

**Genola City Council Meeting
November 13, 2019**

Elected Officials Present: Mayor Marty Larson, Councilmembers Bryan Draper, Neil Brown, Hale Robison and John Savage

Staff Present: Planning Commission Chair John Rosenberger, Officer Wall, City Recorder Lucinda Thomas and Minutes Secretary Brittany Thornton.

Citizens Present: Steven Ward, Terry & Rowena Rymer, Cheryl and Lynn Fowers, Gus Carter, Lori Christensen, Bryce Carter, Eric Hazelet, Jamison Thornton, Chad Coburn, Colby and Stephanie Jones, Dale Steele, Mark and Renee Gheen, Marcene Perry, Wylie Thomas, Wayne Penrod and Grant Lundburg.

7:00pm CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITION:

Mayor Larson called the meeting to order at 7:06 p.m.

Opening prayer was given by Terry Rymer

Eric Hazelet led the pledge of allegiance.

CONSENT ITEMS:

- a. **Minutes of Council Meeting – October 9, 2019**
- b. **Expenditures in the amount of \$248,636.81.**

Councilman Brown made a **Motion** to **approve** the minutes of October 9, 2019.
Councilman Draper **Seconded** and the motion **Passed** all in favor.

Councilman Brown made a **Motion** to approve the expenditures in the amount of two-hundred forty eight thousand, six hundred thirty six dollars and eighty one cents (\$248,636.81).
Councilman Robison **Seconded** and the motion **Passed** all in favor.

Reports:

Officer Wall reported that there were 36 officer generated reports and 29 calls that came in through dispatch.

Planning Chair Rosenberger addressed the council and reported on recent action taken by the planning commission. Chair Rosenberger stated that the nuisance ordinance will be left as is due to the planning commission be divided on the matter. Chair Rosenberger reported on the mining ordinance that the commission is working on drafting. Chair Rosenberger reported that the planning commission had reviewed the general plan and recommended approval to the council. Chair Rosenberger indicated that a public hearing was held and the only public comment had to do with land acquisition for the trails.

Mayor Larson addressed the council and gave a report on the canvas of the election results for 2019. Mayor Larson stated that the town will have to hold a special meeting to approve the

canvas. Lucinda Thomas addressed the council and stated that a special meeting will need to take place on Tuesday, November 19 to approve the canvas.

Councilman Brown made a **Motion** to hold a special council meeting on November 19, 2019 at 7:00 p.m.

Councilman Draper **Seconded** and the motion **Passed** all in favor.

PUBLIC FORUM:

Public Comment: Mayor Larson opened up the meeting to any of those that had signed up to speak.

Steven Ward addressed the council seeking approval for his eagle project, which will be to build a fence around the water tank. The council voiced support for this project and Councilman Draper will go out and measure the fence with Steven Ward.

Gus Carter addressed the council seeking approval for his eagle scout project, which will be to place benches around the park at various locations. The council voiced support for this idea. Councilman Brown questioned whether these will be placed in concrete and Mr. Carter stated that they would. Councilman Savage will be in charge of working with Mr. Carter on this project.

Dale Steele addressed the council regarding public safety in Genola and the speeds which people are driving around town, particularly 800 East in front of his residence. Mr. Steele requested increased police presence to help address this issue. Councilman Brown questioned what could be done to help the problem, Mr. Steele reported that a dip was placed but it didn't work. Mr. Steele commented on the lack of police presence in the morning and afternoon. Officer Wall reported that 4 out of 11 speeding tickets written in October were for cars speeding on 800 East. Officer Wall stated he will see about getting a speed sign put up along 800 East. Officer Wall commented this had done in the past but the batteries kept getting stolen out of the sign.

Public Hearing regarding a loan to be used for water system improvements, including a water tank and a new water well. The bonds to be issued are in the amount of \$2,849,400.00 with \$576,400.00 in principal forgiveness, for a net repayable amount of \$2,273,000.00 with no interest, to be repaid over 30 years.

Mayor Larson commented on the existing well that services the town and the problem that arises when there is a problem with the well. Mayor Larson stated that a backup system is needed in order to provide the town with a redundant system. Mayor Larson commented on the growth happening within the town and how eventually a second system will be a necessity. Mayor Larson spoke on the grant that the town applied for and how it is geared towards helping small towns that couldn't provide this for themselves. Mayor Larson stated that water is the source of life and is a basic need and not a luxury. Mayor Larson reported that water bills rates will only be increased between \$5.75 and \$10.00. Mayor Larson stated that \$576,000.00 is a grant given to the town and the other \$2.2 million is a loan, with a 30 year term and 0 percent in interest. The yearly payment required from the town would be \$76,000.00. Mayor Larson reported that with current impact fees of approximately \$45,000.00 per year, that would leave \$31,000.00 per year payable by the residents, divided by the 451 existing hookups each hookup

would pay \$5.73 on average per month. Mayor Larson stated that some users within the town use larger amounts of water for agriculture purposes and may be required to pay more than the average user, this has not been determined yet. Mayor Larson then commented on a Water Smart grant that has been applied for that if approved would give the town another \$300,000.00 to go towards these improvements, which would lower how much the town pays, which would lower how much each individual resident pays per month. Mayor Larson pointed out that the \$76,000.00 per year payment is if the maximum amount is spent, and hopefully the job will not cost that much. Mayor Larson commented on the projected including a million gallon water tank that will be mostly underground to keep the water cool.

Councilman Brown questioned what the estimate on the actual cost is and Mayor Larson reported that it is approximately \$2.2 million.

Councilman Draper spoke on the forefathers of Genola and the vision they had 50/60 years ago. Councilman Draper stated that we don't have to buy water because of the vision they had all those years ago.

Councilman Savage spoke in favor of the well and the tank in order to support the growth that is coming. Councilman Savage spoke on developments taking place which will increase the population that the town will need to provide water for. Councilman Savage spoke on the current infrastructure of the town and how a tank underground will work better in the long run and will serve generations to come.

Councilman Draper reported that the two tanks will be at the same elevation to cut down on equipment and maintenance.

Councilman Robison spoke on how this will cost much more in the future then it will now.

Mayor Larson commented on the current bond for the fire station and stated it will be paid off in 2024, which is a yearly payment of \$82,000.00.

Mayor Larson requested that the public comment be kept to 3 minutes per individual, with all questions answered at the end of the public hearing.

Councilman Brown made a **Motion** to open the public hearing regarding a loan to be used for water system improvements, including a water tank and a new water well. The bonds to be issued are in the amount of \$2,849,400.00 with \$576,400.00 in principal forgiveness, for a net repayable amount of \$2,273,000.00 with no interest, to be repaid over 30 years. Councilman Savage **Seconded** and the motion **Passed** all in favor.

Cheryl Fowers addressed the council and questioned where exactly the tank will be placed and whether property need to be annexed. Ms. Fowers also questioned whether the goal is to build a metropolis. Ms. Fowers pointed out that the town also has a well in Santaquin City on 100 North and 700 East. Ms. Fowers commented on wells being drilled in other places and how they find that there is too much alkaline in the water and it's not good for drinking. Ms. Fowers commented on the horse farm near Lincoln Beach that brings water into water it's horses, or it uses reverse osmosis. Ms. Fowers stated she hoped that Genola would remain an agricultural community. Ms. Fowers commented on the culinary water used by her business for agricultural purposes. Ms. Fowers commented on the moratorium placed on building in Goshen because of water issues.

Wylie Thomas addressed the council and commented on his study of water laws in law school. Mr. Thomas questioned where the location of the tank will be and how the land will be acquired. Mr. Thomas questioned what work has been done with the State Engineer's Office and what the secondary plan would be if the quality of the water was poor. Mr. Thomas questioned if this is a catalyst for quicker growth and smaller lot sizes. Mr. Thomas commented on the enticement the water tank would be to future development. Mr. Thomas stated people come to Genola for the open spaces and agriculture opportunities. Mr. Thomas questioned any studies being done regarding ground water and if it's removal will affect the surface of Genola with ground subsiding.

Dale Steele addressed the council and applauded Mr. Thomas's work and voiced support. Mr. Steele commented on growth and the tax increases that come with it. Mr. Steele suggested that developers pay for the water system by increasing impact fees, instead of the lifelong residents of Genola.

Lynn Fowers addressed the council and questioned the increase to the water bills. Mr. Fowers asked Councilman Draper about a well he drilled and what the outcome was. Mr. Fowers commented on wells that have been drilled in the past and how they are not used any longer because of the lack of water. Mr. Fowers stated it would be nice to have a tank and a well but he doesn't believe the north end of town is the place to put it.

Wayne Penrod questioned whether the increase to water bills is between \$5-\$10 per hookup, or if the increase will be based off of usage.

Bryce Carter addressed the council and questioned how long this system would be adequate before another upgrade is needed.

Mark Gheen addressed the council and questioned whether rates will go back down in 4 years, once the fire station bond is paid in full.

Councilman Savage made a **Motion** to close the public hearing.
Councilman Brown **Seconded** and the motion **Passed** all in favor.

Councilman Brown commented on the fire station bond and stated that we are not allowed under state law to use general funds from the general budget to pay for utilities.

Councilman Savage commented on the desire to keep Genola a farming community.
Councilman Savage commented on landowners having the right to sale and subdivide their land and that the town does not have the right to tell them what to do with their property. Councilman Savage stated this needs to addressed now, before it gets too late.

Councilman Robison commented on the need to get a system in place right now, not because of development but because it's needed.

Councilman Draper commented on the legality of raising impact fees in order to discourage growth. Councilman Draper commented on his well out of the town limits and how the water coming out of it isn't bad. Councilman Savage reported on the test wells being part of the cost. Councilman Draper reported on the cost increase being per meter and not based on usage. Councilman Draper reported that most people move to Genola for the same reason as the people that are already here. Councilman Draper suggested buying land and sitting on it if you don't want growth to occur.

Councilman Brown reported that they plan to use impact fees for as much of the bond as possible, but there are legal limits that have to be adhered to. Councilman Brown reported that the majority, better than 50% of this annual expense, will be paid by impact fees.

Mayor Larson reported on a hearing that will be held on water rates, but there are no proposed changes. Mayor Larson reported that those using more water will pay more money per month based on current usage. Mayor Larson reported that the average will be between \$5-10.

Councilman Draper stated that if you divide \$2.2 million by 30 years, by 12 months, by 450 meters the average increase would be \$13.58.

Mayor Larson commented on the expertise being used and stated that the Department of Drinking Water has requirements that must be met in order to utilize the grant. Mayor Larson reported that the well will be placed where the good water is but the goal is the north end of town. Mayor Larson stated that no property will be annexed for placement of the well.

Councilman Brown stated that the preferred option right now is halfway between two existing, productive and very clean operating wells.

Mr. Steele questioned what would happen if a well was drilled and the water was poor quality, what's the cost to perform those tests. Mayor Larson reported that test wells are included in the grant and study, if only one well is drilled the cost will go down.

Councilman Brown stated that the ground water will be considered and no drilling will take place that will negatively affect the ground water.

AGENDA ITEMS:

1. Discussion and possible action on Resolution #2019-08, authorizing the issuance of taxable water revenue bonds, Series 2020, in the amount of \$2,273,000.00 for water system improvements.

Councilman Brown made a **Motion** to postpone action on Resolution #2019-08, authorizing the issuance of taxable water revenue bonds, Series 2020, in the amount of \$2,273,000.00 for water system improvements until the meeting in December.

Councilman Savage **Seconded** and the motion **Passed** all in favor.

2. Discussion and possible action of a recommendation from the Planning Commission for the revised General Plan 2020-2025.

Planning Commission Chair Rosenberger addressed the council and commented on the work that has been done with MAG.

Mayor Larson questioned the placement of proposed roads within the general plan, when this was previously discussed it was requested to have them shown on the general plan.

Councilman Brown suggested that the general plan be consisted with the town's already designated roads.

Councilman Brown commented on some changes he'd like to make regarding the forceful language regarding moderate income housing. Councilman Brown commented on trails and how people want trails but don't want to pay for them. Councilman Brown pointed out that trails

are shown on the sides of the roadways. Councilman Brown states that because it's in the plan it obligates the town to pay for it with future development. Elizabeth with MAG stated that the plan is just a goal and not an obligation. Councilman Brown voiced concern over this and stated the way it's currently worded makes it seem like an enforceable obligation.

Councilman Brown suggested that the council take some time and make redline comments to discuss on a future date before a formal response is made.

Councilman Brown discussed moderate income housing and how the state legislation doesn't impact the town. Elizabeth pointed out that the verbage comes from Senate Bill 34 directly.

Josh Nielsen pointed out that the statute states that we are not town so we "shall" plan for moderate income housing growth. Mr. Nielsen stated that the town does need to have some sort of plan for moderate income housing.

Councilman Brown on the plan in general being a great start.

3. Discussion and possible action on a renewal of the arena agreement with the Genola Roping Club.

Chad Coburn and Colby Jones addressed the council, Mr. Jones is the new president and Mr. Coburn the vice president. Mr. Jones requested renewing the contract. Councilman Brown asked for updates on work that had been done throughout the year. Mr. Coburn indicated he had been sending regular emails and presented those to the council. Mayor Larson pointed out changes that were made last year, one of them being the \$500.00 cash payment. Jamison Thornton stated that the roping club is a huge benefit to the rodeo committee and were more than helpful during the town celebration rodeo as well as the junior rodeo.

Councilman Brown made a **Motion** to approve a renewal of the arena agreement with the Genola Roping Club on the same terms that they had this year.
Councilman Savage **Seconded** and the motion **Passed** all in favor.

Mr. Coburn commented on the possibility of the arena being moved. Councilman Draper commented on an arena in Pleasant Grove that could possibly be moved. Councilman Draper suggested looking to the county for assistance with building a facility. Councilman Savage will look into the possibility of funding from the county. Both the rodeo committee and the roping club stated they are willing to help in any way with future plans to move the arena, as well as make any improvements.

4. Discussion and possible action on Resolution #2019-09, request for recertification of the Genola Justice Court.

Councilman Brown made a **Motion** to approve Resolution #2019-09, request for recertification of the Genola Justice Court.
Councilman Robison **Seconded** and the motion passed all in favor.

5. Discussion and possible action on an amendment to the Water Ordinance 84-4.

Councilman Brown suggested another redline of the proposed changes and hopefully this can be decided on at the next meeting.

6. Discussion and possible action on applying for a CDBG Grant.

Mayor Larson commented that the pre-application is due by December 6. Mayor Larson reported on the meeting he attended regarding applying for a grant.

Councilman Brown made a **Motion** to pursue a pre-application for a CDBG grant for asphalt at the fire station.

Councilman Draper **Seconded** and the motion **Passed** all in favor.

7. Discussion and possible action on an Impact Fee Report FY 2020.

Lucinda Thomas asked for recommendations from the council on where impact fees should be spent.

Councilman Brown suggested making changes to 400 North where it crosses the canal by the quarry, he suggested widening the road at that crossing. Councilman Draper suggested the same thing at 400 South and State Street. 800 North and Main Street were also suggested as possible road projects. Mayor Larson suggested improvements to Highway 6 and 400 West and also Highway 6 and State Street. Mayor Larson suggested taking \$10,000.00 of the impact fees and contributing it to UDOT to improve those two locations. Mayor Larson suggested putting this on the impact fee plan and then having a resolution written up to present to UDOT.

8. Discussion and possible action on putting out an RFP or RFQ for impact fee facility plan.

Lucinda Thomas reported that this needs to happen in order to adjust impact fees to where they should be. Josh Nielsen will work with Lucinda on starting to put this together.

COUNCIL COMMENTS:

Councilman Draper reported that 35 seniors attended the monthly dinner.

Councilman Brown asked for input from the council on the general plan to submit to MAG.

Discussion was held between the council regarding the inevitable growth that is taking place.

Mayor Larson questioned whether a closed session needs to take place regarding land acquisition for the water tank as well as an update on any litigation. Councilman Robison excused himself from the closed session due to a work obligation.

ADJOURN:

Councilman Brown made a **Motion** adjourn to closed session for the purposes of receiving an update on litigation and discussion of possible acquisition of land.

Councilman Savage **Seconded** and the motion **Passed** all in favor, the meeting was adjourned to a closed session at approximately 9:22 p.m.

Minutes prepared by
Brittany Thornton
Minutes Secretary

Approved on: 12/11/2020



Lucinda Thomas, City Recorder