The City Council of Willard City met on August 11, 2022, at 6:30 p.m. in the Council Chambers of the Willard City Offices, Located at 80 West 50 South, Willard UT 84340.

**Officials Present:** Travis Mote, Mayor

 John Seamons, Council Member

 Mike Braegger, Council Member

 Rod Mund, Council Member

 Kaleb Kunzler, Council Member

**Officials Absent:** Fred Ward, Council Member

**Staff Present:** Chris Davis, City Manager

 Colt Mund, City Attorney

 Theron Fielding, Police Chief

 Bryce Wheelwright, City Planner

 Susan K Obray, City Recorder

**Others in Attendance:** Chad Braegger, Diana Baker, Lindsey Wells, Hancar
Fernandez, Catrina Fernandez, Jack Hurd, Ken Ormond, Ruth Ormond, Judy Loveland, Mark Mackley, Chandler Bingham, Ryan Heidbrier, Jordan Hulsey, Chris Davis.

**1.** **Call to Order**

Mayor Travis Mote, Council Member Kaleb Kunzler, Council Member John Seamons, Council Member Mike Braegger, and Council Member Rod Mund.

 a. **Invocation**- Council Member Seamons

 b. **Pledge of Allegiance**-Council Member Mote

 c. **Conflict of Interest:** None

 **2**. **Open Comment Period**

 **Diana Baker:** She said she went to the work session meeting when they were discussion the annexation. She said it was not what see expected, she expected more. It did not show first west on the drawing. Diana also commented on the flooding on six hundred south and how the storm drains are not functional.

**Jordan Hulsey:** (She read a prepared letter) I left the city council meeting feeling very dismissed as a citizen. This goes back to the public hearing on raising the water rates (or lowering the base fee amount) on May 26th. Several concerns were brought up by many of the citizens. Some of the concerns and issues included the percentage increase per gallon (which equated to about 47% increase per gallon used), others were concerned that other options were not being presented, and there was a lot of back and forth on what the true purpose behind raising water rates was.

I am not here to give my opinion on raising or not raising water rates. What is frustrating to me is what was said at the last city council meeting regarding the vote that is on tonight’s agenda to pass the city councils’ original plan presented at the public hearing.

I went back and reviewed the minute to make sure that I was not remembering things incorrectly from the public hearing and on record multiple council members agreed that more discussion needed to be had. Reading directly from those minutes:

Mayor Mote would like to talk about the ideas from the public hearing… Council Member Braegger felt these need some more discussion. He would like to go over the ideas that were proposed at this meeting. There were several people who made different solutions we need to look at. Council Member Ward would also like to discuss the information that was presented tonight at this meeting. We need to be budget minded.

Council Member Mund made a motion to hold a work session about this issue. Council Member Braegger seconded it, and it passed unanimously. They had agreed to try to hold a work session in July and that did not happen. Just because the city council did not take or make the time to hold the work session does not dismiss its importance.

Last city council, and I couldn’t find the minutes on this one, so I may be a little off from what will be in them, but the attitude on listening to the citizens’ concerns brought up at that public hearing had completely shifted to :were just going to stick with that we had presented, we don’t need a work session, move forward anyway”. And it felt very dismissive as well as belittling to those who had who had presented valid concerns. Moving forward on a vote tonight without any real discussion on the concerns that were presented by the very people that voted you into this position, is irresponsible and a poor reflection of leadership.

We as citizens deserve more respect that that where we come to you with concerns. Public hearings should be more than just a formality and should be a genuine opportunity for you as community leaders to listen to, respect, and ruminate on the citizens’ concerns with proposed changes. I believe this is true foe any public hearing you hold, and I encourage you and would ask you to not vote on the water rates issue without taking the time together to truly discuss and work on a solution that addresses the concerns brought up.

**Motion:** Council Member Kunzler moved to close the regular meeting and open the public hearing. Council Member Seamons seconded the motion. Motion passed unanimously.

 **3. Public Hearing for Truth and Taxation**

 **i. Discussion/Action on the Truth and Taxation**

**Judy Loveland:** She said she did not mind paying for Willard City to keep the city going. She had an issue with the amount of taxes she is paying for Box Elder School District. Judy felt Willard needed to have an increase but not the others.

**Dr. Mark Mackley:** He wants to build forty-four townhomes just across the city limit in Perry but wants to have them serviced with Willard’s sewer system. He continued to talk about his development he wants to do and tried to do in 2019. He said he is concerned about raising taxes but not allowing access to a utility. He said he understood why e needed to raise property taxes to keep the city running, but not hurt the residents that are on a fixed income when you already have resources that are available to the city to bring income in.

**Jack Hurd:** Jack was concerned for himself and other residents that are on a fixed income. He said his income is not increasing and said he understood that the city is between a rock and a hard place. He said you still have to pay your people; they need their pay raises to live, they have families, but it sure is tough. He stated he has to find out how to get involved in some of the other state taxes that are levied against us and try to figure out something. Mr. Hurd said that it bites into any disposable income that will not be disposable anymore.

Council Member Braegger suggested he contact the Box Elder County auditor’s office to see about property tax relief program offered by the county and state.

**Chandler Bingham**: He said his property taxes have doubled in the last few years and wondered why the city was not getting more already.

Mayor Mote explained that the city property taxes was only a small part of the total tax bill due to the county, and the only way the city gets more money is if it goes through the Truth and

Taxation process, which the city did in 2015.

**Diana Baker:** Diana said she is for this increase. She stated she has been to all the meetings, and she has listened to the police force, the fire department, what our needs are for water and everything.

**Ryan Heidbrier**: Mr. Heidbrier said if the tax increase is to help our police and fire, he was all for it. He said he did this 20 years ago. Those guys need their money.

Mayor Mote replied one of the primary concerns is our police department. We have a huge struggle keeping up with the neighboring cities and what they are paying police officers and maintaining their benefits. This is his upmost priority. He said as we went through the budget and trying to come up with money specifically for the police department, the only source was to do a Truth and Taxation. Council Member Kunzler stated this is the primary purpose is for public safety.

Council Member Mund said at this proposed rate we do not even cover the inflation over the last seven years. The city expected the tax increase to be $37,046 in revenues over the certified tax rate, which is not enough to cover an additional officer.

**Motion**: Council Member Kunzler moved to close the public hearing.
Council Member Seamons seconded the motion. Motion passed unanimously.

**Motion**: Council Member Seamons moved to accept the certified tax rate of 0.001022. Council Member Kunzler seconded the motion. Motion passed unanimously.

**4.** **New Business**

**a**. **Week of Service opportunity September 17, 2022**

Mayor Mote said the week of service is September 17, 2022. He thought if you did not want to get involved with the city project to get involved with helping neighbors with their yards. Mayor Mote asked what the idea was with the Nature Park. Council Member Braegger said there is a lot of dead fall that needs to be cleaned up. Payden Vine, Public Works Supervisor, will get a list of things that need to be done at the Nature Park. Items that would not be hard to accomplish. Dewayne Braegger said he is here on behalf of Council Member Ward, and he is also on the parks committee he said we need to get something done with the Chinese elm trees and they are bad. He said we need to get a bunch of guys with a backhoe to get them out of there.

**b**. **Discussion/Action on water rates and approve Resolution 2022-6**

Mayor Mote stated that the council did say after the public hearing that they wanted a work session to look at the scenarios. He said he personally did calculate his two highest bills for this summer, and he is one of the highest water users in town because he has livestock and a lot of trees. Mayor Mote said his water bill will go up $30.00 a month on those two highest months. He said he did not feel overwhelmed with the cost, but we did not have a discussion like they said they were going to. He asked the council what their thoughts were. Council Member Kunzler ran some scenarios through a random selection of residents from data he has from a year ago. Th average bill was a modest increase. If you are less than 17,000 gallons your bill will not increase. He the council only lowered the gallons they did not raise the cost of the base. Mayor
Mote proposed that the city wait and implement this change October 1st. Mayor Mote said that will give the residents enough time to adjust knowing the potential water rates will go up. Council Member Kunzler stated that the increases of the 90% of the residents could incur will all be from May through September. Council Member Mund challenged anyone to go to any other community of Willards size and see what you will get. He guarantees they are not getting 25,000 gallons for a base rate. Mayor Mote said the goal is we are charging sufficiently to operate and maintain our system. He stated we do not want to make money; we want to provide a service. The Council members decided there would be no more discussion. Council Member Kunzler stated he would look at the data again in the spring and suggest any adjustments that were necessary.

**Motion:** Council Member Braegger moved to adopt the proposed rates Resolution 2022-06 with the implementation on October 1. Council Member Seamons seconded the motion. Roll call vote.

Council Member Kunzler Yes Council Member Mund Yes

Council Member Braegger Yes Council Member Seamons Yes

Yes 4 No 0

Motion passed unanimously.

**c**. **Discussion/Action on proposal for police compensation Mayor**

Mayor Mote asked Chief Fielding what the status was with finding a new officer to help through the academy. Chief Fielding said there was an e-mail sent to Susan and he did a quick background and that was a no. He said most of the guys contacting him wants him to put them through the academy. Mayor Mote asked if the new rates and the hiring bonuses would help. Chief Fielding said we would still be behind Brigham City. He said we are in the trendline with Perry, the County and Tremonton are about the same rate as we are. Mayor Mote said it is in the budget especially if we get additional monies from the Truth and Taxation.

**Motion:** Council Member Kunzler moved to approve the proposal of the 3% increase per year, plus a hiring bonus of $5,000. Council Member Mund seconded the motion. Motion passed unanimously.

**5.** **Planning Report**

Planning Commission meeting was canceled.

**6. Approval of the Minutes**

**a**.  **Approval of the July 28, 2022, City Council Meeting**

Motion: Council Member Seamons moved to approve the July 28, 2022, minutes. Council Member Mund seconded the motion. Motion passed unanimously.

**7.** **Financials**

The warrants, report, and vouchers we approved and signed.

**8. Department Report**

**a**. **Public Works**

Mayor Mote said this week he has had a bunch of calls regarding the flooding. He said there is a couple issues that need some discussion. He said we need to have the engineering firm study it and then bring a proposal. Granite Ridge is still getting their storm system in, He said the drains are covered right now because they are not approved, they are gathering the water and sending it down the road to neighboring residents. Mayor Mote aid six hundred south we are gathering more water than we have ever had. He said Bryce is going to look at the subdivision ordinance and see what a developer is supposed to do with storm water until the storm water structure is in place. Bryce Wheelright had a conversation with the City Engineer when a developer is at the development phase, they must have a SWIP a storm water protection plan. Granite Ridge did a SWIP, and it did not work. Council Member Braegger said it is not used to Willard Water. Mayor Mote replied they are still responsible for the damage that has been done. Bryce said the city engineer will send a letter to let them know that they are responsible for the damage.

Mayor Mote said there are berms in front of most of the houses and most of them are being paved at the owner’s expense. He said it is causing water issues to one resident to the next resident down city streets. He said we need to have some guidance when those are paved, they need to come to the city and get permission. They need to slop them back towards the lawns instead of the city street. Council Member Kunzler said anytime you make a change to a city ordinance you need to get permission from the city. Chandler Bingham said this is one of thing the planning commission has talked about in the subdivision ordinance. Mayor
Mote said as a Mayor and Council we need to start working with the flood control. Council Member Braegger said the east side should have storm drain because of the hills and the houses up above. He said on the west ide the swells we have they work better than anything around.

Swells do work on steep ground. He said they use rock; some use pipes each homeowner must keep their pipe open. He said swells are hard to make work and if someone likes to asphalt it passes problems onto the neighbors. Mayor Mote asked if the city has a storm water plan. Chandler Bingham said it is not recent. Council Member Braegger said there are a couple of storm drains that he is aware of and is not sure they have ever been cleaned. The Mayor asked Council Member Braegger to invite him to the next flood control meeting. Chris Davis, City Manager said the baseball ballpark fence has a yellow plastic conduit around the fence is chain link with the x’s and is not rounded. He is surprised we have not had a claim. He said it will cost $2,000 to make it safe.

Chris stated on first east there was a corrugated pipe from east to west and it had rusted out. The contractor put in a poly pipe and never took out the corrugated pipe. He said there was a deep sink hole. Council Member Braegger said it was not flood control or irrigation pipe. Chris said a contractor had put that in years ago. He said they had a camera, and the poly pipe was still there, and the corrugated pipe was there he said they determined it will not cause a flood. He said they will send a bill to Lynx Construction for the flood damage on six hundred south.

**b**. **Police Department**

Chief Fielding would like to order an ID Maker for $2,759. He said it will make 300 ID cards. It said the city staff, fire, police, and public works will be using it. He said it would be divided between the departments.

**c.** **Fire Department**

Chief Mund said they got two grants one from State Lands Forestry for $2,800 to replace and purchase soft shaft chain saws for $2,800 and $3,600 from Bureau of BMS for medical supplies.

**9. Council Member Reports**

**a**. **Mike Braegger**

Council Member Braegger said the flood control passed the increase on the impact fees on Flood Control on any new development. He said that will take effect 90 days from the last meeting. He said it will be posted in the paper. He said the fee will match what is going on in South Willard. He said there was a couple of floods one was Steve Spencer, and then he was flooded.

**b**. **Rod Mund**

Council Member Mund said Deer Run has become a raceway. He said they are racing around the blocks. He suggested a work session on the city ordinances.

**c.** **Fred Ward**

Absent

d. **John Seamons**

Council Member Seamons thanked the staff and all the challenging work. Secondary water discussion. We were asked to get additional partners to help with the cost of the PIFR.

**e**. **Kaleb Kunzler**

Council Member Kunzler had an experience with the public safety. He said the first responders, fire department and our on-call police officer from Tremonton. He was impressed with the response from the public safety personnel.

**10. Next Agenda Items**

Service project follow-up

Willard Land LLC. -Old Farm Agreements

Water Rights in Willard

Transit Room Tax 1%

Mackley Development

Granite Agreement

**11. Mayor’s General Correspondence and Information**

The mayor asked if the potholes have been taken care of. When we do the streets later this month, they will cut it across instead of patching it. Mayor Mote asked if there is a tracking of conditional use permits. Bryce Wheelright, Willard City Planner said he goes through them yearly. He said if there is an issue, they will pull them in to go over the permit.

Mitch Zundel will come and talk with the council about economic ideas. Council
Member Seamons said he came and talked with Mitch Zundel today. He said we need an ordinance for Transit Room Tax with covers campers, mobile home parks, rentals under 30 days, hotels, motels. We need to pass the ordinance and send it to the state, and we should get our 1% tax money.

The Mayor asked about Trunk or Treat. He said the city helped with the candy, and donations. He said we need a volunteer to help with the organization of the event.

**12.** **City Managers Report**

Chris stated Mr. Mackley has property east of Hargis Hill. The property is in Perry City. Willard has sewer close by the proposed development in Perry. Perry does not have sewer there. There would be an interlocal agreement with Perry because you cannot turn off someone’s water because they failed to pay their sewer bill. Council Member Kunzler stated he would like to revisit this item.

**13**. **Closed Session**

None

**14.** **Adjourn**

**Motion:** Council Member Mund moved to adjourn. Council Member Braegger seconded the motion. Motion passed unanimously.