

Town Council Regular Meeting

December 14, 2022

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

Staff Present: City Clerk Lucinda Thomas, Deputy Clerk Nicole Preston, Fire Chief William McMullin, Santaquin Police Chief Rod Hurst,

Public Present: John McMullin, Chris Riley, Rich Dresden, Ryan Hoyer, Lynn Fowers, Eldon Greenwood

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

- a. Chris Riley gave the opening prayer
- b. John McMullin led the Pledge of Allegiance

2. Approval of Minutes for November 16, 2022

- a. Councilman Grant Lundberg made a **Motion** to approve the minutes for November 16, 2022. Councilman Neil Brown **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. Councilman Neil Brown made a **Motion** to approve the expenditures in the amount of Forty-three thousand one hundred and thirteen dollars and forty-three cents (\$43,113.43). 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. **Approval for the Fire Department for a SuperVac 16" PPV, 2x12 Ah Bat Chargers wheel and handle upgrade in the amount of \$4864.00**
 - i. Mayor Larson asked Chief McMullin to explain the use and purpose of this request. Chief McMullin stated that the current ventilator is gas powered and heavy. He feels this new SuperVac is much lighter and is run on battery power instead of gas. Mayor Larson asked Chief McMullin how budgeting and grant seeking is going for the request that Chief McMullin does have for a new firetruck that he states will be needed within the next 3 years. He questioned whether this request was really needed as he is expecting every department to trim their budgets to pay for the towns big purchases that are needed, including a snowplow truck and the new fire truck. Mayor Larson asked if the current unit is still working and the Chief replied yes, but he is just nervous about someone hurting their back. Mayor Larson asked how often they use the one that the department currently has. Chief McMullin stated that they use it 1-2 times per year. Concern was expressed that if this unit isn't used that often, how long would the batteries actually last before they would go bad.
 - ii. There continued to be a deeper discussion about the consequences if a new truck wasn't purchased and what would happen. Chief McMullin and Councilman Brown both stated that it would lower the ISO rating for the Town which would raise the home insurance rates for the residents. There were questions, about whether Santaquin could be contracted instead to fulfill our fire department needs, and Chief McMullin stated that he

- 56 felt that it would greatly increase the response time to those emergencies. Councilman
57 Brown stated that he felt that if the Fire Department didn't remain that it could be very
58 difficult to restart it again in the future and didn't feel like using Santaquin was a viable
59 option. There was discussion on obtaining a grant and where they were at applying for
60 grants. Mayor Larson asked for a clarification on the timeline for a new truck. Chief
61 McMullin explained that the truck expires in 2026 and that it takes two years once it is
62 ordered to get it. He felt that the truck would need to be ordered within the next year or
63 so. Chief McMullin stated that he doesn't have much hope for the American Firefighter
64 Grant as it is super competitive. Chief McMullin stated that he hasn't applied for the last
65 8 years because they hadn't received it. Mayor Larson encouraged Chief McMullin to
66 keep applying every year and look for other grants that might be out there.
- 67 iii. After much discussion it was determined that the SuperVac was not needed at this time
68 and that the money should be prioritized to be saved towards the new engine.
69

70 5. Commission and Staff Reports

- 71 a. **Police Report – Chief Rod Hurst** – 34 case numbers for the month of November. 13 citations
72 with 21 total offenses. Offenses including 5 accidents, 4 animal problems, agency assist, found
73 property, trespass, and domestic violence. There were 29 officer generated and 15 public
74 generated.
75
- 76 b. **Fire Chief Report- Chief William McMullin** – 9 calls, 2 medicals, 2 structure fires in Santaquin,
77 fire investigation, explosion on tunnel road, and 2 gas leaks. He said that he did receive a check
78 for \$200 for a false call. They had a good response to their Santa event that they held at the
79 station, they had the Payson Choir and Miss Genola there to help with the event.
80
- 81 c. **Planning Commission Chairman – Chairman John Rosenberger** – Chairman Rosenberger
82 was unable to attend the meeting, and so the council then asked Deputy Clerk Nicole Preston to
83 go over the agenda items from the last meeting, as there were several items from the agenda that
84 carry over to the Council's agenda. Ms. Preston then went through the agenda items and spoke
85 about the comments from the public hearing that was held as well.
86

87 PUBLIC FORUM –

88 Rich Dresden – He voiced his opinion that he didn't feel like this proposed zone change fit the
89 Town's master plan. He doesn't like the idea of having a gas station right next to the 5 points
90 intersection and doesn't want the traffic that would be right next to his property from this proposed
91 change. He didn't move out here to live by any commercial.
92

93 Ryan Hoyer – He said that he moved out here because of the atmosphere and the master plan
94 and he doesn't want to see that change. He says that he already deals with problems from
95 Spanish Fork Metals and he can't complain about them because they were there before he was,
96 but he feels like they are impacting his life negatively every day. He feels like the noise pollution
97 from them, the dust, and the spilling over from their property into the road causes enough
98 problems that they shouldn't allow this zone change and then add more problems to his
99 neighborhood. He continued that the idea of developing the area and community makes him
100 vehemently upset. He doesn't like how the commercial code is written and he feels that allowing
101 this change would destroy the community.
102

103 6. Discussion and possible action regarding a proposal from Santaquin City for additional funds 104 to be paid for our public safety.

- 105 a. Councilman Brown stated that there were a few issues in the proposed contract that he would like
106 to have addressed.
107 i. Genola is not a Town they are a 5th Class City
108 ii. A couple of grammatical errors
109 iii. There is an automatic Cost of Living Adjustment tied to the CPI, but they also could
110 unilaterally exceed that for future adjustments, and he isn't comfortable with them being
111 able to do that solely. Mayor Larson also had some concerns about Santaquin City being

able to solely be updated by them, but they would like to have the language clearly stated that it needs to be a joint decision.

- iv. The contract lists the Junior Rodeo, but the Town doesn't sponsor that event it is only with the Genola Rope club.
- v. Mr. Nielsen stated that he wanted to see a little some clarification on the differences between EMS and EMT in a couple of the paragraphs and would like those clarified.
- vi. It was determined to have Town Attorney Josh Nielsen send them the changes and send them back to Santaquin City. They will discuss this again next month. Mayor Larson asked Chief Hurst how he felt about this change. He stated that all the contract negotiation is not his purview, but he feels like the change in the pay scale has helped as this round of applicants has been the strongest applicant pool, he's ever had. He's hopeful that this will continue to bring in more experienced officers as well as retain the officers that they currently have.

7. Discussion and possible action on a proposed zone change from A-1 Agricultural to C-1 Commercial Zone for the property owned by Alan Riley Parcel #51.413.0004 and #29.035.0134 located at approximately 742 E Center Street.

- a. Christopher Riley was present and was given a chance to present his request. He stated that he appreciated hearing from his neighbors their concerns. He stated that unfortunately that he now lives in a time where he simply can no longer be just a farmer like his dad or grandfather. They just aren't unable to make a living. They have had to think outside the box, which has included some agritourism for Christmas wagon rides, pumpkin patches etc. Recently they have remodeled one of their old farm stands to become not only selling produce but also included a soda and ice cream shop. He was pleasantly surprised with the response that they received from the community as well as Payson City. He is simply trying to find a way to best use these pieces of property and felt like the installation of a self-serve gas pump could be not only good for the community as offering a service that is not currently available in Genola, but also an opportunity for the city to increase tax revenue that could help with the continued growth. But they also value their relationships with their neighbors, and they would never want to cause a divide within the town. He understands the rules of the city to obtain commercial zoning is that it must be 5 acres and then could potentially be subdivided into ten 1/2 acre lots. Mayor Larson asked him what his plans for the possible commercial land would be for. He said his initial thought would be to put in a self-serve gas pump and possibly offering off-road diesel. Maybe in the future they would consider putting in a convenience store, but the initial plan wouldn't include the store. Mr. Riley was asked if he had looked at any current commercially zone properties in Genola and Mr. Riley responded that he wasn't aware of any land that was zone and available for sale. He didn't feel like this parcel would be a good place for anyone to build a home and felt that it would be better suited for commercial property.
- b. Mayor Larson mentioned that several years ago another farming group came and asked for rezone to commercial property it was granted and then again, several years later they had to come back and ask for another rezone to go back to residential because they couldn't sell any of the commercial lots. They wondered if Mr. Riley had any other plans for the other commercial land besides this possible gas pump? Mr. Riley stated that his intention is allow the remainder of the land to be used for its current purpose which is farming.
- c. Councilman Lundberg stated that he wasn't super comfortable moving forward to a zone change at this time without a more in-depth conversation with the planning commission and planning commission chair who isn't here due to health concerns. The council asked Mr. Nielsen the town attorney what was the required timelines that they needed to have a decision made regarding this request. Mr. Nielsen responded that the applicant was entitled to a decision within 60 days unless the applicant requested to table the application. If the application is denied, then the applicant is unable to request a zone change again for another year. Mr. Nielsen stated that he felt that Ms. Preston did do a good job in expressing the concerns of the planning commission and that the biggest concern that he felt the commission had been that it didn't fit the Town's general plan. Mayor Larson asked Mr. Riley, if he had done a feasibility study to know for sure that this something that they really want to do, and if there was a chance that he would want more time to research on town's side as well as on his side. Mr. Riley responded that he wasn't in any

168 rush and was just fine with tabling the discussion until more information could be obtained.
169 Councilman Lundberg stated that he was concerned with the shape of the lots if it could even
170 divide to create residential zone. Mr. Nielsen stated that they would first have to combine the two
171 parcels, since one is 4 acres and the other is 1 acre and then they could subdivide, and there
172 could be complications based on the shape, but it could happen. Councilman Brown noted that
173 because of the shape and location of this particular property it could be difficult for them to even
174 sell the property if it were to be zoned as residential. Mayor Larson asked for clarification on the
175 pond that is on the property. Mr Riley responded that it is not a pond that they use for any of their
176 farming purposes, but he understands that the pond is used by the neighboring farms, it was
177 mentioned that it was thought to be part of the Gary Brown Pond group. Mayor Larson asked for
178 clarification that they own the property and pay taxes on the land though. Mr. Riley stated yes,
179 but that they had no intentions on disrupting access to or use to the pond. It was noted that this
180 type of situation happens in several instances within the town boundaries. Mr. Riley requested
181 that the council table this discussion until January so that more research could be done by
182 himself as well as by the council. Mayor Larson asked Ms. Thomas to make sure that this agenda
183 item be put on the January meeting.

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185 **8. Discussion and possible action on Ordinance #2022-07 an amendment to the Developmental**
186 **Standards amendment.**

- 187 a. Mr. Nielsen reminded council that they have seen this ordinance before in previous meetings but
188 because of the changes to what was required to be installed for secondary water, the council
189 recommended that because the town has a whole ordinance on water cross connections to make
190 sure that this language did contradict any of the language in that ordinance. Mr. Nielsen stated
191 that he reviewed it and also had Chris Steele the public work director reviews it. Neither of them
192 found any problems with the language in this propped amendment or with the current cross
193 connection ordinance. Mr. Nielsen stated that when rereading the proposed amendment, he
194 found one recommended change which was changing the language from future land owner to just
195 say land owner. The council felt that change was appropriate.
- 196 b. Councilmember Neil Brown made a motion to approve Ordinance #2022-07 as modified.
197 Councilmember Grant Lundberg Second and the motion Passed all in favor.
- 198 i. Mayor Marty Larson - Yes
 - 199 ii. Councilman Neil Brown – Yes
 - 200 iii. Councilman Grant Lundberg – Yes
 - 201 iv. Councilman Stan Judd – absent
 - 202 v. Councilman Hale Robison - absent
- 203

204 **9. Discussion and possible action on Ordinance #2022-08 an amendment to the subdivision**
205 **ordinance**

- 206 a. Mr. Nielsen stated that the council has seen this amendment before but that there was one new
207 change was instead of saying approval letter from the secondary water supplier, now it says
208 approval letter and a signed notarized set of plans by secondary water supplier. Mayor Larson
209 explained the reason for the request. He stated that a subdivision came in and asked for
210 approval for a 1 lot subdivision from Strawberry Highline Canal and it was approved as a 1 lot.
211 However, the plans that were then brought to be considered to the planning commission were
212 different as there were now 3 lots on the plans. This is to hopefully make sure that there would
213 be no discrepancies in what the secondary water supplier was approving as well as providing
214 more accurate information to the Town's planning commission and town council.
- 215 b. Councilmember Neil Brown made a Motion to approve Ordinance #2022-08. Councilmember
216 Grant Lundberg Second and the motion Passed all in favor.
- 217 i. Mayor Marty Larson - Yes
 - 218 ii. Councilman Neil Brown – Yes
 - 219 iii. Councilman Grant Lundberg – Yes
 - 220 iv. Councilman Stan Judd – absent
 - 221 v. Councilman Hale Robison - absent
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224 **10. Discussion and possible action on Santaquin and Payson Cities new annexation plans.**

- 225 a. Mayor Larson stated that the Town received notice that Santaquin and Payson were both
226 updating their annexation policies and wanted the council opinion on their proposed annexation
227 plans. Councilmember Lundberg pointed out that these new plans include a little conflict as some
228 overlap our current plan. Mr. Nielsen clarified that each town has a plan, and a city/town is
229 unable to annex any land that is not on their plan. The plans can overlap and then the applicant
230 can choose, or the town can choose to try to annex land without an application as well, but either
231 way it would have to be on our plan. Santaquin and Payson are simply letting us know that they
232 are considering changing their plan and we need to decide if we care that they are doing this.
233 The Council instructed Mr. Nielsen to write a letter to Santaquin city manager and the Santaquin
234 Mayor and remind them what our annexation policy plan currently is and what the previous
235 agreement is that has already been in place. Councilman Brown stated that the last time that the
236 Town of Genola looked at their annexation map, they had a sit-down meeting with Santaquin and
237 they had agreed where the boundary lines would be and there was no overlapping during that
238 meeting.
239

240 **11. Council Comments**

241 a. **Mayor Marty Larson –**

- 242 i. He stated that he had attended two meeting with the Utah County Commission about the
243 closing of the gun range. He stated that he felt that feeling of the county commissioners
244 are mixed on whether they should be closing before a replacement is in place. Mayor
245 Larson stated that he has spoken up quite a bit about the division line. He asked Chief
246 Hurst if he felt that his attendance would be helpful. Chief Hurst responded that he
247 wasn't invited to the meetings and continued by saying if the mayor would like to invite
248 him to attend, he would love to be in attendance. He was kind of shocked that he hadn't
249 initially been invited. He feels like it is important for him to be there and to represent the
250 citizens of Santaquin and Genola.
251 ii. The mayor brought up that the council needed to decide on their meeting schedule for
252 2023. The council decided to keep it the same and instructed Mr. Nielsen to draft up a
253 resolution to be passed in the next meeting.
254 iii. They decided to do the appreciation dinner on January 23rd.
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256 b. **Councilmember Hale Robison –** was excused from the meeting
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258 c. **Councilmember Grant Lundberg –** he had questions, about the fire truck and what the actual
259 consequences would be for not having a brand-new truck. It was brought up that the County
260 contract would then be canceled as well as response time would then go up. Councilman Brown
261 stated that he felt that if they lose the truck (which he feels would happen if it fell out of
262 compliance) then they would lose the department and to rebuilt the department could be really
263 complicated. Mayor Larson is hoping that the fact that our need because of Safety and need is
264 great that it would help our chances for a grant.
265

266 d. **Councilmember Stan Judd –** was excused from the meeting
267

268 e. **Councilmember Neil Brown –**

- 269 i. The Tag grant we were invited to apply for, stated that out of the 12 applicants there was
270 1.3 million dollars in requests and only 800-900,000 dollars available. He felt that
271 because our request is lower, he is hopeful that we would receive the grant. He stated
272 that they are expected to award the grants in mid-January and the in February to March
273 would be the procurement contracting timeframe.
274 ii. He has been in talks with Utopia on brining high speed internet to Genola. Utopia is
275 putting High Speed line between Santaquin and Goshen. They expressed interest in
276 putting in service to Genola as they are already passing through town.
277 iii. He's trying to maintain contact with Dominion Energy. He knows that they will receive a
278 new round of funding in January. He is trying to keep in touch with his contact just to
279 keep reminding them how interested the Town of Genola is in natural gas.

280 **12. Motion to Adjourn**

- 281 a. Mayor Marty Larson made a **Motion** to adjourn the meeting. Councilman Neil Brown **Second**
282 and the motion **Passed** all in Favor.
283 i. Mayor Marty Larson - Yes
284 ii. Councilman Neil Brown – Yes
285 iii. Councilman Grant Lundberg – Yes
286 iv. Councilman Stan Judd – absent
287 v. Councilman Hale Robison - absent
288 b. The meeting was then adjourned at 8:39 pm.

289
290 Minutes prepared by Deputy Clerk Nicole Preston

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292 Minutes Approved on: January 18, 2023 To see signed copy please visit the town office
293 Lucinda Thomas City Recorder