The City Council of Willard City met on August 10, 2023, at 6:30 pm in the Council Chambers of the Willard City offices, located at 80 W 50 S, Willard UT 84340.

**Present:** Travis Mote, Mayor

John Seamons, Council Member

Rod Mund, Council Member

Fred Ward, Council Member

**Excused**: Mike Braegger, Council Member

Kaleb Kunzler, Council Member

**Staff Present:** Chris Davis, City Manager

Theron Fielding, Police Chief

Bryce Wheelwright, City Planner

Colt Mund, City Attorney

Susan K Obray, City Recorder

Madison Brown, Administrative Assistant

**Others present:** Ruth and Kenneth Ormond, Rich and Melinda Kunka, Mike and Tanya Wetzel, Larry Holmes, Chad Braegger, Jeff and Laura Wells, Terry Wells, Jim Flint, Jordan Hulsey, Jim and Sherrie Wells.

1. **Call to Order**

Meeting Called to order by Mayor Mote. Council Member Ward gave the invocation and Council Member Mund led the pledge of allegiance.

1. **Open Comments**

Mike Wetzel of 190 S 300 E: “I was wondering what the Council here has planned to mitigate any further issues or rectify the issues that were caused by their poor planning and engineering. I didn’t see not one city person come check on us, offer to help. We had mitigations in place to prevent our yard being filled with two feet of mud, which were removed, approved by this council. Even though we begged, we tried giving them alternates, asked them to change the plan, nobody had nothing. That flood channel no longer even works. That flood missed the channel completely. I guess some of it did get in there cause it’s half full now, and this hasn’t been addressed. It took days to even get the streets swept. I’m just wondering if there is any plans in the future to make some changes to fix what was screwed up and what we’re going to do about it.”

Mayor Mote explained that Councilman Mike Braegger is the representative from the Council to Flood Control. This issue will be further addressed once Flood Control has had the chance to properly assess what happened during the storm on Thursday August 3. Several city council members and employees were up assisting and checking on residents soon after the flood. The flood overwhelmed the channel that was designed to catch it. Flood Control has the primary responsibility over the land flow of water, and they have a partnership with the City Council to accomplish their responsibilities.

Diane Baker (276 W Center St) mentioned she attended the Flood Board meeting. Basin cleanout has already begun and they are rushing to clean out the debris before another storm comes. Ormond Construction has volunteered to help. Discussion of widening the canal and working with homeowners to dig ditches at the end of driveways to help water flow took place.

Councilman Ward mentioned that there was so much water that the channel couldn’t handle all the water. The velocity and amount of water caused it to skip the drains entirely and flow down the street. An existing ravine was filled in when two houses were constructed at the top of the 200 South. Councilman Seamons mentioned he has discussed this issue with Councilman Braegger and they intend to address the issue further. The mayor agreed there are several streets they need to discuss with Flood Control.

1. **Planning Commission Report**

Diane Baker explained that Chapter 12-101-1 regarding alternate planning commission member and their right to vote, was discussed in the most recent meeting. An ordinance has been issued and is currently under review. A public meeting has been set for Aug 17, 2023. The work session was on the General Plan draft and a public hearing was held a month ago. There was about 10 individuals that voiced their disagreement with having half acre lots on the hillside and the agricultural section on the North side of town. The discussion about the acreage ultimately came down to water rights. They discussed dividing up the 1,800 acres of buildable area into an equitable number across the city and propose it to the City Council. Thanked the volunteers that helped clean up 300 East.

1. **Action Items/New Business**
2. Mike Christiansen- Mann, Hadfield, and Thorne proposal for City Attorney pay increase.

Item postponed due to Mike Christiansen being unable to attend.

1. Discussion/Action regarding amending Chapter 12-101-1 regarding adding alternate planning commission member with voting rights.

Colt Mund, City Attorney, gave an update mentioning there has been times the planning commission has not been able to have a full quorum. It has been proposed that they amend the ordinance to include alternate members to sit on the planning commission. The alternate members will be allowed to vote to allow city business to move forward. New ordinance should be to planning commission by next week. If ordinance is accepted, it will be presented to City Council after the public hearing on August 17, 2023.

1. Discussion/Approval of Resolution 2023-07 Willard/Perry Sewer Interlocal Agreement

Chris Davis, City Manager, gave update. Gene Stevens sent out a map that includes their plans to build 63 homes on the border of Perry and Willard, located from Hwy 89 to 1200 W/200 W, and from 3600 S in Perry to about 1400 N in Willard. The map is based on Jones & Associates’ estimate of the quadrant. Chris Breinholdt mentioned to Chris Davis that the impact on the sewer would be minimal. Colt Mund is reviewing information as well as Perry City Council. Asking to table item so Colt, Willard City Council, and Perry City Council members have opportunity to review maps and information.

**Motion**: Council Member Mund moved to table this item for personal investigation and discussion. Council Member Seamons seconded motion. All in favor. Motion carried.

1. Discussion of General Plan

The planning commission will provide a proposal for City Council to discuss the General Plan in the near future. Councilman Seamons mentioned the previous discussion centered on density and a “rural-feel.” He stated that the biggest problem wasn’t addressed, which is personal property rights. He expressed concern about infringing on resident’s individual rights by setting rules for lot sizes. He would also like to incentivize developer’s to bring water in to the property, but again, is concerned about overstepping on individuals’ property rights. Mayor Mote encouraged the council to review their copies of the General Plan, annotate, and bring it back for further discussion. Planning Commission will provide proposal with recommendations to City Council.

1. Dark Sky’s Ordinace and Annexation Plan

Colt Mund, City Attorney, is working on update. Planning Commission has a public hearing scheduled. Mr. Mund gave an update on the annexation policy in the county: Any landowner in an unincorporated territory must file for annexation with the closest city in order to rezone or subdivide their property. The County strongly supports Willard annexing South Willard. Mayor Mote asked Bryce Wheelwright, City Planner, for an email copy of the annexation zone map. Mayor Mote also suggested updating the annexation policy to assist landowners, current and future. Mr. Mund explained updating the annexation policy should be headed by the Planning Commission, will require future population growth info, and tax implications from outside sources. It is a rather large undertaking and will take time to amend.

Councilman Seamons requested to speak to Stan Summers and was transferred to Scott Lyons. He believes the county won’t be changing their mind any time soon. Councilman Ward suggested amending the policy to include a smaller area in the annexation zone. By state law, the city must have an annexation policy in place at all times. Councilman Mund requested a checklist from Mr. Colt Mund listing all the requirements for amending current annexation policy.

There have been five requests, but only one annexation application brought in to Bryce Wheelwright. Colt Mund mentioned that while creating the General Plan, the city can propose zoning all the way to the county lines, i.e. right up to South Willard border.

Bryce Wheelwright mentioned there was an attempt to annex South Willard into Willard many years ago. Zions Bank did a study that probably holds all the information. Per the Mayor’s request, Mr. Wheelwright will reach out to Scott Lyons to see if they can attain that information to present to Council. City Council would like to keep this on the agenda for next meeting.

1. 2023 Road Projects

Zach Burke, Jones and Associates, came up with potential street maintenance schedule for 2024. Number of streets need to be chip and sealed. Some streets have escrow funds still remaining, which will fund the chip and seal. For the ones that don’t have escrow funds, developers have been contacted to help cover the cost of chip and seal. Currently in progress still, so there will be a list provided in the near future, bids will be sent in, and work will begin potentially Spring 2024. The City Council would like to see 200 South repairs set as a priority as well.

1. Rocky Mountain Power Line Rehab

Councilman John Seamons gave an update. Craig Bruderer, Rocky Mountain Power consultant, is representative of Black & McDonald Construction that is putting a line down 200 West. Mr. Bruderer brought a supervisor and engineer from Rocky Mountain Power, who all agreed there is a problem that needs to be addressed. Trail was damaged, trench was not compacted which caused it to sink on the West side of the trail. Councilman Seamons set expectations with contractor and proposal will be presented shortly. They will develop a plan to propose to the City Council.

1. Service Day on 9/16/2023

Chris Davis has been working with coordinator to plan three main projects:

1. Pond cleanup
   1. second pond
2. Tree removal from spillway
   1. removing trees and applying weed killer to stumps
3. Willard City signs beautification
4. Resolution 2023-08: declaring a pickup truck as surplus property

Blue pickup truck was acquired by the federal program. It’s never been used. Rearend is damaged and two tires are flat.

**Motion**: Councilman Fred Ward motioned to approve Resolution 2023-08 declaring truck as surplus. Councilman John Seamons seconded motion. All in favor. Motion carries.

1. Discussion/Approval of Election Contract

County will run election using standard contract. Early, in-person voting will take place Aug 29 to Sept 1. 9 am to 1 pm. Susan and Michelle will man the booth.

**Motion**: Councilman John Seamons motions to approve the Election Contract. Councilman Fred Ward seconded motion. All in favor. Motion carries.

1. **Minutes**

**Motion**: Councilman John Seamons motion to approve minutes from June 22 and July 13. Councilman Fred Ward seconded motion. All in favor. Motion carries.

1. **Financial**
2. **Department Reports**
3. Public Works

Two new public works employees have been hired as Nick Rasmussen resigned. Marc’s help has been appreciated. Street sweeping contractor was recently hired, and Flood Control district has been contacted to help with cost. Payden is acquiring bids for new sprinkler bids at baseball park. First bid came in around $200,000.

1. Police Department

Jordan Harper completed reports on last month’s stats. 35 of the 83 call outs were outside city limits.

1. Fire Department

Van Mund not present.

1. **Council Member Reports**
2. Mike Braegger

Absent.

1. Rod Mund
   1. Would like to follow up with issues on 200 S to prevent more damage and/or flooding.
2. Fred Ward
   1. Requested a closed session.
3. John Seamons
   1. Councilman Seamons would like to see the Planning Commission take action and address the issue resident’s face when it comes to subdividing lots. He would like the process to be simpler for land owners. It is currently a 17 step process to subdivide a single lot. State law is that these requests go directly go to the Planning Commission. Recognized the Wells in attendance and thanked them.
4. Kaleb Kunzler

Absent

1. **Next Agenda items (August 24, 2023)**
2. **Mayor’s General Correspondence and Information**
   1. Thanked those that helped with flooding cleanup. Thanked Ormond Construction for their assistance.
3. **City Manager’s Report**
   1. Economic Development Planning: Application due date for grant has been moved to October 1, 2023. Mayor Mote mentioned that the council may have to write grant. If the grant is written by an interested party that has been consulting with council and bidding on work, there could be legal issues.
4. **Closed Session**

Councilman Fred Ward requested closed session with City Council and City Recorder per subsection (3), discussion of the character, professional competence, or physical or mental health of an individual.

1. **Adjourn**

**Motion**: Councilman Ward motioned at 8:10 to adjourn the August 10, 2023 City Council Meeting. Councilman Mund seconded the motion. Motion carried.

1. **Closed Session**

**Motion**: Councilman Fred Ward motioned at 8:10 pm to enter into closed session. Councilman John Seamons seconded motion. Motion carries.

**Motion**: Councilman Ward motioned at 8:40 pm to close the closed session. Councilman Seamons seconded motion. Motion carried.