

FILLMORE CITY COUNCIL MEETING

September 1, 2020

Minutes of the regular meeting of the Fillmore City Council held September 1, 2020 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 August 28, 2020.

Those present were:

Mayor:	Michael D. Holt	Council:	Kami Dearden
Attorney:	Peyton Harris		Kyle Monroe
Recorder:	Kevin Orton		Eric R. Jenson
			Michael B. Winget
			Dennis W. Alldredge

Others: Matt Ward, Shane Brunson, Audrey Camp, McCall Wardle, Daniel Garcia, Hailey Braman, John and Sharon Hansen, Eric Larsen, Brent and Debbie Jackson, Jaren and Pam Tame, and Tresa Cranney.

6:30 p.m. Welcome and Pledge of Allegiance – Mayor Holt

ADMINISTRATIVE BUSINESS

Minutes

MOTION: To accept the minutes from the August 18, 2020 city council meeting as written.

By: Councilmember Winget

Second: Councilmember Jenson

Vote: Unanimous. Motion carried.

Bills – Payroll

MOTION: To approve the August 31, 2020 payroll and payment of bills listed on the invoice register dated August 19, 2020 – September 1, 2020.

By: Councilmember Jenson

Second: Councilmember Monroe

Vote: Unanimous. Motion carried.

Purchase Orders

MOTION: To approve Purchase Order 21-19 in the amount of \$10,527.00 payable to D&K Renovations for roof replacement on CERT building.

By: Councilmember Dearden

Second: Councilmember Alldredge

49 Vote: Unanimous. Motion carried.

50 Purchase Orders

51
52 MOTION: To approve Purchase Order 21-21 in the amount of \$10,644.00 payable
53 to Ascent Aviation for purchase of jet A aviation fuel.

54 By: Councilmember Alldredge

55 Second: Councilmember Dearden

56 Vote: Unanimous. Motion carried.

57
58 Licenses and Permits

- 59 • Demolition Permit DE20-14 to demolish a building located at 105 South Main Street
- 60 (Prime Powersports).
- 61 • Administrative Conditional Use Permit 20-05 for a temporary Conex Container for
- 62 Prime Powersports.
- 63 • Business License BL-2016, 42 RJ Management. Inc, DBA RJ BBQ and Catering;
- 64 Owner, Ryan John. Business description includes BBQ food truck.

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67 **PUBLIC HEARINGS**

68
69 MOTION: To go into a public hearing at 6:37 p.m. for the purpose of receiving
70 public comment concerning a proposed zone change from Light
71 Industrial to Highway Commercial. The area included in the proposed
72 change is a partial section of Parcel F-FE-7340-5-1 totaling
73 approximately 5 acres, located at approximately the west side of 1100
74 West and 850 South.

75 By: Councilmember Dearden

76 Second: Councilmember Jensen

77 Vote: Unanimous. Motion carried.

78
79 The council is considering a recommendation from the Fillmore City Planning Commission to
80 approve a zone change from Light Industrial to Highway Commercial for the parcel noted in
81 the above motion (across the street to the west of the south Chevron station). Matt Watson
82 who represents Momentum Development Group was present and addressed the council. There
83 will be two to three businesses in the newly zoned parcel of nearly five acres. These
84 businesses will be conducive to the other businesses that are planned to be developed in the
85 area. Contracts with prospective businesses will be finalized once the zone change is
86 complete.

87
88 MOTION: To go out of the public hearing at 6:43 p.m.

89 By: Councilmember Alldredge

90 Second: Councilmember Winget

91 Vote: Unanimous. Motion carried.

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97 MOTION: To go into a public hearing at 6:44 p.m. for the purpose of receiving
98 public comment regarding a proposed subdivision located between 100
99 East to 200 East and 400 South to 500 South, Parcel F-582-1-4 and F-
100 582-1-5
101 By: Councilmember Alldredge
102 Second: Councilmember Dearden
103 Vote: Unanimous. Motion carried.
104

105 John Hansen lives across the street from the proposed subdivision. Mr. Hansen would like to
106 see the plan happen and follow through as long as it goes according to the original proposal for
107 the subdivided property. The original proposal includes twin homes with green space behind
108 the twin homes. Mr. Hansen also voiced concerns regarding infrastructure and whether the
109 development will be constructed all at once, or if it will be allowed to be “piecemealed.”
110

111 Jaren Tame, who lives on the same block as the proposed subdivision, stated that multi-family
112 housing can cause problems with parking and asked that the council address this concern
113 during the development process. Mr. Tame asked how many units are being proposed, and that
114 if they commit to green space, can they later change it to something other than green space.
115 There are 14 units (buildings) being proposed. If the city approves the plan with the green
116 space and later the applicant wants to build a structure, the applicant will have to go through
117 the appropriate process.
118

119 MOTION: To go out of the public hearing at 7:00 p.m.
120 By: Councilmember Jenson
121 Second: Councilmember Monroe
122 Vote: Unanimous. Motion carried.
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125 COMMUNICATIONS AND REQUESTS 126

127 Fire Department Report – Chief Shane Brunson

128 There were six fire calls for the month of August. Every fire department in Millard County
129 works very well with Federal Fire Marshall in quickly extinguishing fires. The only potentially
130 serious fire during the month was a fire in Flowell that was an electrical ignited fire. An
131 appliance was improperly hooked up to a trailer. Chief Brunson agreed to the fire department
132 managing the annual Millard High School fire rally. Chief Brunson asked that when the fire
133 trucks and crews move in to extinguish the fire, that everyone leave the venue.
134

135 The Fire Department will not have responsibility of ensuring fueling stations follow fire code
136 when constructing new businesses. That will be the responsibility of the Fillmore City office
137 when permits are granted for new construction of fueling stations.
138

139 Millard High School Fire Rally Request – MHS Student Body

140 John Gates, Vice President of MHS student council thanked the City Council for sponsoring
141 the fire rally event in the past and asked if they would sponsor it again this year. John also
142 asked if they could use the walls of the city tent to place around the pavilion for the dance that

will take place on September 26th, 2020. The fire rally will take place on September 24, 2020, and the parade on September 25th. The council gave their approval to hold the event this year as requested.

Utah Association of Municipal Power Systems (UAMPS) – Eric Larsen, Fillmore City Liaison to UAMPS

The cities of Logan and Lehi have backed out of the Carbon Free Power Project. Cities will not receive any reimbursement of their investment for dropping out. The project is moving forward and is expected to go online about the same time that the San Juan power project ends. Fillmore City is still in the project. The Department of Energy wants to see this project move forward, so they dropped the JUMP program and instead will allocate \$1.4 billion towards this project. Contracts and development costs are still in negotiations. UAMPS remains hopeful that there will be more participation in the project, as this would keep costs lower for Fillmore City.

NuScale is the first company to receive nuclear regulated approval. UAMPS has been studying nuclear power for over ten years and have addressed concerns regarding safety and what to do with the nuclear waste. Nuclear power is safer than many people think. The country is pushing to eliminate carbon powered plants. The only way to counteract the volatility of solar and wind power is to have a baseload that can handle that. Nuclear can provide this needed stability in the absence of carbon power.

Councilmember Alldredge appreciates the work that Mr. Larsen and UAMPS do for Fillmore City. They are handling this project in a careful and organized way. A power plant in Georgia that is near completion almost doubled in cost from the original estimate for several reasons. UAMPS is monitoring projects like that one to learn what not to do and how to better address any potential problems.

The future is bleak when it comes to coal. There will be 2,900 kilowatts of power lost to Fillmore City when the Hunter Power Plant closes. If that plant closes sooner than later, then the City may need to purchase power on the open market. If it closes later, then excess power may need to be sold.

Discussion Regarding Building Permit Fees – Bevan Johnson

Mr. Johnson requested that the council reduce the building permit fee for a home addition project on his house. The council explained to Mr. Johnson that the fee is set according to State Code and the International Building Code (which the City adopted). The fees need to be consistent for everyone regardless of whether they do the construction work themselves or contract it out. Councilmember Jensen explained that the square footage cost does not equate to value, and that if a builder's cost to do the project is lower, that should not equate to lower fees. The City recovers costs associated with building inspections and administrative expenses.

Discussion Regarding Fiscal Year 2020-2021 Budget Amendments

The Public Works department would like to purchase a new mini-paver. This would allow the crew to complete more projects without having to contract them out, thus saving the City money. It would also allow for more efficiency in repairing potholes and doing shouldering

work on city roads. Enough funds are available in the Class C Road fund reserves to purchase it. This item was not originally budgeted for in the current budget year, so the budget would need to be opened and amended if the City were to purchase it. Councilmember Monroe expressed concern of currently being short-handed in the public works department and wants to know if they would be able to stop other projects to do paving work. The council requests Public Works Director Matt Haupt address these concerns with the council before a decision to purchase is made.

BUSINESS

Jerry Hackwell Subdivision Block 20 Plat Amendment

Josh and Tressa Cranney will be developing the block to include twin homes for a 55 and older community. The homes will include three different floor plans so they will all look different. Tenants will own the homes but not the property. There is already good interest in purchasing the homes by locals and from out-of-towners. The homes will be built in stages (three at a time). There is a concern from neighboring citizens regarding cars being parked on the roads. Mrs. Cranney stated that each unit will have its own garage and driveway. Each one will also have gate access to the back yards. Mrs. Cranney would like to start building Spring of 2021. Before a decision can be made regarding the Cranney's subdivision, the amended subdivision plat, for Jerry Hackwell, for the Block 20 subdivision, must be approved, with the appropriate findings under Fillmore City Municipal Code 10-18-8.C.

MOTION: To approve the Jerry Hackwell subdivision Block 20 plat amendment based on findings that neither the public nor any person will be materially injured by the subdivision and that there is good cause for the subdivision as stated by Councilmember Winget.

By: Councilmember Winget

Second: Councilmember Alldredge

Vote: Unanimous. Motion carried.

Zone Change from Light Industrial to Highway Commercial for Parcel Number F-FE-7340-5-1

MOTION: To approve a zone change for Momentum Development Group from Light Industrial to Highway Commercial for parcel number F-FE-7340-5-1.

By: Councilmember Winget

Second: Councilmember Alldredge

Vote: Unanimous. Motion carried.

Deny Amending Notice Requirements for Subdivision, Chapter 10-18-2

MOTION: To deny recommendation to amend notice requirements for subdivision and to continue use of the current Fillmore City Code, Chapter 10-18-2.

By: Councilmember Alldredge

Second: Councilmember Jensen

Vote: Unanimous. Motion carried.

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240 Approval of Minor Subdivisions Located Between 100 East and 400 South to 500 South,
241 Parcels F-582-1-4 and F-582-1-5.
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243 MOTION: To approve minor subdivision of parcel F-582-1-4 with condition that
244 discussions for the access road meeting city code will continue along
245 with the conditions set forth by the Fillmore City Planning Commission
246 and approval of the fire chief.

247 By: Councilmember Jenson
248 Second: Councilmember Winget
249 Vote: Unanimous. Motion carried.
250

251 MOTION: To approve minor subdivision of parcel F-582-1-5 with condition that
252 discussions for the access road meeting city code will continue along
253 with the conditions set forth by the Fillmore City Planning Commission
254 and approval of the fire chief.

255 By: Councilmember Jenson
256 Second: Councilmember Winget
257 Vote: Unanimous. Motion carried.
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260 Resolution 20-15 Amending Fillmore City Personnel Policy for the Purpose of Changing the
261 Fillmore City Office Hours

262 The city office has received requests from citizens to stay open later than 5:00 p.m. to
263 accommodate the needs of patrons for longer business hours. The office staff would like to
264 make the adjustment to provide enhanced customer service to citizens. The amendment to the
265 policy calls for changing the hours Monday through Thursday 8:00 a.m. to 5:30 p.m., and
266 Friday, 8:00 a.m. to 12:00 p.m.
267

268 MOTION: To adopt Resolution 20-15.
269 By: Councilmember Winget
270 Second: Councilmember Jenson
271 Vote: Unanimous. Motion carried.
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274 **COUNCIL REPORTS**
275

276 Councilmember Jenson

277 No report
278

279 Councilmember Winget

280 **Historic Preservation**

- 281 • The Armory Building has been nominated to be placed on the National Register of
282 Historic Places. The council discussed pros and cons of allowing it to be on the list and
283 decided against it. The main reason is that it is expensive to make alterations or

modifications to a building when it is on the register. There would also be several restrictions placed upon the building as well.

Councilmember Alldredge

No report

Councilmember Dearden

Parks

- Councilmember Dearden has received complaints of dirt from the North Park project being compacted into the surrounding roads.
- All utilities have been run to the North Park expansion area. No additional work should be required of the Public Works crew on the park expansion from now until the completion of the project.

Councilmember Monroe

Garbage

- There are new dumpsters at the transfer station, so the change from roll-offs to smaller dumpsters is underway. The State of Utah is mandating this change.

Mayor Holt

- Daniel Peterson secured liability insurance for grazing his cattle on city property located on 500 West between 200 South and 300 South, so the grazing agreement can now be signed.
- The RAP tax generated a 55% increase over the first two months that the City has received the RAP tax revenue. Last month's sales tax revenue was 23% higher than the highest month's sales tax revenue for the City.

ADJOURNMENT

Upon motion by Councilmember Dearden and second by Councilmember Monroe, the meeting adjourned at 9:21 p.m.

The next regular council meeting will be held September 15, 2020 at 6:30 p.m.

APPROVED September 15, 2020

Michael D. Holt, Mayor