The City Council of Willard City met on June 9, 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, Payden Vine, Van Mund

**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**-Mayor Mote

c. **Conflict of Interest:** None

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

No public comments.

**3**. **Public Hearing**

**a, b, c, &d.** **Discussion regarding Resolution 2022-6 adopting the fiscal year 2022-2023 Final Budget**

Chris Davis, City Manager said the council had a work session on the budget and passed their tentative budget last month. The highlights were 7% cost of living, capital involved with that. He said the budget is a living document and the council can make changes to it. The Council will adopt the budget and adopt the certified tax rate. Chris stated the tax rate is 17% lower than it was last year. The tax rate went from 0.001022 to 0.000876. He said this what happens when you do not have a truth and taxation, and you want to keep the rate the same. He said to do that they need to have a truth and taxation, The council indicated they were comfortable keeping that rate level and not raising the levy. He reported it is based on number in your budget. The Mayor said there was a thought if the city does not raise their tax rate the county will get the difference. Mr. Davis said this is not the case.   
Council Member Mund asked what happens to the rest of the money that is assessed on the value of the property. The difference is when the county assess your property rates and they are continuing to go up. He said he needs to have it explained to him because he does not understand it. Council Member Mund continued to say the assessor’s office is the ones that assess the property, not the city. Mr. Davis said they evaluate your property, but they also tell you what the mill levy will be. Council Member Mund asked if the city does not change that number, the number will stay the same. Mr. Davis said that access value may fluctuate. He said as an example your property goes from 100,000 to 200,000 the assessed valuation. The county and the state are required to give the homeowner part of that valuation. The city will not get. And if you do not get that it is less taxes. Council Member Mund said it is the less taxes for Willard City and the homeowner. Mr. Davis said there are no magic numbers for example the tax on a piece of property is $1,000,000. In value. The city is charging only $150, where they were charging $160 last year. That $10 does not go to someone else, it goes nowhere. Councilmember Seamons says how come his bill goes to $1,000 to $1,500 and were does the $500 go. It does not come to the cities.

Mr. Davis said what happens is several entities will do truth and taxation. If they keep the rates the same then, you have more houses you will get more money. The school districts do a truth and taxation on an annual basis. Council Member Mund stated when it comes to the school board, state, and county their portion is going up. Willard City’s mill levy is not going up because we have not had a truth in taxation. He asked where does that money go? And what do they do with the money they collect? Because they are collecting it off the increased valuation of taxes that have been collected. He said it seems like a slight of hand to him. he said before truth and taxation, we went through this with the county, and they were continuing to assess the value. They were taking that money every year and Willard was not getting it back because the city had not raised the mill levy and that was money they were collecting and using at that level. Then they realized they had not changed the mill levy for years and went back and changed it. The County said Willard could have had this money all the time if they would have raised the mill levy. Mr. Davis stated the County must go through truth and taxation to keep their mill levy the same as everyone else.

Mayor Mote asked on our individual homes were not seeing increases if we do not change the mill levy. What about the addition homes we are seeing is the city getting the 8 % that was not there last year. Mr. Davis said the city is getting part of it, he is not an expert on this. He continued to say he could ask Roger Tew from the ULCT to come to a council meeting and explain it to the council, he used to be on the tax commission. He said the state and the county will allow the city to get some of that growth tax money, the city does not get it all. Council Member Seamons asked how they justify that. Council Member Mund asked again why Willard is not getting the taxes for the growth that we have had this year. Mr., Davis said if you want to get more money you have to do a truth and taxation. Council Member Mund said we need to raise the mill levy. Council Member Mund said every year we need to have a truth and taxation to keep the mill levy the same.

Erin Winterton stated she would be glad to do some more research on the process. Chris Davis said you must have a public hearing; the city would have to publish in the newspaper at least three times. Council Member Kunzler asked at what point of the year does the county set the mill levy. Council Member Mund was concerned the residents will assume we are raising the taxes they do not understand that if we do not do a truth and taxation, we are not keeping the status quo.

Mayor Mote indicated he has taken a tour of all the city parks and the city is in serious need of some repair. Today the Mayor closed on the land purchase and would like to take some of the funding and use it for the sprinkling system at the top park is shot. There are some infrastructure things that need to be addressed at the Central Park. Council Member Kunzler asked who maintains the Central Park. Mayor Mote said the city maintains it. Payden Vine, Public Works Director stated the school district has their own sprinkler line. Council Member Mund said there is no excuse for the lawn to die on the school district property. He said the city is the ones that have maintained all of that. Chief Fielding stated they let the grass die because they were getting new playground equipment. Mayor Mote said the city will continue to add parks and he does not see the city has the labor to maintain the parks we have. He said we are getting to the point where we need a parks and recreation employee. Payden stated there are a lot of issues with the baseball park, tripping issues, stumps dug out and not filled in. Mayor Mote said we are potentially adding a trail and the city needs to maintain it. Mayor Mote asked if taking care of the parks was a priority. Council Member Kunzler said for six months of the year he can justify it, what does he do the rest of the year. Payden said the new public works employee will be not only parks he will help snowplow and take care of water leaks. Mayor Mote said he wants someone focused on the parks and wants his job to be at least 80% of parks work. Council Member Seamons said we have eight hundred homes and another two hundred more homes by the end of the year.

The Mayor asked about the playground equipment. Bryce Wheelwright said she had talked with the lady to ask her about the price of the installation of the playground equipment. The Willard Fire Department will install it and the city will pay them to do it. Mr. Davis said a budget amendment will be done to include to land sale and installation of parks equipment. The council agreed with hiring a public works employee. Chris Davis said it costs about $80,000 for an employee with benefits. Council Member Mund said there are item the council talked about purchasing a skid steer loader and mowers and suggested the city hold off on those for a while. Erin said the skid steer and lawn mowers half is coming out of the capital project fund. Mayor Mote stated with the mini ex and the skid steer they could sell the backhoe. He would like to get the shop cleaned up and do an inventory on it.

Erin Winterton went over the 2022-2023 budget. She included a couple of amendments in the 2022 fiscal year budget. She continued to go over the 2022-2023 budget which is included as part of the minutes.

**Motion:** Council MemberBraegger moved to approve the budget as amended. Motion failed.

Chris Davis interjected and said the motion should be approving Resolution 2022-6 adopting the final budget and tax rate.

**Motion:** Council Member Seamons moved to begin the process of the Truth and Taxation and not approve the budget. Council Member Kunzler seconded the motion. Roll call vote. Aye: Council Member Kunzler, Council Member Mund, Council Member Braegger, Council Member Seamons. Nay: None.

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

**a**. **Presentation of Fraud Risk Analysis by Erin Winterton.**

Erin Winterton with Childs & Richards gave a report on Willard City’s Fraud Risk Assessment. The score that was earned was 325 points out of 395. Willard City fits in the low risk level which is good. She said there are a couple of areas which we could improve. She suggested to write a cash receipting and deposit policy. She said the body members need to complete and online training within the four years of term appointment/election date. Ms. Winterton will send a link out so all the body members can watch the online video.

**b**. **Presentation by Blair Wardle, Willard City Prosecutor**

Blair Wardle, Willard City Prosecutor introduced himself and said he is the Prosecutor for the Willard City Justice Court. He said he represents several other cities. He works full time for the County Attorney Office. Mr. Wardle said he has a report from last year. He said there was 1,327 traffic cases, 173 misdemeanors and other offenses, $24603,90 $158,709.94 after the dispersement to other entities. The new contract was e-mailed to all the council members. He asked for an increase for $100 a month for the gas increase. HE said his rate is lower than others.

**c**. **Consideration and recommendation regarding the petition from Shane Barthlome to rezone approximately 2.4 acres located at approximately 672 north 200 west from A-5 to Commercial General.**

Bryce Wheelwright explained Mr. Barthlome came before the planning commission for a rezone. He said it is on the corner of 750 north and 200 west and southeast corners. He would like to rezone it to commercial general and it goes along with the future land use. Council Member Mund asked what Mr. Barthlome want to do with the property. There was some concern with population in the area. He wants to put in a sport complex for the youth. Basketball and gymnastics. Council Member Kunzler asked if there is consideration for them to put in a swimming pool. Chris Davis stated Mr. Barthlome did not say anything about a swimming pool. Colt stated from an ordinance standpoint this rezone is not an issue. Mayor Mote would like to see retail along 750 north to generate sales tax.

**Motion:** Council Member Mund moved to approve the rezone of property for Shane Barthlome. Council Member Kunzler seconded the motion. Motion passed unanimously.

**d.** **Discussion and action regarding Ordinance 2021-5 Special order for imposing special order for fireworks restrictions within the city limits east of Hwy 89**

The City Council felt this ordinance needed to use for this year imposing fireworks restrictions. Van Mund, Fire Chief stated this ordinance is the one the city needs to follow for this year. The restrictions will be the same.

Council Member Mund suggested to amend the Ordinance 2021-5 to scratch the year and leave it from June to September unless assigned otherwise.

**Motion:** Council Member Kunzler moved to reinstitute Ordinance 2021-5 with the amendment that it begins June 1 ends September 30 until amended. Council Member Braegger seconded the motion. Motion passed unanimously.

**e**. **Approve Resolution 2022-7 to set a filing fee for variance requests**

Chris Davis stated a fee has not been set for the filing fee for variance request. David Church is the hearing officer. The Mayor asked how much he would be charging the city. Bryce Wheelwright stated he will be billing the applicant. The applicant will be paying a $50 application filing fee and whatever Mr. Church charges. Redact a reasonable fee and set it at $50.

**Motion:** Council Member Mund approved to adopt 2022-7 to set the fee of $50. Council Member Seamons seconded the motion. Roll call vote. Aye: Council Member Kunzler, Council Member Mund, Council Member Braegger, Council Member Seamons. Nay: None.

Motion passed unanimously.

**5. Approval of Minutes**

**Approval of the May 26, 2022, Regular City Council Minutes**

Motion: Council Member Seamons moved to approve the minutes. Council Member Kunzler seconded the motion. Motion passed unanimously.

Council Member Braegger stated we need to hire a new public works employee with the rate of what Dallin Jensen is getting paid. Council Members agreed.

**Motion**. Council Member Kunzler moved to hire a new public works employee. Council Member Braegger seconded the motion. Motion passed unanimously.

**6. Financials**

The warrants, voucher, and reports were signed approving the invoices that were paid.

**7. Department Reports**

**Public Works**

The Mayor explained the situation with Dallin Jensen and he will be on light duty. Payden Vine, Public Works Supervisor said Dallin will be reading meters, changing out meter. The 4th of July that is the town event. The Mayor would like the park greener, if possible, for the 4th of July.

The Mayor said Payden will be putting up booths for the 4th of July and offered his help. Payden said he can turn the school’s water system on manually but cannot set the timer. The Mayor said the insurance company shut down the water slide, rockets etc. because of liability. The Mayor asked Chris to check into it with the Trust. He asked to check on a bounce house. He asked if a public member could run it, or do we need to hire a contractor to run it because they have insurance.

**Police Department**

Tyler Bell has accepted the new police position and will start full time on June 20, 2022. He has been working part time for the last 6 months. Chief Fielding would still like to hire another full-time officer next year and asked the Council to keep it in mind.

**Fire Department**

Van Mund, Willard City Fire Chief said the last truth and taxation was in 2015 that he remembers. Council Member Seamons stated the reason the city is going to do a Truth and Taxation is to be able to hire another employee for the parks.

**8. Council Member Reports**

**a**. **Mike Braegger:** Council Member Braegger stated the flood control will have a hearing on the 13th of July to increase the flood control impact fees. The flood control has two zones Willard City and South Willard. The increase would affect the Willard City. Anyone that has new construction will be assessed that fee. Council Member Braegger stated in the Box Elder News Journal there was an article about Brigham City raising their water rates. He said Brigham City’s base rate is $9.87 for 7,000 gallons, Engineer recommended $30 7,000 gallons. Mayor Mote stated he is going to run some numbers on his own bill. He said we need to be sensitive to the overall impact of the residents. The trees at the park are not dead they have leaves coming out on the bottoms of them. Leave them alone for a year and see what happens to them. They are being watered.

**b**. **Rod Mund:** What is the plan in going forward with the water increase. Mayor Mote said a work session will be set in July for discussion on this. Chris felt the city engineer should attend the meeting. He is working on analysis. Chris needs to check is schedule of when he come to the work session. The Mayor said he could give us the information in City Council and the council could discuss it in a work session sometime in July. Council Member Braegger felt it was critical to get the work session going on the water rates.

**c. Fred Ward:** Absent

**d. John Seamons:** Council Member Seamons reported the project with Chris Chesnut the money is approved for the trail. He does not know what the process is. He said we need a project manager, and he will want input from the Mayor and Council for the action plan. He reported him and Bryce are going to put an action plan together. It will be called Historic Orchard Pathway. A portion from 750 S. to 200 N. will be Shady Lane. He asked the council if he could direct the staff to put assets together for our portion or the money.

**e. Kaleb Kunzler:** He has a concern with east of the Nature Park there is a plywood jump, and it is in bad shape and felt it was a hazard. Council Member Kunzler said Connext wants to have a booth on the 4th of July. He asked if there was a fee to have a booth. He was told $25.00.so when he has a conversation with them, he will let them know.

Colt Mund stated it now becomes a liability because the Mayor and Council are aware of it now. If the city is aware of it should be corrected. Mayor Mote stated this winter it could be taken care of when there is not a park to maintain.

**9. Next Agenda Items**

Master Plan discussion at the end of the meeting on June 23, 2022.

Recommendation for a park/recreation volunteer to replace Sid Bodily

Set a work session for July regarding water rates

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

Mayor asked Chris to get the flags and plaques for the 4th of July.

The Mayor said he had a work session with Council Member Braegger, and Council Member Kunzler regarding the Master Plan they sent Dr. Parker some instructions to retailor the goals and objectives based on the mapping.

Mayor said the Council Members will be doing a skit on Willardisms. He said it only takes two people to do the skit. The Mayor asked the City Council members to come to the net meeting with some Willardisms.

The Mayor reported that Sid Bodily wants to retire doing the baseball games. He said we need to find someone else to take it over or support it through the city. They need more space. Council Braegger asked are we making use of what the city has now. He said parking is a big issue at the ballpark. There would need to be some improvements. Mayor Mote asked to have a recommendation for committee member for the Ball Park improvements including Sid Bodily as part of the committee on the next agenda.

**11. City Manager’s Report**

Chris stated the stumps are gone they were removed about a week and a half ago. The trail will be owned by UTA. They are excited to have that in.

**12**. **Closed Session**

**A closed session was entered regarding strategy to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares**

**9: 15 p.m. Motion:** Council Member Braegger moved to close the regular meeting and open the closed session. Council Member Seamons seconded the motion. Motion passed unanimously.

**9:50 p.m. Motion:** Council Member Kunzler moved to return to the regular city council meeting. Council Member Braegger seconded the motion. Motion passed unanimously.

**13. Adjourn**

**Motion:** Council Member Seamons moved to adjourn the City Council Meeting. Council Member Kunzler seconded the motion. Motion passed unanimously.