

FILLMORE CITY COUNCIL MEETING

May 3, 2022

Minutes of the regular meeting of the Fillmore City Council held May 3, 2022 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 April 29, 2022.

Those present were:

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

Others present were:

Mark Stevenson, Russell Anderson, Matt Ward, Shane Brunson, Alan Roper, Dan Rowley, and Donna Starley.

6:30 p.m. Motion by Councilmember Alldredge and second by Councilmember Monroe to appoint Councilmember Jenson as Mayor Pro Tem for this meeting due to absence of Mayor Holt. Motion passed unanimously. Mayor Pro Tem Jenson welcomed everyone and led in the recital of the Pledge of Allegiance. Mayor Pro Tem Jenson excused Mayor Holt.

ADMINISTRATIVE BUSINESS

Minutes

MOTION: To accept the meeting minutes from the April 19, 2022 council meeting, as corrected.

By: Councilmember Winget

Second: Councilmember Monroe

Vote: Unanimous. Motion carried.

Payroll and Bills

MOTION: To approve the payment of bills listed on the invoice register dated April 17, 2022 – May 3, 2022 and payroll dated April 30, 2022.

By: Councilmember Monroe

Second: Councilmember Alldredge

Vote: Unanimous. Motion carried.

Purchase Orders

MOTION: To approve Purchase Order # 22-56 in the amount of \$31,950.00 payable to Sunrise Engineering, Inc for completion of a wastewater masterplan update and a wastewater impact fee analysis contingent upon the city council adopting Resolution 22-07 amending the fiscal year

49 2021-2022 Sewer Fund budget by \$40,000 (increase from the Sewer
50 Fund balance).
51 By: Councilmember Hare
52 Second: Councilmember Winget
53 Vote: Unanimous. Motion carried.
54
55 MOTION: To approve Purchase Order # 22-57 in the amount of \$13,800 payable to
56 Sunrise Engineering, Inc for the new cemetery tank replacement project
57 engineering.
58 By: Councilmember Monroe
59 Second: Councilmember Hare
60 Vote: Unanimous. Motion carried.
61

62 Licenses and Permits

- 63 • Building Permit Application 21-19 for Aman Sharma and Vishi Verma located at 50
64 West 1155 North, for construction of a new commercial convenience store.
65
66

67 **PUBLIC HEARINGS**

68
69 MOTION: To go into a public hearing at 6:37 p.m. for the purpose of receiving
70 public comment regarding a proposed simple lot subdivision located at
71 550 South 1100 West: Applicant: Bart Adams
72 By: Councilmember Monroe
73 Second: Councilmember Alldredge
74 Vote: Unanimous. Motion carried.
75

76 No comments offered from the public.
77

78 MOTION: To go out of the public hearing and into another public hearing at 6:40
79 p.m. to receive public comment regarding a proposed zone change from
80 Agricultural Zone to General Commercial Zone located at 560 South
81 Highway 99, to include parcel F-7060-3 (21.3 acres). Applicant: Alan
82 Roper for Apple Creek Farms, LLC
83 By: Councilmember Alldredge
84 Second: Councilmember Hare
85 Vote: Unanimous. Motion carried.
86

87 Mark Stevenson asked what Mr. Roper's plans are for development in this area. Mr. Roper has
88 not yet revealed specific plans; however, it was shared with the public what the allowed uses
89 are in the General Commercial zone.
90

91 MOTION: To go out of the public hearing and into another public hearing at 6:44
92 p.m. to receive public comment regarding a proposed amendment to the
93 Fillmore City Street Master Plan located at approximately 500 West to
94 550 West and 500 South to Highway 99 (Millard County parcel number
95 F-7059-2 and F-7060) Applicant: Alan Roper for RNA Investments LLC

96 By: Councilmember Winget
97 Second: Councilmember Alldredge
98 Vote: Unanimous. Motion carried.
99

100 No comments offered from the public.
101

102 Due to advertised time constraints for the remainder of the public hearings on the agenda, the
103 council decided to conduct the “Communications and Requests” portion of the meeting at this
104 time and then go back into the public hearings following this section.
105

106
107 MOTION: To go out of the public hearing and into the regular council meeting at
108 6:46 p.m.
109 By: Councilmember Hare
110 Second: Councilmember Winget
111 Vote: Unanimous. Motion carried.
112
113

114 COMMUNICATIONS AND REQUESTS 115

116 Fire Department Report – Chief Shane Brunson

117 There were a couple of significant fires in the month of April. There was a motel fire that was
118 possibly caused by an electrical problem. There was a local business’ semi-truck that caught
119 on fire on the Interstate near Holden. There were also several Interstate accidents that were
120 responded to during the month.
121

122 The city will conduct a formal request for proposal process to acquire the rescue truck.
123 Recorder Kevin Orton will start working on that process with Chief Brunson this week.
124

125 The water tender truck recently purchased with State grant funding is now being assembled at a
126 facility in Arizona, so that truck should be delivered to Fillmore within a couple months from
127 now.
128

129 Millard County Commission Report – Councilmember Alldredge

130 Millard County is putting together a program and software in conjunction with Juab and
131 Beaver Counties to digitize surrounding ATV trails where people can upload them onto their
132 devices to use as electronic trail maps.
133

134 By fall of 2023, IPP expects to have up to 1,200 employees arriving to work on the plant
135 conversion project. An estimated 300 will arrive between now and December of this year.
136 There are already some new employees on site working on the conversion. IPP is now also
137 looking into hydrogen electricity because it is renewable and carbon-free. The salt wells in
138 Millard County could facilitate using this type of energy at the plant. There could be \$504
139 million in federal tax dollars received for hydrogen operations.
140

141 A community arts program has requested the use of the Armory building to run their arts
142 program. The Millard County Commission approved the agreement today and it will be on the
143 May 17, 2022 city council meeting for their approval.

144
145 MOTION: To go into a public hearing at 6:54 p.m. for the purpose of receiving
146 public comment regarding a proposed amendment to the Fillmore City
147 Street Master Plan located at approximately 500 West to 550 West and
148 500 South to Highway 99 (Millard County parcel numbers F-6979, F-
149 6980, F-546, and F-545) Applicant: Mark Stevenson for Golf View,
150 LLC

151 By: Councilmember Monroe
152 Second: Councilmember Winget
153 Vote: Unanimous. Motion carried.

154
155 It was explained that the updated maps that were provided to the council today from Sunrise
156 Engineering and that are currently attached in the TownCloud agenda application are the maps
157 that may be the ones adopted later in this meeting when Ordinances 22-12 and 22-13 are voted
158 on.

159
160 MOTION: To go out of the public hearing and into another public hearing at 7:00
161 p.m. for the purpose of receiving public comment regarding
162 consideration of opening and amending the Fillmore City 2021-2022
163 fiscal year operating budgets (General Fund and Sewer Funds) to
164 account for and appropriate \$35,000 from the Fillmore City Sewer Fund
165 balance into the 2021-2022 fiscal year budget to fund a wastewater
166 master plan update and a wastewater impact fee analysis. An additional
167 amount will be considered by the city council for the purchase of a VAC
168 truck to be funded through the general and sewer fund balance amounts.

169 By: Councilmember Alldredge
170 Second: Councilmember Hare
171 Vote: Unanimous. Motion carried.

172
173 Russell Anderson asked what a VAC truck is and what it could be used for. It was explained
174 that a VAC truck is used to vacuum or blow water and wastewater out of or through water and
175 wastewater lines.

176
177 MOTION: To go out of the public hearing and into the regular council meeting at
178 7:05 p.m.

179 By: Councilmember Alldredge
180 Second: Councilmember Hare
181 Vote: Unanimous. Motion carried.

BUSINESS

Ratification of City Council Approval in the April 19, 2022 City Council Meeting of an Authorized Bid Amount of up to \$40,000 to Try to Acquire a VAC Truck on a Public Surplus Website Auction Contingent Upon There Being Sufficient Funds in the Current Fiscal Year Budget to Purchase the Truck

MOTION: To ratify city council approval in the April 19, 2022 city council meeting to authorized a bid amount of up to \$40,000 to acquire a VAC truck.

By: Councilmember Alldredge

Second: Councilmember Monroe

Vote: Unanimous. Motion carried.

Ratification of City Council Acceptance of Memorandum of Understanding Between Fillmore City and ANANTA. LLC Regarding Sewer Infrastructure Requirements Located at 1155 Cedar Mountain Road in Fillmore

The memorandum of understanding essentially limits the developers to the plans that were originally applied for. The developers are not permitted to add on to the current booster pump that is being installed for the current submitted construction plans.

MOTION: To ratify city council approval of the memorandum of understanding between Fillmore City and ANANTA, LLC regarding sewer booster pump.

By: Councilmember Hare

Second: Councilmember Monroe

Vote: Unanimous. Motion carried.

Combining Three Lots (Parcels F-232, F-232-2, and F-232-3) Into One Lot for Applicant Andrew Brown

MOTION: To approve the Planning Commission recommendation to approve combining of the three lots (Parcels F-232, F-232-2, and F-232-3) into one lot for applicant Andrew Brown.

By: Councilmember Alldredge

Second: Councilmember Winget

Vote: Unanimous. Motion carried.

Simple Lot Subdivision for Bart Adams Located at 550 South 1100 West

MOTION: To approve the Planning Commission recommendation to approve a simple lot subdivision located at 550 South 1100 West applicant Bart Adams.

By: Councilmember Alldredge

Second: Councilmember Hare

Vote: Unanimous. Motion carried.

233 Ordinance 22-12 Amending the Fillmore City Zoning Map to Show a Change of Zone for the
234 Property Located at Approximately 560 South Highway 99 (Totaling Approximately 21.3
235 Acres), From Agricultural to General Commercial Zoning Designation
236

237 MOTION: To adopt Ordinance 22-12 based on the finding of criteria that the
238 proposed rezoning is necessary either to comply with the City General
239 Plan or to provide land for a community need.

240 By: Councilmember Winget

241 Second: Councilmember Alldredge

242 Roll-Call Vote:

243 Councilmember Monroe – Yes

244 Councilmember Hare – Yes

245 Councilmember Alldredge – Yes

246 Councilmember Winget – Yes

247 Unanimous. Motion carried
248

249 Ordinance 22-13 Amending and Adopting the Fillmore City Streets Master Plan Regarding
250 Applications Submitted by Alan Roper, for RNA Investments LLC, for the Streets Located at
251 Approximately 500 West to 550 West and 500 South to Highway 99 and Mark Stevenson for
252 Golf View LLC for the Streets Located at Approximately 600 North and 200 West to 400 West

253 As mentioned previously in this meeting in the public hearing, old maps that were not up to
254 scale for this amendment were updated and provided to the council for this meeting. The
255 updated maps should be the ones adopted in this ordinance.
256

257 MOTION: To adopt Ordinance 22-13 with corrections to show in Section 1 the
258 word “documents” to replace the word “document”, and to use the
259 updated maps that were provided to the council today.

260 By: Councilmember Hare

261 Second: Councilmember Winget

262 Roll-Call Vote:

263 Councilmember Monroe – Yes

264 Councilmember Hare – Yes

265 Councilmember Alldredge – Yes

266 Councilmember Winget – Yes

267 Unanimous. Motion carried
268

269 Resolution 22-06 Amending the Fillmore City Procurement Policy to Allow for Bidding on
270 Items for Sale Through a Public Auction Process

271 Councilmember Alldredge explained that the city is limited in their ability to acquire new
272 equipment by not being permitted to procure items from a website auction site.

273 Councilmember Monroe stated that he is not opposed to utilizing this type of procurement
274 process but is concerned about a couple of things. One, there needs to be a limit amount set by
275 the council before going into a bidding process. The other concern is the risk of obtaining a
276 piece of equipment or vehicle that costs the city more money in the future due to possible
277 repairs that the city could not determine due to purchasing in an auction process, where that
278 kind of information could be difficult to identify, especially if it is an out-of-state auction.

279 Councilmember (Mayor Pro Tem) Jenson agreed that the city may not know exactly what they

are purchasing when through an auction. The council agrees that this should be included in the policy as a way to procure equipment or vehicles, however, there must be safeguards in place in the policy to ensure a good and reasonable purchase is made. It was determined that the council should convene in a special meeting if needed to determine a maximum authorized amount for each individual auction event.

MOTION: To adopt Resolution 22-06 with a correction to read that the council will convene in a special open and public meeting before each on-line auction purchase to establish a limit bid amount.

By: Councilmember Winget

Second: Councilmember Monroe

Roll-Call Vote:

Councilmember Monroe – Yes

Councilmember Hare – Yes

Councilmember Alldredge – Yes

Councilmember Winget – Yes

Unanimous. Motion carried

Resolution 22-07 Amending the Fillmore City Operational Budgets for the 2021-2022 Fiscal Year

MOTION: To adopt Resolution 22-07 to include only the \$40,000 increase in the Sewer Fund where the additional revenue will come from the current fiscal year sewer fund balance.

By: Councilmember Alldredge

Second: Councilmember Monroe

Roll-Call Vote:

Councilmember Monroe – Yes

Councilmember Hare – Yes

Councilmember Alldredge – Yes

Councilmember Winget – Yes

Unanimous. Motion carried

COUNCIL REPORTS

Councilmember Monroe

Other

- Councilmember Monroe mentioned that it would be a good idea to revisit the idea of bringing a farmer's market to Fillmore. Although the city cannot sponsor this event, the council would like to see it happen as it would be a benefit to the community.

Councilmember Hare

Celebrations

- The organizers of the annual classic car show in Fillmore have expressed some concern with most local businesses in terms of their lack of participation. This event brings a good amount of revenue to the city and local businesses each year. Although this is not

a city sponsored celebrations event, Councilmember Hare asked the council to encourage local businesses to participate and/or contribute where they can.

Councilmember Alldredge

Water

- Councilmember Alldredge asked about spraying for dandelions on the city park and cemetery lawns. There are lots of them springing up around town.

Councilmember Winget

Planning and Zoning

- The Planning Commission is doing a great job and the council appreciates the work they do.

Councilmember Jenson

Parks

- The council suggested considering replacing the sand volleyball court at the North Park with two more pickleball courts.
- An automated sprinkler system has been installed at the Blue Star Park. This will save the city money by reducing man-hours in keeping the lawn watered.

ADJOURNMENT

Upon motion by Councilmember Hare and second by Councilmember Monroe, the meeting adjourned at 8:19 p.m.

The next regularly scheduled council meeting will be held May 17, 2022, 2022 at 6:30 p.m.

APPROVED May 17, 2022

Michael D. Holt, Mayor