

**Genola Town Council Meeting  
December 11, 2019**

Elected Officials Present: Mayor Marty Larson, Councilmembers Bryan Draper and Neil Brown

Staff Present: Planning Commission Chair John Rosenberger, Fire Chief McMullin, Police Chief Rodney Hurst, Officer Wall, City Recorder Lucinda Thomas, Legal Counsel Joshua Nielsen and Minutes Secretary Brittany Thornton.

Citizens Present: Chad Coburn, Lynn and Sherryl Fowers, Mike and Lisa Fowers, Eric Hazelet, Dale Steele, Caleb Rees, Mark Davis, Miles Davis, Lewis and Tami Balzly, Ray Rowley, Clay Mecham, Rene Gheen, Gordon Thomas,

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

Mayor Larson called the meeting to order at 7: 05 p.m.

Opening prayer was given by Eric Hazelet.

Sherryl Fowers led the pledge of allegiance.

**CONSENT ITEMS:**

- a. **Minutes of Council Meeting – November 13, 2019**
- b. **Expenditures in the amount of \$40,908.49.**

Councilman Brown made a **Motion** to approve the minutes of November 13, 2019.  
Councilman Draper **Seconded** and the motion **Passed** all in favor.

Councilman Brown made a **Motion** to approve the expenditures in the amount of forty thousand, nine hundred and eight dollars and forty nine cents (\$40,908.49).  
Councilman Draper **Seconded** and the motion **Passed** all in favor.

**Reports:**

Caleb Rees gave the Audit Report for FY 2019. Mr. Rees reported that the financial statements are accurate. Mr. Rees gave some background information on how his audit was performed. Mr. Rees reported that the Utah State Auditor requires compliance with certain state laws which Mr. Rees found one finding not in compliance, which relates to the fund balance for the town in the general fund. Mr. Rees commented on the balance sheet for government funds, which has a healthy general fund. Mayor Larson questioned the consequence of having more than permitted in the general fund and Mr. Rees reported there is no consequence and that this just needs to be reduced in future years.

Police Chief Rodney Hurst gave the police report for the month of November and reported that there were 28 case numbers pulled for the month. Chief Hurst reported that the CAD statistics were 62 officer generated reports and 20 public generated reports.

Fire Chief William McMullin addressed the council and reported that for the month of November the fire department responded to 7 calls, 6 medical and 1 propane leak. Chief McMullin reminded everyone to come visit Santa on Saturday at the fire department.

Planning Commission Chair John Rosenberger reported that three public hearings were held this month and that those items were tabled until next month in order to give the commission more time to review the information. Chair Rosenberger reported on site plans that were approved for accessory buildings. Chair Rosenberger reported that the commission is still working on drafting a mining ordinance.

Ray Rowley with Mountain Valley Fruit gave a report with a PowerPoint presentation regarding the effects of dust in agricultural communities. Mr. Rowley commented on the mites that get out of control due to the dust affecting the predators that typically eat the mites. Mr. Rowley reported that 3,600 acres of fruit ground would be affected if another gravel pit is permitted within the town. Dale Steele questioned the lack of funding at the county level to pay for anyone to police this type of activity, Mr. Rowley confirmed that this is typically the case. Mr. Steele questioned if the fruit is washed, and Mr. Rowley replied that they are washed if they can get ripe enough before the mites get to them.

#### **PUBLIC FORUM:**

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

Eric Hazelet addressed the council and commented on a mining law that was passed last year. Mr. Hazelet reported that 10 years ago the Lieutenant Governor's office let Genola remain a town, due to it being an agricultural community. Mr. Hazelet commented on the work being done for the tank and well and commended the council for the work they have done on this project. Mr. Hazelet stated that a redundant water system is needed for the residents that are already here. Mr. Hazelet questioned whether developers can help offset this cost. Mr. Hazelet thanked the members of the council for their service.

Chad Coburn addressed the council and reported that he had met with the county commissioner regarding moving an arena to Genola. Mr. Coburn questioned whether a decision has been made on the increase to the water bills being per meter or based on usage and Counselor Brown reported this has yet to be determined. Mr. Coburn questioned whether this grant can be applied for again if not taken and Mayor Larson replied that he doesn't think the town would ever get a grant like they were offered again. Mr. Coburn stated it's kind of like a coupon and just because you have a "coupon" doesn't mean you need to spend the money.

Mike Fowers addressed the council and stated he's opposed to a water tank due to the quality of the water on the west side of the mountain. Mr. Fowers reported on the heat coming out of the ground and Counselor Draper reported that the water coming out is 104 degrees and slightly salty. Mr. Fowers voiced concern over passing the bill onto the farmers and the dairymen in the community.

Dale Steele addressed the council and stated he's not against a new well but he is against the proposed location of the well, due to the expense of placing it on the mountain. Mr. Steele stated he is in favor of another water source in town and he would be in favor of placing it somewhere else within the town. Mr. Steele commented on growth and how it cannot be stopped and along with that is going to be other expenses. Mr. Steele proposed a subdivision fee in order to pass these costs along to the developers.

Lynn Fowers addressed the council and stated that Orem and Provo used to run their sewer water into the lake and drilling below the lake could pose an issue. Mr. Fowers also suggested

a higher impact fee to cover the costs of the new water system. Mr. Fowers stated that the more we tax people the less they can do. Mr. Fowers then commented on the dust presentation that was made. Mr. Fowers stated that there's not a lot of places in Utah that can raise fruit and a lot of those places are now gone, like Orem and Lindon. Mr. Fowers stated that this area is a microclimate for growing fruit and that this needs to be protected.

Sherryl Fowers addressed the council and thanked Mr. Rowley for the presentation he made. Ms. Fowers commented on the fruit growers that attended the meeting last week being concerned over dust potentially being created. Ms. Fowers commented on testing that has to be done on any water that is used in the orchards and that for this reason they cannot use secondary water. Ms. Fowers supported a higher impact fee, rather than a fee based on usage.

The mayor and council addressed the questions and comments that were heard. Mayor Larson agreed with the need for a redundant system and stated that there is a lot at stake, if the current system was to fail. Mayor Larson reported that a \$40,000 grant was given to start the process and another \$300,000 has been applied for. Mayor Larson also stated there is an approximately \$500,000 grant included with the zero percent interest loan. Councilman Brown reported that impact fees will be used to help pay off the bond. Councilman Brown stated that the impact fee structure will be reviewed in the near future and an increase will be evaluated. Councilman Draper reported that impact fees are regulated by the state. Mayor Larson reported that a well will not be drilled where the quality and volume of water is poor. Mayor Larson agreed with placing the well in a good spot. Mayor Larson commented on zone changes and that it's his belief that the town can choose what they want to happen in certain areas, which can't happen once the zone change has been granted.

#### **AGENDA ITEMS:**

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

Councilman Draper made a **Motion** to approve Resolution 2019-08, authorizing the issuance and confirming the sale of taxable water revenue bonds, Series 2020, in the amount of \$2,273,000.00 for water system improvements and related improvements and authorizing all related documents, action and related matters.

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

2. Discussion with Mark Davis and Clay Mecham on proposed roads and dedication.

Mark Davis addressed the council regarding future roads in Genola. Mr. Davis reported that his son, Miles, would like to purchase a piece of property on 400 South. Mr. Davis reported that a future road known as 400 West is shown on that piece of property which would require Mr. Davis to install the said road before his house could be built. Mr. Davis reported that they had taken this before the planning commission who stated that the road being built first would have to happen, due to the way the ordinance is written. Mr. Davis reported that the right of way is being provided for the road they just wish to build a house before a road is built. Mr. Davis stated he sees no reason to put a road in that won't be used at the time. Councilman Brown asked Mr. Davis to clarify that the land will be dedicated and that the road will be put in when needed for future development.

Clay Mecham addressed the commission and reported he has a similar situation on 400 North. Mayor Larson commented on this being different as the road not being built could hinder the development adjoining this piece. Councilman Brown stated this is different because the Mecham's don't own the property behind the property where the road is to be built, the Davis's do.

Mr. Mecham stated he would like to develop his as soon as possible. Councilman Brown stated that this will be a lengthy process and that amendments would need to be made to the current ordinances. Chair Rosenberger reported that both these items had been before the Planning Commission, which recommended denial of both due to the current ordinances.

3. Discussion and possible action on the Water Conservation Plan December 2019.

Councilman Brown requested more time for the Council to review the document, this item will be tabled to a future date.

4. Discussion and possible action on the revised General Plan 2020-2025.

A discussion was held regarding the redlines made and who had been able to review those. Legal Counsel Nielsen suggested being clear on whether the planning commission needs to review this again after changes are made.

Councilman Brown made a **Motion** that the town submit to the Mountainland Association of Governments the redline version of the general plan, for Mountainland Association of Governments to incorporate those changes into the general plan and return it to the Town Council for final approval.

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

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

Mr. Nielsen addressed the council and reported on changes that have been made since this was last before the council. This will be brought back to the council after a few minor changes have been made.

**COUNCIL COMMENTS:**

Mayor Larson reported that in January Councilman Brown will conduct the meeting and the new councilwoman will be sworn in, as he will be gone.

Councilman Draper reported that 40 seniors attended the dinner last night and that a gift of \$1,000.00 was received to help support the senior citizen's in Genola.

Mayor Larson acknowledged the service Councilman Draper has provided to the town.

Councilman Brown reported that he has completed the pre-application for the CDBG grant for asphaltting around the fire station and is working on the final application. Councilman Draper stated he would be willing to donate a substantial amount of money to make this happen to provide for more parking.

**ADJOURN:**

Councilman Brown made a **Motion** to adjourn.

Councilman Draper **Seconded** and the motion **Passed** all in favor.  
The meeting was adjourned at 8:54 p.m.

Minutes prepared by Minutes Secretary Brittany Thornton

Approved on: 1/8/2020

  
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Lucinda Thomas, City Recorder