

Willard City Council Meeting
February 23, 2023
6:30 p.m.
Willard City Council Chambers

The City Council of Willard City met on February 23, 2023, at 6:30 p.m. in the Council Chambers of the Willard City Offices, Located at 80 West 50 South, Willard UT 84340.

Present: Travis Mote, Mayor
John Seamons, Council Member
Mike Braegger, Council Member
Rod Mund, Council Member
Fred Ward, City Council Member

Excused: Kaleb Kunzler, Council Member

Staff Present: Chris Davis, City Manager
Colt Mund, City Attorney
Theron Fielding, Police Chief
Bryce Wheelwright, City Planner
Van Mund, Willard City Fire Chief
Susan K O Bray, City Recorder

Others in Attendance: Diana Baker, Rew Wiley, Jordan Hulse, Ruth Ormond, Ken Ormond. Doug Younger, Mary Younger, Lindsey Wells, Travis Wells, George Gover, Chad Braegger, Rios Pacheco, and Maria Moncur.

1. Call to Order

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

Time Stamp: 0:23 to 1:07

- a. Invocation-** Council Member Seamons
- b. Pledge of Allegiance-** Council Member Ward
- c. Declaration-** None

Time stamp: 1:23

2. Open Period Comment

There were no comments.

4a. Representative Matt Gwynn regarding the 2023 Utah Legislative session.

Representative Gwynn was unable to attend.

Time Stamp: 2:12

4b. Introduction of the Northwest Band and discussion of petroglyphs on the rock.

Mayor Mote welcomed the members from the northwest band of the Shoshone tribe to visit with the Mayor & Council Members. Several months ago, a contractor, landowner of Granite Ridge Development came forward and said he discovered a large boulder on the property they were working on. The rock had a petroglyph on it, and they brought it to the city. The city reached out to the Shippo Office, and they didn't feel they had any jurisdiction over that. The contractor needed it to be moved and the city wanted to preserve it. It ended up at the city shops. The city reached out to the tribe this would have been their historic ancestral grounds and wanted to respectfully place the artifact.

Mayor Mote explained he has had some communication and they have discussed putting it up at the old historic cemetery. Mayor Mote turned the time over to the tribe. He said he would like to get their thoughts and would like to partner with them and obviously this is still in the preliminary stages, and we need to select a site for it specifically select a plaque and asked if they would offer to write that.

Rios Pacheco said the area here is well established and appointed a few of the council members because they had one of their early relatives raised here. He survived the Bear River massacre in Preston. They brought him here to a family, at first to a brother by the name of Solomon Warner and then Solomon traded him to his brother Amos because they were an older age, and he could take care of him. From there he tried to go to school and to learn the ways that he would be able to help his people.

When he finished school here, within the community, they took him to Logan to the BYU Academy, where he graduated in penmanship, and in the basic teaching classes for a teacher, and from here he went to different communities and taught. This is one of the reasons that we would like to have the community involved with that because of their close ties to his people. They helped his people to be able to teach all the things that we can be having our students learn today. Because of the graduation from then the BYU Academy, which is now probably Utah State University, and then the BYU Academy, became BYU University. Because of higher education, we can carry from that stage all the way up to here. A lot of it came because of the community support here in that those people needed help.

The other thing is this is our main Aboriginal land that we migrated through. He said they stayed in these areas here, along the Great Salt Lake. A few of the places that are mentioned will be promontory point, along the Red River Valley, and then into Cache Valley, which extended all the way up to Idaho, into days language but before it went into what they would call the Washington territory, because then we didn't have states,

we have territories and regions and then also with the Ogden basin here and then also down by Bountiful. He said his people migrated through this and they camped here. Mr. Pacheco stated he knows they migrated through, but they also stayed and used the resources on the land. By using the resources, they were able to share their knowledge of those with some of the early pioneers that came. When you come from a different culture into another culture, there are a lot of things that you don't know that are valuable input source, or in way of making things that are just basic things. They were able to teach them how to do these things.

Through that they became involved with all the communities. Then as they progressed, they started to take in the farming communities and then the ranching communities. This area is all the way from where the Great Salt Lake is clear up to a raft river and over to Soda Springs in Wyoming and through Echo Junction. This is where his people came into those different areas to settle. Here it was because of the arid land that was here, but the resources were the wetlands. Wetlands are so valuable even today they are valuable. They were taught they could take the plants and use those for a food source. They can pull the plants and use them to make twine and then they will exchange those for other things that the people brought.

He stated when Mayor Mote showed him the rock, he took an impression of that rock. He said if you look out during the daytime when it is clear, you can see the four peaks. He said the areas where they traveled from could be where Grouse Creek is or Bear River Valley and then they ended up in Farmington, or by the Jordan River, because that was their Aboriginal land. He said on one side of the petroglyphs shows mountains on one side and Cache Valley and Huntsville on the other side. This was the starting point of our migration. Mr. Pacheco said that they would camp right under the peaks because the bay was close by. He explained there was a place called the Freemont area and it had over 150 pit houses all the way to Brigham City, where they had another 50 to 75 and extended all the way down to Cedar City. All these places that the early people migrated, were still here. The whole area of Willard is all rocky. He said they called it SoCal kuia which means ground on top, because when you come through the valley, you are up high on the land.

The other name for the peaks is SoHo ohway and that means ground peak, or the tip of the peak. That is what the early people had drawn on that stone. The other name they have is SoHo tim owa and that means earth of rock. Also, in our language today Howa could mean road or the way that we travel. Another thing we liked to share with the community is it was in the early 1900's when they had the railroad come through here. There was one young Shoshone boy that got run over on the railroad track and they said

the community did not know who he was, they tried to find out who the child belonged to and they couldn't find anyone. The community buried him here. He said he didn't know if there was a plaque or a stone for him or not.

Mayor Mote said he was buried in the old cemetery, and it was destroyed in the early 1900's. He said they tried their best to put people back where they were supposed to be.

Mr. Pacheco told a story that was told to him. One of their soldiers had a daughter die, and he turned that body over to the community there. They had LDS people living there and had them bury the child. The soldier said in his oral history that he trusted the people because they have the spirit with them. This is how we feel about this community because they took care of one of us even though they didn't know where his people were, they still took care of him as a small child. He stated by putting the rock here they put their history in with a community and the community can share their history. It is also here to help our children know how much each one of our different cultures and communities where it's not how the books were written on both sides. Somehow both sides came together, when the time of need came. He said we will be able to share more of their history and of their Pioneer history because that goes back to our history as people came into the valley. Rios said maybe some of those people will have their name on the plaque, like family. Then we can tie the community together and tie history together.

Maria Moncur is the Northwestern Band Communications PR person. She said she appreciates the city asking us what they want to do with this petroglyph, they took it to their council, and everyone decided unanimously that, because of the history that Rios shared with you all, we really feel like it's best and most fitting to leave that petroglyph here where that was intended to be, rather than move it to some other site. And so, we're grateful for your city and the community for doing that and asking us, and we are excited to see what that future brings for that. We're going to place it; it sounds like somewhere in the Pioneer cemetery. We're excited to come up with the right wording for the plaque. I appreciate you guys listening to our story about how we can incorporate history. Rios is one of our spiritual elders. And he's also an artist. I want to just kind of share this book with you and leave it just here for your city to keep but it is our plants, and it has a little bit of how we use plants, and our language and the English name for that. I'm just going to leave that here with you all if that's okay. And then if you have any questions for us, that would be great.

The Mayor thought it would be nice to have the story and the picture as part of the plaque. He said the city would be willing to cover the cost. He said he would like to have their input on there to place the rock. Mayor Mote stated he would like to meet with them at the cemetery and they can decide where to put it. His thoughts were to put it next to the pioneer rock to bring those two together. Then they can schedule a time to get together and collaborate. He said once they have picked the site, he can have the public works prep the site. Mayor Mote explained he will have the construction company that moved the rock, and we are going to need a crane to move it. He said we can get some volunteers between the construction crew and those businesses we have in town to get it placed. At what point do you want to have the ceremony? Mr. Gover stated they will unveil it at the ceremony. Mr. Pacheco stated we need to leave the rock here because their spirit is here. It will keep the community safe.

Mr. Gover stated we really believe that this community is one of the major reasons for this, our tribe, and its ability to thrive and become educated and nurture one another and have some of the urbanized you talked about that a little bit. We haven't been on a reservation. And our tribe is spread. But they traveled here, and we really believe in this community. The way everyone worked together is one of the major reasons why we have folks that are educated that have been able to be successful have been a part of the railroad have been part of the community the entire time. We're really excited to be a part of the community.

Mayor Mote stated it is a full circle because Amos Warner came from this community and taught your people. His name was Bruce Perry, a teacher at the high school. George Gover stood and stated he is the executive director within the parish. Mr. Perry's two sons are on the tribal council. He said he really respects and appreciated what the city council has given the tribe. May blessing be upon you for keeping the rock safe. It is a blessing for all of us.

Time Stamp: 27:06

3. Planning Commission Report

Diana Baker stated the planning commission had one agenda item. Ryan Thurgood had an application for a lot line adjustment in the Eagles Nest Subdivision on 200 West. Mr. Thurgood had constructed a building on his fathers' property. He wanted to incorporate the shop into his property. His request would violate two ordinances. Having a flag lot is not allowed and lot 6 would not have enough frontage. The application was denied.

Time Stamp: 29:45

4c. Discussion/Approval of Resolution 23-01 for the new garbage rates.

Mayor Mote suggested to make the garbage can rate \$12 for each can. Council Member Braegger stated he like the idea of charging \$12 a can whether it is the first or second can.

Motion: Council Member Mund moved to amend and approve Resolution 23-1 to \$12 for each can. Council Member Seamons seconded the motion. Roll call vote.

Council Member Mund Yes Council Member Braegger Yes

Council Member Seamons Yes Council Member Ward Yes

Motion carried.

Time Stamp: 38:44

4d. Discussion on the Willard City Vehicle Policy.

Chris Davis stated he has had four cities give him information regarding their vehicle policy. He said he was still gathering information on the request he sent to the city managers. Chris reported hopefully he can get it to the council members soon.

Council Member Ward felt with the policy we need something clearly defined of what we can't do. He stated there is a cost to the taxpayers with driving a vehicle around that can come down to a lot of money if you are not using it the right way.

Time Stamp: 40:06

4e. Discussion/Approval of Ordinance 23-02 amending Conditional Use 1-105.

Colt Mund, City Attorney stated in 2022 the City Council put a moratorium on Conditional Use Permits and asked staff and the planning commission to work on improving and finding ways to improve our Conditional Use Ordinance. He said it took 3-4 meetings with the planning commission they were able to come up with an ordinance that they felt comfortable enough to recommend approval from the City Council. Colt explained there were changes that we made that are distinct and different from our previous conditional use. The largest change was the proposal for the creation of a conditional use review committee. What the committee would do is process conditional use applications. The committee has a set of criteria. They would analyze those applications to make sure the conditional use permit would meet these specifications, such as lighting fencing, landscaping, parking, and traffic circulation things of that nature. The committee would be comprised of several individuals, a

member of the planning commission, the city manager, the city attorney, the police chief, the fire chief, the head of public works department, and the city Planner. Colt said that should be a well vetted conditional use permit application before it gets to the planning commission. When it gets to the planning commission, they will expand some of the criteria. Mr. Mund also stated they tried to clean up and specify the revocation process. He stated they also tried to streamline that the planning commission has the authority to make a revocation and take other action as a conditional use permit is not in compliance, or other issues that have arisen. He mentioned on the conditional use table, towards the back of the ordinance the table was updated four years ago and took a lot of work from the planning commission at that time. This just impacts the commercial neighborhood, the manufacturing, and the commercial general zones. Colt said two amendments that have been presented to the Council is on the inclusion of Air BNBs, or things of the like such as Bed and Breakfast. He said that also includes an update on the ADU uses, which now requires to allow for an accessory dwelling unit. Those are the two major changes. Colt stated the planning commission had a public hearing; the planning commission did convey they would like some inclusion on an annual review process that will be conducted. All conditional use permits would be reviewed on an annual basis.

Time Stamp: 43:40

Mayor Mote attended several meetings where this was discussed and felt happy about it.

Time Stamp: 43:56

Council Member Ward asked the things that were agreed upon before you issue the conditional use permit, the person that is requesting it are they going to implement the things they need to have done before you issue the permit. Or will there be a timeframe where they must complete the items, such as fencing, shading etc.

Time Stamp: 44:37

Colt stated the city has granted some timeline such as landscaping needs to be installed in three months. The conditional committee could make it the other way and say and before this is approved these things need to be installed.

Time Stamp: 45:24

Council Member Mund stated in the minutes there was some discussion about business licenses and their connection to conditional use permits as part of the enforcement

process. Colt stated at times we are dealing with conditional use permits where someone needs the conditional use permit to get a business license.

Time Stamp: 46:58

Council Member Seamons asked if they were going to be able to enforce this since the conditional use permit goes with the property. Can we revoke it?

Time Stamp: 47:26

Colt explained if the planning commission makes efficient findings on that, and it's not an arbitrary or capricious decision, and they have specific findings that they can point to and say, this is why your conditional use is being revoked. And those are tied to the conditions themselves. If you're required to put in lighting, and you never put in lighting, that will be a clear violation. That will be where the city staff come in, as we have just got to help the Planning Commission to have the right findings so they can make those decisions.

Time Stamp: 47:56

Council Member Seamons stated there are a lot of conditional use permits in the books. Are they going to go back and review those. He stated he would like to see the list cleaned up.

Time Stamp: 48:17

Colt stated on the old ones we could have them up for review. There will be some notice requirements and a lot of them will have different homeowners. On the permit it says a conditional use shall expire one year from the issuance date unless the Authorized Agent is obtained a building permit were required and or a business license so that should stand.

Time Stamp: 49:20

Mayor Mote thought that is for the initiation of the business license. If once you have met all the requirements and obtained it, if the city wants to revoke it or has it been a use that has been abandoned.

Time Stamp: 49:54

Colt said they are dealing with individual cases. If there is a business during these three months, someone says I haven't been running a daycare at my house for eight years, it is clear it is an abandonment.

Time Stamp: 50:43

Council Member Ward said you must renew your conditional use permit every year.

Time Stamp: 50:49

Council Member Braegger said the wording talks about it expires in one year, and the planning commission can renew it for one more year, if you haven't got a business license or the building permit.

Time Stamp: 51:04

Colt stated the way he understands it, and the way it is supposed to work is if someone applied for a conditional use permit, they get the conditions, they must go get a business license or a building permit.

Time Stamp: 51:19

Colt stated the conditional use permit would spell those conditions. He said the administrative or planning commission decision says you can't get your business license until these conditions from that. Assuming they meet the conditions, or they choose not to, or assuming they meet the conditions but don't get a business license, or they choose not to meet the conditions, then after a year, if they never got that building permit or business license, then it's automatically revoked. But in this, but if they obtain a business license, these conditional use permits run with the land, unless they're temporary and temporary or unique cases that were kind of confusing in our old code, because it kind of lumped it together. But a temporary use permit would be selling Christmas trees, you would only do that for a couple of months. And so that would automatically have a termination period. But someone who wants to just run a business permanently on their property, those conditions will run with the land as is their right to do that, so long as they're in compliance with a conditional use permit to them so long as they have been continuing to use that and maintain it for that purpose.

Time Stamp: 52:50

Colt asked how the conditional use permits come up for review. This is the enforcement side of it. He used the example if someone has a business license and they have a conditional use permit, if they are not doing what that permit was issued for in a period, that conditional use permit should be abandoned unless someone takes the property and that would be a new case.

Time Stamp: 53:13

Council Member Mund stated he thinks it goes back to the abandonment procedure. Even though they have a business license, and they get a conditional use permit for a period, if they are not doing what that permit was issued for that should take that conditional use out of circulation.

Time Stamp: 54:09

Mayor Mote said just for instance, like our service station up here is somebody gets conditional use permit, puts a million dollars in build a service station, whatever, maintains that for some years and then decides to sell it. We can't just jerk that out from under him. We must consider that in this code.

Time Stamp: 55:14

Colt explained that conditional use permits usually run with the land. You may run a service station and sell it to me, and I can continue to run a service station subject to the same conditions on the land. But a business license, but every year they must renew their business license. If somebody fails to comply with their business license or renew it, suddenly, that conditional use permit doesn't mean a lot, because they can't run a business without being properly licensed to do so. Colt continued to say collecting evidence and gathering information to jump in and start revoking or reviewing or doing all of that. It's just making sure we know what conditional use permits we have. And we have a list of those, and just stay on top of those to see which are being used and which are not. He said these permits are recorded on properties. You could find out by contacting the city.

Time Stamp: 59:32

Mayor Mote stated he likes the idea of getting some of the conditional use permits reviewed. What if we used the word subject to review annually by the planning commission, that wouldn't obligate the Planning Commission to, but it would allow them to codify those annual reviews.

Time Stamp: 100:05

Colt pointed out that we are now obligating the city planner and the planning commission to review those on that basis. He stated the planning commission wants to review them every year.

Time Stamp: 100:56

Mayor Mote felt the review does not have to be in depth but ought to read the list once a year. Maybe they correlate that with the business license list. Because if we have a conditional use permit, and you send somebody letter and say, you haven't had a business license in two years, you have this conditional use permit, we're going to revoke it, if you don't obtain a business license, they may just say, fine revoke it.

Time Stamp: 101:29

Council Member Braegger stated 2-105-11 says you give them 10 days' notice then if they don't respond you can revoke it.

Time Stamp: 101:45

Bryce Wheelwright, City Planner stated a couple of years ago, the legislature came out and said, if you're doing this and not affecting your community impacting your infrastructure or anything like that, then your city cannot require you to get a business license.

Time Stamp: 103:02

Council Member Mund said a conditional use permit was issued next to residential areas that have, in my opinion, extremely liberal hours of operation that were given to them, with no reflection of any other ordinances is particularly noise that goes on. If somebody goes forward, say that same business only in a different area of our community, is there any guarantee that we're not going to have those same issues? have we really addressed any of those other issues. I liked the part in the first part of the ordinance where it says, you know, you need to consider all these different things.

Time Stamp: 104:27

Colt Mund said the hope now is that with a review committee, they make recommendations saying we think your hours of operation should be this. And this is what the planning commission should talk about. And that's where the input from our fire chief or police chief, and our city engineer and all those people that are hopefully vetting those situations before they get to the Planning Commission and be put on the spot by an aggressive applicant.

Time Stamp: 105:58

Council Member Braegger stated the ordinance says people already will send notice by mail at applicant consult cost and expense to all property owners within 500 feet within location where the proposed permit is to be conducted.

Time Stamp: 106:45

Colt commented on how thoughtful the planning was and how to achieve what this body wanted to do. I think certainly there was a lot of time and effort spent on this by the Planning Commission, the city staff, Bryce Wheelwright, Chris Davis, and Michelle Drago as well, they tried to get this where it needs to be.

Time Stamp: 1:10:00

Mayor Mote asked if Colt would add a section on the reviews making sure the ownership and everything's updated, what the status of the business license is.

Time Stamp: 1:15:07

Chris stated the council passed an ordinance putting on a moratorium and it expires at the end of six months. Chris suggested making a motion to direct the staff to put things into the ordinance and have it ready for the next meeting.

Time Stamp: 1:15:56

Motion: Council Member Seamons moved to direct the staff to add whatever verbiage they need to and include that in the new 12-105 conditional use permit review section with the ordinance. Review section and ordinance will be presented to the council later. Council Member Ward seconded the motion. Motion carried.

1:19:15

4f. Discussion/Approval of Ordinance 23-03 approving the ADU.

Mayor Mote stated the council has approved this but did not have the Ordinance in hand to approve.

Motion: Council Member Ward moved to approve Ordinance 2023-03. Council Member Mund seconded the motion. Roll call vote.

Council Member Mund Yes

Council Member Braegger Yes

Council Member Seamons Yes

Council Member Ward abstained

Motion carried.

Time Stamp: 1:20:35

5. Approval of the Minutes

a. Approval of the February 9, 2023, City Council Minutes

Motion: Council Member Seamons moved to approve the February 9, 2023, with corrections. Council Member Braegger seconded the motion. **Motion carried.**

6. Financials

Financials will be approved at the next meeting.

7. Department Reports

Time Stamp: 1:24:10

a. Public Works

Chris Davis, City Manager stated he had put a copy of the market valuation report in front of them. The adjuster came up with \$31,957 for the wrecked truck, plow, and the utility bed. Payden has found a 550 F diesel truck that would have a dump bed and a snowplow. It is 3-5 months out. Chris stated that may put the city well into potentially into the five months and would put us into the fiscal year. He said it would be about \$85,000.

Mayor Mote reported we have one dump truck right now. They left one with a Salter one without, so they had access to a dump truck for any water emergencies or anything like that. What they would like to do is upsize this because this was basically a three-quarter ton a 550 is what a ton and a half probably truck. They'd like to upsize that put a dump bed on it and a plow and then they could use it for a plow use it for, so they had a small dump truck on hand. And then put the salter in the other plow and dump truck. They felt like this would be better for working the parks and doing the small, small dump truck work that they need small amounts of material for and that way that's kind of the discussion. We don't need another pickup truck; the city still has two pickup trucks that provide for our needs there. They felt like a larger truck to handle a little heavier work but lighter than the dump trucks handle would be appropriate.

Council Member Braegger asked if this was a new truck.

Mayor Mote stated it is a new truck under the state price.

Chris said the council has talked about keeping the city vehicles for two years and then selling them. Several entities do a year.

Chief Fielding explained the state is kind of going away, because most of the manufacturers are losing money. When you buy in one state bid. The manufacturer is losing a lot of money, obviously, either a \$5,000 truck with all the bells and whistles. So, stay, it's kind of going all the way until the economy comes back around. And when the dealership is making more money on the retail and then state bid will come back down.

Motion: Council Member Braegger moved to approve the purchase of the public works truck. Council Member Seamons seconded the motion. **Motion carried.**

Time Stamp: 1:32:25

Council Member Mund stated the council is looking at a few issues coming up in this next budget. We start digging up another 50 grand to go with this \$31,000. Another \$53,000. He would like to take just a little more time to investigate what is going on with our budget, he said we have already got to make some amendments to it. Maybe that would be a good time to talk about it. He asked why we got to pull the trigger tonight on ordering something.

Time Stamp: 1:33:17

Council Member Ward stated he agreed with Council Member Mund.

Time Stamp: 1:33:24

Council Member Mund stated he knows we are going to have to do something. But we really need to make that decision right this minute. We cannot reflect on it or have any further discussion about it.

Time Stamp: 1:33:52

Council Member Braegger stated he didn't think two weeks was going to make a big difference. He said when you're dealing with equipment, if you have opportunities, you must grab them. I'm a businessman. I deal with the same thing. Well, I used sometimes you don't you snooze, the next time it might be seven months for you get to think or it might not it might be \$150,000 that's the bottom line.

Time Stamp: 1:34:17

Mayor Mote stated we lost an opportunity to get a truck yesterday.

Time Stamp: 1:34:31

Council Member Mund said he must check and make sure he knows where the funding is coming from. When he does things in his business regardless of what a killer deal it may be. I know we already have some issues.

Time Stamp: 1:35:00

Mayor Mote stated this is a little heavier truck. Chris and I did talk about the budget yesterday one of the things we discussed last was we've got these other trucks on order that aren't coming in either. Do we need to try to spend some of that money this fiscal year and budget some for next fiscal year? Because we ordered quite a bit of equipment this year and have not been able to expend it. We do have the funds in our capital improvement funds to cross that line if they all end up in one fiscal year versus the other fiscal year.

Time Stamp: 1:35:49

Chris Davis said this is one-time monies. The newest truck Willard City has is a 2003.

Time Stamp: 1:36:31

Council Member Mund said he wants to know what's biting him before he goes ahead and pulls the trigger. He knows there's some issues out there with some shortfalls in some of our income revenues that aren't close to even matching. I know there's going to have to be some re shuttling done at the end of the year. It may be significant, in my opinion.

Motion: Council Member Ward moved for a motion of reconsideration. Council Member Mund. Council Members Mund and Ward voted aye. Council Member Braegger, Seamons voted nay. Tie vote. Mayor Mote voted nay. **Motion failed.**

Time Stamp: 1:42:41

Police Department

Chief Fielding stated he is still waiting for his two trucks. Normas is still going through FTO and will be through in April. Jordan Harper is out on his own.

Time Stamp: 1:44:26

Fire Department

Chief Mund stated they didn't know how much it would be for participating parties because they did not know who wants to participate. It was open ended. The County was not there to represent themselves they didn't know if they were going to participate. He felt the County was not going to be involved. He felt it was a wasted meeting.

Time Stamp: 1:44:49

Council Member Mund said the city pays a certain amount of money to do that study. The accounting people just sit on the sidelines, you know, that there's as much that we serve as residents as we service outside of the city, as we serve as in the city with our county contract. I said, well, what's the county going to do on these contracts? Of course, the county wasn't there. As far as we talked about the garbage fees, we talked about, you know, the water age, we talked about all these different things that have had to change because of what's gone on in the economy.

Chief Mund said he didn't think it had changed in 10 or 15 years.

Council Member Mund stated we are going to be supplying services for the county dirt cheap. And even the way that our contracts are set up right now, if we get more than \$2,000, from the county for fire calls, because that's the base amount in that vicinity. They don't pay us anymore. They don't pay us \$2,000. On top of all the fire calls we respond to; they just subtract it from what that base amount is.

Mayor Mote asked when the contract expires.

Council Member Mund stated he didn't think it would expire.

Chief Mund stated he had a discussion with Lee Perry about that. That'd be good to see where that goes because we have at least half of our city budget going there.

Council Member Mund stated they used to talk about the contract, and they would be reviewed every couple of years. He felt the contracts hadn't been reviewed for 20 years.

Chief Mund said this is the problem we are covering a district that had got almost more people than Willard does and getting \$2,000 for it.

Council Member Mund stated the city needs to sit down with the county and see what is going on. In years past when Brigham was trying to do this, and we were trying to get the county to be involved in it, we finally got a commissioner, the county commissioner

to work with us on exploring that and then he died. And so, the whole thing just dropped. We haven't had anything happen with it since.

Chief Mund stated the County does wildland fires. There is a lot of acreage on wildland. He said we go on a fire call in the city, it's like \$145 or \$150 for the first hour no matter what equipment or people are there. In the county, we go out there and it's \$950 for the first hour, no matter what's there. And then so much per equipment and man hour out there and at a higher rate.

Chris Davis stated there should be an interlocal agreement and I don't know how old it is.

Council Member Braegger stated we're servicing the largest unincorporated city, if you want to call it that, in Box Elder County, that's what we're doing with our department. Because there's no other unincorporated area that's got that many unprotected people, they're just all their farms and ranches out there. But they're not in a cluster.

Mayor Mote stated whatever happens there we will have to work with that county structure. What are the odds they are going to put a fire department in South Willard? Our fire department will be operating in South Willard, and we need to renegotiate the interlocal agreement.

Council Member Mund stated even the cost of the study, the county's got a big interest in or should have a big interest in seeing something done. They're going to put an X amount of money into that pot to do the study. If they're not participating, we're going to pay for it, in my opinion, the communities are and the county you're going to sit back and just extract the information and not put a dime into it. He stated It wasn't a very well-organized presentation if you were going after participation from smaller communities.

Chief Mund said in my opinion I guess we could participate maybe depending on what that is, and that may tell us some stuff but as far as joining in wanting to impose another tax on this line, I don't see necessarily that that's a good thing. I mean, maybe at some point in the future.

Time Stamp: 2:05:17

Mayor Motes said the writing is on the wall with the County, the county is not interested in being in the city business. And that's why their annexation policy and other things, they are going to force as many new subdivisions as possible in and then folks

that are on the periphery have any city to go to that city and request annexation, they don't want to be in the city business and fight and wildland fires are probably fine with. I don't think they want to get in the structural fire business.

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8. Council Member Reports

a. Mike Braegger

Nothing to report.

Time Stamp: 2:06:10

b. Rod Mund

Council Member Mund stated he attended the sewer meeting. There are items that we needed to order and expand in this past year's budget. Jeff Hollingsworth, Plant Operator tried to get some gearboxes which went from \$18,000, up to \$32,000, and a few different things. He has been trying to get a commitment from somebody who supplies those things to get them. Hopefully, by the end of the year, we should have maybe a little more money left where we can expand and get some of the incidentals, we've held off on because of the big-ticket items. The next budget, I don't know exactly where that's going to come in as far as dollars go, it may be pretty much in line with our last year's budget. The other issue down there nobody knew about the road. Josh Braegger, as the chairman said James Morgan came in about five years ago and said they were going to make some changes down there. We didn't know anything about that. The Wells family just started to find out. They're going to be landlocked. And there's essentially we are as a as a plant, because, you know, if we got to get big equipment in there to that treatment plan or do something major, then we're kind of stopped and I said, Well, the last Mayor Mote had been talking to them trying to work something out on that, but essentially, it keeps coming back to if you want an easement through here, you're going to have to buy it. Josh Braegger knows a couple of people and will talk with them. He said we spent \$50,000 out of the budget to have the road paved and graded down to the sewer treatment plant.

c. Fred Ward

Nothing to report.

Time Stamp: 2:10:07

d. John Seamons

Council Member Seamons stated he got a phone call this week from UDOT about putting curb and gutter on Hwy 89. He said there will be a gap between there, and the property and it will be gravel. If you don't have asphalt all the way up to the curb and gutter, you will have gravel there also. There won't be sidewalk just curb and gutter. He stated they were very congenial about everything, but he did not see any bike lanes in there at all.

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Council Member Braegger stated all the runoff that comes off Highway 89 goes into the soil on the sides. If it gets into drains, those drains go down into farmers irrigation ditches all along this Wasatch Front or this area here. That's how they get the water off that road. If you capture more of it with curb and gutter, what are they going to do to I mean, I'm sure they're going to have to do something, but it might involve piping things. If you put more impervious surface road, curb, and gutter you're going to have more to deal with and what you're dealing with right now just off the regular road.

9. Next Agenda Items (March 9, 2023)

Time Stamp: 2:16:32

10. Mayor Mote General Correspondence and Information.

Mayor Mote stated he has a meeting with UDOT early in March. He thought it was going to be regarding the highway coming on through Willard. And the needs and concerns there. Then regarding the HOP trail, the plan is to get a preliminary sketch, and have a community meeting showing the community how that will come through. We will take some comments there.

Time Stamp: 2:18:41

11. City Managers Report

Chris handed out a copy of the fiscal note from the state fiscal office on Senate Bill 75. It has two different kinds of aspects, both of which would be beneficial to Willard City because it deals with where the point of sale on gravel is. Right now, the point of sale on gravel is where the sale was made. Now it will become where the weights are and both Staker Parsons and Granites. It also talks about, as you'll recall, the state sales tax to cities is 50% population 50% point of sale. It changes that a little bit as it relates to gravel and extraction of sand. And that would say that about what \$7 million of that

money would go to cities and counties that have gravel pits, and that money would have to be earmarked for Class B and C road funds larger C's, counties or B's The second part of that is the sales then become the point of sale where the gravel is weighed. That's more along the lines of more than \$20 million in additional sales tax throughout the state of Utah. So that's a pretty big thing. It passed both houses, both the Senate and the House, which was surprising because Utah League of Cities and Towns was against it. The Governor will sign it. He gave an update in the well he said Artesian flowing at 600 gallons a minute. The idea behind that is we talked about that today. Chris Breinholdt wants to get closer to being pumped at 1000 gallons, because the state will take two thirds of that right. You are allowed to utilize 2/3 of what is tested.

Chris said Chris Breinholt Bryce Wheelwright, Jim Flint, and Steve Anderson. Steve Anderson represents Nelson Holmes on the Kunzler development, all were talking about the 200 West sewer line that Perry City would like to put in and the new design that they came up with puts our sewer line and Willard, another additional four feet deeper, which really becomes beneficial to the city. We're going to be working on it. we talked about that in kind of in the trail meeting a little bit because that wasn't here yet to talk about the trail. We jumped on that. The Nelson Homes said it was a win win for them. Because it makes their sewer deeper. It's a win for the city because at 200 West, there's not enough room on either side. To run the water and sewer without cutting into a brand-new road on the same side, they must have a 10-foot horizontal separation operation. They're talking about running the sewer on the east side and the water line on the west side. So right now the water line on 200 West comes about 200 feet north of 800 North and so you'd run it down farther that way run it to the west and then run it back east to the kinds of property and make one cut on the east end of things so we'll be working on that some more and coming back to you with that but that was that was really helpful to get some input back from Nelson Homes they were they were positive about the about that particular project. What ends up being a better kind of project and what initially came about so we'll keep you updated.

Time Stamp: 2:24:45

13. Adjourn

Council Member Ward moved to close the meeting. Council Member Seamons seconded the motion. Motion carried.