

Town Council Regular Meeting

October 19, 2022

Elected Officials Present: Mayor Marty Larson, Councilmembers Neil Brown, Grant Lundberg, Stan Judd, Absent: Hale Robison

Staff Present: Deputy Clerk Nicole Preston, Town Attorney Josh Nielsen, Fire Chief William McMullin, Santaquin Police Chief Rod Hurst, Planning Commission Chairman John Rosenberger

Public Present: Laurel Bishop, Joel Bishop, Mark Gheen, Renae Gheen

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

- a. Councilman Neil Brown gave the opening prayer
- b. Laurel Bishop led the Pledge of Allegiance

2. Approval of Minutes for September 21, 2022

- a. Councilman Neil Brown made a **Motion** to approve the minutes for September 21, 2022. Councilman Grant Lundberg **Second** and the motion **Passed** all in favor
 - i. Mayor Marty Larson - Yes
 - ii. Councilman Neil Brown – Yes
 - iii. Councilman Grant Lundberg – Yes
 - iv. Councilman Stan Judd – absent
 - v. Councilman Hale Robison - absent

3. Approval of Expenditures

- a. Mayor Larson clarified that a large part of these expenditures was for the new tank and well project.
- b. Councilman Neil Brown made a **Motion** to approve the expenditures in the amount of Three hundred sixty-eight thousand, eight hundred sixty-two dollars and fifty-one cents. Councilman Grant Lundberg **Second** and the motion **Passed** all in favor.
 - i. Mayor Marty Larson - Yes
 - ii. Councilman Neil Brown – Yes
 - iii. Councilman Grant Lundberg – Yes
 - iv. Councilman Stan Judd – absent
 - v. Councilman Hale Robison - absent

4. Approval of Work Orders

- a. There were no work orders to approve

5. Commission and Staff Reports

- a. **Police Report – Police Chief Rod Hurst** – 41 case numbers which included: 3 accidents, 1 alarm, 4 animal problems, traffic offenses, 1 weapons offense, 1 trespassing, 1 welfare check and several extra patrols. The officers issued 13 citations for 20 total offenses.
- b. **Fire Chief Report- Chief William McMullin** – 11 calls 4 medical, 5 accidents, 2 brush fires where the BLM was invoiced. He has talked with the company that they are wanting to purchase the new fire engine through about a grant writer and they haven't heard back. He's asked some people from the Saratoga Springs but he hasn't heard back from them as well. They had their open house, and they had a pretty good turn-out. They have a new member who is in the EMT class right now and is doing well, as well as the Officer 1 class will start in November.
- c. **Planning Commission Chairman – Chairman John Rosenberger** – He reported on the action items from their last meeting including the recommendation to approve the two amendments that are on the agenda tonight.

PUBLIC FORUM – There was no one signed up for the public forum.

6. Discussion and possible action on a presentation by laurel bishop regarding how we as a community can do more to be inclusive of those with disabilities including autism.

- a. Mrs. Bishop presented a power point presentation and proposed changes to Genola's normal activities that could be more inclusive to Children with autism. Some of these changes included:
 - i. Town Celebration – have a section of the parade where the Fire Sirens don't go, as sirens can be triggering events for an autistic child.
 - ii. Easter Egg Hunt – have a disabilities section that is separate just like you separate out for different age groups.
 - iii. Santa – Invite those with disabilities to come before everyone else so that they can have a calmer quieter visit with Santa. Another proposal was doing a house call
 - iv. Miss Genola royalty and the issue is Judging and where many kids with Autism struggle with executive function, how could they be judge differently because an interview can be very difficult for those girls.
 - v. She would love to see the Police Department go through training on how to deal with autism. She would like to see a meet the officer's event so that the can get to know the officers and maybe the kids wouldn't be so scared of them. She mentioned that the Orem Police Department has started a database where parents can register their children and disclose their disabilities and maybe their tendencies.
 - vi. September 6th project for Fire and EMS and emergency preparedness project and has training on how to deal with them.
- b. Councilman Lundberg encouraged Mrs. Bishop to volunteer to be a part of these programs especially Town Celebration if she wants the changes to be made to put the ideas together and help implement the proposed changes.

7. Discussion and possible action on an amendment to our interlocal agreement with Santaquin for Police Services

- a. The commission discussed the current contract amount. Our current contract is supposed to cover the cost of one full time officer, but with the information that Santaquin City provided we currently aren't even meeting that cost. With the proposed wage increase to help maintain and keep the officers that they train, they need to raise the cost of our contract to match the new wages. The discussed the possibilities of having Utah County Sheriff's Office fulfill our public safety, cut decided against it as they had looked at the pay scale for Santaquin vs. Utah County and found that Utah County officers are still paid more, and their response time would almost certainly be slower than the response we receive currently with Santaquin. Mayor Larson felt that it was also important to maintain a positive relationship with Santaquin City. The Santaquin City Manager offered a couple of different options for the price increase.
 - i. Cut the number of hours that the officers spend in the Town of Genola or
 - ii. Increase the amount we pay for ½ during this fiscal year and then pay the full contract amount during the next fiscal year.
- b. Councilman Brown spoke up and said that he agreed with the second option of basically stepping up our budget over the next several months. He felt comfortable as the taxes in Genola are very low, but he would be comfortable raising the tax rate if it meant keeping our current police option.
- c. The Council didn't have anything prepared for them to vote on, Mayor Larson stated that he would contact Santaquin City and ask them to draft a proposal for the price increase that the council and draft a proposed new contract.

At 7:38 pm Councilman Stan Judd joined the meeting

8. Discussion and possible action on amending the Animal control Ordinance, zoning code chapter 20 Title 11

- a. City Attorney Josh Nielsen explained that he and Chief Hurst spoke about how our animal control ordinance may be out of date and may need to be amended and also that the fee schedule was

also out of date. The council found that they had updated the fee schedule years ago, but that the Town Attorney had never updated the administrative office of the courts system of the new fees. After much discussion the council decided that they didn't feel that the code need to be amended but invited Chief Hurst and City Attorney Josh Nielsen to propose any needed updates to match State Code. Mayor Larson instruction Mr. Nielsen to get the fee scheduled updated quickly.

9. Discussion and possible action on the developmental standards with an amendment to the water standards.

- a. Mr. Nielsen reported that the proposed changes that the town council recommended were all approved through the planning commission. He talked about the largest change to the ordinance was the exemption to the water requirement. This exemption came mainly because of public comment.
 - i. Exemption allowed to the amount of water required to a parcel being developed if:
 1. is agricultural zone,
 2. not larger than 10 acres
 3. the parcel has already existed and not had any boundary modifications since January 1, 2023
- b. Councilman Brown had some suggested changes.
 - i. Grammatical issue for section 5 change to shall be within 1 inch of the diameter of the pipe that follows the valve. This change should also take place in section 8.
 - ii. Section 8 he would like the change to have that all secondary water system, that are served water by the Town's culinary water system shall have a certified double check back flow device. And create it in its own section
 - iii. Section 10 second paragraph should be changed to all landowners shall pay the fees.
- c. It was brought up that the town already has a Cross Connection and back flow ordinance, and it was determined that they should wait to see how these changes match up before this ordinance was passed.
- d. No action was taken on this agenda item.

10. Discussion and possible action on an amendment to the Accessory Apartment Ordinance

- a. Mr. Nielsen pointed out that the only real change that has occurred since they last saw it and what was recommended from the Planning Commission is to change the wording from an external accessory apartment to a detached accessory apartment.
- b. The Planning Commission would like to keep the restriction of no rentals can be for less than thirty days. The council expressed concern but decided that it would be better to keep the restriction and then spend the time to get it right rather than leave it open ended.
- c. Councilman Neil Brown made a **Motion** to approve Ordinance 2022-06 Councilman Stan Judd **Second** the motion **Passed** all in favor.
 - i. Mayor Marty Larson - Yes
 - ii. Councilman Neil Brown – Yes
 - iii. Councilman Grant Lundberg – Yes
 - iv. Councilman Stan Judd – Yes
 - v. Councilman Hale Robison - absent

11. Discussion and possible action on an interlocal agreement with Utah County for Fire Services

- a. Mr. Nielsen reviewed the proposed agreement that Utah County sent over. The contract had been updated to say that any reference to 911 ambulance services would not apply to the Town of Genola. The thirty-day billing time frame was still in the proposed contract. Chief McMullin stated that the thirty-day rule has been in place for 25 years, so it is something that everyone is used too. Mayor asked Chief McMullin if he had any concerns with the proposed contract, and he said that he was comfortable with it.
- b. Councilman Neil Brown made a **Motion** to approve and sign the interlocal agreement with Utah County for Fire Services. Councilman Grant Lundberg **Second** and the motion **Passed** all in favor.
 - i. Mayor Marty Larson - Yes

- ii. Councilman Neil Brown – Yes
- iii. Councilman Grant Lundberg – Yes
- iv. Councilman Stan Judd – Yes
- v. Councilman Hale Robison - absent

12. Discussion and possible action on applying for a grant from the Technical Assistant to Government (TAG) program for engineering of road standards and proposed roads for the General Plan.

- a. It was explained that this grant was not in addition to what the Planning commission was working on with updating the proposed road map, but instead to update the Town's Current Road Standards. This grant could help pay for those updated standards. Councilman Brown expressed his frustration and concern that MAG was promoting their own programs and that this would instead extend the length of time that the proposed road map update would take. Councilman Lundberg expressed that he didn't have strong feelings one way or the other, but if it is free, he didn't feel like it would be a bad thing to apply and see what they have to say. City Recorder Lucinda Thomas stated that The Town doesn't have an engineer on staff so having an engineer be able to come in and say how best to build the roads is something that Public Works Director Chris Steele feels could be very beneficial. Mayor Larson clarified that this is for the engineering of roads and how they are built now where the roads are placed. The Council would like to hear more from Chris Steele and what he is concerned about and what action he would propose that we could do. No action was taken on this agenda item.

13. Discussion and possible action on purchase a new snowplow in the amount of \$220,000.

- a. The council discussed that because of a time restraint the contract to purchase a new snowplow was already signed. The council had already discussed the need and budget for a new snowplow in previous meetings and this truck does fall within those parameters.
- b. Mayor Marty Larson made a **Motion** to approve the purchase of a snowplow in the amount of \$220,000 Councilman Stan Judd **Second** and the motion **Passed** all in favor.
 - i. Mayor Marty Larson - Yes
 - ii. Councilman Neil Brown – Yes
 - iii. Councilman Grant Lundberg – Yes
 - iv. Councilman Stan Judd – Yes
 - v. Councilman Hale Robison - absent

14. Discussion and possible action on American Tower efforts to amend our agreement.

- a. Councilman Neil Brown discussed the history of the tower, and that American Tower owns the Tower, but the Town owns the land on which it sits. They repeatedly try to get the town to sell them the land, however, because the land is right in the middle of our park that isn't an option. They have made a proposal to up the amount they pay us each month within an increase to 10% each five-year period, but to extend the life of the current contract for fifteen more years. Councilman Brown would rather see the percentage increase be tied to the Consumer Price Index instead of a fixed price of 2%. The five-year renewal option, and we are still in this contract for another 25 years Mr. Nielsen pointed out that in 22 years we will be able to have a much stronger bargaining power, vs if we take the deal to add another 15 years but an increase to 10% growth ever five years. We then must wait 42 years before we can bargain a better deal. The council instructed Councilman Brown that unless we can get a deal that is tied to the consumer price index, they decline the entire offer.

15. Discussion and possible action with Mayor Larson on a second amendment to our Nebo Water Agency interlocal agreement.

- a. This amendment is allowing for the possibility of Strawberry Water Users to be on the Nebo Water Agency board. Mayor Larson explained how Strawberry Water Users would be put on the board (they are appointed by Central Utah). He has some concerns, but the response from the Nebo Water Agency was we can deal with those later. Genola is one of the last entities to sign the agreement, all the other entities have approved the resolution to approve this amendment. Mayor stated that he does have some concerns but where Nebo Water Agency doesn't have the

ability to tell anyone entity what to do, he is ok with passing the Resolution tonight. He recommends that we authorize this contingent on Strawberry Water Users accepting this amendment as well.

- b. Mayor Marty Larson made a Motion to pass the Second Amendment for Joint Cooperative Action creating the Mount Nebo Water Agency contingent on the applicant Strawberry Water Users Association having read, accepted, and desired to enter the agency, and the City Attorney review the document and approve it as it related to Genola. Councilman Grant Lundberg Second and the motion Passed all in favor.

- i. Mayor Marty Larson - Yes
- ii. Councilman Neil Brown – Yes
- iii. Councilman Grant Lundberg – Yes
- iv. Councilman Stan Judd – Yes
- v. Councilman Hale Robison - absent

16. Discussion and possible action to support the County on passing a resolution for the County Emergency Shooting Range.

- a. Mayor Larson explained that there was a meeting that himself, Chief Hurst, Santaquin City, Payson City attended. What he is asking for is approval to write a letter of support for the BLM to ask the County to shut down the Shooting Range by the Payson City Dump. Over the last couple of years, the bullets have been striking homes and starting fires. The council felt that this would be good for our residents as some of our residents have had their home hit by stray bullets.

- b. Councilman Neil Brown made a **Motion** to the council support the mayor signing a letter that we offer support to the BLM to the emergency closure of the shooting range on the south end of West Mountain. Councilman Stan Judd **Second** and the motion **Passed** all in favor.

- i. Mayor Marty Larson - Yes
- ii. Councilman Neil Brown – Yes
- iii. Councilman Grant Lundberg – Yes
- iv. Councilman Stan Judd – Yes
- v. Councilman Hale Robison - absent

17. Discussion and possible action on an update to the Central Utah Water district water efficiency standards.

- a. City Recorder Lucinda Thomas stated that this doesn't apply much to the Town of Genola because we don't require that yards get put in etc. But they stated that if we don't approve this then our residents will not be able to apply for reimbursements. Councilman Neil Brown stated that he had read it and didn't feel like we should pass it as none of the town standards would fit. He shared an example where a town couldn't require that a resident put in grass into a park strip, and then he pointed out that the town doesn't have park strips to begin with. They felt like this would only apply to bigger cities with bigger subdivisions. He shared an example of what the residents might be missing out on, which included you could apply for a rebate if you put in a smart water sprinkler monitor, our residents wouldn't qualify if this isn't approved. The council decided that they didn't want to have to add these regulations to our town ordinance. The council took no action on this item.

18. Council Comments

- a. **Mayor Marty Larson – He went on a tour** with the county, and some of the Mayors from South County. The purpose of this tour was how transportation funds would be spent. He stated that he and Mayor Staheli from Goshen spoke about Highway 6 and the dip in the road and how the loss of visibility is dangerous. He felt that it was a productive discussion and hopefully help increase our chances for getting funding in the next 5-10 years. The Tank and Well is behind on their construction, and because of the weather they made must push the pouring the walls until after the winter is over. They will also have some extra costs as the digging process has a lot of rock and they are having to do more drilling/blasting then expected.
- b. **Councilmember Hale Robison** – Councilman Robison was excused from the meeting
- c. **Councilmember Grant Lundberg** – he had nothing to report
- d. **Councilmember Stan Judd** – he nothing to report

- 280 e. **Councilmember Neil Brown** – CentraCom has decided not to go for federal funding, but instead
281 they will use their own funds to bring fiber internet into Genola but it will probably be minimum of
282 2 years. He has been talking to Utopia and they are currently taking fiberoptic to Goshen. He is
283 hoping to meet with them soon, to learn more. Stratta Networks is making an application for
284 federal funds. He mentioned that the Potholes that were brought up last month have been fixed.
285

286 **19. Motion to Adjourn**

- 287 a. Councilman Neil Brown made a **Motion** to adjourn the meeting. Councilman Stan Judd **Second**
288 and the motion **Passed** all in Favor.
289 i. Mayor Marty Larson - Yes
290 ii. Councilman Neil Brown – Yes
291 iii. Councilman Grant Lundberg – Yes
292 iv. Councilman Stan Judd – Yes
293 v. Councilman Hale Robison - Yes
294 b. The meeting was then adjourned at 9:24 pm.
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296
297 Minutes prepared by Deputy Clerk Nicole Preston
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299 Minutes Approved on: November 16, 2022
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To see signed copy please visit the town office
Lucinda Thomas City Recorder