

1 **FILLMORE CITY COUNCIL MEETING**

2 November 4, 2014

3
4 *Minutes of the regular meeting of the Fillmore City Council held November 4, 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 October 31,*
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 (Excused) Deborah S. Oeppinger
15 Deputy Michael K. Rhinehart
16 Recorder: Jamie Orullian N. Wayne Jackson
17

18
19 Others: Vicki Crosland, Joe Flynn, Alan Roper, Darren Brunson, Lt. Morris Burton,
20 Don Thomson, Tressa Cranney, Jaden Cranney, Tyce Davies, Tony Fuller
21

22
23 6:33 p.m. Welcome and Pledge of Allegiance – Mayor Larsen
24

25 **ADMINISTRATIVE BUSINESS**

26 Minutes

27 **MOTION: To approve the minutes of the meeting held October 21, 2014 as**
28 **corrected.**
29 **By: Councilmember Oeppinger**
30 **Second: Councilmember Jenson**
31 **Vote: Unanimous. Motion carried.**
32

33 Purchase Order

34 **MOTION: To approve Purchase Order 1420 to Ascent Aviation for \$15,002.49**
35 **for aviation fuel.**
36 **By: Councilmember Rhinehart**
37 **Second: Councilmember Holt**
38 **Vote: Unanimous. Motion Carried.**
39

40 Bills – Payroll

41 **MOTION: To approve the October 31, 2014 payroll and payment of bills listed**
42 **on the invoice register dated October 22 – November 4, 2014.**
43 **By: Councilmember Jackson**
44 **Second: Councilmember Holt**
45 **Vote: Unanimous. Motion carried.**
46

47 Dance Permit

48 Ascension Pichardo for a dance on November 14, 2014 at the POD. The Sheriff’s
49 Office will be notified of the dance.

50
51 **COMMUNICATIONS AND REQUESTS**
52

53 Law Enforcement Report - Lt. Morris Burton

- 54 • Lt. Burton summarized the Sheriff's Office activity in Fillmore for the month of
55 September. There was one accident, 13 citations for 16 violations, 143 CAD calls, and
56 13 arrests for 23 offenses.
57 • Inappropriate photos being sent on electronic devices are becoming increasingly
58 problematic within the school system and among minors. Recently, an adult male was
59 arrested for enticing 13 and 14 year old girls. The school resource officer is working
60 diligently to address the problem.
61

62 Fire Department Report - Chief Darren Brunson

- 63 • Chief Brunson reported that the fire department had responded to three fires and an
64 alarm at Mt. Catherine Manor. One of the fires was a haystack fire that lasted for 11
65 hours; \$60,000 worth of hay was lost but they were able to save an estimated 1.8
66 million dollars' worth. The department also responded to a fuel leak. A car ran into
67 the back of a semi-truck and the semi driver reported that he lost 80 gallons of fuel.
68 There was no sign of a fuel leak. The case was turned over to the highway patrol.
69 They have had very few rescue calls but anticipate an increase as winter approaches.
70 • Several trainings were conducted at Don Fullmer's motel prior to burning it down on
71 October 30th. The trainings were educational for the department, especially for new
72 department members. The burn went well and the area cleaned up nicely.
73

74 Millard County Commission Report – Commissioner Roper

- 75 • The county is working on the budget for the upcoming year.
76 • CIB has indicated that Fillmore is in a good position to receive project funding
77 assistance next year.
78 • The new health building should be complete within the next two to three weeks.
79 • He appreciates Fillmore City and the city's support of the County.
80

81 Celebrations Committee Report – Don Thomson

- 82 • Mr. Thomson publically thanked the fire department for helping with the welcome
83 home celebration for the honor flight participants, several of the veterans had tears in
84 their eyes as they got off the bus.
85 • The Christmas lighting ceremony will be held November 29th. This year there will be
86 two Santas, one in the legion hall and one in the POD, to reduce time spent waiting in
87 line. There will be an art activity for kids in the old rock school house and Christmas
88 themed vendor booths will be located behind the court house. Businesses can begin
89 setting up displays in the park on November 14th.
90

91 **BUSINESS**
92

93 Ordinance 14-04 Parade Parking Regulations

94 This ordinance makes it unlawful to park any vehicle overnight on Main Street to reserve space
95 for Fourth of July parade spectators.

96 **MOTION: To approve ordinance 14-04 regulating parade parking.**

97 **By: Councilmember Jenson**

98 **Second:** **Councilmember Holt**
99 **Roll Call:** **Councilmember Holt** **Yes**
100 **Councilmember Oeppinger** **Yes**
101 **Councilmember Rhinehart** **Yes**
102 **Councilmember Jackson** **Yes**
103 **Councilmember Jenson** **Yes**

104
105 Resolution 14-07 Amend Fillmore City Streets Policy

106 This resolution prohibits vehicle parking for the Fourth of July Parade between 100 South and
107 100 North Main. Chairs may be set up on part of the sidewalk and the street in that area after
108 8:00 p.m. the evening before the parade. The resolution also prohibits parking vehicles or
109 placing chairs along the remainder of the parade route before 8:00 p.m. the evening before the
110 parade.

111 **MOTION:** **To adopt resolution 14-07 to amend the Fillmore City Streets Policy**
112 **for parade parking.**

113 **By:** **Councilmember Holt**

114 **Second:** **Councilmember Jackson**

115 **Roll Call:** **Councilmember Holt** **Yes**

116 **Councilmember Oeppinger** **Yes**

117 **Councilmember Rhinehart** **Yes**

118 **Councilmember Jackson** **Yes**

119 **Councilmember Jenson** **Yes**

120
121 Approve Agreement with Vaisala for the Airport AWOS

122 **MOTION:** **To approve the support and maintenance agreement with Vaisala**
123 **for the airport AWOS.**

124 **By:** **Councilmember Jackson**

125 **Second:** **Councilmember Oeppinger**

126 **Vote:** **Unanimous. Motion carried.**

127
128 Discussion on Proposed Amendments to Dog Ordinance

129 As of January 15, 2015 it will no longer be legal to have breed specific ordinances in the state
130 of Utah which will make Fillmore City's ordinance on pit bulls unenforceable. The city council
131 discussed ideas regarding dog ordinance changes; Attorney Greathouse recommended that the
132 definition of an attack be included in the amendments with the definition broadened to include
133 aggressive behaviors that precede a bite. Attorney Greathouse is working to create amendments
134 that will address the problems associated with elimination of the pit bull ordinance.

135
136 Mayor Larsen called for a closed session as allowed by Utah Code 52-4-205.

137
138 **MOTION:** **To convene to closed session for the purpose of discussing the**
139 **purchase, exchange, or lease of water rights.**

140 **By:** **Councilmember Holt**

141 **Second:** **Councilmember Jackson**

142 **Vote:** **Unanimous. Motion carried.**

143

144 The meeting was closed at 8:15 p.m. Those present were Mayor Larsen, Attorney Greathouse,
145 Deputy Recorder Orullian, Tony Fuller and Councilmembers Jenson, Jackson, Rhinehart,
146 Oeppinger and Holt.

147 The regular meeting resumed at 9:10 p.m.

148

149

150

COUNCIL REPORTS

151 Councilmember Holt

Fire Department

- 153 • The fire department benefited from four weeks of training on Don Fullmer's motel
154 prior to it being burned down.

155

Streets & Sidewalks

- 157 • The public works crew is patching holes on the streets in preparation for winter.

158

159 Councilmember Oeppinger

Animal Control

- 161 • Research is being done to address changes that go into effect in January 2015 regarding
162 the pit bull ordinance.

163

164 Councilmember Rhinehart

Other

- 166 • A splash pad meeting was held Wednesday October 29th. The price quote for the splash
167 pad from Splash Pads America is \$125,000. The next splash pad meeting will be held
168 on November 12th at 4:00 pm. Don Edwards from Splash Pads America will be doing a
169 presentation on splash pad design options and features which will give the committee
170 an idea of what can be built for the quoted price. The committee would like to know
171 what amount of the splash pad will need to be paid for with fundraisers. The goal is to
172 have the splash pad up and running by summer of next year.

173

174 Councilmember Jenson

Water & Sewer

- 176 • Twin D will be here this week to clean out the sewer.
- 177 • The big well will be going off line soon and the little well will run during the winter.

178

179 Councilmember Jackson

Garbage & Landfill

- 181 • He has asked for new signs to be put on the landfill transfer station indicating what can
182 and cannot be dumped; the signs have not been replaced yet. Law enforcement
183 personnel are watching the transfer station closely and are aware that people are
184 dumping things they shouldn't.

Other

- 186 • The veteran's monument wall will be re-dedicated on Veteran's Day at 4:00 p.m.
187 The Mayor and Councilmembers are all invited to the Veteran's Day dinner at the
188 Legion Hall that night at 6:00 p.m.
- 189 • The American Legion members are willing to help clean up the north side of the
190 building located at 100 South Main Street, that was recently purchased by Fillmore

191 City, so the legion hall will be more accessible. American Legion Post 61 is also
192 working on plans for the state convention that is going to be held here next June.
193 • Councilmember Jackson asked if it would be ok to invite the school resource officer to
194 report at the next city council meeting.

195
196 Attorney Greathouse

197 • He is hoping to hear from the BLM in the next few days regarding the airport contract.
198

199 Mayor Larsen

200 • Recently, a citizen tripped and fell on the sidewalk in front of Roper Lumber and was
201 injured. The citizen asked if the city's insurance will help pay living expenses since the
202 individual is not able to work. Mayor Larsen checked the sidewalk; the only place he
203 could see that may not be level was the sewer cleanout near the edge of the sidewalk.
204 He asked Councilmember Holt to look at the area and have the public works crew grind
205 down any places that have settled.
206 • Mayor Larsen attended a meeting last Thursday in Richfield on wildland fires. The
207 goal is for cities and towns to participate as first responders to wildland fires and get the
208 fires put out before they escalate and additional help is needed and unnecessary expense
209 is involved. If there is ever a wildland fire and the city participates as the first responder
210 the state will cover the total cost of the fire. Participation will also result in money that
211 would normally be spent on insurance premiums being put towards fire trucks and
212 equipment. The current protocol for Fillmore City Fire Department is to be the first
213 responder to all fires. The fire department also already has trucks that can be used to
214 fight fires of this nature, which some departments in surrounding areas don't have.
215 • Mayor Larsen will be meeting with the President of Rhinehart Oil, Stan Jardine, to see
216 if there is anything the city can do to help expedite development plans.
217

218 **ADJOURNMENT**

219
220 **MOTION: To adjourn the meeting.**
221 **By: Councilmember Oeppinger**
222 **Second: Councilmember Jenson**
223 **Vote: Unanimous. Motion carried.**
224

225 The meeting adjourned at 9:35 p.m. The next meeting will be held November 18, 2014 at 6:30
226 p.m.
227

228
229 APPROVED November 18, 2014 _____
230 Eugene R. Larsen, Mayor

231
232 ATTEST: _____
233 Jamie Orullian
234 Deputy Recorder