

Town Council Regular Meeting

December 8, 2021

Elected Officials Present: Mayor Marty Larson, Councilmembers Neil Brown, Hale Robison, Lori Christensen

Staff Present: City Recorder Lucinda Thomas, Deputy Clerk Nicole Preston, Town Attorney Josh Nielsen, Fire Chief William McMullin, Santaquin Police Chief Hurst

Public Present: Roweena Rymer, Kelly Beckstrom, Gaylyn Beckstrom, Linda Fullmer, Lonnie Fullmer, Karl Mecham, Marcia Mecham, Curtis Thomas, Grant Lundberg,

1. Call to Order - Mayor Larson called the meeting to order at 7:00pm

- a. Roweena Rymer gave the opening prayer
- b. Mayor Marty Larson led the Pledge of Allegiance

2. Approval of Minutes for November 10, and November 18, 2021.

- a. Mayor Marty Larson made a **Motion** to approve the minutes for November 10th and 18th. Councilmember Christensen **Second** and the motion **Passed** all in favor.

3. Approval of Expenditures

- a. Councilwoman Christensen made a **Motion** to approve the expenditures in the amount of Fifty-One thousand six hundred sixty-five dollars and thirty-seven cents (\$51,665.37). Councilmember Hale Robison **Second** and the motion **Passed** all in favor.

4. Approval of Work Orders

- a. There were no work orders that needed to be addressed

5. Commission & Staff Reports

- a. Fire Chief Report – Fire Chief William McMullin
 - i. 7 Calls, 4 Medical, 1 Structure(shed), 1 Brush Fire, and 1 Hay Fire. They will be billing the Utah County Fire Department for the Hay Fire out in Elberta. \$ 1357 They Department is excited to have Santa coming to the Station on Saturday December 11, 2021.
- b. Police Chief Report – Police Chief Hurst – He went over the stats and cad stats for the month. He was questioned regarding the recent windows that had been shot out in the neighboring town of Goshen. Chief Hurst said to cross our fingers as that hadn't come over to Genola or Santaquin yet.
- c. Planning Commission Report
 - i. Chairperson Rosenberger. He mentioned that they will be losing one member from the planning commission and will need to have an appointment next month. He stated that they had a public hearing for the subdivision amendment. He also wanted to bring up again how the water/drought situation was going. Mayor Marty Larson responded that the well is starting to fill up again. They did have the well looked at and they believe that they can lower the pump in the current casing. The recommendation was that they reutilize it after the new well in completed.
 - ii. Mayor Larson stated that he had started to review the changes for the subdivision ordinance, and he felt that after the commission recommends the changes to the council he wanted to have enough time thoroughly study it before it goes for a vote.

Public Forum- Mayor Marty Larson clarified the rules of a public forum. Told the residents who signed up to speak that they would all have only 5 minutes, and that the council will simply listen and then at the end of the public forum they (the council) would address questions that were brought up. He didn't want a councilmember to be taking up any of their allowed time.

Kelly Beckstrom – He brought a map that he placed in front of the council and asked if this was the map that was approved. Mayor stated that he thought so, but obviously it wasn't guaranteed. Mr. Beckstrom pointed to the proposed road of 400 West and showed that on their map it was all on the other side of the fence. He asked the questions as to why they would need to put in the road. He brought up that there would be significant costs to put in the future road of 400 West that borders Lot 6 of the preliminary plat for F. Mecham Plat F consisting of lots 2-6 that had been previously approved by the planning commission and town council.

Gaylyn Beckstrom and Linda Fullmer – They wanted to show the cost impact that they would have to bear if they were required to put in the road. They feel that this requirement would create their lot 6 to no longer be a sellable lot and they would have to redesign the whole plat which would come at significant cost. They believe the road itself would be at least \$90,000, the engineering costs would be at least \$5,000, Rocky Mountain Power estimated at \$2,200, Perk tests would be \$10,000, and the loss of value to the lot would be at least \$100,000. They believe that the integrity of the subdivision would then be compromised. They believe that also stated that these costs wouldn't be included in future lots 10, 11, and 12 and the negative impact that it might cause those lots. They felt that in consultation with different attorneys that they should be able to trust the towns previous approvals so that they were able to move forward. The time is a significant issue, and they are worried to see the value of the land go down. They feel like they have already met all the requirements that the town has requested of them, and don't feel like it is fair for the town to then come back again with new requirements after an approval has already been given. They are worried about losing hundreds of thousands of dollars from this.

Karl Mecham – He is worried about the personal impact including the loss of possibly their retirement income. He brought up that he feels like the portion of their required road is pointless as it would be a road that the Town isn't going to maintain. He doesn't feel the value of the road is needed or wanted. He feels like the road will be detrimental to other residents. He feels like there should be adjustments made for this road.

Lonnie Fullmer/Curtis Thomas – Lonnie Fullmer turned his time over to the Curtis Thomas. Curtis Thomas drew a cut-away on the white board and showed how he believes that the road (400 West) would hurt his property. He is worried about what he believes would be a 6-foot fall. Would it require the road be cut down or would it be built up?

Roweena Rymer – She stated that when she moved to Genola twenty years ago she contacted the Town Office and was told that there were no plans to build a 400 West Road. That was how they decided to place their home where it is now located. Since then, she said that she has found out that the city now has plans for the 400 West Road, and she wants to know how come she was never notified of the change and why they would proposed to put a road that would be so close to her home. She is requesting that the proposed 400 West Road be removed from the master plan. She believes that it should be removed because she doesn't have any intentions of developing her land. She believes that the water runoff from the road would flood her home. She believes that this would also affect how they would be able to get secondary water. She feels like this road would destroy the safety of her home.

Mayor Marty Larson then wanted to make sure that everyone here knew that the Town Council is made up of individuals who live in Genola, and they do have compassion and understanding for those that are here. And just wants to make sure that they understand that as we are only listening right now, and not getting any feedback from the council.

John Rosenberger – He wanted to bring it up to the council again that he would like to address collector roads and who would be responsible for the development and subdivisions that would be feeding to roads that may need to be expanded. Is this something that the planning commission needs to pay attention to and do the developers need to be expanding those roads or is this something that the city will have to take care of. Councilman Brown wanted to ask a question and stated that he didn't really feel like Chairman Rosenberger's input was a personal

issue requiring him to sign up for the public forum. Because his issues are directly related to his role, as planning commission chair. He stated that he understands that the commission is looking at the future and wanting to identify specific roads that might need to have greater capacity for future use. These roads haven't been identified yet but he was very interested in seeing what the commission comes up with.

Mayor Marty Larson then said that he would address some of the questions, that were brought up during the public forum, and then he would afford each councilmember the same opportunity. He wanted to make sure that everyone knew that he is one of five people and that he is only vote. **Why 4th West?** About ten years ago this was done within the General plan. He understands that roads are for transportation, not necessarily for providing frontage, but he does feel that it was done appropriately. He continued by saying that there was a public hearing held and everyone was notified of the possibility of changes. Roads will only go in when development initiates it. He does believe that proposed roads are just that proposed, and the same process that put them on the map can be used to change their location or remove them from the map. He also believes that planning commission does have the latitude to recommend changes to the road master plan more frequent than every five years.

Cost Impacts – Mayor Larson personally believes that the town did OK the subdivision and he believes that our word matters. He believes that the road should have been there from the beginning, but it wasn't shown on the plat map and the town missed it, our word matters. But he doesn't believe that the cost impacts to retirements income etc. are to be considered when approving under town ordinance. Developments come with risks and choices and the town is not responsible for a person's retirement income. Mayor Larson is also concerned that the plat that was approved is a 6-lot subdivision, It would come at a huge cost to the developer if they continued putting infrastructure such as roads and irrigation lines in as referred to by Gaylyn Beckstrom and Linda Fullmer concerning Lots 10, 11, 12 that so not exist and have never been approved by Planning Commission or Town Council. The current proposed 4th West Road is still in place and still must be constructed in the location shown on the town map going forward. Elevation and fall on 4th West – He believes that the development needs to include proper engineering. He believes that this is more of an engineering issue and public works issue and not necessarily a town council issue. Again, development needs to make sure that the engineering needs to be done right to begin with. Genola has standards that needs to be followed, and the Town is unique is that they have pond groups which can be positive or negative impacted depending on who is a part of it and if it is run correctly. With reference to Mr. Rosenberger and like 4th West he would like to have the planning commission to review the roads and when a subdivision is proposed it is ok to look at the surrounding roads make sure that it is done correctly. He is grateful for people coming and knows that they do care about our residents, and having good rules is a way for the Town to show that we really do care about our residents.

Councilmember Brown – He asked for clarification about when the error was caught. It was clarified to him that it was not caught until after Planning commission and Town Council approved it and it was then shown on their construction drawings that they were required to submit to Chris Steele at the beginning of construction. It was brought up that we as office staff are new to this process in handling large subdivisions, it is no longer just a landowner breaking off a little piece for one of their children, and we are still learning how to handle these large subdivisions. It was clarified that the F. Mecham Plat has only received their preliminary approval, they have not completed their infrastructure yet and there has been no recording done with the County. He doesn't believe that anyone could actually look at the road map and see that 4th West isn't a logical road to connect. He is shocked at the challenges the town has faced in trying to make this a road previously. The town has always looked at traffic heading east, but he feels like in the future (10-15 years) we will see the traffic flow heading east and west and we need to look at the future traffic needs. He sees that 400 North Road has been proposed by MAG as a possible highway coming from the back side of the lake. The other two proposed roads would be just south of our town boundaries, and we would need to accommodate traffic heading down to that

road. He mentioned a different option of 350 East or possibly 600 West that might be alternatives for 400 West. He feels the big question is with the F. Mecham plat where the town missed it, the questions is do we fix it now, or do we just go with what was already approved, and he wasn't sure that there was a really good answer.

Councilmember Hale Robison – He stated that he isn't sure that road really needs to be there. He would like to see an alternative happen. He feels like this road would just cause to many problems. He is worried about how this road will not be used.

Councilmember Lori Christensen – She trusts the Planning Commission she knows that she is not an engineer, and she does have to trust the engineers will do their job. She knows from personal experience that even though six-foot drop might be a pain, there are work arounds and it is totally doable. She knows that it wouldn't be perfect, but it can be done with retaining walls, and then in the future the will simple match everything up. These roads are proposed, not set in stone, they do have to look to the future. She agrees with the other Councilmembers, but she does want to trust the planning commission, and agrees that our word is worth something. She stated that if they decide to vote on something today, she will probably vote for the option that has the least amount of financial impact and on property values.

Mayor Larson then allowed any of the councilmembers to wrap up with any remaining comments: Councilmember Brown then spoke up and stated that if he would like to see the Planning Commission review the road maps, and look at the long range traffic needs, and if there are other solutions, but he doesn't just want to move the problems to somewhere else either. He continued on stating that he was a little apprehensive to vote tonight because he would like to have time to review the planning commission's recommendations and he would like to have more input instead of just the four councilmembers. He then asked Chairperson Rosenberger if they should have a combined meeting to discuss this issue. Councilmembers Christensen and Robison then both mentioned that they would like to see this looked at once more before they made a final decision. Mayor Larson then asked if they are wanting to discuss the future of just lot 6 of the F. Mecham Subdivision or if they would be talking about the future of the whole road in general. Councilmember Brown recommended that they looked at the whole road not just the portion of 400 west that connects to Lot 6. The Mechams were then asked about what they thought, they suggested that the road be changed to 450 West and then it wouldn't cause any problems, but it was brought up that then it wouldn't connect to any of the other existing roads that are already there. The Mecham family also commented that this would cause a great value decrease in the land. Mayor Larson pointed out that the town is already allowing them to change the ground from farmland and that alone is increasing the value of the a great deal, so he had to disagree that the town would be causing a huge financial burden, they just wouldn't get quite as much out of the land as they initially expected, but that happens all the time in development. The Mecham family then commented that the 400 West Road would also affect their future development of Lot 10, 11, 12. Mayor Larson was quick to point out that those are not lots they are only future development, nothing about those lots have been approved and this discussion doesn't pertain to those future lots, as they do not exist at this time. Mayor Larson then decided it was time to move on to the next item on the agenda.

6. Discussion and possible action on the F. Mecham Plat F Subdivision and the proposed road at 400 West.

- a. Town Attorney Josh Nielsen then asked to clarify where we were in this situation. He stated that the town currently has a preliminary plat that has been approved, that they can rely on etc. There are three options you can say that you must make the correction to get the final plat, but that could open up the town to liability for any increased cost and expenses that they could potentially come after the town for.
- b. Second, they could suspend the approval of the previously approved preliminary plat, this is not something that he has never seen done, but it probably could be done. But that could also open up the town to liability.

- 223 c. The last option would be to not require the road to be put in on the previously approved
224 preliminary plat F, and then move forward if they want the road put in from there. Which would
225 ultimately do nothing. Councilmember Christensen then asked a clarifying question of if the
226 developer is required to put in the road. Mr. Nielsen, then answer and clarified that our
227 subdivision ordinance and zoning ordinance require that all proposed roads must be dedicated to
228 the town and put in at the time of development. It does have an exception where circumstances
229 are unique that they can do something other than what the subdivision requires. She then
230 wanted to clarify that if the developer doesn't put in the road that then it will become the Town's
231 responsibility to put in the road in the future.
- 232 d. Councilmember Brown then wanted to make a proposal. Because the future road is .09 of a mile
233 and as the town made the mistake to not require it during the approval process, and not requiring
234 them to put the road in, will not change the fact that the town could come in at a later time to put it
235 in the future development area should that road be determined that it needs to stay there. He
236 would recommend that they simply proceed the way that it is already approved and ignore the
237 requirement for just lot 6 and then it buys the town time to determine if this road is needed.
238 Mayor Larson then clarified that this would make no obligation on the town's part for the future
239 development of lot 10 -12 because that is future development and has nothing to do with the
240 discussion at hand. The Mecham's then asked about Lot 6, Councilmember Brown then clarified
241 that there would be no issue. But it does mean that at some time down the road the Town could
242 come in and buy that land from the resident to put in the portion of the road. But that the
243 dedication of the road wouldn't be required to be done right now. They would simply allow Plat F
244 to be developed as approved. Mayor Larson would like to schedule a meeting on the future of
245 400 West, and everyone discuss this topic.
- 246 e. Councilmember Neil Brown made a **Motion** that the Town Council formally confirm that the
247 council is going to honor the plat map that has been previously approved by the planning
248 commission and town council. Councilmember Hale Robison **Second**, Mayor Larson then
249 clarified that this was specific to F. Mecham Plat F lots 2-6. The motion **Passed** all in favor.
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251 **7. Discussion and possible action on managed IT services from Les Olson Company.**

- 252 a. City Recorder Lucinda Thomas stated that Les Olson came and proposed this option that they
253 now offer in conjunction with our copy machine that we currently lease from them. Les Olson
254 came out earlier that day and said that the very simplest option would be Thirty Dollars a month,
255 that would be for support for the three computers that they would take care of. Councilmember
256 Brown then asked about the option for formal email address that would end in townofgenola.org
257 instead of us using Gmail, back-up solutions, data security, phishing attacks etc. All of those
258 options would be extra money each month, and Les Olson recommended that we start with the
259 thirty dollar a month and then grow with them. Councilmember Brown then stated that he
260 believes the town needs more technical assistance as we currently have nothing. He would also
261 like to see other bids to compare. Ms. Thomas stated that she would be happy to do this, but that
262 they wanted to bring this to the council's attention and wanted to see what the council thoughts
263 were before the time and effort was put in to get bids. The Council agreed that Town did need to
264 get some IT security options. They did want to have Ms. Thomas then get more bids and in
265 conjunction also have Les Olson clarify there proposal with a more description of what they want
266 to provide and the costs that would be associated with each option. Ms. Thomas then asked the
267 council to send on any company names that she could start with if they know of any good
268 companies that they may have worked with in their professional careers. Mayor Larson would
269 want to find a company that would get to know us, so that when we call them, they already know
270 our system and they can easily fix the issue.
271

272 **8. Discussion and possible action on Ordinance 2021-012, setting a meeting schedule for 2022 to**
273 **be the 3rd Wednesday of the month.**

- 274 a. It was brought up that moving the meetings to the third Wednesday instead of the second
275 Wednesday would be helpful to the office staff as they are trying to get documents updated from
276 the planning commission meeting and ready with only a few days in-between. This change was
277 asked for to hopefully help get the town council the information more days to review the

documentation. It was determined that they would move the meetings to the Third Wednesday of every month except for December where it will stay on the second Wednesday.

- b. Councilmember Neil Brown made a **Motion** that they approve Ordinance 2021-12 with the modification that the meeting in the December will be scheduled for the second Wednesday of the month. Mayor Larson **Second** and the motion **Passed** all in favor.

9. Council Comments

- a. **Mayor Marty Larson** – The engineering company for the Tank came out and he met with them and Chris Steele. He felt like the environmental study was about done and he expects that to be completed by the end of December. They toured where the tank will go and where the road will go as well. Franson Civil Engineer predicts that they could put out bids in January for the drilling and in February put out bids for the Tank. The Bureau of Reclamation has recommended the site for where the water line would need to cross the Canal owned by Strawberry/Highline Canal, all the paperwork hasn't been completed yet, but they have gotten where they believe that it is looking good. Fire Chief McMullin asked Mayor Larson a question in wondering if the blasting from Keigley Quarry would affect the structural integrity of the Tank. Mayor Larson stated that yes it had been discussed. He stated that the quarry has the contract with BLM for mining rights. Keigley Quarry was notified that they would not be able to blast within a certain distance from the tank. He reported that when the spot was determined they did pass that through Staker Parsons, and they did have some say as to where it would go, and they know the restrictions that would be put in place because of the new tank. Councilmember Brown as Chief to clarify his question, and Chief McMullin was worried that seismic activity could possibly cause the tank to fail. Chief McMullin stated that he has family members who live closer to the Quarry, and they have cracks in some of their buildings because of the blasting at the Quarry. Mayor Larson stated that when he read the reports it stated that because this was a public water source that there had to a minimum distance away from the well to make sure that the shaking wouldn't contaminate the water source. He said that there is a minimum distance which is quite away away and Staker did sign off on the conditions. Councilmember Brown then stated that he felt there would be merit in asking the Engineers to investigate the issue of the Tank and making sure that seismic activity wouldn't affect the longevity of the tank. The Town is expecting this tank to last at least one hundred years and Staker would be there at Keigley Quarry at least another hundred years.
- b. He did receive the resignation of Councilmember John Savage who has moved from the area. He has instructed Town Recorder Lucinda Thomas to publish the vacancy and it must be published for a minimum of two weeks. There is an interview process that must be done in a public meeting, and they will plan on getting this vacancy filled during the next town council meeting in January.
- c. **Councilwoman Lori Christensen** – It has been requested that they only hold Senior Citizen lunches every quarter instead of every month. They are only having about 20 residents show up and the residents are missing the home cooked meals that was originally provided. The women who are running this say that they aren't getting positive comments back on the meals. She also wanted to clarify that there was a rumor being spread that the council pushed out the old committee to put in this new one. This was not the case; the previous committee head had a double knee replacement and was unable to help because of her health not because she was pushed out. It was brought up that the numbers are consistent with the numbers before covid. It was brought up that there are simply just some people who don't come because they don't want to feel old. The biggest complaint is that it used to be a home cooked meal where people brought in their own side dishes and the town simply provided the meat. With Covid they are no longer allowed to do that.
- d. **Councilman Neil Brown** – We are expecting to find out on the 12th if we got the grant from the State for the high-speed internet. The applications are available for public view he went through all of them, and he felt positive about how ours looks compared to others. He's hopeful that this could happen and how it could affect the community.
- e. **Councilman Hale Robison** – he had no comment

10. Motion to Adjourn

- a. Councilman Hale Robison made a **Motion** to Adjourn. Councilman Brown **Second** and the motion **Passed** all in favor. The meeting was then adjourned at 8:51pm

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336 Minutes prepared by Deputy Clerk Nicole Preston

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338 Minutes Approved on January 19, 2022

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To see signed copy please visit the Town Office
Lucinda Thomas City Recorder