

1 **FILLMORE CITY COUNCIL MEETING**

2 August 19, 2014

3  
4 *Minutes of the regular meeting of the Fillmore City Council held August 19, 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 August 15,*  
9 *2014.*

10  
11 Those present were:

12 Mayor: Eugene R. Larsen Council: Michael D. Holt  
13 Attorney: Greg Greathouse Eric R. Jenson  
14 Recorder: Marlene Cummings Deborah S. Oeppinger  
15 Deputy Michael K. Rhinehart  
16 Recorder: Jamie Orullian N. Wayne Jackson (arrived at 8:15 pm)  
17  
18 Others: Bart Adams  
19

20 6:35 p.m. Welcome and Pledge of Allegiance – Mayor Larsen  
21

22 **ADMINISTRATIVE BUSINESS**

23 Minutes

24 **MOTION:** To approve the minutes of the meeting held August 5, 2014 as  
25 corrected.  
26 **By:** Councilmember Rhinehart  
27 **Second:** Councilmember Jenson  
28 **Vote:** Unanimous. Motion carried.  
29

30 Bills – Payroll

31 **MOTION:** To approve the August 15, 2014 payroll and payment of bills listed  
32 on the invoice register dated August 6 – August 19, 2014.  
33 **By:** Councilmember Oeppinger  
34 **Second:** Councilmember Jenson  
35 **Vote:** Unanimous. Motion carried.  
36

37 Approve Splash Pad Committee

38 A splash pad committee has been selected; Mayor Larson and Councilmembers Rhinehart and  
39 Holt will represent the city, Jamie Orullian will represent the office staff, Terri Cummings will  
40 represent Millard County, Carl Camp will represent the Statehouse Park, Laurie Matthews will  
41 represent the Chamber of Commerce, and Wendy Ashman will be a citizen representative.

42 **MOTION:** To approve members of the splash pad committee.  
43 **By:** Councilmember Holt  
44 **Second:** Councilmember Rhinehart  
45 **Vote:** Unanimous. Motion carried.  
46  
47  
48  
49

50 Board of Adjustment Appointments

51 Judy Huntsman, Bill Goddard, Lynn Wall, Gaye Christensen, and Debbie Jackson have been  
52 appointed to serve on the Board of Adjustment.

53 **MOTION: To ratify appointments to the Board of Adjustment**  
54 **By: Councilmember Oeppinger**  
55 **Second: Councilmember Jenson**  
56 **Vote: Unanimous. Motion carried.**

57

58 **COMMUNICATIONS AND REQUESTS**

59

60 Report and Funding Request – Old Capitol Arts and Living History Festival

61 Abe Johnson was detained and was not able to make it to city council meeting to report.  
62 Recorder Cummings reported on Mr. Johnson’s behalf that the Arts Festival was not awarded  
63 the grant they were hoping for due to incorrect verbiage on the grant application. They will  
64 resubmit the grant next year. The Arts Festival asked for \$5,000 to cover the money they  
65 would have received from the grant. Money to co-sponsor this event is included in the  
66 celebration budget.

67 **MOTION: To co-sponsor the Old Capitol Arts and Living History Festival in**  
68 **the amount of \$5,000.**  
69 **By: Councilmember Oeppinger**  
70 **Second: Councilmember Holt**  
71 **Vote: Unanimous. Motion carried.**

72

73 **BUSINESS**

74

75 Adopt Ordinance 14-02 to Establish Employee Appeals Board

76 Council felt that the proposed ordinance needed further modification. Attorney Greathouse  
77 agreed to make necessary modifications. Mayor Larsen suggested the matter be tabled.

78 **MOTION: To table to the next meeting.**  
79 **By: Councilmember Holt**  
80 **Second: Councilmember Oeppinger**  
81 **Vote: Unanimous. Motion carried.**

82

83 Discussion on becoming a Smoke Free City

84 The council discussed what it would take to enforce becoming a smoke free city through  
85 policy. Currently, this isn’t a big problem in Fillmore and the council decided that it would be  
86 adequate to obtain and display signage thanking the public for not smoking. If smoking in city  
87 parks and recreational areas becomes problematic, the council will then consider addressing it  
88 through policy and ordinance.

89

90 **COUNCIL REPORTS**

91

92 Councilmember Holt

93 **Streets**

- 94 • City Engineer, Robert Worley, is developing several options to address areas in the city  
95 that recently experienced flooding. He will present them to the council next month.

96

97

98 **Parks and Recreation**

- 99 • DJ Productions summer theatre ended last night. Attendance was down from last year  
100 however, they plan to do another production next year and hope that attendance will  
101 increase. Doug Jenkins appreciates use of the North Park amphitheater and all that the  
102 city does to accommodate the group.
- 103 • He talked to Territorial Statehouse Museum Curator, Carl Camp, who reported that  
104 funds have been approved and construction of a new pavilion and additional restrooms  
105 will begin in September after the Arts Festival. The project must be completed by June  
106 2015. Mr. Camp also indicated that the Pod will not be torn down because it is the heat  
107 source for the museum.

108  
109 Councilmember Oepfinger

110 **Animal Control**

- 111 • There are currently four dogs in the shelter. Two need to be taken to Delta, and there is  
112 a well-trained healer that is adoptable. There was a question about the remaining dog  
113 being a pit bull. However, it was determined that the dog is an American bulldog.

114 **Library**

- 115 • Book club and story hour will begin in September. The library staff is also working on  
116 spooky story hour for Halloween.

117 **Historic Preservation**

- 118 • The issues with grant funds and the Old Capitol Arts Festival were covered by Abe  
119 Johnson.

120 **Other**

- 121 • The American Cancer Society Relay for Life was an uphill battle. It was well attended  
122 and there were several generous donations from community members. They were able  
123 to raise around \$7,000. Plans are being made to move the event to the end of July to  
124 avoid scheduling conflicts.

125  
126 Councilmember Rhinehart

127 **Airport**

- 128 • He talked to Public Works Supervisor, John Mitchell, about replacing dead trees at the  
129 airport. Mr. Mitchell said he would see that the trees are replaced.

130  
131 Councilmember Jenson

132 **Water and Sewer**

- 133 • A meeting is scheduled for Thursday August 21, 2014 at 10:00 a.m. at Councilmember  
134 Jenson's office to discuss what can be done to address problem areas in the city that are  
135 prone to flooding. There are federal funds available and this meeting will help  
136 determine if qualifications for funding can be met. City Engineer, Robert Worley, will  
137 be in attendance as well as Doug Nielsen from Sunrise Engineering.

138  
139 Attorney Greathouse

- 140 • He was contacted by a gun rights group that was quoting city ordinance stating that city  
141 ordinance doesn't allow guns to be carried in public and was questioning the ordinance  
142 as it pertains to the 2<sup>nd</sup> Amendment which protects the right of individuals to keep and  
143 bear arms. Attorney Greathouse will reference the ordinance and address the issue.
- 144 • He reported on the county commission primary election between Jim Dyer and Jim  
145 Withers. Currently, the election is at a standstill. The election results were set aside and

146 the Judge ordered that another election be held as soon as possible. However, the  
147 county is in a quandary because they are not able to meet election law deadlines. The  
148 Lt. Governor's office is involved and has considered taking action but hasn't yet.  
149

150 Recorder Cummings

151 She stated that the city is fortunate to have Robert Worley for City Engineer and expressed  
152 gratitude to him for the fine job he does.  
153

154 Mayor Larsen

155 Dixie Power has been here working on the second phase of the electric line underbuild  
156 connecting the airport and creamery stations. There were some trees that had to be removed  
157 but otherwise the project should be completed soon.  
158

159 **ADJOURNMENT**

160  
161 **MOTION: To adjourn the meeting.**  
162 **By: Councilmember Rhinehart**  
163 **Second: Councilmember Jackson**  
164 **Vote: Unanimous. Motion carried.**  
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167 The meeting adjourned at 8:25 p.m. The next meeting will be held Sept.2, 2014 at 6:30 p.m.  
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170  
171

172 APPROVED August 19, 2014

\_\_\_\_\_  
Eugene R. Larsen, Mayor

173  
174  
175  
176  
177 ATTEST: \_\_\_\_\_  
178 Jamie Orullian  
179 Deputy Recorder