

FILLMORE CITY COUNCIL MEETING

November 3, 2020

Minutes of the regular meeting of the Fillmore City Council held November 3, 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 October 30, 2020.

Those present were:

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

Others: Shane Brunson, Eric Larsen, and Ellis Gentry.

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

Mayor Holt excused Councilmember Dearden.

ADMINISTRATIVE BUSINESS

Minutes

MOTION: To accept the minutes from the October 20, 2020 regular city council meeting and October 23, 2020 special city council meetings as written.

By: Councilmember Winget

Second: Councilmember Jenson

Vote: Unanimous. Motion carried.

Bills – Payroll

MOTION: To approve the October 31, 2020 payroll and payment of bills listed on the invoice register dated October 21, 2020 – November 3, 2020.

By: Councilmember Jenson

Second: Councilmember Monroe

Vote: Unanimous. Motion carried.

Purchase Orders

MOTION: To approve Purchase Order 21-31 in the amount of \$1,210.20 payable to Ascent Aviation in the amount of \$17,001.02 for purchase of jet fuel.

By: Councilmember Monroe

Second: Councilmember Winget

Vote: Unanimous. Motion carried.

Licenses and Permits

- Building Permit Application 20-11 for Alan Roper located at 365 West 500 South for construction of a new residential home.
- Building Permit Application 20-30 for Kyle and Grayce Bartholomew located at 415 North 100 East for construction of a new residential home.
- Building Permit Application 20-33 for Prime Powersports located at 115 South Main Street for construction of a new showroom building.
- Building Permit Application 20-36 for Clay Davies located at 50 West 200 South, for construction of a new residential home.
- Building Permit Application 20-37 for Matthew Maxfield located at 365 West 500 South for repairs and alterations to a residential home.
- Sign Permit SP2005 for a new sign in front of the Texaco station on Cedar Mountain Road.
- Business License BL-2019, Quarter Holdings, LLC; Owner, Sean LeBaron. Business description includes rental apartments.

PUBLIC HEARING

MOTION: To go into a public hearing at 6:43 p.m. for the purpose of receiving public comment concerning a proposed simple lot subdivision for Momentum Development, White Pine Park Subdivision located at the corner of 850 South 1100 West.

By: Councilmember Alldredge

Second: Councilmember Winget

Vote: Unanimous. Motion carried.

No comments were offered by the public.

MOTION: To go out of the public hearing at 6:44 p.m.

By: Councilmember Jenson

Second: Councilmember Alldredge

Vote: Unanimous. Motion carried.

COMMUNICATIONS AND REQUESTS

Ellis Gentry – Discussion Regarding Fence Ordinance

The new fence on Mr. Gentry's residential property was placed closer than the required 3-foot distance from the sidewalk due to a misunderstanding regarding the city zoning fence code. Construction of the fence is almost complete. Mr. Gentry asked the council if he could leave the fence where it is with an agreement that Mr. Gentry will not hold the City responsible for any damage that may occur to the fence during snow plowing, etc. Mayor Holt stated that this

is not the only property in Fillmore where fence placement is not within city code. Mayor Holt also suggested that the City require all residents in the same situation to also sign a waiver to not hold the City responsible for any damages should they occur.

Fire Department Report – Chief Shane Brunson

There was only one fire in the month of October. That fire was in Kanosh. The fire department recently took possession of the new fire truck. This wildland fire truck was purchased by the Fire District and it still needs to be outfitted. Chief Brunson will be seeking permission from the council to purchase additional turnout gear with CARES funding. The department must have enough turnout gear to be able to enter a COVID home. A community development block grant application is being completed to help fund a new tender truck.

Council Policy Review – Purchasing Policy

Attorney Harris suggested adding more to the request for proposal requirements in the policy and adding a section about nonresponsive bids as some bids for projects have not included everything needed to complete a project. Councilmember Monroe would like to see the policy enhanced to include more requirements for referrals for previous work, qualifications, etc. Councilmember Monroe added that concerning bids, the City should not choose the proposal amount based on price alone. The request for proposal process should more like the bid process where a number of factors are considered. The policy currently states that any project with a projected cost of \$39,999 or lower does not require a request for proposal process. Councilmember Monroe would like to see that amount be reduced so the contractors are required to provide additional important information for those smaller projects as well.

BUSINESS

Resolution 20-17 Authorizing and Approving Adjustment of Fillmore City's Entitlement Share Under the Carbon Free Power Sales Contract for the Remaining 1st Phase of the Licensing Period for the Carbon Free Power Project

Eric Larson, Fillmore City Liaison to UAMPS, explained that some larger municipalities have decided to pull out of the Carbon Free Power Project. This results in a need to adjust contracted entitlement share amounts for other municipalities that remain contracted. A smaller module than originally anticipated will now be used so that participants can contract to smaller amounts of entitlement shares, thus hopefully enticing others to participate. This will also keep the cost at \$5.50 per kilowatt purchasing price. This resolution adjusts Fillmore City's entitlement share from 3,500 kilowatts to 4,500 kilowatts. Mr. Larsen reminded the council that the City will need a reliable base load, and this project will provide it where renewable sources are far less reliable. Natural gas could be an option, but environmentalist groups are trying to shut it down like they are doing to coal. This adjustment provides the City more flexibility moving forward, and the amount can still be adjusted in the future if need be. The main goal of this agreement is to keep the City's costs low for purchasing reliable power.

MOTION: To adopt Resolution 20-17 with the Development Cost Share Cap to be set at 3% in Section 1. (b) of the resolution agreement.

By: Councilmember Alldredge

Second: Councilmember Jenson

Roll-Call Vote:

Councilmember Jenson - Yes
Councilmember Winget - Yes
Councilmember Alldredge - Yes
Councilmember Dearden - Absent
Councilmember Monroe - Yes
Unanimous. Motion carried.

White Pine Park Simple Lot Subdivision at 850 South 1100 West

MOTION: To approve simple lot subdivision for White Pine Park located at 850
South 1100 West
By: Councilmember Alldredge
Second: Councilmember Monroe
Vote: Unanimous. Motion carried.

Resolution 20-16 Renewing the Fillmore City Enterprise Zone

MOTION: To adopt Resolution 20-16.
By: Councilmember Winget
Second: Councilmember Jenson
Roll-Call Vote:
Councilmember Jenson - Yes
Councilmember Winget - Yes
Councilmember Alldredge - Yes
Councilmember Dearden - Absent
Councilmember Monroe - Yes
Unanimous. Motion carried.

COUNCIL REPORTS

Councilmember Jenson

Planning and Zoning

- Councilmember Jenson asked Attorney Harris to investigate a re-roofing permit that was denied for setback requirements to find out if it would qualify to be grandfathered in. The garage to be re-roofed may have been in its current location before zoning ordinances were put in place.

Councilmember Winget

Law Enforcement

- The speed trailer has been moved to 500 South between 200 and 300 West and appears to be slowing down traffic in that area.

Historic Preservation

- The State wants to add the Armory building to the national historic register. The council previously decided that they do not want it on the register. The council instructed Mayor Holt to inform the State to cease in their efforts to add it.

188 Councilmember Alldredge

189 **Water**

- 190 • Sunrise Engineering is preparing plans for upgrades to the water well pump houses.

191 **Electric**

- 192 • As a result of the recently approved GPS asset inventory project, several more power
193 poles and other equipment has been discovered that the City did not know they had.
194 Sunrise has already counted 1,230 power poles and 140 underground features, which
195 extends beyond the amount originally contracted for. All power meters will be added
196 to the GPS tracking system so they can be easily located.

197
198 Councilmember Dearden – (reported by Mayor Holt)

199 **Parks**

- 200 • The new pavilion for the North Park project will arrive between November 25th and
201 28th. The splash pad will be complete November 20th. The pickleball courts will be
202 coated in spring of 2021. The restrooms will arrive on December 3rd. The flagpole will
203 ship on November 28th. Hydroseeding and installation of the sprinkler system will
204 occur spring of 2021.

205
206 Councilmember Monroe

207 **Garbage/Landfill**

- 208 • Councilmember Monroe is unsure as to how favorable the county commission will be
209 regarding keeping the landfill open. Everyone should have a better knowledge of that
210 following the upcoming election.

211 **Celebrations**

- 212 • The health department requires that an event management template be filled out to
213 address COVID-19 concerns during city events. This may help track if citizens
214 contracted COVID-19 while attending the Christmas celebration event. The lighting
215 ceremony will take place the first Saturday following Thanksgiving.

216
217 Recorder Orton

- 218 • Permanent restrooms have been ordered to install in the cemetery.

219
220 Mayor Holt

- 221 • The State legislature is considering a bill that may allow the Bureau of Land
222 Management to transfer some BLM land within city boundaries to those municipalities.

223
224
225 **ADJOURNMENT**

226
227 Upon motion by Councilmember Monroe and second by Councilmember Winget, the meeting
228 adjourned at 8:01 p.m.

229
230 The next regular council meeting will be held November 17, 2020 at 6:30 p.m.

231
232
233 APPROVED November 17, 2020

234 _____
Michael D. Holt, Mayor