

Genola City Council Meeting
July 8, 2020

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

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

Citizens Present: Grant Lundburg, Michael Lang,

7:00pm CALL TO ORDER:

1. Mayor Larson called the meeting to order at 7:04 p.m.

Councilmember Christensen gave an opening prayer.

Police Chief Rodney Hurst led the pledge of allegiance.

2. Approval of minutes for June 10, 2020.

Councilmember Brown made a **Motion** to approve the minutes from June 10, 2020.

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

3. Expenditures: \$31,186.10
 - Anderson Law Center: \$8,345.25
 - Bankcard Center: \$1,848.93
 - Central Utah 911: \$1,696.36
 - Fireworks West Int.: \$2,700.00
 - John Cowan: \$2,700.00
 - Mountainland Supply: \$1,119.79
 - Rocky Mountain Power: \$759.65
 - Santaquin City: \$9,335.44
 - Spillman/Motorola Geo Validation: \$647.39
 - Utah County Task Force: \$513.81

Ms. Thomas indicated that Anderson Law Center should be \$4,075.00 bringing the total to \$26,915.85.

Councilmember Brown made a **Motion** to approve the expenditures in the amount of twenty-six thousand, nine hundred and fifteen dollars and eighty five cents (\$26,615.85).

Councilmember Christensen **Seconded** and the motion **Passed** all in favor.

Approval of a P.O. for \$1,500.00 to purchase a water gun for the rodeo arena.

Councilmember Brown questioned if this is a big sprinkler and Councilmember Christensen presented a picture to the council of the sprinkler, which will cover approximately half of the

arena. Councilmember Christensen reported she is requesting approval to purchase 2 of these sprinklers.

Councilmember Brown questioned whether this will be using culinary water and Councilmember Savage questioned whether there will be enough volume. Councilmember Christensen reported that Chris Steele reported the water would be adequate for the sprinklers. Councilmember Brown suggested testing one out before purchasing them to make sure it will be sufficient.

Councilmember Brown made a **Motion** to approve a purchase order for up to \$1,500.00 to purchase water guns for the rodeo arena, contingent upon confirmation from Chris that there is sufficient volume to maintain the pressure for the guns in the rodeo arena. Councilmember Savage **Seconded** and the motion **Passed** all in favor.

Reports:

Code Enforcement Officer Manny Escoto gave a report on recent code enforcement action taken. Mr. Escoto reported that on average there has been 2-5 reports per month. Mr. Escoto reported that he has been working with Josh Nielson on individuals that are not complying with his requests. Mr. Escoto asked for input on a veteran living in a shed on the north end of town and Mayor Larson stated he urges following what the town ordinance dictates. Councilmember Savage questioned if a form is being used and Mr. Escoto replied there is a 14 day notice that is given and lists the code infraction. Mr. Nielson reported the code does allow for time extension, as long as they are communicating and willing to work on a resolution.

Police Chief Rodney Hurst reported that 31 case numbers were pulled for the month of June and that the CAD statistics were 29 officer generated and 25 public generated. Mayor Larson asked for an update on any procedure changes that were made due to COVID-19 and Chief Hurst reported that they have backed off on traffic violations and are trying to do all reports electronically.

Fire Chief William McMullin reported that June was a busy month with 17 calls; 3 medical calls, 2 accidents, 1 structure fire and 13 brush fires. Councilmember Savage questioned whether they were called out to Saratoga Springs for any fires and Chief McMullin reported they assisted on two separate fires in Saratoga Springs. Councilmember Brown questioned when the last time the ladder was used and Chief McMullin reported that it was used during the Oberg fire. Councilmember Brown reported he would support purchasing a new ladder. Councilmember Brown commented on COVID funds that are available from the government for COVID related expenses and indicated they could go back as far as March 20 and be reimbursed from this fund. Chief McMullin will look into any funds they can get reimbursed for out of this fund.

Planning Commission Chair John Rosenberger gave an update on recent action taken at the Planning Commission.

Public Forum

No public comment was heard.

Agenda Items:

1. Discussion and possible action on Ordinance 2020-06 an amendment to the General Provisions 20.01.07 the procedure for public hearings and 20.03.07 Planning Commission compensation.

Josh Nielson clarified that the ordinance is actually 2020- 06. Councilmember Brown suggested having compensation contingent on showing up to the meetings, and Lucinda Thomas replied that it is contingent on them attending the meetings.

Councilmember Brown made a **Motion** to approve Ordinance 2020-06, an amendment to the General Provisions 20.01.07 the procedure for public hearings and 20.03.07 Planning Commission compensation.

Councilmember Robison **Seconded** and the motion **Passed** all in favor.

2. Discussion and possible action on Ordinance 2020-05, an amendment to the zoning code Title 20, Chapter 13 R-1 Residential and Chapter 16 I-3 Heavy Industrial zones in restricting they be adjacent to each other.

Mr. Nielsen gave an overview of changes that are being made with the biggest being preventing these two zones from being adjacent to each other.

Councilmember Brown made **Motion** to approve Ordinance 2020-05, an amendment to the zoning code Title 20, Chapter 13 R-1 Residential and Chapter 16, I-3 Heavy Industrial zones in restricting they be adjacent to each other.

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

3. Discussion and possible action to ratify and assign Resolution #2020-05 to the CDBG project for ADA access at the Public Safety Building.

Mr. Nielsen clarified that this ratifies the action that was taken last month.

Councilmember Brown made a **Motion** to approve Resolution #2020-05 to the CDBG project for ADA access at the Public Safety Building.

Councilmember Christensen **Seconded** and the motion **Passed** all in favor.

Councilmember Brown questioned when they could move forward with the project and Lucinda Thomas replied that the next step will be the environmental review.

4. Discussion and possible action on Resolution #2020-06, extending the Rocky Mountain Power agreement formerly known as Pacific Corp.

Michael Lang with Rocky Mountain Power reported that the prior ordinance that constituted the existing franchise agreement that's currently in place specifies Section 6 that the grantee would agree to pay a sum, equal to 6% of gross revenue derived from the grantee on the sale and use of electrical power beginning July 1, 1997. Mr. Lang clarified that this was stating what's already a part of the Utah State Tax Commission Law and that's in Publication 54 which was most recently revised on July 8, 2018.

Councilmember Brown made a **Motion** to approve Resolution #2020-06.

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

5. Discussion and possible action on Resolution #2020-07 renewing our license to occupy space within the state highway right-of-way.

Councilmember Brown made a **Motion** to approve Resolution #2020-07, renewing our license to occupy space within the state highway right-of-way.

Councilmember Christensen **Seconded** and the motion **Passed** all in favor.

6. Discussion and possible action on Resolution 2020-08 an amendment to the fee schedule.

Mr. Nielsen gave an overview of all proposed changes to the fee schedule. Councilmember Brown commented on the fee for transferring a burial plot for a non-resident and questioned what the fee is for a resident. Mr. Nielsen clarified there is a \$15.00 fee to transfer to a resident and \$415.00 to a non-resident. Mr. Nielsen reported that this is to prevent residents from buying plots and then transferring them to non-residents at a reduced cost.

Mayor Larson questioned what the town hall deposit is and Ms. Thomas replied this needs to be removed as they no longer rent out the town hall it is now the library. There was then discussion on renting out the public safety building. The council was in agreement with not renting out the public safety building for any events.

Councilmember Christensen reported she contacted 4 different arenas to see what they charged to use their arenas and determined that \$200.00 is the going price at most places, which is what she's recommending if the arena is being used for profit. Councilmember Christensen reported she is recommending a fee of \$50.00 for non-profit groups, such as Utah Valley University. Mr. Nielsen reported that we've never made distinctions between profit and non-profit, only for resident and non-resident. Councilmember Christensen questioned why the price to use the lights is so high and Councilmember Brown reported that the demand charge is \$400.00 for the first time the lights are turned on for the month. Councilmember Christensen recommended there not be a charge for youth groups, such as 4-H. Mayor Larson asked what the event fee would be and Councilmember Christensen stated that she is recommending a fee of \$200.00 for events that are for profit. Councilmember Savage commented on the purpose of the fee being to offset cost and damage to the arena. Mr. Nielsen stated there should be a separate agreement for any events being held.

Mr. Nielsen reported he will make the changes and bring this back for approval next month.

7. Discussion and possible action on Resolution 2020-09 an interlocal cooperation agreement with Utah County for disbursement from the coronavirus relief fund.

Councilmember Brown voiced concern with the indemnification being one-sided, in Section 11, Page 9. Josh Nielsen stated this has been revised and that the original proposal was worse than this proposal.

Councilmember Brown made a **Motion** to approve Resolution 2020-09, acknowledging concern over the indemnification provision.

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

8. Discussion and possible action on the road projects for the upcoming year.

Councilmember Robison reported he had received 2 bids; one for 1200 North to be widened out to 20 feet wide. Councilmember Brown reported he is concerned with the encroachment near the Joe Stubbs property. Councilmember Robison stated he will talk to Mr. Stubbs and let him know this is happening. Councilmember Robison requested using impact fees to pay for this project which will cost approximately \$85,741.00. Councilmember Brown voiced concern on using 100% of impact fees for this project, as its being used to both replace and expand and impact fees should only be used for expansion. Mayor Larson questioned what the deadline is for impact fee use and Ms. Thomas replied that you have 6 years to spend impact fees. Councilmember Brown stated you can go beyond 6 years if you have a declared project and Ms. Thomas replied there are steps that need to be taken in order to extend past the 6 year timeline. Councilmember Robison stated that they should be able to use impact fees for half of the \$85,000.00 since they are expanding the road 5 feet on each side. Councilmember Robison stated that he and Chris Steele will go talk to the residents in the area of 1200 North tomorrow to see what they're feelings are.

Councilmember Robison stated that they are also hoping to chip and seal from Janet Carter's all the way down Center, down to Lucinda's house on 600 W. over by Jack Mosher's house on 800 S. and then out towards Brent Davis's on 400 W. and go all the way up 800 South. Mayor Larson questioned whether they will continue around the bend near 1600 North and Councilmember Robison replied some of the other roads are more critical at this time, especially Center Street. Councilmember Robison stated the chip and seal will be approximately \$150,000.00.

Councilmember Brown made a **Motion** to approve both road projects the chip and seal project for \$149,950.00 and the replacement and expansion of the road on 1200 North for \$85,741.72, contingent upon Councilmember Robison meeting with the property owners for the rebuild of 1200 North.

Councilmember Christensen **Seconded** and the motion **Passed** all in favor.

Mayor Larson suggested one more elected official go with Councilmember Robison to visit with property owners along 1200 North.

Mayor Larson made a **Motion** to amended the motion to state that two public officials will go and meet with the residents.

Councilmember Savage **Seconded** and the amendment **Passed** all in favor.

All in favor of amendment

All were in favor of the original motion.

Mayor Larson indicated that Chris Steele will need to order pipe for the crossings on Highway 141 and Main Street and would need authorization to do so. Councilmember Robison indicated the cost is unknown on this project. Mayor Larson stated that Jay had been in contact with Chris. Mayor Larson indicated it will be 100 feet of 48 inch and 100 feet of 24 inch pipe, according to Jay. Mayor Larson indicated prices were low right now and it might be a good time to purchase and store until it's ready to be installed. It was decided this would be brought back next month with an estimate on cost to purchase the pipe.

9. Discussion and possible action on new playground equipment for the south park.

Councilmember Savage voiced concern over the existing equipment and suggested replacing it. Councilmember Savage stated the insurance companies feel the current slide is a risk and is

not up to codes. Councilmember Savage reported it would cost approximately \$27,900.00 to have new equipment put in the park. Councilmember Brown questioned whether insurance charges extra and Ms. Thomas replied they aren't charged extra but the insurance companies do voice concern over it all the time. Ms. Thomas reported the town almost had a lawsuit regarding somebody getting hurt on the slide. Ms. Thomas stated she thought park impact fees could possibly be used since there is a need for more playground equipment. Mayor Larson suggested making a new plan for the town center. Councilmember Savage questioned whether expansion should happen on the other park and this one be phased out. Councilmember Brown commented on multiple parks giving the town more ability to rent out multiple facilities. Councilmember Savage commented on the overall plan for the park area and indicated that new playground equipment could be moved at a later time if necessary. Councilmember Savage indicated in the future he'd like to see things shifted around and possibly build a new shop for Chris and Paul in a different location, possibly the east bench, to make way for an improved city center. Councilmember Savage stated he'd like to see a cultural center in Genola in the future, that would include town offices, and a basketball court that could be rented out and used, as well as a stage that could be used for various events. Councilmember Savage stated this is also dependent on what happens with the rodeo arena and it's future location. Councilmember Brown suggested that these ideas be put on paper. Councilmember Savage stated he is still trying to track down a plan that was engineered a few years back to have a starting point.

Councilmember Savage questioned whether we use parks impact fees now and then move the equipment later or wait until a plan is developed. Councilmember Brown reminded the council that there had been discussion about using park impact fees for the parking lot at the public safety building. Lucinda Thomas reported there is \$130,000.00 in parks impact fees.

Councilmember Savage stated that the main factor for coming up with a plan for the area is the future of the rodeo arena and it's possible location.

Councilmember Savage will bring this issue back for more discussion.

COUNCIL COMMENTS:

Councilmember Robison brought up an issue of the flag not being up on the 4th of July and comments that were made on Facebook.

Councilmember Brown followed up on ladders and Chief McMullin stated that \$1,200.00 should be enough to purchase a 14 foot roof ladder.

Councilmember Brown made a motion to approve up to \$1,200.00 to purchase a 24 foot ladder for the fire engine.

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

ADJOURN:

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

Councilmember Robison **Seconded** and the motion **Passed** all in favor.

The meeting was adjourned at 9:27 pm

Minutes prepared by Minutes Secretary Brittany Thornton

Approved on: 8/12/2020



Lucinda Thomas, City Recorder