

The City Council of Willard City met on July 13, 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
Kaleb Kunzler, Council Member
Fred Ward, Council Member

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

Others Present: Chad Braegger, Jim Flint, Hansen & Associates, Gene Stevens, Ruth Ormond, and Diane Baker.

1. CALL TO ORDER

Meeting called to order by Mayor Mote. Prayer given by Council Member Ward and Pledge of allegiance lead by Council Member Braegger.

2. Open Comments

There were no public comments.

3. Planning Commission Report.

There was a public hearing on the ordinance for curb, gutter, and sidewalk regulations. The ordinance needs to be reworded to match the public works standards and the subdivision ordinance. The planning commission set a public hearing for the General Plan draft for July 20, 2023. IT is being set up on the webpage so that the residents can look at it before the hearing and have their questions ready. Mayor Mote asked Susan to have the link put on the website along with the map. Mayor Mote stated the planning commission ordinance needs to be amended to add alternate planning commission members.

4. Action Items/New Business

a. Discussion/Approval of the Agreement for Animal Control Services between Willard City and Brigham City.

Colt Mund, the City Attorney stated this agreement is something that is signed every year. Chris Davis, City Manager stated the city recoups some of the money if the dog owner gets charged for their dog roaming but otherwise the city pays. Mayor Mote asked if a resident picks up their dog from the kennel do they end up paying the fees for their dog. Mayor Mote stated we need to send a list of people from the staff that are authorized to take dogs to the kennel which would be our police officers, since we do not have a dog catcher. Council Member Kunzler stated if the city council approves it tonight and signs it

then the next council meeting will have on the agenda to look at the ordinance to make sure it is in there to recoup those costs.

Motion: Council Member Mund moved to adopt this agreement with Brigham City. Council Member Kunzler seconded the motion. Motion carries.

Colt Mund, City Attorney said one thing he talked with Chris about was the leash violations and they are charged a fee. The prosecutor could be directed to recoup that restitution, which is crucial.

b. Consideration of a recommendation from the Planning Commission regarding a proposal to amend the curb, gutter, and sidewalk regulations found in Chapter 2-108-18 of the Willard City Zoning Ordinance to conform to the Willard City Public Works Standards.

Mayor Mote stated the City Ordinance does not match the city's public works standards. The verbiage in the resolution helps align those two. Colt Mund, City Attorney explained there has been this evolution where our supplementary ordinances have talked about the city requiring curb and gutter with any development or subdivision and then in our subdivision ordinance, until last year, talked about the city shall require curb, gutter and sidewalk. And then the update to our public works standards and our public works standards dictate based on the type of development may be required. There were three separate ordinances including our Public Works standards that said something different. Then last year, we had the city engineer put in our subdivision ordinance, that the city engineer in consultation with the planning commission could require an applicant for a subdivision or for development and provide a drainage plan. And that would also that created a little bit of conflict where parts of our code it says curb gutter and sidewalk may be required. And then another part says for a storm drain plan. This is to get the code on the same page. Curb, gutter, sidewalk, will be based on our public works standards and could be required.

c. Discussion/Approval Willard/Perry Sewer Interlocal Agreement.

Mayor Mote stated he did not know if the council wanted to act on this since they had just received the agreement at the meeting with no resolution. Mayor Mote had a question on item F. Under termination there is a discussion. Items B, C, Ab it states Perry no longer plans to use a sewer line as set forth in the agreement and does not discuss what will happen. He said this is an engineering question if they stop using the line which he would not anticipate, there will have to be some maintenance to that line. Chris Davis, City Manager stated it sounded like a question for Chris Breinholdt. The sewer would be capped off at the high point on Wilard's end. Mayor Mote said he assumes Perry City would cover that and make Willard's line usable. Council Member Mund felt they needed more time to further discuss it. He said the council all need to understand what the fee covers and if it is enough. Chris Davis, City Manager explained they have in front of them a memo from Chris Breinholdt on the calculated fee and a quote from Val Kotter which tells how much it costs to camera and clean the sewer lines. Mr. Kotter's bid was \$1.25 a foot. Chris Davis, City Manager stated Council Member Ward asked him what happens with the proposed sewer line that goes into the trunk line that is currently in the Wells property and then goes west to the sewer plant. The question is if there is some of this calculation of the \$5.75 a month that would go into the maintenance of that line. Mayor Mote said the 4800 feet of pipe would not be just for their subdivisions but eventually other subdivisions. He stated Chris Breinholdt talked about where the trunk line is not big enough to build out Willard. He said the city will have to upsize at some point, it was not designed to handle a full build out. Mr. Breinholdt calculated a portion of it because the line is going to have to be replaced someday.

Council Member Ward stated in his view and reviewing the documents he felt it did not cover all the way to the plant. Anytime you hook into the main city line, you should be part of that fee all the way. In his view the monthly fees should be tripled. He said Willard City is giving service to someone outside the city and those citizens should pay more, we should get what we deserve. Mayor Mote explained in his line of work they have what is called the lifespan and the pipeline years. He did not know if 25 years was very conservative because a lot of pipes have gone a lot longer. Council Member Mund stated they were going to get three different proposals on the cleaning of the sewer lines. Val Kotter is the highest bid \$1.25 a foot. Twin D bid was fifty cents a foot. He would like to have a couple more bids.

Mayor Mote stated the NRCS standards are 25 years, this is what they figure is a lifespan. He would like a memo on why 75 years is a number, it seems like a long time.

Council Member Braegger stated it scary when you hear about the lifetime of the pipes and when you look at what we have here within the city. We are over on a lot of these pipes. Mayor Mote stated from what he understands it is the wheeling agreement they want clarification on.

Council Member Braegger said they do not want to come across to anyone from Perry or the developers to be a money grab. We want to make sure we are treated fairly. Mayor Mote asked Chris Davis to let Bob Barnhill know that we are verifying the 75-year consistent with engineering standards.

Motion: Council Member Seamons moved to table this agenda item. Council Member Kunzler seconded the motion. Motion carried.

d. Discussion/Action regarding Ordinance 2021-5, a special Order for Willard City imposing special Fire and Firework Restrictions within the City limits east of Highway 89.

Mayor Mote stated this ordinance needs to be updated. The special fire and firework restrictions are within the city limits east of highway 89. Council Member Kunzler suggested the ordinance number be updated to show a current ordinance number for this year. The effective date, tomorrow June 1st. Council Member Mund recommended this ordinance go into perpetuity until something changes. Chief Mund stated he did not know why it must come before the city council every year. There should be one effect annually at the beginning of July and is not rescinded until the further order of the Fire Chief and must be reviewed every five years by the Council.

Motion: Council Member Kunzler moved to approve Ordinance 2023-08 regarding these imposing special fire and firework restrictions within the city limits east of Hwy 89. Beginning of June 1st to October 1st. Recurring every year until further amended and be reviewed by the City Council every five years.

Amended Motion: Council Member Kunzler moved to change his motion amending Ordinance 2021-05. Imposing special firework restrictions within the city limit east of Highway 89. Recurring annually from June 1st to October 1st every year, with the required review every five years by the City Council or as needed. Council Member Ward seconded the motion. Roll call vote. Aye: Council Member Ward, Seamons, Mund, Braegger, and Kunzler. Nay: no. Motion carried.

e. Discussion/Approval to raise the city's portion of retirement for public safety from 2.27 to 2.59.

Chris Davis, City Manager this not raising the city's portion. He said this is raising a specific amount to cover a gap to be able to allow the police officers to retire at 20 years. This allows Tier 2 police officers

to retire in 20 years and this is the gap that the Utah State Retirement looks at every year. This is pertaining to our police officers, and it is 1/3 of 1%. Most cities have done this to retain police officers.

Motion: Council Member Mund moved to approve the .032% for the URS Retirement for Public Safety Tier 2. Council Member Kunzler seconded the motion. Motion carried.

5. Minutes

a. Approval of the June 22, 2023, City Council Minutes

Minutes will be on the next agenda.

6. Financial

a. Warrants, Vouchers, Reports.

Financials signed and approved.

7. Department Reports

a. Public Works

Payden is having the well pump repaired and is purchasing another one. Council Member Mund stated he would like to have three pumps and then rotate one of those every four to five years. Mayor Mote stated he has talked with Payden about this with the new subdivision coming in. They are planning to upsize and replace the old pumps with bigger pumps. The sprinkling system is faltering at the ballpark and the Mayor asked the council if they should get a bid on a new sprinkling system. Council Member Mund stated the sprinkling system has been replaced at least three or four times. Council Member Braegger said the council needs to look at redoing the system or it will be patched all the time.

b. Police Department

Chief Fielding stated the new trucks will hopefully be on the road in a few months. Council Member Seamons said the invoices from Stacey Younger for the trucks are more than \$12,000 that was quoted to the council in the beginning. Mayor Mote explained all three vehicles were separate on the check. There was a police truck for \$17,000 and one for \$18,000. There was also the fire truck that was \$11,000. These prices were for equipment installation and striping.

c. Fire Department

Chief Mund explained the fireworks on the 4th of July takes about 320-man hours putting it together and burning it off. He said after the fire on the hill, the fire department had access to a side by side, and it was extremely helpful in taking firefighters up the hill with equipment. Chief Mund wants to budget for a side by side this year.

8. Council Member Reports

a. Mike Braegger

Council Member Braegger recognized those who put the flag up on the peak and the owners of the helicopter company. Mayor Mote said the water goes down through Doctor Beard's and floods out down there. It crosses the tracks just south of Flying J and those big culverts were bad. Council Member Braegger said the bridge was historical in nature. The south edge of it is in a lot of swamp but the creek

does make its way down through there and down at that point below east of the railroad track for a couple one hundred yards. It is very well defined. It is the on the Old Central property which the UTA owns. Council Member Braegger stated there is a big tree that needs to be removed by the spillway. Payden received a bid, and the cost was around \$1,500 to take the tree down.

b. Rod Mund

Nothing to report.

c. Fred Ward

Nothing to report.

d. John Seamons

Council Member Seamons discovered there is a Willard sign on the north end of the city. It is covered with bushes and facing the wrong direction it is parallel to the road. Council Member Braegger said that could be good eagle scout project. Mayor Mote stated the day of service is coming up in September and that might be a good service project.

e. Kaleb Kunzler

Nothing to report.

9. Next agenda items (July 27, 2023)

10. Mayor's General Correspondence and Information

Mayor Mote stated the council needs to discuss the negotiations on selling gravel to Granite and then some interaction to go along with it, that may affect the deal. Mayor Mote asked to go into a closed session regarding under section C strategy sessions to discuss pending a reason to discuss the purchase exchange or lease of real property including any water rights or water shares.

11. City Manager's Report

Chris Davis, City Manager stated he sent a text to Jason Burningham and Lincoln Shurtz. They are working on a proposal. The grant was due last week, but the dates fluctuate sometimes. He sent a text to them so he could get an update.

a. Economic Development

12. Closed Session 8:30 p.m.

Motion: Council Member Mund moved to go to a closed session. Council Member Ward seconded the motion. Motion carried.

Motion: Council Member Ward moved to close the closed session and open the regular meeting. Council Member Mund seconded the motion. Motion carried.

13. Adjournment

Motion: Council Member Kunzler moved to adjourn the July 13, 2023, City Council Meeting. Council Member Ward seconded the motion. Motion carried.

