

FILLMORE CITY COUNCIL MEETING

June 21, 2022

Minutes of the regular meeting of the Fillmore City Council held June 21, 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 June 17, 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: Russell Anderson, Karen Anderson, Mark Stephenson, Molly Stevens, Matt Ward, and Dan Rowley.

MOTION: To appoint Councilmember Eric Jenson as Mayor Pro Tem for this council meeting due to Mayor Holt being absent.

By: Councilmember Monroe

Second: Councilmember Hare

Vote: Unanimous. Motion carried.

6:30 p.m. Welcome by Mayor Pro Tem Jenson and pledge of allegiance.
Mayor Pro Tem Jenson excused Mayor Holt

ADMINISTRATIVE BUSINESS

Minutes

MOTION: To accept the meeting minutes from the June 2 , 2022 council special work meeting, as corrected.

By: Councilmember Hare

Second: Councilmember Winget

Vote: Unanimous. Motion carried.

MOTION: To accept the meeting minutes from the June 7, 2022 council meeting, as written.

By: Councilmember Alldredge

Second: Councilmember Monroe

Vote: Unanimous. Motion carried.

49 Payroll and Bills

50
51 MOTION: To approve the payment of bills listed on the invoice register dated June
52 8, 2022 – June 21, 2022 and payroll dated June 15, 2022.
53 By: Councilmember Monroe
54 Second: Councilmember Winget
55 Vote: Unanimous. Motion carried.
56

57 Purchase Orders

58
59 MOTION: To approve Purchase Order 22-62 in the amount of \$27,200 payable to
60 Sunrise Engineering for new cemetery water tank project geotech and
61 engineering.
62 By: Councilmember Alldredge
63 Second: Councilmember Hare
64 Vote: Unanimous. Motion carried.
65
66

67 **PUBLIC HEARING**

68
69 MOTION: To go into a public hearing at 6:39 p.m. to receive public comment
70 regarding Ordinance 22-14, an ordinance enacting a city option sales and
71 use tax for highways or to fund a system for public transit under Utah
72 Code Ann. § 59-12-2215.
73 By: Councilmember Monroe
74 Second: Councilmember Alldredge
75 Vote: Unanimous. Motion carried.
76

77 Russell Anderson asked what this tax is used for. The council explained that there are several
78 possible allowed uses under the tax. Fillmore City may be interested in using the tax for
79 development, construction or maintenance of public roads, sidewalks, curb, gutter, traffic
80 signals, and street lighting. Maintenance of airport facilities would also be included. The tax
81 would be a 0.3% tax that would include all under Utah Code Ann. § 59-12-103.
82 Councilmember Hare stated it was his understanding that this tax is already being collected by
83 the State, and that municipalities simply need to take appropriate steps to request and collect
84 their share of these already imposed taxes.
85

86 MOTION: To go out of the public hearing at 6:43 p.m.
87 By: Councilmember Winget
88 Second: Councilmember Hare
89 Vote: Unanimous. Motion carried.
90
91
92
93
94
95

96 **COMMUNICATIONS AND REQUESTS**

97
98 Discussion Regarding Solar Energy and the Fillmore City Renewable Power Policy – Russell
99 Anderson

100 Mr. Anderson stated that Fillmore City should be worried about losing power due to the
101 numerous blackouts that have occurred around the country this summer. The number of such
102 outages have doubled over the last 20 years. Mr. Anderson also discussed the heightened
103 security threats that the country faces, such as geomagnetic storms, high altitude detonations,
104 physical attacks, and cyber-attacks. The natural magnetic field that protects the earth has been
105 steadily weakening over the last 200 years. There is also reason to be concerned about terrorist
106 attacks aimed at taking out U.S. power grids. Terrorists have discovered that the easiest way to
107 cripple a country is to take out their power grids. Mr. Anderson went on to state that at some
108 point, despite their best efforts, Fillmore City will lose their power. One way to mitigate these
109 threats would be to integrate more renewable energy sources into the city's power system. Mr.
110 Anderson believes that the current renewable policy for Fillmore City is comparatively
111 prohibitive in terms of encouraging citizens to add renewable power source components to
112 their homes or businesses and encouraged them to review the policy and consider necessary
113 changes.

114
115 Discussion Regarding Possible Adoption of Some or All of Dixie Power Service Standards

116 An opinion from Sunrise Engineering's power department has been requested regarding the
117 provided Dixie Power standards as they relate to Fillmore City possibly adopting them. The
118 council also requests the presence of a Dixie Power representative along with Eric Larson
119 (Fillmore City's liaison to UAMPS) in the next council meeting to discuss the standards and
120 solar power with them before they decide to take any action.

121
122 Fillmore City I-15 Billboard Advertising Request

123 Anyone wishing to use a city billboard for their advertising should enter into a written
124 agreement that includes a timeframe for use of the billboard. Currently there is no established
125 timeline in the policy, and an appropriate timeline should be included.

126
127 MOTION: To table taking action on a city billboard request submitted by Terri
128 Hoover to update the billboard policy to include an established timeline
129 for businesses to use billboards for their advertising.

130 By: Councilmember Hare

131 Second: Councilmember Winget

132 Vote: Unanimous. Motion carried.

133
134
135 **BUSINESS**

136
137 Ordinance 22-14 Enacting a City Option Sales and Use Tax for Highways or to Fund a System
138 for Public Transit Under Utah Code Ann §59-12-2215

139 Following further discussion, it needs to be verified that this would not be an additional tax to
140 local taxpayers. The council is unsure at this point that it will increase the tax burden.
141 Councilmember Monroe is opposed to increasing the tax burden right now, especially with
142 how badly inflation is affecting everyone currently. Councilmember Hare generally agrees

with Councilmember Monroe; however, this tax revenue burden would come from mostly out-of-town travelers passing through town. Councilmember Monroe stated that that same argument was made regarding the RAP tax and that he does not see an urgency to implement this new tax right now. Councilmember Jenson stated that if this tax would not increase the burden on local taxpayers, then he would be in favor of implementing it, but if there is an increased burden, then he would not be in favor of it. Councilmembers Hare and Alldredge both ended the discussion by adding that if the city would be collecting these funds from the State and not our citizens, then they both would be in favor of this, but only if that is the case. The council would like to table this item until that determination is verified one way or the other.

MOTION: To table this item until it is determined whether the State would carry the additional tax burden or the citizens of implementing this new tax.
By: Councilmember Alldredge
Second: Councilmember Monroe
Vote: Unanimous. Motion carried.

Resolution 22-09 Amending the Operating Budgets for the Fiscal Year Ending June 30, 2022.

The adoption of this resolution includes the amended budget amounts that are included in Resolution 22-09 that is on file at the city office and posted for the public, and that were presented in the June 7, 2022 city council budget meeting and hearing. The amounts since that meeting remained unchanged.

MOTION: To adopt Resolution 22-09.
By: Councilmember Winget
Second: Councilmember Hare
Roll-Call Vote:
Councilmember Monroe – Yes
Councilmember Hare – Yes
Councilmember Alldredge – Yes
Councilmember Winget – Yes
Councilmember Jenson - Yes
Unanimous. Motion carried.

Resolution 22-10 Adopting the Operating Budgets for the Fiscal Year Ending June 30, 2023.

The adoption of this resolution includes adopted operating budget amounts to include the following amounts: General Fund: \$3,127,800, Capital Projects Fund: \$65,000, Water Fund: \$1,969,650, Sewer Fund: \$261,424, Electric Fund: \$5,058,743, and Cemetery Fund: \$17,500. The only amount that changed from the budget public hearing that was held on the June 7, 2022 city council meeting was the General Fund budget amount. This amount increased by \$190,800. The Class C Road reserve amount and corresponding Class C expense accounts were increased by \$187,000 to account for additional Class C road projects that were discussed by the council in tonight's meeting. The celebrations account was also increased by \$3,800 to account for a 25% increase in the cost for next year's fireworks for the 4th of July event. An increase in the same amount was added to the General Sales and Use Tax revenue account to fund that increase. Upon further review, it was determined that the initial projected revenue

amount in that account was a conservative estimate and that it would be appropriate to increase that projection by \$3,800 from the projection made two weeks prior.

MOTION: To adopt Resolution 22-10 with the addition of \$87,000 to the amount of the General Fund budget as described above.

By: Councilmember Alldredge

Second: Councilmember Hare

Roll-Call Vote:

Councilmember Monroe – Yes

Councilmember Hare – Yes

Councilmember Alldredge – Yes

Councilmember Winget – Yes

Councilmember Jensen - Yes

Unanimous. Motion carried.

Engagement Letter Between Fillmore City and Gillmore Bell, Engaging Gillmore Bell as Special Council Regarding a Proposed Public Infrastructure District (PID)

Fillmore City is not obligated to approve a PID by entering into this agreement. Gillmore Bell is a highly experienced consulting firm that specializes in PIDs, and they assisted in drafting PID legislation for Utah. This action is simply to allow the city council to obtain more information regarding PIDs, and not committing them to anything regarding PIDs. It was reiterated that there is no monetary cost to the city to engage in this agreement.

MOTION: To approve the engagement letter between Fillmore City and Gillmore Bell regarding Public Infrastructure Districts.

By: Councilmember Hare

Second: Councilmember Monroe

Vote: Unanimous. Motion carried.

Annexation Petition for the Proposed Retreat Annexation Located at Approximately 800 South Highway 99

MOTION: To accept for further consideration under Utah Code Ann. § 10-2-405(1) the Retreat Annexation Petition for proposal of annexation of approximately 53 acres on the east side of Highway 99 just south of the Millard County Sheriff building.

By: Councilmember Alldredge

Second: Councilmember Hare

Vote: Unanimous. Motion carried.

COUNCIL REPORTS

Councilmember Monroe

Justice Court

- There were 42 cases filed in the month of May, with three infractions, and Fillmore City Justice Court retained \$3,260 of all justice court revenues collected.

236 **Cemetery**

- 237 • It was suggested to have all flowers and other items placed on burial sites removed
238 from the cemetery at the same time following Memorial Day.

239 **Other**

- 240 • The city cannot sponsor a farmer's market event, but it is being requested that the city
241 help advertise for it through notices on the utility bills, city website, etc.

242
243 Councilmember Hare

244 **Celebrations**

- 245 • The celebrations committee is working on preparations for the 4th of July event, and
246 they expressed appreciation to the council for their recommendations for the Grand
247 Marshall nominees.
248 • The council needs someone to drive the fire truck that they will be riding in for the 4th
249 of July parade.

250
251 Councilmember Alldredge

252 **Water**

- 253 • Bids will be accepted next week for the new water tank project.

254
255 Councilmember Winget

256 **Planning and Zoning**

- 257 • The Planning Commission is working to update the Fillmore City zoning policy
258 updates.
259 • Councilmember Winget would like to revitalize the Chamber of Commerce in our area.
260 Delta City pays a part-time secretary \$500 per month and Millard County pays \$600
261 per month who works on tourism responsibilities. Fillmore City should consider doing
262 the same to revitalize the Chamber on this side of the county.

263
264 Councilmember Jensen

265 **Parks**

- 266 • There are several cities around the country that are introducing "food truck parks"
267 where a lot of vendors pull their trailers in and set up in one designated area. In the
268 future, it may be something that may be beneficial to the Fillmore community.

269
270
271 **ADJOURNMENT**

272
273 Upon motion by Councilmember Hare and second by Councilmember Winget, the meeting
274 adjourned at 8:33 p.m.

275
276 The next regularly scheduled council meeting will be held July 5, 2022 at 6:30 p.m.

277
278
279 APPROVED July 5, 2022

280 Michael D. Holt, Mayor
281