

FILLMORE CITY COUNCIL MEETING

October 19, 2021

Minutes of the regular meeting of the Fillmore City Council held October 19, 2021 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 15, 2021.

Those present were:

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

Others present were:

Terry Messersmith, Dan Rowley, Matt Ward, Lauri Mathews, Bruce Robison, ChrisAnn Jenson, David Allen, Vicki Allen, Steve Iverson, Cody Messersmith, Patti Carter, and Vickiann Mitchell.

6:30 p.m. Welcome by Mayor Holt.

ADMINISTRATIVE BUSINESS

Minutes

MOTION: To accept the meeting minutes from the October 5, 2021 council meeting, as written.

By: Councilmember Winget

Second: Councilmember Monroe

Vote: Unanimous. Motion carried.

Bills – Payroll

MOTION: To approve the October 15, 2021 payroll and payment of bills listed on the invoice register dated October 6, 2021 – October 19, 2021.

By: Councilmember Monroe

Second: Councilmember Winget

Vote: Unanimous. Motion carried.

Purchase Orders

MOTION: To approve Purchase Order 22-24 in the amount of \$25,000 payable to Dixie Power to replace old power poles along 100 South to 500 West.

By: Councilmember Monroe

Second: Councilmember Jenson

Vote: Unanimous. Motion carried.

49 Purchase Orders

50 MOTION: To approve Purchase Order 22-26 in the amount of \$15,049 payable to
51 Fireworks America Inc., for purchase of 2022 July 4th fireworks display.
52 By: Councilmember Winget
53 Second: Councilmember Jenson
54 Vote: Unanimous. Motion carried.
55

56 Licenses and Permits

- 57 • Building Permit Application 21-33 for SunGro located at 1120 West Industrial Way,
58 for construction of a new scale house.
59 • Building Permit Application 21-40 for Sean Lebaron located at 140 West Center Street,
60 for repairs to an existing carport.
61 • Building Permit Application 21-36 for Nate Spence located at 70 West 500 South, for
62 construction of a new single-family residence.
63 • Building Permit Application 21-41 for Eugene Larsen located at 85 South 300 West,
64 for construction of a new storage shed/gazebo.
65
66

67 **PUBLIC HEARING**

68
69 MOTION: To go into a public hearing at 6:41 p.m. for the purpose of receiving
70 public comment concerning amending the Fillmore City zoning map for
71 a portion of East Ridge Estates at approximately 100 East and 500 North
72 to Residential 2 Zone.
73 By: Councilmember Jenson
74 Second: Councilmember Dearden
75 Vote: Unanimous. Motion carried.
76

77 The current zone for this area is Rural Residential. Patti Carter resides in this area and asked if
78 twin homes will be allowed in this newly designated zone. The answer is yes, they will be
79 allowed, however, the developer has not changed the Covenants, Conditions, and Restrictions
80 (CC&Rs) to allow for them in this subdivision.
81

82 MOTION: To go out of the public hearing at 6:44 p.m.
83 By: Councilmember Winget
84 Second: Councilmember Dearden
85 Vote: Unanimous. Motion carried.
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95 **COMMUNICATIONS AND REQUESTS**

96
97 Dave Allen and Steve Iverson – American Legion Request for Annual Donation

98
99 MOTION: To approve donation to the American Legion for the 2022 fiscal year in
100 the amount of \$1,700.00.
101 By: Councilmember Winget
102 Second: Councilmember Dearden
103 Vote: Unanimous. Motion carried.
104
105

106 **BUSINESS**

107
108 Rezone Undeveloped Lots for East Ridge Estates Subdivision from Rural Residential to
109 Residential 2 Multi-Family Zone and Upon Fillmore City Transferring Ownership of the North
110 2.2 Acres of Parcel F-6968-2 to be Rezoned to Residential 2 Multi-Family Zone

111 Councilmember Monroe pointed out that the 2.2 acres still belongs to the city, and moving
112 forward, the city should either be a co-applicant on the zone change request or wait until city-
113 owned property changes hands before a zone change is approved so as not to set a precedence.
114

115 MOTION: To approve the zone change of 2.2 acres of Parcel F-6968-2 to
116 Residential 2 Multi-Family zone with the understanding that once the
117 city property is sold, it will automatically be included in that zone.
118 By: Councilmember Monroe
119 Second: Councilmember Winget
120 Vote: Unanimous. Motion carried.
121

122 Memorandum of Understanding Between Fillmore City and Aman Sharma Regarding Final
123 Plans, Standards of Construction, and Allocation of Maintenance Responsibilities for Certain
124 Sewer System Improvements Related to the Fillmore Chevron C-Store Development

125
126 MOTION: To accept Memorandum of Understanding between Fillmore City and
127 Aman Sharma regarding final plans, standards of construction, and
128 allocation of maintenance responsibilities for certain sewer system
129 improvements related to the Fillmore Chevron C-Store development
130 By: Councilmember Winget
131 Second: Councilmember Monroe
132 Vote: Unanimous. Motion carried.
133

134 Ordinance 21-18 to Vacate Dedicated Streets Located at Approximately 270 South Between
135 300 East and 350 East, and 350 East from 270 South to 240 South

136
137 MOTION: To adopt Ordinance 21-18 with a change in the ordinance to state that
138 the City Council expressly does not authorize the execution of the
139 conveyance of any part of the property that could be reasonably claimed
140 by more than one property owner to any specific property owner, and

141 interested property owners must determine the ownership of disputed
142 property between themselves and a court of law, if necessary.
143 By: Councilmember Alldredge
144 Second: Councilmember Jensen
145 Roll-Call Vote:
146 Councilmember Jensen – Yes
147 Councilmember Winget – Yes
148 Councilmember Alldredge – Yes
149 Councilmember Dearden – Yes
150 Councilmember Monroe - Yes
151 Unanimous. Motion carried.
152
153

154 COUNCIL REPORTS

156 Councilmember Monroe

157 **Garbage/Landfill**

- 158 • The city will receive from Millard County a needed number of employee hours to
159 simply maintain the Fillmore landfill so it can remain open and operational. The city
160 has already decided and communicated that they will not fund a full-time benefited
161 employee for the landfill, however they are willing to negotiate for a fair and
162 reasonable expense to help keep it operational. Hours will also fluctuate for seasons,
163 for example, the landfill should be open for more hours during the summer months than
164 during the winter. A separate fee will be established and associated with building
165 permits and these funds will be set aside for the purpose of the Fillmore landfill
166 operations only.
167

168 Councilmember Dearden

169 **Parks**

- 170 • The repairs to the pickleball courts are complete and they look good.

171 Councilmember Alldredge

172 **Water**

- 173 • Obtaining easements for the new water tank project is becoming time sensitive. A
174 definitive and exact site for the tank needs to be secured very soon.
175

176 Councilmember Winget

177 **Law Enforcement**

- 178 • Councilmember Winget is appalled at the amount of speeding and not stopping at stop
179 signs in town. Mayor Holt and Councilmember Winget will ask the Millard County
180 Sheriff's office for more enforcement on these two problems.
181

182 Councilmember Jensen

- 183 • No report
184

185 Attorney Harris

- The city council was asked to review sample retirement policies from other cities around the State regarding how to handle post-retiree benefits, specifically use of unused sick leave to be used for post-retiree health benefits. Once they have reviewed, they were asked to share their thoughts with Attorney Harris so the policy can be amended accordingly.

ADJOURNMENT

Upon motion by Councilmember Dearden and second by Councilmember Jenson, the meeting adjourned at 7:39 p.m.

The next regular council meeting will be held November 2, 2021 at 6:30 p.m.

APPROVED November 2, 2021

Michael D. Holt, Mayor