FILLMORE CITY COUNCIL MEETING

September 17, 2019

Minutes of the regular meeting of the Fillmore City Council held September 17, 2019 in the Council Chambers of the Fillmore City Building. Notice of the time and place of the meeting was posted on the Utah State Public Notice website, the Fillmore City website, the Council Chambers, the City Office bulletin board, and the President Millard Fillmore Library. Notice was also provided to the Chronicle-Progress, radio station KMTI and each member of the governing body on September 13, 2019.

Those present were:

Mayor:	Michael D. Holt	Council:	Kami Dearden
Legal Counsel:	Elise Harris		Ian E. Adams
Recorder:	Kevin Orton		Eric R. Jenson
			Jeffrey D. Mitchell
			Dennis W. Alldredge

Others present were:

Michael Winget, Wayne Jackson, Payton Harris, Dan Rowley

6:30 p.m. Welcome and Pledge of Allegiance

ADMINISTRATIVE BUSINESS

Minutes

MOTION: To accept the minutes from the September 3, 2019 council meeting as corrected.
By: Councilmember Dearden
Second: Councilmember Adams
Vote: Unanimous. Motion carried.

Bills – Payroll

MOTION: To approve the September 15, 2019 payroll and payment of bills listed on the invoice register dated September 4, 2019 – September 17, 2019.
By: Councilmember Mitchell
Second: Councilmember Adams
Vote: Unanimous. Motion carried.

Purchase Orders

- Purchase Order # 20-18 for $4,970.00 payable to Highmark Development Group for work on Fillmore City north Interstate 15 billboard.

MOTION: To approve purchase order # 20-18.
By: Councilmember Dearden
Second: Councilmember Adams
Vote: Unanimous. Motion carried.

When asked about the South Fillmore City billboard, Councilmember Dearden stated that there is no update yet on the progress of repairing that billboard.

Licenses and Permits

- Business License BL-1916, Tacos Los Panchos, located at 95 West 200 South; Owner, Salvador Sanchez Ortiz. Business description includes preparing and selling food. (administrative conditional use permit issued for home occupation)
- Business License BL-1917, Ladybug Floral & Events located at 180 East Center Street; owner, Jamie Orullian. Business description includes online event planning and floral services. (administrative conditional use permit issued for home occupation)

COMMUNICATIONS AND REQUESTS

Wayne Jackson – Millard County Commissioner

Commissioner Jackson provided a copy of the armory building lease between Fillmore City and Millard County. The lease had not been signed by the city, so Mayor Holt signed it and kept a copy for the city.

4,240 acres were burned during the Sage Meadows fire. The total cost to fight the fire was $4,257,000. $600,000 of that cost must be reported to the State in the form of fire mitigation efforts by Millard County. Fillmore City will also be involved in mitigation efforts. There are roads in Virginia Canyon that will be widened by the County. This work will count towards mitigation requirements. There were no injuries and no structures damaged from this fire. There were 300 elementary students that toured the fire base camp located across the street from the horse track. Commissioner Jackson thanked the Fillmore Fire department and neighboring departments for their help with the fire.

The Millard County Commissioners decided that it is not in the best interest of the county to take over the splash pad. Commissioner Jackson suggested the city remove the fence, to which Councilmember Adams said that it is because of the County that the fence was put up. With IPP downsizing the county needs to cut expenses and not add anything new to their plate.

The armory building needs new thermostats. The current thermostats are remotely regulated. Commissioner Jackson will obtain a bid for the cost and notify the city before they are purchased. Any building (under international building code) that is less than 3,000 square feet is not required to be ADA approved. The armory building is 2,000 square feet.

Library Board Member Appointments

The following was proposed for council approval of the following appointments:
Library Board Members: Karen Groesbeck and Karilyn Shields
Liaison Members: Whiney Swallow and Heidi Macfarland
Alternate Board Members: Liza Staples and Angela Hansen

MOTION: To approve the following appointments:
Library Board Members: Karen Groesbeck and Karilyn Shields
Liaison Members: Whiney Swallow and Heidi MacFarland
Alternate Board Members: Liza Staples and Angelia Hansen

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

PUBLIC COMMENT

No public comment

BUSINESS

Resolution 19-16 Amending the Fillmore City Fee Schedule to Include Electric Impact Fees

MOTION: To table until the fiscal year 2018-2019 audit results are presented to the council by auditors Kimball & Roberts, Inc.
By: Councilmember Adams
Second: Councilmember Mitchell
Vote: Unanimous. Motion carried.

Resolution 19-17 Amending the Fillmore City Personnel Policies and Procedures to Allow a Non-Resident to be Employed by Fillmore City

Verbiage in the policy will read as follows….Job applicants residing in Fillmore City will be given hiring preference. Fillmore City allows for the employment of non-residents so long as the non-resident employee can commute from his/her permanent residence to his/her place of employment in no more than twenty (20) minutes. The commute time requirement applies to each employee, no matter the position held. The requirement also applies to each of the employee's working periods, including regularly scheduled hours and on-call working periods. If a non-resident is hired who does not meet the commute time requirement, he/she must either become a resident of Fillmore City or establish a permanent residence that is no more than twenty minutes away from Fillmore City before the completion of his/her probationary period.

MOTION: To adopt Resolution 19-17.
By: Councilmember Adams
Second: Councilmember Jenson
Roll-Call Vote:
Councilmember Jenson - Yes
Councilmember Mitchell – Yes
Councilmember Dearden – Yes
Councilmember Adams - Yes
Councilmember Alldredge - Yes
Unanimous. Motion carried.

Fillmore City Municipal Airport Courtesy Car Agreement

The proposed agreement will provide for the city to enter into an agreement with courtesy vehicle patrons identifying stipulations and approved uses regarding courtesy vehicle. The agreement also serves the purpose of having needed documentation of drivers who use the vehicle. The scope of use includes a time limit of 24 hours per use. If the driver exceeds the 24 hour limit, a charge of $5.00 per hour over the limit will be charged to the driver. A limit of 20 miles per use will also be enforced and if the driver exceeds that, they will be charged the State reimbursement rate for every mile driven over the limit.

MOTION: To approve agreement for usage of the Fillmore Municipal Airport courtesy vehicle to include the addition of limiting the use to 20 miles in a 24 hour period with a charge of the state reimbursement rate for every mile over the 20 mile limit.

By: Councilmember Adams
Second: Councilmember Dearden
Roll-Call Vote:
Councilmember Jenson - Yes
Councilmember Mitchell – Yes
Councilmember Dearden – Yes
Councilmember Adams - Yes
Councilmember Alldredge - Yes
Unanimous. Motion carried.

<u>Ordinance 19-08 Amending the Fillmore City Municipal Code to Allow for Burial Rights to be Sold Between Third Parties</u>

Elise Harris asked if Fillmore City has ever advertised to reclaim lots that have been inactive for over 60 years. The council is not aware of the city ever doing that because no one has ever asked. Mrs. Harris suggested that the city consider doing so to reclaim some lots to make available for sale. Councilmember Jenson stated that he had not had enough time to review this proposed ordinance.

MOTION: To table this item to allow the council sufficient time to review before making a decision.
By: Councilmember Adams
Second: Councilmember Dearden
Vote: Unanimous. Motion carried.

COUNCIL REPORTS

<u>Councilmember Jenson</u>

Parks

- Law enforcement needs additional evidence in order to prosecute for the graffiti in the Wildlife Park. The council is considering putting surveillance cameras and signs in the park to mitigate further vandalism. That park seems to be the most prone to vandals.

Councilmember Mitchell

Streets

- Pink Elephant Lane is scheduled to be chip sealed next week.
- Councilmember Mitchell asked for an update on the progress of the old Napa building demolition. Recorder Orton reported that the asbestos abatement vendor has completed the abatement process and the only thing left to do is have the gas company remove the gas line to the building. That is expected to be complete later this week. Once it's ready the city public works crew will remove the building.
- The new turn lane just north of the school district bus barn arrows have been painted and they look good.

Councilmember Dearden

Parking Spaces

- Councilmember Dearden received a request that the city paint parking space lines on the streets surrounding the high school football field. When people park for the game they take multiple parks spaces because there are no lines.

Councilmember Adams

City Vehicles

- Councilmember Adams shared information on leasing city vehicles to include annual lease rates for certain types of vehicles. This could be an option for the city when considering new vehicles to add to the city fleet as opposed to outright purchasing them. All public works trucks should have utility beds on them to improve efficiency in eliminating the need to constantly return to the city shop when tools or other materials are needed for a project.

Law Enforcement

- Should the city acquire a speed trailer to help mitigate speeding within city limits? Recorder Orton will determine if the budget will allow for such a purchase.
- Councilmember Adams commended Elise Harris for filling in as legal counsel for the city and for the quality services she is providing.

Councilmember Alldredge

Cemetery

- Councilmember Alldredge noticed recent improvement in the condition of the cemetery and expressed appreciation for those efforts.
- There is a leaking water line south of the water meter at the golf course. The meter read box is frequently buried in water.

Mayor Holt

- There was a complaint of roosters in a citizen's back yard causing a disturbance of the peace by how much noise they were making. The owner was cited and the roosters have since been removed. Elise Harris clarified that for a nuisance ordinance to be enforced, there are no signatures from other citizens required, whereas at three signatures are required to enforce disturbing the peace. A nuisance ordinance can be enforced by the city's law enforcement such as the dog catcher, without complaints from other citizens.

- Proposition 11 has been assigned from the State elections office to appear on the November general election ballot. Proposition 11 calls for a vote of in favor or opposed to implementation of a .01% sales tax on goods and services that would fund future parks and recreation projects and arts festival events. Councilmember Alldredge talked of the importance of educating the voters on the details of the proposition.
- Mayor Holt visited Lieutenant Governor Spencer Cox on September 16, 2019 regarding a possible storage reservoir to be placed in Chalk Creek Canyon. Mayor Holt stated that we are in a desert and we need to be able to store water.

Councilmember Mitchell stated that after much consideration, he will be withdrawing from running for city council in the upcoming general election. Mayor Holt stated that he appreciates all the councilmembers and the work they do for the city and that they all have done a great job.

ADJOURNMENT

Upon motion by Councilmember Mitchell and second by Councilmember Adams, the meeting adjourned at 8:25 p.m.

The next regular council meeting will be held October 1, 2019 at 6:30 p.m.

APPROVED October 1, 2019 _____

Michael D. Holt, Mayor