • Performed post everlasting ceremonies for three members who were lost.

71
72 A \$1,500 donation was requested. The council will consider this request in the next regularly
73 scheduled council meeting.

74
75 Nathan Terry – Subsidizing Water for Screamin’ Eagle Events

76 Mr. Terry summarized in considerable length the work and enhancements being done to the
77 race track. He requested financial support from the council in watering the track during open
78 practices. There have been four open practices so far this year, and it is anticipated that there
79 will be four to five next year. The council asked Mr. Terry to have a race and open practice
80 schedule completed and ready to present by January.

81
82 MOTION: That Fillmore City sponsor \$150.00 for each event held at the Screamin’
83 Eagle Raceway to include both open practices and races
84 By: Councilmember Jackson
85 Second: Councilmember Oeppinger
86 Vote: Unanimous, motion carried.

BUSINESS

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Recommendation from Planning Commission to Approve George Young Simple Lot Subdivision

It was verified that the septic drainage line does not exceed beyond the property line of the Deseret home lot.

MOTION: To approve the George Young simple lot subdivision as recommended from the Planning Commission

By: Councilmember Jenson

Second: Councilmember Holt

Vote: Unanimous, motion carried.

Recommendation from Planning Commission to Approve Maverick Business Plan

Todd Meyers from Maverick explained in detail the plans for the expansion of the existing store location in Fillmore. The new store will be the largest Maverick store. It will include an outside picnic area with a side entrance to the store. The restrooms will be significantly larger. The store will include a deli area providing many more eating choices including a build-your-own sandwich station. The gas dispensing island will double in size and a third access point will be added to the parking lot. In the October 27, 2015 meeting of the Planning Commission, the following points were identified regarding the expansion project:

- The expansion plan meets the objectives of the Fillmore City General Plan. The business plan complies with the Fillmore City Zoning Ordinance.
- The intended purpose of expansion is an allowed use for the Highway Commercial Zone.
- Site planning, design, and operational strategies and standards to minimize and mitigate any negative impacts to adjacent uses, the immediate area, and Fillmore City.
- There will be increased employment opportunities for residents.
- It will enhance the economic base of Fillmore.

MOTION: To accept the recommendation from the Planning Commission to approve the Maverick business expansion plan

By: Councilmember Oeppinger

Second: Councilmember Jenson

Vote: Unanimous. Motion carried.

144 Resolution 15-11 to Amend Fee Schedule to Charge a \$50.00 Refundable Clean-Up Deposit
145 When Reserving City Parks

146 There has been a history of people reserving the city parks and leaving a mess behind
147 following the events. This problem has created a need to require a refundable clean-up deposit
148 to ensure city parks are left clean and in good condition.

149
150 MOTION: To adopt resolution 15-11 to amend fee schedule to add a \$50.00
151 refundable clean-up deposit when reserving city parks.
152 By: Councilmember Holt
153 Second: Councilmember Jackson
154 Vote: Unanimous. Motion carried.

155
156 Amend Surplus Property Policy

157 Verbage to be added to the policy will include public property being advertised as *or(3) first-*
158 *come, first-served basis for items on which a price has been established. The city reserves the*
159 *right to set a minimum amount for any surplus property.* This addition will be helpful in the
160 city's ability to sell surplus property.

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162 MOTION: To approve amending the surplus property policy
163 By: Councilmember Rhinehart
164 Second: Councilmember Jenson
165 Vote: Unanimous. Motion carried.

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167 Approve Land Sale Contract With Safari Minerals

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169 MOTION: To approve the land sale contract with Safari Minerals with a stipulation
170 to allow Mayor Larson to negotiate needed changes upon
171 recommendations of the city attorney.
172 By: Councilmember Oeppinger
173 Second: Councilmember Jackson
174 Vote: Unanimous. Motion carried.

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176 Extend Current Land Lease Agreement with Safari Minerals

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178 MOTION: To extend the current land lease agreement with Safari Minerals to
179 December 1, 2015.
180 By: Councilmember Rhinehart
181 Second: Councilmember Oeppinger
182 Vote: Unanimous. Motion carried.

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COUNCIL REPORTS

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Councilmember Holt

Streets

- The first round of clean-up notices were taken care of with the exception of two. Holt waste has commenced in a new section with notice distributions.

Fire Department

- There was a fire at Mountainview Mushrooms that destroyed 90 tons of compost. They put out a car fire at the hospital. Other than these two incidents it has been slow for the department.

Councilmember Oeppinger

Library

- The Halloween party was successful.

Animal Control

- One puppy was adopted out and another was brought in this month. The city office has done a great job in keeping up on animal control operations.

Historic Preservation

- The next meeting will be held in Ely, Nevada on November 14. Councilmember Oeppinger is encouraging Abe Johnson to attend as the Arts Festival needs the support.

Councilmember Rhinehart

Splashpad

- Splashpads USA has corrected the issues that were listed on the Health Inspection report. The fence will take more time than expected due to receiving brackets that were not pre-assembled.

Celebrations

- There will be two Santa Claus' this year for the Christmas celebration. Activities will be available for the children until 5:30 p.m.

Councilmember Jackson

Garbage and Landfill

- The county has selected someone to fill the position of landfill superintendent and will be asking that individual to accept that assignment.

Cemetery

- The dirt has been pulled out of the roadway and replaced it with road base. New light poles were removed following burial of the new power line. All new power lines will be underground. The layout is available on site.

Disaster and Emergency

- Donations and presents for veterans will be placed in the veteran's home in Payson, Utah to be distributed to their families. That event will take place on December 4, 2015. Anyone interested in helping is welcome to.

239 Councilmember Jenson

240 **Water and Sewer**

- 241 • The annual sewer line cleaning project is completed.

242 **Planning and Zoning**

- 243 • The planning commission is short of members. Councilmember Jenson asked the
244 council to think of names to present.

245 **Economic Development**

- 246 • Councilmember Jenson met today with the Natural Resource Conservation Service and
247 Sunrise Engineering to assess the drainage situation and flood problems on East Center
248 Street. The Natural Resource Conservation Service does not provide funding for the
249 project. They are here to write reports on their findings. They will keep the city on the
250 funding list in hopes to receive funding in the future.
- 251 • The council will need to decide how they want to fund the East Fillmore Water Project.
252 The booster station is in need of repair, including replacing seals. There is not much
253 progress with the Main Street Drainage Project. The city is waiting to hear back from
254 the Utah Department of Transportation on how to proceed with the project.

255

256 Todd Leeds, who is a new resident of Fillmore, addressed the council with concerns and
257 questions regarding utility rates.

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259 MOTION: To go into a closed session to discuss pending litigation.

260 By: Councilmember Rhinehart

261 Second: Councilmember Jackson

262 Vote: Unanimous. Motion carried.

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ADJOURNMENT

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267 Upon motion by Councilmember Rhinehart and second by Councilmember Holt, the meeting
268 adjourned at 8:39 p.m.

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270 The next regular council meeting will be held November 17, 2015 at 6:30 p.m.

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APPROVED November 3, 2015

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Eugene R. Larsen, Mayor