

1 **FILLMORE CITY COUNCIL MEETING**

2 March 5, 2013

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4 *Minutes of the regular meeting of the Fillmore City Council held March 5, 2013 in the Council*
5 *Chambers of the Fillmore City Building. Notice of the time and place of the meeting was posted on the*
6 *Utah State Public Notice website, the Fillmore City website, the Council Chambers, the City Office*
7 *bulletin board, and the President Millard Fillmore Library. Notice was also provided to The Chronicle-*
8 *Progress, KNAK and KMTI radio stations, and to each member of the governing body on March 1,*
9 *2013 and an amended notice provided on March 3, 2013. Those present were:*

10
11 Mayor: Eugene R. Larsen Council: Michael D. Holt
12 Attorney: Greg Greathouse Josephine F. Huntsman
13 Recorder: Marlene Cummings N. Wayne Jackson
14 Deputy: Lisa Crosland Eric R. Jenson
15 Deborah S. Oeppinger

16
17 Others : Larry Peterson, Donald Watts, Lt. Morris Burton, Darren Brunson,
18 Robert Worley, Grayden Worley, Kenneth Martin

19
20 6:31 p.m. Welcome and Pledge of Allegiance - Mayor Larsen

21
22 **ADMINISTRATIVE BUSINESS**

23 Minutes

24 **MOTION:** To approve the minutes of the regular meeting held February 19,
25 **2013.**
26 **By:** Councilmember Jackson
27 **Second:** Councilmember Huntsman
28 **Vote:** Unanimous. Motion carried.

29
30 Bills - Payroll

31 **MOTION:** To approve the February 28, 2013 payroll and payment of the bills
32 **listed on the March 5, 2013 invoice register.**
33 **By:** Councilmember Huntsman
34 **Second:** Councilmember Jenson
35 **Vote:** Unanimous. Motion carried.

36
37 Building Permits

- 38 • 13-04 James Brunson for a storage building at 145 South 200 West
- 39 • 13-06 Michale Anderson for a porch at 115 East 100 South

40
41 Electrical Permit

- 42 • 13-02 Douglas Jolley for solar panel installation at 185 West 100 South

43
44 Bad Debt Write-Off

45 Mayor Larsen explained that Treasurer Alldredge had done a great job in collecting bad debts
46 and her efforts continue after the debt is written off. There is a possibility the Screamin' Eagle
47 account will be paid; the new owners have indicated they will take care of the bill.

49 Treasurer Alldredge requested the following accounts be listed as bad debt and written off.

WRITE OFF ACCOUNTS 2012				
ACCOUNT	NAME	ADDRESS	BAL DUE	LAST BILLING
470000008	Troy Hundersmark	90 W 400 S	\$189.19	12/10/2008
473200006	Cyntia Araos	310 S Main	\$143.78	12/3/2010
356500001	Anthony Smith	45 W 200 S	\$254.60	4/20/2010
103100007	Carlos Trujillo	25 W 200 N	\$68.37	1/19/2011
101400004	Carlos Trujillo	185 E Center	\$161.02	1/27/2011
123800215	Mark C Mitchell	340 W Center #2	\$440.43	3/15/2011
105400003	Amparo Chavez	80 E 300 N	\$278.12	5/18/2011
113100005	Western Sky Enterprises	580 N Main	\$31.71	6/15/2011
350050001	Geraldine Church	130 S 400 W	\$140.18	10/31/2011
104000904	Samuel Ramirez	Chalk Creek #9	\$26.76	11/2/2011
1959	Kristynn Elderkin	655 N Main #13	\$24.85	11/17/2011
104000704	Maria Gomez Moreno	Chalk Creek #7	\$181.85	12/16/2011
1843	Jay Lee	25 W 200 N	\$17.50	1/6/2012
113700002	Troy Crosland	390 N 100 W	\$91.20	1/25/2012
610500004	Screamin' Eagle Raceway	890 S Airway Dr	\$2,491.45	2/22/2012
464850001	Francisco Sanchez	435 S 300 W	\$10.95	8/27/2012
577000001	Tienda El Paisa	48 E Center	\$346.51	9/12/2012
		TOTAL	\$4,218.99	

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51

MOTION: To approve write-offs in the amount of \$4,218.99.

52

By: Councilmember Jackson

53

Second: Councilmember Jenson

54

Vote: Unanimous. Motion carried.

55

56 Library Street Closure Request

57

The street fair will be held April 27, 2013. The library board has asked for permission to close a portion of 100 West between Center Street and 100 South for the event. They would also like to use both city tents. Chief Brunson requested that the closed area be kept free from parked vehicles to allow for emergency access.

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61

62

MOTION: To approve the road closure and use of city tents.

63

By: Councilmember Huntsman

64

Second: Councilmember Jackson

65

Vote: Unanimous. Motion carried.

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COMMUNICATIONS AND REQUESTS

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Law Enforcement

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Lt. Morris Burton provided the law enforcement statistics for the month of January. Officers responded to 4 traffic accidents and issued 8 citations that included 10 violations. CAD calls totaled 91 resulting in 83 incident reports with 11 arrests and 19 violations. Several investigations underway are consuming a lot of man hours.

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77 Fire Department

78 Chief Brunson reported on a gas leak at the construction site of the new Millard High School
79 gymnasium. While digging for the installation of power lines, Flowell Electric workers struck a
80 gas line. Safety procedures were instigated; workers were evacuated, nearby homes notified,
81 and students moved from the immediate area. The problem was resolved within the hour
82 without incident. Response from the department was high; 3 trucks and 9 members were on
83 scene. The department was also called to a serious accident on February 27, 2013; a small
84 passenger vehicle collided with a semi-truck on I-15 near Scipio. The car’s occupant was
85 expected to survive. The accident was difficult for new members but they seemed to be doing
86 well.

87

88 Rocky Mountain Power Transmission Line Rebuild

89 Rocky Mountain Power representative Donald Watts advised the Council that there will be a
90 six to eight hour power outage the last week of March while the new transmission line is
91 connected to the system. He will notify the City when the date is confirmed. Mayor Larsen
92 said that residents and businesses must be informed as soon as possible so they can prepare for
93 the outage. The Mayor wondered if Rocky Mountain Power had generators that could be used
94 during the outage. Mr. Watts said he would keep the City updated and will look into the
95 availability of generators.

96

97 **BUSINESS**

98

99 Municipal Election

100 This is an election year for the office of mayor and two city council positions. Historically
101 voter turnout is very low for municipal elections. Recorder Cummings recommended that the
102 two Fillmore precincts be consolidated this year.

103 **MOTION: To prepare a resolution consolidating Fillmore voting districts**
104 **number one and two for the 2013 Municipal Elections.**

105 **By: Councilmember Huntsman**

106 **Second: Councilmember Jensen**

107 **Roll Call: Councilmember Jensen Yes**

108 **Councilmember Jackson Yes**

109 **Councilmember Huntsman Yes**

110 **Councilmember Oeppinger Yes**

111 **Councilmember Holt Yes**

112 **Unanimous. Motion carried.**

113

114 Door-to-Door Soliciting Ordinance

115 Council reviewed the draft ordinance. Attorney Greathouse explained that some areas of the
116 ordinance that could be eliminated to shorten the document. Councilmember Huntsman
117 requested additional language relating to “women and vulnerable adults”. Attorney Greathouse
118 will make revisions to the draft for review at the next meeting.

119

120 Resolution 13-04

121 Increased requests to dig in the street rights-of-way have prompted the City to review its
122 excavation policy. The policy currently requires a \$2,000 performance bond; some feel this is
123 much too low. Council discussed possible solutions to insure protection against liabilities and

124 damage to city infrastructure. It was suggested that liability insurance should be required rather
125 than a cash performance bond. After discussion, Mayor Larsen called for a motion.

126 **MOTION:** To approve Resolution 13-4 amending the Fillmore Excavation Fee
127 Policy to remove the bond amount, add the requirement to provide
128 personal and property liability insurance in the amount of \$1
129 million per incident/\$3 million aggregate and to add the provision
130 that the excavated area be restored to an acceptable condition after
131 the project is completed.

132 **By:** Councilmember Huntsman

133 **Second:** Councilmember Holt

134 **Roll Call:** Councilmember Jenson Yes

135 Councilmember Jackson Yes

136 Councilmember Huntsman Yes

137 Councilmember Oeppinger Yes

138 Councilmember Holt Yes

139 Unanimous. Motion carried.

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COUNCIL REPORTS

142

143 Councilmember Jenson

Water

- 144
- 145 • Attended the Rural Water Users conference in St. George and found the presentations
146 very informative.

Historic Preservation

- 147
- 148 • Attended the Great Basin Heritage Board Meeting on February 23, 2013. A matching
149 grant was secured for the Old Capitol Arts and Living History Festival and to help Carl
150 Camp employ a worker to help with summer youth groups. He also reported he was
151 elected to serve as secretary/treasurer on the board.

152 Councilmember Huntsman

Economic Development

- 153
- 154 • The legislature is hearing a bill proposed by Merrill Nielsen regarding natural gas.
 - 155 • Questar is near completion of phase two of their gas extension project in the Flowell
156 area.
 - 157 • Attended the Millard County Economic Development Association meeting.
 - 158 • UCAP pilot program sponsored by Snow College will assist small business owners
159 with management and marketing training.
 - 160 • Millard County is going to produce YouTube videos to improve business recruitment
161 efforts.
 - 162 • Bill Justesen has been hired to design a website for Millard County Economic
163 Development.

Other

- 164
- 165 • Asked that she be excused from attending council meetings from March 17 to May 1,
166 2013 for medical treatment.

167 Councilmember Jackson

CERT

- 168
- 169 • Training will be held on Saturday, April 20, 2013 from 8:00 a.m. to 2:00 p.m.

170

171

172 Councilmember Oeppinger

173 **Animal control**

- 174 • Dr. John Anderson will be in town tomorrow providing veterinary services.
- 175 • The suggestion had been made by Megan Davies to send vaccination flyers with license
- 176 renewal forms to those owners whose dogs need to be vaccinated. She agreed with the
- 177 suggestion.
- 178 • She and Matt Haupt will be participating in the health fair to provide a presentation on
- 179 pet care and ownership responsibility.
- 180 • The City has received reports that deer are stomping small animals. One small dog was
- 181 seriously injured and may not survive.
- 182 • There are six dogs available for adoption at the shelter.

183 **Celebrations**

- 184 • The celebrations department needs a storage area for items they use annually.
- 185 • Cancer relay plans are underway.
- 186 • Mardi Gras celebration sponsored by the Fillmore Area Chamber of Commerce was a
- 187 fun event; there was a minor disruption when a student performed at the talent show. In
- 188 the future, participants will be asked to disclose their talent prior to the performance.
- 189 • The Easter celebration will be held March 30, 2013; the committee is hoping for good
- 190 weather. Local businesses are donating coins to put inside plastic eggs for the children.
- 191 • Councilmember Holt said that his daughter is planning an autism awareness 10k run on
- 192 March 30, 2013.

193

194 Councilmember Holt

195 **Fire department**

- 196 • Millard County Fire District meeting held in February was challenging; individual
- 197 departments were informed that fire district bi-laws were not being followed. The
- 198 departments will need to change their operating procedures to comply with the bi-laws.

199 **Streets & sidewalks**

- 200 • Expressed concern that TDFI is parking and storing commercial vehicles and trailers in
- 201 the street and street right-of-way near their business in the industrial park. Commercial
- 202 vehicles need to be stored on private property. A letter will be sent to TDFI.

203 **Other**

- 204 • The property north of the Fillmore Elementary School is now being considered as a
- 205 possible location for soccer fields; there are restroom and concession facilities that
- 206 could be shared with the high school ball field. Commissioner Roper is looking into the
- 207 possibility.

208

209 Attorney Greathouse

- 210 • Reported on bills before the legislature related to water and land use. He was concerned
- 211 about the negative impacts the water related bill would have on irrigation companies.
- 212 Lisa Crosland said that if the proposed land use bill relating to subdivisions passes, the
- 213 City will need to amend its ordinance.

214

215 Recorder Cummings

- 216 • Reported that the City has accepted the Jardine Plat “W” Annexation Petition. The
- 217 petition will be certified, noticed in the paper and scheduled for public hearing.

218

219 Mayor Larsen

- 220 • Millard County Sheriff Robert Dekker and the Millard School District Board have held
221 discussions about providing local schools with a resource officer. It has been proposed
222 that an officer be stationed in Delta and Fillmore. Mayor Larsen expressed support for
223 the proposal. A board will be selected to govern the program; Mayor Larsen appointed
224 Councilmember Jackson to serve on the board.
- 225 • He and Recorder Cummings met with representatives from the Zephyr Project, a wind
226 power generation and transmission project. The project contains 800 miles of
227 transmission lines and the capability to provide 3,000 megawatts. The project could
228 provide an economic boost to the area.

229

230

ADJOURNMENT

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232 **MOTION: To adjourn the meeting.**
233 **By: Councilmember Oeppinger**
234 **Second: Councilmember Huntsman**
235 **Vote: Unanimous. Motion carried.**

236

237 The meeting adjourned at 8:23 p.m. The next regular meeting will be held March 19, 2013 at
238 6:30 p.m.

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240

241

APPROVED March 19, 2013


Eugene R. Larsen, Mayor

242

243

244

245

ATTEST: 

246

Lisa Crosland, CMC

247

Deputy City Recorder