

Willard City Council Meeting
June 22, 2023, 6:30 p.m.
Willard City Council Chambers

The City Council of Willard City met on June 22, 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

Excused: Kaleb Kunzler, City Council Member, Fred Ward, Council Member

Staff Present: Chris Davis, City Manager
Theron Fielding, Police Chief
Bryce Wheelwright, City Planner
Van Mund, Fire Chief
Susan K Obray, 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 Mund and Pledge of allegiance lead by Mayor Mote.

2. Open Comments

There were no public comments.

3. Planning Commission Report.

The Planning Commission meeting was canceled due to lack of quorum.

4. Presentation

a. Fiscal Year 2022-2023 Budget Amendment

Cami Moss with Child Richards was unable to attend the meeting. Chris Davis, City Manager, gave the presentation. Mr. Davis went over a few highlights of the budget. The City budget has \$235,000 in property taxes, the city received \$298,000. The fire department received a \$30,000 grant from FEMA, and it shows in the budget. There were a few fixed assets that were sold. The next increase in the fund balance is \$52,000 and an additional \$52,000 goes into the general fund, unrestricted fund.

Mayor Mote asked if the property tax increase was from the truth and taxation that was done last year. Chris Davis said part of it was and the other part was from growth. Council Member Seamons stated that the truth and taxation was discussed by the city council and decided they did not want to proceed with it. He said they wanted a slight increase every year rather than a huge increase so there were no repercussions associated with that.

Chris stated they would talk about that when they get to the next agenda item. There will be two public hearings on both. The 2023-2024 budget there are several items in there of which is not a tax increase. If the City Council wanted to have a certified tax rate there could be a motion made tonight. The certified tax rate would not be set. It was indicated that there would not be a truth and taxation this year.

b. Fiscal Year 2023-2024 Final Budget

The City Council also approved several capital purchases for a dump truck and a 550 truck for the public works department. For the police department there is also money for two new trucks, and money to install the equipment. There is also a grant for the police and fire department for training. Part of that will be spent this year and it has already been spent. There is also the \$1 million dollar grant for a water line expansion. Chris stated the fire department only get paid for certain incidents. Chief Mund stated they don't get paid for medical calls which is about \$9,000 right now. Mayor Mote asked if he was talking about getting paid for medical calls. Chief Mund proposed it would be \$6 per medical call and if they show up at the station it would be \$3. Mayor Mote agreed they should be paid for medical calls.

Chris stated there are a couple of other things that we don't know all the numbers yet. The new room tax the council passed has been submitted to the state that will go in effect in October. Additionally, the city will get some gravel sales tax that is being collected starting in May. He said he is not sure what that will be until the end of June when we get it because there is a delay on sales tax. That will include all three weighing stations, which is where the point of sale is. Chris stated regarding garbage collection the city is in the black \$30,000. Chris stated they did go over the budget extensively and nothing has changed.

5. Public Hearings

a. Resolution 2023-5 adopting a Fiscal Year 2022-2023 Budget Amendment and b. Resolution 2023-06 adopting a fiscal year 2023-2024 Final Budget.

Motion: Council Member Braegger moved to open the public hearing. Council Member Seamons seconded the motion. Motion carried.

No public comments.

Motion: Council Member Mund moved to close the public hearing. Council Member Seamons seconded the motion. Motion carried.

6. Action Items (Roll call vote on Ordinances)

a. Resolution 2023-05 Adopting a Fiscal Year 2022-2023 Budget Amendment

Motion: Council Member Mund moved to approve Resolution 2023-05 to amend the 2022-2023 budget Council Member Seamons seconded the motion. Motion carried.

b. Resolution 2023-06 Adopting a Final Tax Rate and Adopting the 2023-2024 Final Budget.

Motion: Council Member Mund moved to approve Resolution 2023-06 to adopt the final tax rate and the final budget. Council Member Seamons seconded the motion. Roll call vote.

Council Member Mund yes
Council Member Seamon yes

Council Member Braegger yes

Motion carried.

c. Ordinance 2023-07 Approving Amended Title 12-400-11-10 Storm Water retention and pedestrian travel.

The Planning Commission is working to take out some contradictions in the standards. Colt Mund, City Attorney stated this has come after a year of planning and it was recommended by the Planning Commission to give some discretion to the City Engineer and the planning commission as to whether in a subdivision that an applicant wouldn't have to always put in curb and gutter and sidewalk but their discretion is based on the impact and whether they will, based on what they refer to the Planning Commission as a stormwater retention plan. Colt Mund, City Attorney stated The Planning Commission is trying to establish some uniformity across the standards. He said in one section that says curb, gutter and sidewalk shall be required, and a subdivision ordinance that says it may be required. They are trying to get some uniformity. Colt said it may not be appropriate to have curb, gutter, and sidewalk on a one lot subdivision. There should be some adaption by the council in certain areas if curb, gutter, and sidewalk make sense. The city wants the applicant to still provide stormwater retention plan. Colt pointed out they have been doing a referral agreement. At some point if the city goes in this direction then the agreements are in place.

7. New Business

a. Update on the petroglyph project with the Northwest Band of Shoshone

Mayor Mote reported he had met with a member of the tribe at the historic nature park. He said They discussed the placement of the petroglyph rock. On the edge of the rock there appears to be Peaks. He said they would like the people that look at it to be able to look at the peaks up there. Mayor Mote stated they would like to put it on the north end at the front of the highway.

b. Update on the Dark Skies Ordinance

Colt Mund, City Attorney stated he did some research on Moab City and the County, most counties have a model approach in terms of dark skies. He said this is an area that gets a lot of tourists. They are trying to protect some of those natural features which is somewhat aligned with us trying to protect our natural features as well. He asked if there was anything specific the council wanted. An Ordinance will be in draft form by the next council meeting.

c. Discussion of the Annexation Policy Declaration for Willard City.

Mayor Mote reported the county has passed an ordinance that any subdivision in the county must request an annexation to the local municipality if it's within their annexation zone. The city's annexation policy has not been updated since 2008. He said the city council will start getting a lot of annexation requests. Bryce Wheelwright, City Planner stated he had 5 requests in the last week.

Mayor Mote stated is having portions of property are all south Willard is this in the cities best Interest. What approach does the city take as these annexations come in. Mayor Mote felt that taking little subdivisions all over the place was not in the city's best interest. Mayor Mote suggested a work session. Council Member Mund also suggest a work session so it can be discussed in depth because they are not going to go away. Mayor Mote suggested the staff talk with the county, and then look at the policy and see what the opportunities are.

d. Consideration of an Annexation request for Clint McCormick

Motion: Council Member Braegger moved to strike Item D. Council Member Mund seconded the Motion. Motion carried.

e. Ratification of the Mayor's appointment for Alternate Planning Commissioners. Chad Braegger, and Brian Gilbert.

Mayor Mote said he had spoken with several mayors regarding alternate Planning Commission Members. There have been several meetings missed because of lack of quorum.

Motion: Council Member Mund moved to ratify the appointments of Chad Braegger, and Brian Gilbert. Council Member Seamons seconded the motion. Motion carried.

f. Discussion/Approval for the Cooperative Agreement between the Utah Division of Forestry, State Lands, and Willard.

Mayor Mote stated this was an agreement between the Division of Forestry, State Lands, and Willard City. He said it looks like a cost share agreement. Chief Mund stated it is something the fire department pays into every year. The fire department covers the first hour and then the state steps in and pays all the costs. Mayor Mote stated this agreement has had the updates that were expired. Mayor Mote asked City Attorney Colt Mund to review the agreement.

Motion: Council Member Mund moved to approve the agreement upon Attorney Munds review. Council Member Seamons seconded the motion. Motion carried.

g. Direction on Perry/Willard Sewer Project.

Chris Davis, City Manager stated he asked Chris Breinholt to be at the meeting to answer questions the council might have. Chris stated he talked with Bob Barnhill with Perry City and he indicated they are comfortable with the wheeling agreement. Mayor Mote stated the wheeling agreement at this point will be perpetuity forever. Chris Breinholt, Jones & Associates passed out a memo explaining the wheeling agreement. (Attached to the minutes).

He explained Perry residents who hook up to this sewer will be charged \$5.75 a month, a flat fee. It Would pay for the entire line that goes through these properties it would be paid by this fee. Mr. Breinholt stated that there are some lines up farther east already going to read out through the line That is already there. This line does not replace the line that is already there. He said they had talked about replacing that line and lowering it for a section from 100 feet. They have worked on getting an easement farther west of that will collect an area that is downgrade of that existing sewer. He explained it comes up into 200 west about a location where that existing one. It will pick up some in the 200 west in that area. The meter would be owned by Perry City and maintained by them. He said Willard City could charge what it is to maintain by a monthly fee.

Council Member Mund emphasized he didn't want to see Perry City try to continue with it in the interlocal a treatment plant, there is a meter on the line coming from Flying J, there is a meter on the line that Willard feeds into the plant. He wanted to make sure that a meter would be put in and that Willard had access to it. have meters at the treatment plant. There is a meter on the Perry line that comes into the treatment plant and a meter on the line coming from Flying J. There is a meter on the line that Willards feeding into the plant.

Mayor Mote stated one of the benefits was the pipeline is a little high, and that will be no longer. Chris Breinholdt stated the depth is where it ends, it cannot be extended. agreement based on percentages. He said it was never supposed to be permanent, that is why we This line where it comes in will be much deeper, so the city will still gain the benefit of the depth as we continue out north. He felt it was not an extravagant fee. It gives the city some restitution for taking On additional sewage.

Motion: Council Member Seamons moved to direct the Staff to proceed with the interlocal agreement based on those items that were discussed. Perry would own the master meter, Willard City would have access to the meter, adopting the wheeling agreement along with a CPI increase, and the alignment that you have in front of you. Council Member Braegger seconded the motion. Motion carried.

8. Minutes

a. Approval of the May 11, 2023, City Council Minutes

Motion: Council Member Seamons moved to approve minutes with changes. Council Member Braegger seconded the motion. Motion carried.

9. Financials

Warrants, Vouchers, Reports
Financial Report signed.

10. Department Report

a. Public Works

Payden Vine, the Public Works Director stated on Saturday both pumps went down and so he was here for quite a while on Saturday. He said he is trying to get some rough numbers and someone that does this kind of work. Payden stated right now there is a pump in there and it is working great. Mr. Breinholdt said it could be a Willard meter instead of a Perry meter. It was said the infiltration is high so it would be wise to have a meter. Council Member Mund stated Willard City needs to have access to the meter. Jeff Hollingsworth reads the meters every month and the Wastewater Treatment board gets a copy of the report to pass onto each city's mayor. Mayor asked that the sprinklers be shut off during the 4th of July.

b. Police Department

He said there has been some talk about no parking signs on 300 north and did not know if it was approved by the city council. There need to be more "no parking" signs in there but need to be approved by the city council. Chris Davis, City Manager, stated it is city owned property, it is not a public street and has never been dedicated as a street. Council Member Braegger stated to put up a no

trespassing sign. Council Member Mund stated it should be posted. Chief Fielding stated it needs to be approved by the City Council to put up the signs. Chris Davis stated a survey is being done on the property so that the city can exchange easements with Staker Parsons. Council Member Mund asked if the city property go up either way to the right and then down to the well house then left goes up to the pit and to the other well house. Chris Davis stated that was partial and part of it belongs to Thayne Tagge. He said we want an easement for a pipeline. Chief Fielding stated both trucks are getting updated. Council Member Braegger thanked the police department for the stats.

c. Fire Department

Chief Mund stated they have put in for a grant. One grant was for \$5,000 and one was for \$4,800. HE said they also applied for the state forestry grant. He stated they should know sometime in August. Chief Mund said the fire started at 1:42 in the afternoon. They had it under control quickly. It was 8:00 pm and there was still 70% burned. Chief Fielding stated the person that set the fire has been detained. Chief Mund reported there were 14 firefighters. Chief Mund felt they needed to get a side by side to help with shuttling firefighters and equipment to the site.

11. Council Member Reports

a. Mike Braegger

He said residents were calling about grates being plugged with debris. He thanked the police for keeping their eye out for plugged grates. He told Payden he would help him take the sandbags back to the shop. Council Member Braegger stated that Travis & Lindsay Wells have had problems with ground water coming up so high that it has caused problems with their septic. Mayor Mote thanks the flood control for all their efforts with the flooding. He reported the dam safety inspection went well. They asked the flood control to clean up some of the tree woody growth. He stated when the water stops flowing over the spillway it will need to be repaired.

b. Rod Mund

Nothing to report.

c. Fred Ward

Absent from the meeting.

d. John Seamons

Council Member Seamons asked about the HOPS Trail. Chris Davis said they are waiting for the Appraisal that could take two to three weeks. He said he was asked if the city had adopted an active transportation plan. Chris Davis said the city is supposed to have some kind of grant to help fund it.

Motion: Council Member Seamons moved to direct staff to begin an active transportation plan. Council Member Mund seconded the motion. Motion carried.

e. Kaleb Kunzler

Absent from the meeting.

12. Next Agenda Items (July 13, 2023)

- (1) Resolution for an interlocal agreement for Willard/Perry sewer.
- (2) Annexation Plan

13. Mayor's General Correspondence and Information

Mayor Mote asked which Council Members were going to ride in the parade.

The Mayor asked the Harding Family to put together a short history about their founding of Willard

City. Mayor stated we have discussed purchasing a light plant. He said we had to borrow a light plant and felt we needed to purchase just one. Mayor Mote stated the police radios. The deal went through in June and Chief Fielding investigated and they are a low-quality radio. He said there will be a lot of radios available to purchase. Mayor Mote stated the Water Conservation Act any public system with 500 connections to submit a plan every five years We need to be following this.

The County Wide Management Plan is something the city could adopt a piece of the plan and that would count for us. There is a citizen that is concerned about Willard History. Council Member Braegger stated his mom put together a book about Willard along with the daughters of Utah Pioneers. Council Member Mund stated there has been a lot that has happened since the book came out.

14. Staff Report

a. City Manager's Report

Chris Davis, City Manager stated he talked with someone regarding the engine brake sign. They told him they must do a study. The Chief is getting him some data. The signs are about \$2,400. Chris has talked with Lincoln Shurtz and Jason Burningham about a grant. The state is scheduling it for the first part of August. It will allow them to have the work done by both Lewis and Young and Lincoln Hill.

b. City Planner's Report

Nothing to report.

15. Adjournment

Council Member Mund moved to adjourn. Council Member Seamons seconded the motion. Motion carried.