

1 **FILLMORE CITY COUNCIL MEETING**

2 May 20, 2014

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4 *Minutes of the regular meeting of the Fillmore City Council held May 20, 2014 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, radio stations KMTI and KNAK, and each member of the governing body on May 16, 2014.*

9 Those present were:

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11 Mayor: Eugene R. Larsen Council: Michael D. Holt
12 Attorney: Greg Greathouse N. Wayne Jackson
13 Recorder: Marlene Cummings Eric R. Jenson
14 Staff: Jamie Orullian Deborah S. Oeppinger
15 Michael K. Rhinehart

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17 Others: Bart Whatcott, Matt Pace

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19 6:30 p.m. Welcome and Pledge of Allegiance – Mayor Larsen

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21 **ADMINISTRATIVE BUSINESS**

22 Minutes

23 **MOTION:** To approve the minutes of the meeting held May 6, 2014 as
24 corrected.
25 **By:** Councilmember Oeppinger
26 **Second:** Councilmember Jackson
27 **Vote:** Unanimous. Motion carried.

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29 Bills – Payroll

30 **MOTION:** To approve the May 15, 2014 payroll and payment of the bills listed
31 on the invoice register dated May 7 – May 20, 2014.
32 **By:** Councilmember Jackson
33 **Second:** Councilmember Holt
34 **Vote:** Unanimous. Motion carried.

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36 Building Permits

- 37 • 14-10 Brandon Winget-garage at 295 West 500 North
- 38 • 14-12 Maggie Davies-garage at 185 West 200 South
- 39 • 14-09 Southwest Acquisitions-residential remodel at 265 North Main
- 40 • 14-15 Wayne Jackson-new roof at 45 West 200 North

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42 Business License

- 43 • Club House Academy-Trisha Foster at 110 West 500 South for a day care facility

44
45 Electrical Permits

- 46 • 14-05 Tracy Whatcott-electrical work at 370 North Main
- 47 • 14-06 Ever Salas-electrical work at 20 East 300 North Trailer #8

49 **COMMUNICATIONS AND REQUESTS**

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51 Request for closure of 100 South and 100 West for children’s parade and 5k on July 3, 2014.

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53 **MOTION: To close 100 South and 100 West for children’s parade and**
54 **5k on July 3, 2014.**
55 **By: Councilmember Jenson**
56 **Second: Councilmember Holt**
57 **Vote: Unanimous. Motion carried.**
58

59 Bart Whatcott, representative for the National ATV Jamboree, presented the Mayor and
60 Councilmembers with a brochure highlighting the schedule of events for the 27th annual ATV
61 Jamboree scheduled June 24-28, 2014 in Fillmore, Utah. The event headquarters have been
62 moved from the pod to the fairgrounds this year. The participation fee has been reduced to \$25
63 and an ala carte menu is being provided which will allow participants to purchase rides, meals,
64 and shirts at their discretion. Local participation in all the events is welcomed and encouraged.
65 Mr. Whatcott asked that Fillmore City advertise the jamboree in the next edition of the city
66 newsletter.
67

68 The jamboree committee participated in two tourism shows this year and would like to attend
69 additional shows in an effort to promote Fillmore City and Millard County as a whole. Mr.
70 Whatcott reported that many of the committee members volunteer their time and financial
71 resources to attend these shows simply because they want the jamboree to be a continued
72 success. The jamboree committee will do an after action review and Mr. Whatcott will report
73 statistical findings to the mayor and councilmembers. Mr. Whatcott submitted a letter to Mayor
74 Larsen asking the city for a donation of \$500.
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76 **MOTION: To donate \$500 for the National ATV Jamboree**
77 **By: Councilmember Jackson**
78 **Second: Councilmember Rhinehart**
79 **Vote: Unanimous. Motion carried.**
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82 **BUSINESS**

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84 Training Session-Purpose of Policies

85 Mayor Larsen conducted a short training on city ordinances and policies. He explained that an
86 ordinance is written law with penalties for violations. Policies and procedures are the tools to
87 administer the law; they detail what is expected and how it should be done. Government
88 immunity is a protection for elected officials only when the laws and ordinances of the city are
89 followed.
90

91 Discussion ensued regarding the city policy on building permits. Once the building inspector
92 approves a permit, the fees are assessed and it becomes a viable permit. The office staff had
93 asked if council wanted to review the permits before they are issued. The consensus was that
94 after all administrative requirements have been satisfied, a citizen may proceed prior to council
95 review.
96

97 Regulation of Specialty Tobacco Shops

98 A presentation was made to the Fillmore Area Chamber of Commerce regarding specialty
99 tobacco shops. Emphasis was placed on the importance of cities being familiar with regulatory
100 ordinances. Attorney Greathouse reported that there are distance regulations and that state
101 guidelines regarding the indoor clean air act apply to e-cigarettes. It is illegal for minors to be
102 sold e-cigarettes or to have them in their possession. Cities can prohibit use in parks through
103 policy if the park is city owned property. The council requested more information on
104 regulations. Attorney Greathouse agreed to research distance and state code regulations, and
105 will contact additional resources to obtain pertinent information.

106
107 Utah Department of Transportation Grant Agreement for State Aid-Public Airports

108 Matthew Swapp, P.E, UDOT Aeronautical Programs Engineer notified the city that the
109 Division of Aeronautics had approved a grant for the PAPI flight check for the airport runway.
110 Funding for this project is a 90% state and 10% local match. Council reviewed and agreed.

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112 **MOTION: To Approve Utah Department of Transportation Grant**
113 **Agreement for State Aid for Development of Public Airports.**
114 **By: Councilmember Rhinehart**
115 **Second: Councilmember Jenson**
116 **Vote: Unanimous. Motion carried.**

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118 **COUNCIL REPORTS**

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120 Councilmember Jenson

121 **Water**

- 122 • The water master plan is nearing completion. As a service, Sunrise Engineering is
123 exercising valves by turning them on and off and indicated there may be temporary
124 water discoloration. The completed survey will include recommendations for regular
125 valve maintenance.

126 **Planning & Zoning**

- 127 • Several citizens have contacted Councilmember Jenson regarding the public hearing
128 that will be held at the next planning and zoning meeting on May 27, 2014. The
129 hearing is to receive public comment about amending the expansion map to add June
130 Brush Hill.

131
132 Councilmember Jackson

133 **Emergency**

- 134 • Council member Jackson asked for permission to have the old county ambulance towed
135 and stored by the CERT building until the equipment can be removed and transferred to
136 the CERT trailer.

137 **Cemetery**

- 138 • Preparations for Memorial Day should be complete by Wednesday.
- 139 • The American Legion will be bringing flags on Wednesday.
- 140 • Some headstones were damaged by tree limbs following a recent snow storm.
- 141 • Councilmember Jackson is concerned about people leaning on headstones and
142 knocking them over; he asked that a sign be posted on the kiosk to warn people.

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Other

- The Utah Freedom Monument was dedicated last week. Councilmember Jackson would like to facilitate student involvement in patriotic events.

Councilmember Rhinehart

Celebrations/Community Events

- He thanked Fillmore City for their contributions to the annual IHC Health Fair held June 14, 2014. Special thanks to the public works department for sweeping the road so the helicopters could land. Vendors indicated that the Fillmore Health Fair is one of the largest in the state.

Councilmember Oepfinger

Animal Control

- Councilmember Oepfinger and Matt Haupt participated in the health fair but it didn't go as well as they had hoped. They determined that it would be more appropriate for their booth to be located outside. They would like to do an assembly at the school on safe handling of animals.
- There are several dogs in the animal shelter. Most will be transferred to Delta by the end of the week.
- She inquired about the possibility of placing a sign on center street reminding citizens of the leash law. Recommendations were made to include a reminder in the city newsletter and on the marquee once it is up and running.

Councilmember Holt

Parks & Recreation

- Construction of the new soccer field is underway.

Fire Department

- Fire District meeting tomorrow night.
- The bid process for new fire trucks is complete.
- Chief Brunson is close to finalizing the CIB grant.

Recorder Cummings

- Recorder Cummings asked the council to set a date for the budget hearing; June 3, 2014 was the date selected.

Mayor Larsen

- Congestion and safety issues exist on 400 South by the school bus garage. This road experiences a large volume of traffic before and after school. The road is narrow, the radius of the turn is sub-standard, and congestion is a problem. Mayor Larsen presented two proposals drafted by city engineer Robert Worley. The first option is the least expensive and includes widening 400 South and correcting the radius of the turn. In addition to everything in the first option, the second option includes extending 500 West to State Highway 99. The mayor encouraged the council to review and consider both options. Funding sources are being explored.

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ADJOURNMENT

MOTION: To adjourn the meeting.
By: Councilmember Oeppinger
Second: Councilmember Holt
Vote: Unanimous

The meeting adjourned at 8:15 p.m. The next meeting will be held June 3, 2014 at 6:30 p.m.

APPROVED June 3, 2014

Eugene R. Larsen, Mayor

ATTEST: _____
Jamie Orullian
Deputy Recorder