

WILLARD CITY CORPORATION – CITY COUNCIL

The City Council of Willard City met in **Regular Meeting**, on September 9, 2021, at 6:32 p.m. in the Council Chambers of the Willard City Offices, located at 80 West 50 South, Willard, UT 84340.

Present: Kenneth Braegger, Mayor
John Seamons, Council Member
Kaleb Kunzler, Council Member
Josh Braegger, Council Member
Brad Robb, Council Member
Fred Ward, Council Member

Staff Present: Chris Davis, City Manager
Colt Mund, City Attorney
Theron Fielding, Police Chief
Bryce Wheelwright, City Planner
Van Mund, Fire Chief
Chris Breinholt, Jones & Associates, City Engineer
Michelle Snarr, City Recorder

Others in Attendance: Mindi Vandersteen, Travis Wells, Lindsey Wells, Diana Baker, Rew Wiley, Rod Braegger, Debbie Braegger, Cami Sabin, Jordan Hulsey, Chris Davis, Chad Bragger and Travis Mote

Call to Order

Mayor Braegger called the meeting to order at 6:32 p.m.

- a. Invocation
The invocation was offered by Council Member Ward.
- b. Pledge of Allegiance

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.

Rew Wiley – 75 West 825 North

Mr. Wiley pointed out that everyone was a bit slothful at times when cleaning up their yards, and he was out picking up garbage in his yard. He went on to say he found some garbage in his yard with bullet holes in it. Mr. Wiley noted there was a privacy fence between his property and the RV Park so he couldn't see who did it. Mr. Wiley expressed concern with the shootings. He indicated they could be shooting at anything, and he was frustrated when he saw something like that.

Mr. Wiley address lighting from the adjacent property. He noted when the property owners started building the storage facility behind him, the city promised it would not light up his back yard. He stated they were lighting up his front and back yard.

Diana Baker – 276 West Center

Ms. Baker indicated she wanted to discuss the roads in the city. She noted that back behind her house there was a trailer, and the owner was told they had to face it west because they were told 300 West was going to come through. She went on to say, the Hayfields on Center Street were told they were going to have to give up 60 feet (she thought) on the east and west sides of the road for 300/400 West to go through. She pointed out the city had a Master Road Plan dated 2007, and it was her opinion that a lot of the city's problems were coming from past administration not following the Master Road Plan. That was why the city was having houses and barns put in locations where roads would not be able to go. She went on to say she would like to see some administration follow the current Master Road Plan until the city received its Master Plan update.

Mayor Braegger wanted to add some information because he thought this was leading toward the Braegger Subdivision. He went on to say, the administration that put the Master Road Plan in place, put it in place with houses already in those locations. He referred to 100 South on the Master Road Plan. He pointed out the Master Road Plan was put in place with the idea the road would go in down through his property, house, and shop. He inquired if this administration created a master road plan with a road going down through her house, would she be

WILLARD CITY CORPORATION – CITY COUNCIL

willing to give up her property. Ms. Baker said no, she was talking about 300 West. Mayor Braegger indicated there was that discussion on 100 South, and his house was there first. Just because someone has the bright idea later does not cut it.

Mayor Braegger stated he didn't disagree with following the Master Road Plan but there was some variance to it. He pointed out the Three Peaks Subdivision had a proposed road to go down the property line, and the state of Utah put a stop to having a lot of intersections on Highway 89. They want the city to take its traffic to collector roads so that developer was allowed to move their road over to the middle of their subdivision, which made more sense for them.

Mayor Braegger restated there was some variance to the Master Road Plan. It was definitely a guide for the city to utilize; however, there was a reason for change sometimes too. Ms. Baker noted there were four maps in her ordinance book, and she was supposed to abide by the ordinance book. She questioned shouldn't the Council abide by them too.

Mayor Braegger indicated they were a guideline for the city obviously, but the City Council has the ability to adjust it at the time they feel it's necessary. The City Council was the one that put it in place, and they have the ability to change it if they desire to; it's a City Council decision.

Discussion followed regarding 300 West. Ms. Baker said someone in the past said there was going to be a 300 West that connected over to 600 South and that would be right through that property. Mayor Braegger indicated the problem with 300 West was it was designed to go through Stillman Harding's property and until they decide they want to develop; it probably won't ever happen. He stated there were problems with the plan if people decided they did not want to develop their land. The only other choice for the city was to condemn the property and buy it.

Mindi Vandersteen – 202 South Main

Ms. Vandersteen addressed the Council. She noted that on April 27, 2020, a car came off the highway and ran over the fire hydrant located next to her house and it has not been replaced. She expressed frustration and said she had talked to different city employees and the fire department, and they indicated it had been discussed with the previous maintenance employees. She went on to explain she spoke with Chief Fielding, and he indicated he gave the insurance information to Mr. Davis. After a follow-up with Mr. Davis, the information she got from him was fire hydrants were expensive and the city needed to make sure they got reimbursed first.

Ms. Vandersteen stated it was not any type of "act" to get an insurance claim taken care of. She explained if an insurance claim was not filed in two (2) years, the city would no longer have a claim. She stated she did not know why the hydrant was not fixed. Ms. Vandersteen further explained the hydrant was the only things the kept people from running into her house.

Ms. Vandersteen questioned what kind of maintenance was being done on the city's fire hydrants to make sure the citizens were being taken care of and the fire department had what they needed to do their jobs.

Jordan Hulsey – 10 South 100 West

Ms. Hulsey indicated she was speaking with some of the members of CERT the other day. In addition, the anniversary of the windstorm from last year and 9-11 was coming up, which was a good reminder the community could be more prepared. She pointed out the city does not have a city emergency member assigned or a city council member assigned to work with CERT. She inquired if the city had plans to fill those positions. Mayor Braegger inquired if Ms. Hulsey was volunteering for that position. Ms. Hulsey said, no; however, she was happy to help. She added that she was going to get more involved with CERT. She went on to say if anyone said Sue Anderson was the city's emergency manager, that was not true. Mayor Braegger agreed.

Ms. Hulsey indicated this was a concern for her because after the windstorm, there were a lot of things they were not aware of because of the lack of communication between the city and CERT. She added that she thought both did phenomenal; however, it could have been better.

New Business

Update by Cami Sabin Regarding Improvements to the Willard City Children's Park

Ms. Sabin presented the Council with an update regarding improvements and an overall survey of what the neighbors in the area would like to see accomplished with the Willard City Children's Park. Ms. Sabin explained she made a survey online and created a flier with QR codes to the survey and the URL, and she and her children distributed the flier to every house east of Main Street between 100 South and 600 South, which was 120 homes. She indicated she received 24 responses to her survey, a few phone calls, texts, emails, and in person contacts. She noted that from the people she heard from, except for one, they were strongly in support of improvements to the park and at a minimum, cleaning up the park and replacing the equipment that was removed. She pointed out that the one person not in favor wanted to put in something more commercial like an indoor swimming pool.

Ms. Sabin referred to the graphic, which showed the results of the survey that she provided to the Council. She explained she started out by asking how many people used the Children's Park and about 45 percent said they currently used it. Another 40 percent said they used to use it, but they no longer do, and when she asked why, they cited things like, "it isn't kept up, puncture weeds, thistle stickers, weeds, it's a mess, the city stopped caring about the park". Ms. Sabin said, so clearly, I am not the only one that feels this way. I asked what they do like about the park, and the most often responses were: how close it was in the neighborhood and the swings.

Ms. Sabin summarized her report to the Council. People want the equipment replaced or some type of activity at the park for children to do. She noted that about two to one (2:1) people wanted smaller activity zones rather than one big, extravagant play area. She expressed it did not have to be expensive. She thought they could be things like resin tunnels; in addition, as a neighborhood, she thought they would like to see something geared toward younger children. She thought that was the original intent of the park. Furthermore, a lot of people would like to see things like picnic tables with a shade structure. She noted it was hot, and with the existing trees in the Children's Park, she thought they would have the same problems as the baseball park. There are three (3) trees that look like they are dead or are going to die. Finally, they would like the park cleaned up. Most people would like to get rid of the sand volleyball area and have it repurposed for activities, and they definitely want the basketball stand replaced, which may entail replacing the concrete pad.

Ms. Sabin indicated one thing that came up a few times was people asked for playgrounds that were accessible for disabled children and could allow them to play with children that are fully able.

Council Member Robb informed Ms. Sabin that some new trees would be going in at the Children's Park next week (September 18, 2021) and the old tree would be removed. Ms. Sabin inquired if all the trees would be removed or just the dead ones. Mayor Braegger indicated the three dead ones for sure and they would have to evaluate the other trees, but they would eventually die along with the other ones. Council Member Robb added that he read Ms. Sabin's graphic a few different times, and he was very impressed with the amount of time and work she put into it. He thought all the recommendations seemed very reasonable.

Ms. Sabin reiterated they didn't want some big, extravagant thing; they wanted to honor the purpose of the park. She added it was created by citizens and most of the things that are or were there were donated by citizens. The people in her neighborhood have a lot of love for that park and would like to be able to use it again.

Ms. Sabin indicated she had the full results of the survey written out, and she would be happy to provide that to the city or whoever was assigned to the park. Mayor Braegger thanked Ms. Sabin and said they would be getting back with her.

Presentation and Potential Approval of Water System Request by Dean Oyler

Mr. Chris Breinholt, Jones and Associates, informed the Council the request was from the Oyler and Newman families. The request must come from the city to the state and by doing so, the city accepts the responsibility of an individual booster pump on a home. He explained the two families hired an engineer for the drawings to be submitted to the state. He went on to explained, the two homes are located on the bench, and they have very low

water pressure right now, which was as low as 15 pounds per square inch. Mr. Breinholt indicated by submitting this letter, (draft letter attached to the record hereto) the city believed the booster pumps would not affect the health and safety of the city's water system. Mr. Breinholt stated he was comfortable with the booster pumps as was Mr. Wes Thompson, Public Works. Mr. Breinholt explained a condition of the booster pumps was the construction needed to be inspected by Public Works and the building official to inspect the plumbing. He added from then on, it would need to be added to the city's cross connection system and be inspected annually.

Council Member Ward clarified the city would only be responsible for inspecting the backflow, which would be tied into the city's main line. Mr. Breinholt indicated that was correct; the two households would be responsible for everything else. The city would not take on any infrastructure responsibilities. The city would just look into the backflow and each home would have their own individual setup. Mr. Davis noted there was currently only one home up there now, The Oylers daughter wanted to build a home up there as well. Council Member Seamons inquired if the backflow devices could be disconnected if the water pressure improved. Mr. Breinholt indicated they could.

Council Member Kunzler clarified the backflow inspection would be the city's responsibility; however, all the lines would be on the Oylers/Newman families. Discussion followed regarding the location of the existing water meter. Mr. Wheelwright noted the water meter was down on Highway 89. Mr. Breinholt added the Oylers had not proposed any changes to the meter location. The diagram of the proposal was evaluated, and Mayor Braegger noted the proposed water meters were not on Highway 89; they were located up on the property. He stated the water meters had to be on Highway 89. The city was not going to be responsible for the proposed water line. Mr. Breinholt suggested the reasoning for the proposal was, so they only had to put in one 2-inch water line up to the property. Mayor Braegger reiterated the water meters had to be down on Highway 89.

Discussion followed how they would control the water going into the waterline. Mr. Breinholt indicated there would be a float valve. Mayor Braegger inquired how they would control the on/off. Mr. Breinholt further explained it would be controlled by the float valve that went over to a solenoid. He noted that pump up was probably not the right wording.

Motion: Council Member Ward moved to approve the pressurized system for the two (2) lots with the stipulation that the two (2) water meters were located on Highway 89 and the waterlines were the responsibility of the Oylers/Newman families. Council Member Kunzler seconded the motion. Members voting aye: Council Members Kunzler, Robb, Seamons, Braegger and Ward. Members voting nay: None. The motion passed unanimously.

Mr. Davis inquired if the Council wanted to assess a fee for the annual inspection of the backflow devices /pressurized systems. The Council agreed on a \$25.00 annual inspection fee.

Amended Motion: Council Member Ward moved to amend the motion to include an annual inspection fee on the pressurized system of \$25.00 per pump system. Council Member Kunzler seconded the motion. Members voting aye: Council Members Kunzler, Robb, Seamons, Braegger and Ward. Members voting nay: None. The motion passed unanimously.

Presentation by Chris Breinholt and Potential Approval of a Proposed ARPA Project to be Submitted to the State of Utah

Mr. Breinholt presented the Council with a conceptual diagram of a proposed 500,000-gallon water tank (proposed diagram attached hereto). He informed the Council the city needed more storage, and they would like to have more storage further north to spread out the system a little bit and provide better fire protection. He went on to explain they have been working with the landowners in the area (Granite Construction and Staker Parson) for a new reservoir and an easement. They would run a waterline from the reservoir site to top of 750 North over

WILLARD CITY CORPORATION – CITY COUNCIL

to the well to the north side of the canyon. He stated that well could be retrofitted to pump either to the reservoir site or both at the same time. Mr. Breinholt informed the Council they were initially proposing a 500,000-gallon water system. However, as shown in the diagram, there was room for a potential second tank as well for some time in the future.

Mr. Breinholt went on to explain the costs of the project. He said the total cost of the water tank was 1.6 million dollars; however, approximately \$650,000 of that has been agreed to be paid by Neilson Homes as a prepaid impact fee for the development they want to do. In addition, the city's first American Rescue Plan Act (ARPA) payment was \$115,865.50 and those funds would be utilized as a portion of the city's match. He noted there was no specific match on the funding, but consideration would be given to cities with a match. He pointed out the city would be requesting approximately \$830,000 from the ARPA funds.

Council Member Ward asked what the city would be responsible for. Mr. Breinholt indicated the amount would be \$765,000 (which was the money from Neilson Homes and the city's first ARPA payment of \$115,865.50). The remaining funds would be requested from a matching grant. He pointed out if everything worked well, the city would need to put out \$116,000.00. In addition, if everything worked out, nothing would come out from existing users.

Council Member Ward questioned if the city had enough well capacity; did the city need to drill another well? Mr. Breinholt informed the Council the city had enough capacity; however, they were the tightest on storage; storage was the biggest need right now. Council Member Seamon asked if it made sense to add a well too. Mr. Breinholt pointed out a well would cost approximately \$1 million dollars plus. He went on to say that would be a judgement call; the city could request it. However, when the money got to be too much, the request could get shut down.

Mr. Breinholt reiterated there was a need for water; in addition, they were looking at the option of secondary water. The city has some existing water rights on the north but long term, they need to look into other water rights.

Mr. Davis addressed Council Member Seamons question regarding an additional well. He informed the Council the state of Utah had 50 million dollars to allocate between water, sewer, or broadband. The city does not want to overextend its amount. He went on to say, the city had property, which was being given to it for secondary water storage. He explained the project was scaled down because they were asking for far more money on a population base than others. In addition, the city had private entities that were willing to work with the city.

Council Member Ward indicated he was somewhat confident the city could get some of the funding because of the governor's vision of supporting rural communities. Mr. Davis explained the grants were not being evaluated by the governor's office. There was a member from the Utah League of Cities and Towns, a county commissioner and six legislators on the review committee.

Council Member Seamons inquired what the timing on the project was. Mr. Davis explained the review committee would be meeting on September 17, 2021, for approximately three to four weeks; and then they would make their recommendation. The city would find out before the end of the year.

Motion: Council Member Seamons moved to move forward with the approval of the ARPA Project to be Submitted to the State of Utah for the 750 North Reservoir. Council Member Braegger seconded the motion. Members voting aye: Council Members Kunzler, Robb, Seamons, Braegger and Ward. Members voting nay: None. The motion passed unanimously.

Update on the Master Plan Process by Bruce Parker

WILLARD CITY CORPORATION – CITY COUNCIL

Mr. Bruce Parker was not present at the meeting. Mr. Davis said he text Mr. Parker to find out if he was coming to the meeting, and Mr. Parker indicated he was mistaken on the date of the meeting.

Presentation and Discussion of Draft Special Planned Development Zone by Bruce Parker

Mr. Parker was not present at the meeting to discuss the draft Special Planned Development Plan.

Discussion of Proposed Non-Exclusive Agreement with Connex for the Purpose of Internet Services

Mr. Brown was not present at the meeting to discuss the agreement. Mr. Davis noted the Council had a copy of a non-exclusive agreement with Connex, and the city received it last week. He went on to say the agreement was similar to the agreement Connex entered into with Farr West. Mr. Davis said the agenda item was just to get the Council's feedback on the agreement. He pointed out there was currently a survey on the city's website requesting input for the demand of fiber in the city. Mr. Mund expressed he would like more time to review the agreement.

Consideration of Resolution No. 2021-14 Authorizing the Mayor to Enter into a Contract with Box Elder County, Utah, to Provide Election Services

Mr. Davis pointed out the agreement with Box Elder County was to allow the county to do the electronic voting for the city.

Motion: Council Member Kunzler move to approve Resolution No. 2021-14 Authorizing the Mayor to Enter into a Contract with Box Elder County, Utah, to Provide Election Services. Council Member Ward seconded the motion. Members voting aye: Council Members Kunzler, Robb, Seamons, Braegger and Ward. Members voting nay: None. The motion passed unanimously.

Consideration of Review and Approval of Change Order No. 1 for Post Construction in the amount of \$3,000 for the 300 East Street Improvement Project

Mr. Davis informed the Council the change order was approved by Zach Burk, so the work was done. The change order was additional fees to clean everything up on 300 East.

Motion: Council Member Ward moved to approve Change Order No. 1 for Post Construction in the amount of \$3,000 for the 300 East Street Improvement Project. Council Member Josh seconded the motion. Members voting aye: Council Members Kunzler, Robb, Seamons, Braegger and Ward. Members voting nay: None. The motion passed unanimously.

Consideration of Review and Ratification of Pay Request No. 2 for Post Construction in the amount of \$14,410.72 for the 300 East Street Improvement Project

Motion: Council Member Seamons moved to ratify and approve Pay Request No. 2 for Post Construction in the amount of \$14,410.72 for the 300 East Street Improvement Project. Council Member Ward seconded the motion. Members voting aye: Council Members Kunzler, Robb, Seamons, Braegger and Ward. Members voting nay: None. The motion passed unanimously.

Discussion followed the motion. Council Member Seamons inquired if the city was done with the project. Mayor Braegger explained the city was still going up to Spring Street, and they received the numbers on that portion today. However, the engineers need to do some more research. He added that Mr. Gilmore was paying for part of it. Mr. Davis said in talking with Mr. Barton, they were talking about exchanging some property. It was explained the Spring Street portion should get done soon but the extension should be completed later.

Consideration of Review and Approval of Change Order No. 4 for Staker Parsons in the amount of \$38,020.00 for the 200 West Boundary Extension Project

It was noted the entire amount of the change order was the actual bill; however, the city's portion was 10 percent.

Motion: Council Member Kunzler moved to approve Change Order No. 4 for Staker Parsons in the amount of \$38,020.00 for the 200 West Boundary Extension Project. Council Member Seamons seconded the motion. Members voting aye: Council Members Kunzler, Robb, Seamons, Braegger and Ward. Members voting nay: None. The motion passed unanimously.

Consideration of Review and Approval of Change Order No. 5b for Staker Parsons in the amount of \$146,305.48 for the 200 West Boundary Extension Project

It was pointed out the proposed amount was the entire change order; the city's portion was 10 percent of the change order. It was explained Change Order 5b would widen out the trail because some parts had to be cut back and some fill material had to be put in to extend the trail. In addition, it would finish the road to the south end of 750 West.

Motion: Council Member Ward moved to approve Change Order No. 5b for Staker Parsons in the amount of \$146,305.48 for the 200 West Boundary Extension Project for Willard City's 10 percent portion (\$14,630.55). Council Member Braegger seconded the motion. Members voting aye: Council Members Kunzler, Robb, Seamons, Braegger and Ward. Members voting nay: None. The motion passed unanimously.

Discussion and Possible Approval of the Purchase of Trees for the Willard City Baseball, Nature and Children's Park and Other Materials needed for the September 18, 2021, Service Project

Mr. Davis discussed the service project, which was scheduled for September 18, 2021. He indicated they anticipated 75-100 volunteers. The organizers of the service project inquired what kind of projects the city would be interested in, and the city decided on tree planting.

Mr. Davis informed the Council that staff talked to the people at the nursery, and they suggested sycamore and maple trees. It was a suggestion to ring the baseball field with trees. Mr. Davis noted they were looking at potentially 71 trees that would be planted between the three (3) parks. He went on to explain, the trees were 25 gallons and 2-inch caliper trees. He said the question was, does the Council wanted to do an addition project at the nature park, such as, addition material around the trail. He informed the Council the public works employees would dig the holes prior to Saturday, and the mayor indicated he had a mini excavator that he could use as well.

Council Member Ward inquired how many trees were orders. Mr. Davis indicated there were currently 71 trees order: 36 maple trees and 35 sycamore trees. Council Member Ward said he would like to suggest the city be cautious of how many trees they plant at the baseball park and then leave the rest open. He stated it would make maintenance easier. Mr. Davis noted the trees would need to be planted at least 60 feet apart. Council Member Ward suggested 80 feet apart.

Council Member Robb pointed out part of the reason they had two types of trees was for a variety of colors. Council Member Ward said he didn't think they needed an over of abundance of trees. Mr. Davis explained they received an initial drawing from the engineers; however, it wasn't to scale, which showed trees around the perimeter of the baseball park to provide shade.

Council Member Kunzler questioned if Mr. Davis was talking about the east side of the baseball park. He thought that would be a waste to put trees on the east side of the park. Mr. Davis recalled some of the poplar trees were on the east side, and they were looking to replace those.

Mayor Braegger inquired how many trees were taken out of the baseball field. Mr. Davis indicated they took out approximately 30 trees. Council Members Braegger and Seamons did not think that was too many trees. Council Member Seamons added wherever there was grass, there should be trees. Council Member Robb pointed out the

WILLARD CITY CORPORATION – CITY COUNCIL

nature park did not have any trees. It was questioned if the nature park was prepared for the trees regarding water. Council Member Robb indicated there were a few conduits under the path at the nature park. Mayor Braegger noted the Fire Department wanted some trees where they do the fireworks at the nature park.

Mr. Davis inquired if the Council wanted any other things completed other than planting trees. Discussion followed regarding crushed limestone for the nature park. Council Member Braegger said he could get some limestone for the nature park for approximately \$1,000. Council Member Ward asked if that would keep the goat heads down. It was indicated it would. Council Member Robb added the city need to add to what was already existing because some of the water had pushed off what they currently have in place.

Discussion followed regarding a drop spot for the limestone. It was said the last time it was done; it was dropped on the Hall Road. Mayor Braegger indicated if they put it on the roadway, they would have to get it moved. Mr. Chad Bragger indicated he would be willing to help haul the material.

Council Member Robb state he thought that would be a good project; in addition, the trees were placed in the budget during the budget process.

Motion: Council Member Robb moved to approve up to \$20,000 for the purchase of trees and wheelbase material for the Willard City Baseball Park, Nature Park and Children's Parks. Council Member Seamons seconded the motion. Members voting aye: Council Members Kunzler, Robb, Seamons, Braegger and Ward. Members voting nay: None. The motion passed unanimously.

Consideration of Discussion and Potential Action Regarding the General Plan Update 2021 Survey – Council Member Ward

Council Member Ward indicated he just wanted to have a discussion on the survey. He said as a council member, he didn't have an opportunity to look at that survey (the first survey). He noted he did not know what it would cost to send out another survey; however, he thought they should have a more single, direct survey. In addition, he thought it needed to be a simple, laid out survey with direct written answers.

Council Member Kunzler said he could see what Council Member Ward was talking about. It seemed to him there were leading questions and there wasn't any space online to make comments. He went on to say, he couldn't say his own answer; he had to pick an answer, or he couldn't continue with the survey. He continued, the way the survey was worded and policed by the electronic system, he had to pick an option that was better but not necessarily the answer he wanted. He stated he didn't like the survey as a citizen on the electronic version. Council Member Kunzler added they received a lot of good material from the survey, but he thought it could have been better especially with the electronic version. He wasn't thrilled with it.

Council Member Robb stated he wished Mr. Parker would have been here this evening because he was going to give up an update on where the Master Plan currently sat and indicate what the next steps would be. He thought, in his discussion with Mr. Parker, the next steps would be to go over the open house and the results of the survey and present it to the citizens so they could see what the survey looked like and what the open house looked like. He said he was kind of sad the Council didn't get to see that tonight. He went on to say, he did the survey, and he did not have the same issues as others. He did not find it leading and thought there were areas to write down comments. He added that people could have also approached Mr. Parker at the open house and address concerns. Council Member Robb said his question to Council Member Ward was, what are you suggesting? Are you suggesting we scrape the survey we already have and start over? He added that he was not suggesting one way or another was better; he was just asking.

Council Member Ward said although Mr. Parker wasn't here tonight to present the outcomes of the open house, he thought they should see what the outcome/results of the open house were. He went on to say, one thing that

puzzled him was the one question that wasn't on the survey, which was the question regarding the rural atmosphere – how do the citizens feel about it? He indicated he remember the mayor's comment, and the mayor thought it was common knowledge that everyone wanted a rural environment. However, he wanted to see if that was true. He said if the open house reflected on some of the things that they talked about as a Council of what the city would like to see, then he was leaning toward another survey.

Council Member Robb stated, I don't think that works. He didn't think they could see the results of the open house and the survey and then not like the results and want to do it over. He went on to say, you are either looking at redoing the survey or not. He didn't think they could wait to see what the results were and say I don't like the results; let's do it again. Council Member Ward said then he recommended they do the survey again.

Council Member Braegger agreed with Council Member Robb. He did not think they needed to waste their time on another survey. He went on to say, he thought if they were to take a poll from everyone in the room, they would all vote to keep the rural feeling.

Council Member Kunzler said he was interested in how much weight was put on the survey results compared to the open house. He indicated he was at the open house from start to finish and saw everything that was presented and heard every comment that was made. He said although the results were not complied, he had pictures of the open house, and he recorded it. He was curious if what was present by the citizens at the open house was what he understood it to be what the citizens wanted.

Council Member Robb indicated he did not disagree; he saw the same thing everyone else did. I think everyone wanted rural communities. His concern was he did not want to push the Mater Plan through. His concern was they started with the survey a few months ago, and he didn't want to put the city back to square one. He stated if that was the right course, he was okay with that, but there has been a lot of work done already. He went on to say, if there were some specific questions or areas that needed to be addressed, he thought that that would be different. However, he didn't think scraping the whole thing was the prudent thing to do.

Council Member Ward said when the survey was put out, some of the questions were modified and some of the questions were deleted, and it wasn't presented to the council for approval prior to it going out. Council Member Seamons pointed out the city hired these people to do that. They are supposed to know how to do a survey. Council Member Ward stated it could be done the right way, and he didn't think it was done the right way.

Mayor Braegger pointed out the city had the opportunity to see the results, and if the Council doesn't like the result or thinks they are skewed in any way, they have the ability to change that. He went on to say the idea behind the survey was to give them a peak of what the citizens were looking for. It was not written in stone to follow what the survey said if they don't like it.

Council Member Robb said his suggestion was to see if they could get Mr. Parker on the next agenda so he could present the status on the Master Plan, and it would allow the Council to ask him specific questions and hear the data on the survey.

Planning Commission

Consideration of Review and Approval of the Hurst Subdivision Application

Mayor Braegger inquired if this was the subdivision that he had a question on regarding the road. Mr. Wheelwright indicated it was. The city has a 60-foot right-of-way; however, there was still a question on the curb and gutter. Mr. Wheelwright stated he had a copy of a deferral agreement, which would be attached to the deed of the property if the Council approved it.

Council Member Kunzler suggested they evaluate the lot and see if curb and gutter would be beneficial to the

WILLARD CITY CORPORATION – CITY COUNCIL

area; or should they consider extending the Old Town Zone to cover the area. He thought they should either extend the zone or say they had to have the curb and gutter in the future, and he thought the deferral agreement made sense. He questioned if they should send it back to the Planning Commission to see if they thought they should extend the Old Town Zone.

Mayor Braegger clarified the deferral agreement was attached to the deed of the property, and it was an agreement if curb, gutter, and sidewalk were required in the future, they would have to pay for those improvements. Mr. Wheelwright indicated that was correct. Mayor Braegger stated he thought that was sufficient. He pointed out there was no place for curb and gutter right now, and if they had them install it, it would run into the city's dirt barrow ditch. He thought the deferral made sense for now.

Council Member Ward inquired how much property they were talking about. Mayor Braegger said it was two (2) lots and estimated it was about 200 feet frontage. The property was located on the east side of 250 West. Council Member Ward thought it would be beneficial to have the curb and gutter installed and live with the city's ordinance now. He pointed out that on the county map, it shows the city owned more property. He thought it was feasible to have curb and gutter now.

It was discussed that the curb and gutter would only go up a portion of the road and only on that west side of the road. Council Member Ward thought that was okay. Council Member Braegger pointed out that would force the water onto the neighbor's property. Council Member Ward disagreed. Council Member Braegger expressed he thought it would be better to leave it all the same so the water could perk.

Council Member Ward questioned how long the city would allow that to go. Mayor Braegger indicated the deferral was forever. Council Member Ward stated they were talking about this subdivision request; were they going to allow the same thing as there was more development?

Motion: Council Member Kunzler moved to approve the Hurst Subdivision with the conditional of a deferral agreement on the curb and gutter. Council Member Robb seconded the motion. Members voting aye: Council Members Kunzler, Robb, Seamons, and Braegger. Members voting nay: Council Member Ward. The motion passed with a four votes in favor and one vote opposed.

Consideration of Preliminary Approval of the Rod Braegger Subdivision Located at Approximately 100 South 400 West (Parcel No. 02-054-0003)

Mayor Braegger recommended tabling the agenda item until the next meeting. He noted there was a concern with emergency access, and he felt the Council needed to obtain some more information.

Motion: Council Member Kunzler move to table the preliminary approval of the Rod Braegger Subdivision located at approximately 100 South 400 West (Parcel No. 02-054-0003). Council Member Robb seconded the motion. Members voting aye: Council Members Kunzler, Robb, Seamons, Braegger and Ward. Members voting nay: None. The motion passed unanimously.

Mayor Braegger said hopefully by next meeting they would have some additional information.

Approval of Minutes

August 12, 2021, Regular City Council Meeting

Motion: Council Member Ward moved to approve the Regular City Council meeting minutes of August 12, 2021, as presented. Council Member Seamons seconded the motion. Members voting aye: Council Members Kunzler, Robb, Seamons, Braegger and Ward. Members voting nay: None. The motion passed unanimously.

WILLARD CITY CORPORATION – CITY COUNCIL

Financial

Warrants
Vouchers
Reports
Purchases

The Warrants and Vouchers were presented to the Council for review. The items were reviewed individually.

Department Reports

Public Works

Consideration of Approval of Payment to Rockwell Supply, Inc in the amount of \$16,350 for Sewer Lift Station SCADA Panel and Installation

Mr. Davis informed the Council the SCADA project was a project prior to Mr. Wes Thompson being with the city, and it was now completed. He went on to explain the SCADA system is the notification system, which allows city staff to know if the sewer system was functioning.

Motion: Council Member Braegger moved to approve the payment to Rockwell Supply, Inc in the amount of \$16,350 for sewer lift station SCADA panel and installation. Council Member Ward seconded the motion. Members voting aye: Council Members Kunzler, Robb, Seamons, Braegger and Ward. Members voting nay: None. The motion passed unanimously.

Police Department

Consideration of Approval of Payment to Utah Federal Surplus Property Program in the amount of \$1,391.68 for Surplus Property

Mr. Davis informed the Council the city has a police officer that was active with researching surplus supplies. Recently, the city acquired two side-by-side vehicles; a Ford F-150; and a 2009 For Explorer. He added that the city was going to acquire a semi-truck/tractor; however, it was rear ended during transport, and it was taken back to its location. Mr. Davis went on to say Mr. Wheelwright would have a newer vehicle and the city would sell the Dodge Durango.

Motion: Council Member Kunzler moved to approve the payment to Utah Federal Surplus Property Program in the amount of \$1,391.68 for surplus property. Council Member Robb seconded the motion. Members voting aye: Council Members Kunzler, Robb, Seamons, Braegger and Ward. Members voting nay: None. The motion passed unanimously.

Fire Department

Consideration of Purchase of I.O. Needles in the amount of \$600

Consideration of Purchase of a Life Pack K15 AED in the amount of \$24,000

Chief Mund addressed the Council. He indicated the Life Pack K15 AED was a refurbished model; a new model was \$50,000. He explained the model they have now is a Life Pack 12, and it is not serviceable anymore and hasn't been for approximately three years. Chief Mund discussed the options on the Life Pack K15 AED. He reminded the Council they discussed the purchase of the Life Pack during the budget sessions.

Discussion followed regarding I.O. Needles. Chief Mund explained how the fire department utilized the needles, and he went on to explain the department back billed the patients for the needles. The I.O. Needles come in a pack of five (5) for \$600.

Motion: Council Member Ward moved to approve the purchase of I.O. Needles in the amount of \$600 and a Life Pack K15 AED in the amount of \$24,000. Council Member Kunzler seconded the motion. Members voting aye: Council Members Kunzler, Robb, Seamons, Braegger and Ward. Members voting nay: None. The motion passed unanimously.

Council Member Reports

Brad Robb

WILLARD CITY CORPORATION – CITY COUNCIL

Council Member Robb did not have anything to report at this time.

Josh Braegger

Council Member Braegger did not have anything to report at this time.

Fred Ward

Council Member Ward inquired if the city had a defibrillator in the city offices and if they were expensive. It was said the city offices used to have one; however, it was outdated. Chief Mund indicated they cost between \$800 and \$1,000 for a basic model. Council Member Ward suggested the city have a training on how to utilize one. Council Member Kunzler agreed. Mayor Braegger asked staff to look into a defibrillator for the city offices.

John Seamons

Council Member Seamons said he was going to congratulate Mr. Colt Mund on his recent marriage. He went on to inquire about training for the City Council and Planning Commission. He would like for staff to look into providing the training or find it online. Mr. Davis inquired what type of training Council Member Seamons would like to have. Council Member Seamons indicated he would like to have training on what the state required. He thought they overstepped their bounds a bit and talk before they had all the information.

Kaleb Kunzler

Council Member Kunzler did not have anything to report at this time.

Mayor's General Correspondence and Information

Mayor Braegger indicated he appreciated everyone's work and efforts. In addition, he congratulated Mr. Colt Mund on his recent marriage.

City Manager's Report

Mr. Davis did not have anything to report at this time.

Consideration of Motion to Enter a Closed Session (if necessary) pursuant to UCA §52-4-205 (a) except as provided in Subsection (3), discussion of the character, professional competence, or physical or mental health of an individual; (b) strategy sessions to discuss collective bargaining; (c) strategy sessions to discuss pending or reasonably imminent litigation; (d) strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares (e) strategy sessions to discuss the sale of real property, including any form of a water right or water shares; (f) discussion regarding deployment of security personnel, devices, or systems; or (g) investigative proceedings regarding allegations of criminal misconduct.

No closed session at this time.

Adjourn

With no further business coming before the Council at this time, Council Member Kunzler moved to adjourn the meeting. Council Member Robb seconded the motion. The meeting adjourned at 8:07 p.m.

Minutes were read individually and approved on: September 23, 2021.


Recorder


Mayor