

Date: September 24, 2020
Time: 6:30 p.m.
Place: Willard City Hall, 80 W 50 S, Willard, UT 84340
Attendance: Mayor Kenneth Braegger, Council Members Josh Braegger, John Seamons, Brad Robb,; City Manager Chris Davis, Deputy City Recorder Gaylene Nebeker, City Attorney Colt Mund

Excused: Council Member Kaleb Kunzler, Council member Fred Ward, City Recorder Teri Fellenz, City Planner Bryce Wheelwright

Others: (see attached for others)

1. Call to Order

- a. Invocation
- b. Pledge of Allegiance

2. Open Comment Period (Individuals have three minutes for open comments. If required, items may be referred to department heads for resolution. Items requiring action by the City Council will be placed on the agenda for a future meeting.)

3. Business

d. Mayor Braegger moved item 4 b i. ahead to accommodate family members present for Fredrick Mabrey who was presented as a new Police Officer hired under a COPS Grant.

City Council member Seamons made a motion to approve the hiring of Fredrick Maybury as a new Police Officer for Willard City. The motion was seconded by City Council member Braegger.

***Council member Braegger – yes
Council member Seamons - yes***

Council member Robb – yes

b. Planning Commission – Discussion on proposed changes to the Willard City Zoning Ordinance Chapter 12-105 Conditional Use, Chapter 12-111 Multiple Use, Agricultural or Rural and Residential Districts and 12-112 Commercial and Manufacturing Zones, C-N, C-G and M. Reset for a public hearing on 10/22/20

Willard City Attorney Colt Mund explained the Planning Commission uses the tables for different type of zoning. In section 12-112 the original document had 190 different uses and has been narrowed down to 75 uses to make it easier to identify businesses. Section 12-105-10 –No Presumption of Approval was added stating the listings does not constitute as assurance that the CUP shall be approved by the Planning Commission or Zoning Administrator. Section 12-105-11 beefed up the language. It is not a comprehensive list and if it is not on the list the Planning Commission or Zoning Administrator can address if it is permitted or denied. There was brief discussion held on definition of accessory buildings in the C-N, C-G and M zones. City Council member Braegger reported Perry City just passed an ordinance on accessory buildings and would supply a copy if anyone wanted on and also had a copy of Salt Lake City Ordinance. It was suggested setting for public hearing with the accessory building portion and the Planning Commission would need to look at putting together an Accessory Building Ordinance. Mayor

Braegger asked for a motion to schedule a public hearing.

A motion was made by Council member Braegger to schedule a public hearing for October 22, 2020. The motion was seconded by Council member Seamons.

Council member Braegger – yes

Council member Robb – yes

Council member Seamons - yes

a. Jason Burningham from Lewis Young Robertson and Burningham – Updates on Water Impact Fee Study, Annexation Study and additional impact fee possibilities.

City Manager Chris Davis stated Jason Burningham has asked to be rescheduled until the next meeting.

c. Consideration of Resolution 2020-17 a RESOLUTION OF THE WILLARD CITY COUNCIL ADOPTING A POLICY RELATING TO THE DISPOSAL OF SURPLUS PERSONAL PROPERTY OWNED BY WILLARD CITY

City Manager Davis stated this is a new policy. Under the VAWA and BOCA Grant a policy is needed for disposal of surplus personal property anywhere in Willard City.

A motion was made by Council member Robb to approve Resolution 2020-17 a RESOLUTION OF THE WILLARD CITY COUNCIL ADOPTING A POLICY RELATING TO THE DISPOSAL OF SURPLUS PERSONAL PROPERTY OWNED BY WILLARD CITY.

The motion was seconded by Council member Seamons.

Council member Braegger – yes

Council member Robb – yes

Council member Seamons – yes

d. Consideration of Resolution 2020-18 A RESOLUTION OF THE WILLARD CITY COUNCIL IMPOSING A \$2,000 REIMBURSABLE FEE ON BUILDING PERMIT APPLICATIONS FOR NEW DWELLINGS.

Mayor Braegger explained there has been issues with developers damaging sidewalks, leaving debris etc. and walking away from the \$500 deposit and leaving the city to deal with the issues. The increase in the deposit to \$2,000 is to keep them from walking away and may need to be increased if this amount does not work. This will only be for new dwellings and not on all permits. City Manager Davis reported there was no previous documentation on how or what happens with the \$500. The new document allows the building official to contact the developer that they have 10 days to come into compliance or they forfeit the \$2,000 but they are allowed to appeal to the City Manager who will make the final decision. Occupancy permits will not be issued until they come into compliance. The city has had issues with individuals moving into residences without having an occupancy permit so this may resolve some of the issues. The document also allows for buildings to be red tagged or other actions taken.

A motion was made by Council member Seamons to approve Resolution 2020-18 A RESOLUTION OF THE WILLARD CITY COUNCIL ADOPTING A POLICY RELATING TO THE DISPOSAL OF SURPLUS PERSONAL PROPERTY OWNED BY WILLARD CITY. The motion was seconded by Council member Braegger.

Council member Braegger – yes

Council member Robb – yes

Council member Seamons - yes

- e. Approval of Minutes- The minutes of the August 13 , 2020, meeting were individually reviewed.

Council Member Robb made a motion to approve the minutes as written, seconded by Council Member Braegger. The motion carried.

**Council Member Braegger – yes
Council Member Robb – yes**

Council Member Seamons- yes

- f. Financial -The vouchers and warrants were presented to the Council for approval. The reports were individually reviewed.

- 1) Warrants
- 2) Vouchers
- 3) Reports

4. Department Reports

- a. Maintenance Department

- 1) Purchase approvals –request for approval to purchase new sander - \$14,027.37 before the winter season begins.

Council Member Braegger made a motion to approve \$14,047.37 for the purchase of new sander, seconded by Council Member Robb. The motion carried.

**Council Member Braegger – yes Council Member Seamons- yes
Council Member Robb – yes**

- 2) Report on the Division of Drinking Water Sanitary Survey-
City Manager Davis reported the survey was complete with no issues

- b. Police Department

- 1) Request for approval – request for approval to purchase new police vehicle from Capital Improvement fund.

City Manager Davis reported the vehicle is a 2020 Silverado Crew Cab custom 4 wheel drive in the amount of \$33,984.00. The Mayor explained by buying the vehicle puts the city in a position to sell the vehicles and getting a new vehicle for less/no cash from the city. He stated most cities are now purchasing their vehicles this way.

A motion was made by Council member Seamons to approve the purchase of the new police vehicle from the Capital Improvements Fund in the amount of \$33,984. The motion was seconded by Council member Robb.

**Council member Braegger – yes Council member Seamons – yes
Council member Robb - yes**

- c. Fire Department –

- 1) Request for approval for expenditure to repair breathing apparatus air compressor - \$1,800

- 2) Request for approval for \$3,500 for 6 armored vests.

Mayor Braegger reported the breathing apparatus air compressor his how they fill their tanks. He felt that the fire department has responded to some fairly dangerous situations and they want to make sure they have the protective equipment they need.

A motion was made by Council member Seamons to approve the expenditure to repair the breathing apparatus for \$1,800 and the purchase the 6 armored vests for \$3,500. The motion was seconded by Council member Braegger.

***Council member Braegger – yes Council member Robb – yes
Council member Seamons – yes***

5. Council Members

- a. Brad Robb – discussed the replacement of the trees at the park and stated Doug Thompson had more information. He would like to see the existing trees removed and all new ones put in. The optimal time to purchase the trees would be to order them now and then plant them in the spring. They will be an Autumn Blaze Maple between 15-18 ft. tall, fast growing tree 3-5 ft. a year and reaches heights of 40 ft.

Council Member Robb the noted road work has been done and asked if this was warranty work. It was reported it is.

He asked about replacements for Teri Fellenz and Gaylene Nebeker. City Manager Chris Davis reported he would be sitting down with both of them to come up with job descriptions and would be done soon. Mayor Braegger suggested advertising as soon as possible so training can be done.

City Manager Davis the reported on the availability of \$115,000 CARES ACT funding. This will be the second installment. It will require going back and enter journal entries to classify expenditures under the CARES ACT and discussed what the money could be used for. Some of the money will be used to get the ordinance updated and online and he has 2 different bids he is looking at and will be ready for the next meeting.

Council member Robb stated at the last meeting there was discussion about a drinking fountain at the park and reported he had found one for \$1,300 but has not been purchased yet.

- b. Josh Braegger – reported the sewer plant is doing better on the levels of COD and BOD. Flood Control is still waiting to hear back from Lewis and Young on Impact Fee Study. Mayor Braegger asked for an update on the culvert issue. Council member Braegger stated yes there had been conversation and he felt it was the Flood Control Board's issue and they feel it is Willard City's issue. They are still looking into the issue.
- c. Fred Ward –
- d. John Seamons – reported on a discussion with Roger Timmerman with UIA (Utah Infrastructure Association) formally known as UTOPIA and would like to schedule a meeting with the Planning Commission and City Council members after the October 15th Planning Commission meeting to present their proposal.
- e. Kaleb Kunzler

6. Mayor's General Correspondence and Information –

Mayor Braegger talked about the need for more office space and said there was money set aside in the Capital Improvement funds for upgrades to the building. He would like to move the council chambers to the multipurpose room, changing the acoustics, updating the sound system and installing television and improving the sound system. This would open up the council chambers for more office space. This would do away with the multipurpose room rentals. He would like to have an architect look at the whole building and see what it would cost to make improvements. Council member Robb asked about the library. Mayor Braegger stated the library was looking at moving out but was not sure when their new building would be complete. He would like to have discussion at the next council meeting.

Council member Seamons reported that Attorney Mund was nominated for an attorney award. Mayor Braegger thanked Attorney Mund for being the Willard City Attorney and for his time and dedication to the city.

City Manager Davis discussed a Rocky Mountain Power Tree Grant and will get with Doug Thompson to discuss options.

City Manager Chris Davis then reported a demolition permit has been issued for Carl Dilg and the house will be removed by October 15th. Gary Hart has moved and his Planning Commission position will need to be filled.

Discussion are ongoing between he, Mayor Braegger and the developers who are looking at annexation to the south. They are making progress on agreements and will have information for the next City Council meeting. Council member Seamons asked who the developers were. City Manager Davis stated Blue Ox, EK Bailey and Valley Investments. Mayor Braegger reported they are looking at approximately 782 homes between the three developers. He also reported there is more coming down the line and will need to keep on top of future development.

Council member Seamons asked how long it would take to get the ordinances online. City Manager Davis said about 90 days.

- 7. Adjourn A motion was made by Council Member Braegger to adjourn the meeting. The motion was seconded by Council Member Seamons and the vote was unanimous. The meeting adjourned at 7:25 p.m.**

Minutes were read individually and approved on October 8, 2020