

1 **FILLMORE CITY COUNCIL MEETING**

2 March 7, 2024

3
4 *Minutes of the regular meeting of the Fillmore City Council held March 7, 2024 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 station KMTI and each member of the governing body on March 5, 2024.*
9

10 Those present were:

11 Mayor: Michael D. Holt Council: Curt Hare
12 Attorney: Elise Harris Kyle Stevens
13 Recorder: Kevin Orton Eugene R. Larsen
14 Michael B. Winget
15 Dennis W. Alldredge
16

17 Others present were: Matt Ward, Wayne Jackson, Devan Shields, Dan Rowley, Scott
18 Albrecht, Brylee Monroe, Patty Carter, Arlene Bartholomew, Kyle
19 Monroe, Shane Brunson, Liz Stewart, Gale George, Mike Louder,
20 Brandon Bartholomew, Mike Rhinehart, Dustin Smith, Wayne Aston,
21 and Julie Harman.
22

23 6:30 p.m. Welcome by Mayor Holt and pledge of allegiance.
24

25 Mayor Holt invited Scott Albrecht to introduce himself to the city council. Mr.
26 Albrecht is Representative Celeste Malloy’s representative for the west side of
27 her district, which comprises Millard, Beaver, Juab and Tooele counties. Mr.
28 Albrecht provided his contact information and informed the city council of his
29 willingness to help the city in any way possible. Community project
30 applications are open for the 2025 fiscal year. This project funding could help
31 the city with funding for infrastructure projects.
32

33
34 **ADMINISTRATIVE BUSINESS**

35
36 Minutes
37

38 MOTION: To accept the meeting minutes from the February 20, 2024 council
39 meeting, as written.
40 By: Councilmember Hare
41 Second: Councilmember Winget
42 Vote: Unanimous. Motion carried.
43

44 Payroll and Bills
45

46 MOTION: To approve the payment of bills listed on the invoice register dated
47 February 21, 2024 – March 7, 2024 and payroll dated March 3, 2024.
48 By: Councilmember Stevens

49 Second: Councilmember Larsen
50 Vote: Unanimous. Motion carried.

51

52 Licenses and Permits

- 53 • Building Permit Application 23-23 for Roper Lumber Co. located at 250 West 500
54 South for remodel of the retail building.
55 • Building Permit Application 24-02 for Terrible Hurbst located at 1155 West 1210
56 North Cedar Mountain Road for a remodel of the existing C-store building.
57 • Building Permit Application 24-08 for Sunrise Engineering located at 25 East 500
58 North to add a wall to the existing office building.

59

60

61

PUBLIC HEARINGS

62

63 MOTION: To go into a public hearing at 6:43 p.m. for the purpose of receiving
64 public comment regarding amending the Fillmore City Municipal Code,
65 including sections 10-2-1, 10-8A-3, 10-8B-3, and 10-10-3, to create a
66 definition for tattoo or body piercing establishment, and include therein
67 services relating to tattoos and body piercings; revise the definition of
68 “Adult Oriented Business” to “Sexually Oriented Business,” and exclude
69 services relating to tattoos therefrom; and amend the use tables in the
70 general commercial, highway commercial, and office residential zones
71 to include tattoo and body piercing establishment as an allowed use.

72 By: Councilmember Winget

73 Second: Councilmember Hare

74 Vote: Unanimous. Motion carried.

75

76 There were no comments offered by the public, however, Councilmember Hare stated that this
77 amendment simply serves to amend the language in the code to include standard language.

78

79 MOTION: To go out of the public hearing and into a new public hearing at 6:45
80 p.m. to receive public comment regarding amending the Fillmore City
81 Municipal Code sections 10-9A-2 and 10-9A-8 to include security
82 watchman housing as an allowed use or conditional allowed use in the
83 light industrial zone. Applicant: Gale George.

84 By: Councilmember Alldredge

85 Second: Councilmember Winget

86 Vote: Unanimous. Motion carried.

87

88 Gale George stated that he would like to be able to have security employees living on his
89 premises. Mr. George shared a copy of his plans with the council.

90

91 MOTION: To go out of the public hearing and into another public hearing at 6:47
92 p.m. to receive public comment regarding an application to amend the
93 Fillmore City Street Master Plan located at approximately 600 South and
94 Highway 99.

95 By: Councilmember Alldredge
96 Second: Councilmember Hare
97 Vote: Unanimous. Motion carried.
98

99 There were no comments offered by the public, however, Councilmember Alldredge explained
100 that this application is related to a developer wanting to remove from the street master plan an
101 east-west road through the middle of their proposed development of an RV park and high-
102 density housing and turn the road section into a private drive.
103

104 MOTION: To go out of the public hearing and back into the regularly scheduled
105 city council meeting at 6:51 p.m.

106 By: Councilmember Hare
107 Second: Councilmember Winget
108 Vote: Unanimous. Motion carried.
109

110

111 COMMUNICATIONS AND REQUESTS

112

113 Fire Department Report – Chief Shane Brunson

114 The department responded to eight car accidents in the month of February. Most of them were
115 on the Interstate and related to winter weather conditions. There was one call for a camper
116 trailer fire near 2400 West and Flowell Road. Later in the month, there was another fire call at
117 the same property. The following day a camper trailer caught on fire in the Wagon’s West RV
118 campground.
119

119

120 Request for Donations to Attend 2024 Girl’s State – Brylee Monroe and Kreashia Stevens

121 Arlene Bartholomew (Girl’s State President) addressed the council and asked them to donate
122 money so that both Brylee and Kreashia can attend Girl’s State this year. The cost to attend
123 this year is \$500.00 for each girl.
124

124

125 MOTION: To approve a donation of \$500.00 each, for both Brylee Monroe and
126 Kreashia Stevens to attend Girl’s State in 2024.

127 By: Councilmember Hare
128 Second: Councilmember Winget
129 Vote: Unanimous. Motion carried.
130

130

131 Request for Annual Donation to the National ATV Jamboree, for the 2024 Event – Charley 132 Christensen

133 Ms. Christensen reported that so far there are 102 participants signed up for the jamboree
134 event. The event services will be held in the Armory Building this year, where in the past it
135 has been held in the POD.
136

136

137 MOTION: To approve a donation of \$700.00 to the National ATV Jamboree to
138 sponsor the 2024 event.

139 By: Councilmember Winget
140 Second: Councilmember Larsen
141 Vote: Unanimous. Motion carried.

142 Presentation to Council Regarding the Paradise Golf Course – Don E Fullmer (Paradise Golf
143 Course)

144 Mr. Fullmer informed the city council that the golf course loses money every year and shared
145 the actual loss figures. A brief history of the golf course was also provided. Mr. Fullmer
146 reminded the council that the course provides a benefit to the community and asked that the
147 city pay the entire water bill for the golf course every month to keep the golf course open. The
148 current agreement between Paradise Golf Course and Fillmore City states that the city will pay
149 for the initial 7 million gallons of water used by the course (per month), and that any culinary
150 water used beyond that amount is charged as an overage fee to Paradise.

151
152 The statement provided by Mr. Fullmer was as follows: “If Fillmore City wants this golf
153 course to last, the current situation is unsustainable. Fillmore City has the resources to make
154 the golf course a long-term public service. Our goal is to, of course, not make money, but to at
155 least break even and not continue this financial burden on my family. If nothing is done by the
156 city to help us, and we appreciate their help so far, the golf course will eventually be closed.
157 We do not wish to close it; it is so nice to have a course in Fillmore. We are willing to work to
158 keep it open, but without the city’s help, it will not last. There are many opportunities we can
159 make available to the citizens and visitors if the course stays open, however if we do not
160 receive the assistance needed, and the course closes, Delta City will have monopoly on all
161 leisure activities in Millard County, as usual, and Fillmore will continue to be the less desirable
162 option for funding, events, and citizen activities.”

163
164 Councilmember Alldredge stated as simply a thought, that if the city council were to consider
165 paying the entire water bill for the golf course, Paradise would need to transfer their water
166 shares to the city. This was not agreed to, just simply an idea that Councilmember Alldredge
167 shared.

168
169

170 **OTHER BUSINESS BROUGHT BEFORE COUNCIL**

171

172 Ordinance 24-03, Providing for Approval of Annexation of Certain Territory, Referred to as
173 the Valley Forge Impact Park Annexation, into the Corporate Limits of Fillmore City, with the
174 Plat to be Identified as Plat DD in the Records of Fillmore City.

175 Councilmember Hare clarified that the needed amount of water for the proposed Valley Forge
176 project is closer to 2,200 acre/feet of water annually as opposed to the 4,000 acre/feet that was
177 originally projected. Wayne Aston stated that he will not develop anything that requires more
178 water than what Valley Forge owns in terms of water shares, nor what the city can provide.

179 Councilmember Larsen stated that the city is “maxed out” in their ability to pump the water
180 going into the culinary water system. The city is running at 54 hertz, and if they get to 60
181 hertz, it would likely damage the water pumping system.

182

183 Mr. Aston stated that asking the city for an annexation is not necessarily an ask for the city to
184 provide any utilities for the annexed area, it is simply a land-use issue, to which

185 Councilmember Hare replied that there is an expectation with the city to provide utilities for
186 that area. Councilmember Hare went on to explain that the council will likely not approve
187 more annexations until they are comfortable with their ability to provide utilities. The council
188 will also be weighing the expected impacts of such annexations and developments on the

189 citizens of Fillmore. The council is also currently discussing the possibility of implementing
190 an annexation agreement that will be utilized in conjunction with the annexation approval
191 process that outlines what utilities (and what quantities) will be provided by the annexing
192 petitioner.

193
194 MOTION: To table until an annexation agreement application is implemented in
195 conjunction with the annexation approval process.

196 By: Councilmember Hare
197 Second: Councilmember Larsen

198 Roll-Call Vote:
199 Councilmember Stevens – Yes
200 Councilmember Larsen – Yes
201 Councilmember Alldredge – Yes
202 Councilmember Winget – Yes
203 Councilmember Hare - Yes
204 Unanimous. Motion carried.

205
206 MOTION: To rescind the previous motion and move to table approval of the Valley
207 Forge annexation petition until the city council is ready to act on the
208 annexation petition approval (by implementing annexation agreements
209 and passing a water dedication ordinance).

210 By: Councilmember Alldredge
211 Second: Councilmember Stevens

212 Roll-Call Vote:
213 Councilmember Stevens – Yes
214 Councilmember Larsen – Yes
215 Councilmember Alldredge – Yes
216 Councilmember Winget – Yes
217 Councilmember Hare - Yes
218 Unanimous. Motion carried.

219
220 Accept Right of First Refusal on Fillmore City Industrial Park Parcel F-FIP-2 from Natural
221 Impressions

222 The council instructed Brandon Bartholomew of Natural Impressions to provide them with a
223 bona fide offer on the property before they decide on the first right of refusal.

224
225 MOTION: To table.
226 By: Councilmember Hare
227 Second: Councilmember Winget
228 Vote: Unanimous. Motion carried.

229
230 Ordinance 24-05, Amending the Fillmore City Municipal Code, Including Sections 10-2-1, 10-
231 8A-3, 10-8B-3, and 10-10-3, to Create a Definition for Tattoo or Body Piercing Establishment,
232 and Include Therein Services Relating to Tattoos and Body Piercings; Revise the Definition of
233 “Adult Oriented Business” to “Sexually Oriented Business,” and Exclude Services Relating to
234 Tattoos Therefrom; and Amend the Use Tables in the General Commercial, Highway

235 Commercial, and Office Residential Zones to Include Tattoo and Body Piercing Establishment
236 as and Allowed Use.

237
238 The tables to be included in the amended code were not included and will be added to the
239 proposed ordinance.

240
241 MOTION: To adopt Ordinance 24-05 with the revision that the tables are included
242 showing that tattoo and body piercing establishments are allowed uses.
243 By: Councilmember Hare
244 Second: Councilmember Stevens
245 Roll-Call Vote:
246 Councilmember Stevens – Yes
247 Councilmember Larsen – Yes
248 Councilmember Alldredge – Yes
249 Councilmember Winget – Yes
250 Councilmember Hare - Yes
251 Unanimous. Motion carried.
252

253 Ordinance 24-06, Amending the Fillmore City Municipal Code Sections 10-9A-2 and 10-9A-8
254 to Include Security Watchman Housing as an Allowed Use or Conditional Allowed Use in the
255 Light Industrial Zone.

256
257 MOTION: To adopt Ordinance 24-06 with the amendment to include a limit of
258 allowing for a maximum of two employed (2) guards/watchmen.
259 By: Councilmember Alldredge
260 Second: Councilmember Winget
261 Roll-Call Vote:
262 Councilmember Stevens – Yes
263 Councilmember Larsen – Yes
264 Councilmember Alldredge – Yes
265 Councilmember Winget – Yes
266 Councilmember Hare - Yes
267 Unanimous. Motion carried.
268

269 Deny Application to Amend the Fillmore City Street Master Plan Located at Approximately
270 600 South and Highway 99.

271
272 MOTION: To deny the application submitted by Blue Terra Development to amend
273 the Fillmore City street master plan located at approximately 600 South
274 and Highway 99 (proposed recreational vehicle park) based on the
275 Planning Commission’s recommendation to deny it.
276 By: Councilmember Alldredge
277 Second: Councilmember Winget
278 Roll-Call Vote:
279 Councilmember Stevens – Yes
280 Councilmember Larsen – Yes
281 Councilmember Alldredge – Yes

282 Councilmember Winget – Yes
283 Councilmember Hare - Yes
284 Unanimous. Motion carried.

285 Resolution 24-04 Amending the Fillmore City Personnel Policy Amending the Millard
286 Fillmore Library Operating Hours.

287 City Recorder/Administrator Kevin Orton explained the need to amend the library hours to
288 keep the library open on all Saturdays throughout the year. There is an increased demand from
289 library patrons to use the library on Saturdays and being open every Saturday will allow for
290 more programs to be offered.

291
292 MOTION: To adopt Resolution 24-04.
293 By: Councilmember Hare
294 Second: Councilmember Larsen
295 Roll-Call Vote:
296 Councilmember Stevens – Yes
297 Councilmember Larsen – Yes
298 Councilmember Alldredge – Yes
299 Councilmember Winget – Yes
300 Councilmember Hare - Yes
301 Unanimous. Motion carried.

302
303 Ratification of City Council Approval in the February 20, 2024 City Council Meeting to
304 Approve a \$1,000 Donation to the Friends of Juab/Millard Children’s Justice Center
305

306 MOTION: To ratify approval of a \$1,000 donation to the Friends of Juab/Millard
307 Children’s Justice Center in the February 20, 2024 city council meeting.
308 By: Councilmember Alldredge
309 Second: Councilmember Stevens
310 Vote: Unanimous. Motion carried.

311
312
313 Ratification of City Council Approval in the February 20, 2024 City Council Meeting to
314 Change the March 5, 2024 City Council Meeting to March 7, 2024.
315

316 MOTION: To ratify approval to change the March 5, 2024 city council meeting to
317 March 7, 2024 in the February 20, 2024 city council meeting.
318 By: Councilmember Alldredge
319 Second: Councilmember Winget
320 Vote: Unanimous. Motion carried.

321
322 Action Regarding Water, Sewer, and Power Requirements as it Relates to Development and
323 Annexation in Fillmore City.
324

325 MOTION: To move forward with implementing an annexation agreement to be
326 used in the annexation approval process and implementing an ordinance
327 for utilities for future developments.
328 By: Councilmember Hare

329 Second: Councilmember Larson
330 Vote: Unanimous. Motion carried.

331

332

COUNCIL REPORTS

333

334 Councilmember Hare

335 **No report**

336

337 Councilmember Stevens

338 **Celebrations**

- 339 • The celebrations committee has distributed an informational flyer outlining the
340 upcoming Easter celebration event.

341 **Fire Department**

- 342 • Councilmember Stevens encouraged the council to consider a compensation increase
343 for the Fillmore Fire Department Chief. The council will consider what other volunteer
344 fire department chiefs earn in comparable cities and then decide. New growth in the
345 community should also be considered.

346

347 Councilmember Alldredge

348 **Planning & Zoning**

- 349 • There is a developer who is looking at developing homes on a piece of property on the
350 north side of 400 North just east of Interstate 15.

351

352 Councilmember Winget

353 **Streets**

- 354 • The public works department is getting ready to do road repairs to a section of 900
355 South near Golden Gate Petroleum.

356

357 Councilmember Larsen

358 **Airport**

- 359 • There have been complaints received about low-flying aircraft late at night recently. It
360 is likely that they are SUU student pilots that fly in and out of the airport. The airport is
361 open 24 hours a day, 7 days a week.
- 362 • There will be an air show in Wisconsin later this year and several planes may stop at
363 the Fillmore Municipal Airport on their way to and from the event to fuel up. It was
364 suggested by the council to consider lowering the fuel price during this time to
365 encourage planes to fuel up in Fillmore. Doing so would be a good source of revenue
366 for the airport and may potentially bring in new business.

367

368 Recorder Orton

369 Mr. Orton sent an email message to Governor Cox's office requesting a veto of Senate Bill
370 161.

371

372 Mayor Holt

- 373 • Six County Association of Governments will be losing an employee who assisted
374 member cities and towns with economic development. Other member counties have
375 been sharing in paying for this employee's salary and have reported that they have

376 greatly benefited from her work. Mayor Holt encouraged the council to consider
377 paying a portion of the wage of the new employee that Six County AOG will hire for
378 this position. This employee can help with grant writing, planning and zoning, etc.
379

380 **ADJOURNMENT**

381
382 Upon motion by Councilmember Hare and second by Councilmember Winget, the meeting
383 adjourned at 8:49 p.m.
384

385 The next regularly scheduled council meeting will be held March 19, 2024 at 6:30 p.m.
386

387
388
389

APPROVED March 19, 2024

Michael D. Holt, Mayor