THE STATE OF UTAH

COUNTY OF SEVIER

CITY OF RICHFIELD

At the City Council

In and For Said City

December 10, 2024

Minutes of the Richfield City Council meeting held on Tuesday, December 10, 2024, at 7:00 p.m. in the Council Chambers of the Richfield City office building located at 75 East Center, Richfield, Utah. Mayor Bryan L. Burrows presiding.

1. OPENING REMARKS
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. MINUTES APPROVED
5. EXPENDITURES APPROVED
6. BUSINESS
    a. Audited financial statement for June 30, 2024.
    b. Planning Commission report.
    c. Pavement Preservation Plan.
    d. Jones and DeMille annual report.
    e. Municipal Building Authority Meeting.
    f. Reconvene
    g. Waive requirement for a portion of a fence for property located at approximately Cove View Road and 500 West)
    h. Consider approval of a second drive-thru at a development located at Main Street and 400 South.
    i. Consider a request to waive improvements (curb, gutter, sidewalk, asphalt shoulder) for property located at the corner of 700 North 400 East.
    j. Consider a request for a mineral lease on the property the City has leased to the DWR.
    k. Consider approving the purchase of property (.64 acres) from Donnell Spencer for a purchase price of $90,000.
    l. Consider opening and amending the budget as discussed.
7. OTHER BUSINESS
8. ADJOURNMENT

1

2 CALL TO ORDER -

3 1. OPENING REMARKS – Kip Hansen

2. PLEDGE OF ALLEGIANCE by invitation – Mayor Bryan Burrows

3. **Roll Call. Present:** Bryan Burrows (Not voting), Brayden Gardner, Kip Hansen, Elaine Street, Kendrick Thomas, Tanner Thompson, Rob Jenson (not voting), Deputy Clerk David Anderson (not voting).

Excused: Michele Jolley.

Also, Rick Roberts, Gabe Miller, Elizabeth Steele, Kylee Boyter, Donavan Allen, Tyson Hansen, Kianna Byers, Trever Kreutzer, Matthew Leinhart, Jared Cefalia, Carson DeMille, Aleah Jorgensen, Micklane Farmer, Trent Lloyd and Keith Mogan.

5. MINUTES APPROVED - Consider a motion to approve the minutes of the meeting held on November 12, 2024. **Motion:** Approve the minutes of the meeting held November 12, 2024, **Action:** Approve, **Moved by** Elaine Street, **Seconded by** Kendrick Thomas. **Vote: Motion passed** (summary: Yes = 5, No = 0, Abstain = 0). **Yes:** Brayden Gardner, Elaine Street, Kendrick Thomas, Tanner Thompson, Kip Hansen.

6. EXPENDITURES APPROVED – Consider a motion to approve the warrants and cash disbursements for November 2024. Councilman Garner had a question concerning some invoices that were the same amount on the same date. Financial Director Jenson explained what they were. **Motion:** Approve the warrants and cash disbursements for November 2024 , **Action:** Approve, **Moved by** Brayden Gardner, **Seconded by** Tanner Thompson. **Vote: Motion passed** (summary: Yes = 5, No = 0, Abstain = 0). **Yes:** Brayden Gardner, Elaine Street, Kendrick Thomas, Tanner Thompson, Kip Hansen.

7. BUSINESS

a. Kimball & Roberts to present the audited financial statement for June 30, 2024, for the Council's approval.

Rick Roberts presented the report. The main aspect to look at is the auditor's opinion. He discussed the index of what was included in the report.

Rick Roberts discussed compliance section starting on page 2. The main purpose of hiring someone to conduct the audit is to make sure the City's financial statements are fairly stated in all material respects. Each meeting the council reviews its financial statements, so it likely has a good idea of where the city is financially.

The financial statements were divided into governmental activities and business activities, as well as each major fund. Roberts said in the auditors' opinion the financial statement presents fairly in all material respects the respective financial position of the governmental activities, and each major fund as of June 30, 2024.

What auditors do in their test work, inquire of employees and management of the controls and if they are following them. The auditors concluded in their judgement if there is anything that raises doubt as to whether Richfield City can continue as a going concern for a reasonable period of time. For example, if the city had been a small business with very little revenue coming in and a lot of debt, there would be a problem with it continuing as a going concern, and they would have to take exception in the audit. That doesn't appear to be a problem for Richfield City.

Other items Roberts pointed out were the management discussion and analysis, basic financial statements and governmental funds financials. He said the city has positive balances in its cash and acquisition. Assets and liabilities are also outlined in the report.

Next the enterprise funds, which consists of water, sewer and other small business type of functions. The operating income of the water revenue was $102,540. The sewer had an operating income of approximately $163,000, while the other non-major funds had some $16,000. The beginning net position started at $9 million and went to $12 million at the end of the year. Roberts also pointed out the schedule that shows the amortization of the city's various loans.

Gabe Miller then spoke about the report. Starting on page 35, the city's bond reserves are detailed. As the city retains debt, there are restrictions to make sure the bonds can be paid until they are retired. Some are fully funded, but some are growing.

Miller also pointed out the city's long-term debt on page 36 of the report. He also showed the council on pages 45-46 the debt retirement schedule. He said they are good schedules to look at when making decisions on how the city uses its cash.

On page 47, it details the restricted funds. Restricted funds include Class C road funds and the perpetual care fund.

Miller went through the compliance section on P. 72. A couple of reports have to be filed due to the findings of the audit. Because an irregularity in the process, the financials would have been misstated in a material way. However, Miller said essentially what happened was assets were not capitalized in a way that accounted for their depreciation. Nothing was missing, but it becomes a missing item if it's not calculating the depreciation of assets. Recommended steps have already been taken. Next year they'll match and pay off. It was not too critical, but an adjustment did have to be made.

The other report found on page 74 was the independent auditor's report on compliance each major program and internal control over compliance. This is the single audit, which is required anytime the city expends more than $750,000 of federal funds. The city did comply with each of its major federal programs. The single audit was clean with no findings, Miller said.

The state compliance report on pages 80-82, independent audit findings. It has many compliance requirements the auditors are required to test. The auditors did have one finding - the refuse and landfill expenses exceeded the budget. The city just needs to adjust that budget moving forward. Overall it was a good, clean audit, Miller said.

b. Planning Commission report.

Josh Peterson, planning commission chairman, delivered the Planning Commission report from the December 4, 2024, meeting. Vanessa Wells was granted a conditional use to operate a dog grooming operation our of her home. The commission put the condition that they home would need to have drain traps .

The Commission also heard a request from Tyson Hansen and Donavan Allen to differ curb, gutter, sidewalk and asphalt shoulder for an undeveloped corner lot. The commission denied it based on the fact that the ordinance does require it, so only the Council is able to grant the request. It was left in the council's hands.

The commission also discussed the general plan with Mike Hansen, who is helping the city rewrite its plan. Part of the discussion was having planning commission meet twice a month over the next couple of months to go through the plan and review changes or additions they want to make.

c. Micklane Farmer to discuss the Pavement Preservation Plan. Jones & DeMille Engineering's Micklane Farmer and Matthew Leinhard said they are testing a program using artificial intelligence to evaluate the roads in the city.

Leinhard said they are teaming with a software company called Vialytics, which has the ability to conduct a pavement accessment using AI. The AI will detect all of the defects and cracks in the road, which allows for a maintenance and replacement program to be developed.

Farmer said the way it works is an iPhone in placed in the windshield of a truck and they drive every road in town. It takes the human level out of it and makes a non-bias judgement of what the roads look like. It assesses every crack on every street, creating a grade for every street. They wanted to show the council what it is doing on the back end. It assesses every crack, taking thousands of images.

Leinhard presented a map that provided each road an EMI grade. Roads graded at level 1 are in really good shape. Roads graded at a 5 are in really bad. The average EMI in Richfield is 2.92, which actually is pretty good. Overall the city streets are in average condition. The program is capable of showing where the best and worst road conditions are in town. Using this information, the City can build a plan for maintenance and road reconstruction. It gives the priority, treatment plan as well as an estimated total cost. What is allows is planning for segments that all have the same needs to be addressed at the same time. The goal is to build a plan that allows the city to go in every couple of years and have a project that address similar needs at the same time.

Councilmember Thompson ask if the City could we bid it out as a 10-year-project. It could save some money.

Farmer said the problem is $4 million projects are easier to fund than the $30 million ones. It's hard to find funding for $30 million. However, the current assessment shows approximately $18 million over the next 10 years, which would allow for some type of treatment on every street in the city.

A lot of roads would get a microsurfacing treatment in 2026, Leinhard said. The goal is to preserve the roads in good shape before tackling the ones in bad shape. Protect the roads that are in good shape so they don't fall into disrepair while addressing the roads that are in worse shape. Then two years later in 2028, there would be a number of roads completely reconstructed. The idea is to lump the road reconstructions together as one as well to try and save as much as possible on future projects. Then in 2031 have some more microsurfacing in town. Of course, the plan can be readjusted.

Councilmember Thomas asked if the program accounts for inflation.

Farmer said the program does not currently include an inflation factor, but it is due to be added to the software next year. Leinhard said they did use very conservative estimates in building the plan.

Farmer said the hope is that if good roads can be preserved, they won't have to be reconstructed.

Microsurfacing a road is typically $3-$4 per yard, while reconstructing a road is closer to $40 per yard.

Mayor Burrows asked if the microsurfacing is better than the chips?

Farmer said the microsurfacing does protect better due to the adhesion, as the material is retained. It ends up lasting two to three years longer while the chips tend to be lost over time.

Councilmember Thomas asked how much would be self-funded, as opposed to what would need outside funding.

Farmer said there is funding available for 400 West that could be lumped together with CIB and additional City funds to consolidate a larger scale road project. The engineers tried to lump them together to strategically take advantage of funding cycles and think through when they could be completed, rather than throw random numbers out.

Leinhard also pointed out that the software allows users to create tasks in the system, and anyone on the public works crew can then complete the task, take a picture and document it. For example, someone notices a pothole the needs to be filled. It can be assigned as a task, someone can fix it and then record it, creating a record of what work is being done, when and how long repairs are lasting.

Keith Mogan, Public Works Director, said for the past month and a half they have been utilizing the system. During that time there have been roughly 200 jobs completed. Even things like stop sign replacements and generator checks can be included in it. It's been a helpful tool for the public works crew in documenting all of the work that's being done.

Councilmember Hansen asked if the software would be autonomous for the city, or if it would piggyback on Jones & DeMille's program.

Farmer said it would be tied to Jones & DeMille's program. Every person on public works has their own login.

Mogan said it can also be used to track water leaks. A few years ago the staff tried Iworks, but it wasn't as user friendly, so he started documenting jobs in notebooks. The problem is that one of the notebooks was lost, which means the documentation of those items was also lost.

Farmer said this will be good for funding as well as it will provide documentation of every repair when making applications.

Mogan said so far it has been beneficial for the city. Leinhard said as they progress in using it, assets can be added into it including hydrants, benches and other items.

It is a yearly subscription, Leinhart said. He showed another screen where the program also includes an inventory of every traffic sign in the city, as well as its condition. The more information is logged, the better the program will be.

d. Jones and DeMille to present their annual report.

Farmer said Jones & DeMille wanted to come and say "Thank you" for allowing us to work where we live. Part of the company's goal is to make life better for the people we live with. There are 170 employees, over 70 of which live in Sevier County. The company is grateful to be able to work in the city where they live.

Carson DeMille said they estimate that J&D has completed over 1,000 projects in Richfield since Jones & DeMille started. In the past year they have been able to help secure some $17 million in funding.

The city's three water tanks are projects completed by Jones & DeMille. Companywide, there have about 10,000 projects overall. A lot of the work comes through this office, with $1 billion in projects being completed.

One of the projects that was just finishes is the 500 North project, which was the result of multiple funding sources to complete. It included Joint Highway Committee funding from UDOT, CIB funds and city funds.

The business park – area where Amazon is coming in – is a project that was finished this last year.

Centennial Park's pump track, roadway and parking lots was the result of funding from the State and the City. It helped revitalize the park.

The spring restoration project was a cool project for an engineer at least, DeMille said. It has resulted in a slight increase in production, and it is no longer leaking. There is now 1,800 to 2,000 gallons a minute of water coming out the spring. Previously they were around 1,200 to 1,400 gallons per minute, but much of that was leaking. Funding came through CIB and the City. The project is ongoing. The rest of the project's budget is being used to leverage the rural development funding for the project near the golf course.

The sewer lagoon project is also still ongoing. The sewer lagoon was leaking badly, but are now working as designed thanks to the rebuild. The project is also dealing with the replacement of deficient lines throughout town. The City has been able the get a lot of work done on the sewer with the project. The CIB funded approximately 40 percent of it with a grant.

Two restrooms have been added in the past year, proving to be good additions to the City both enhance the recreation in the Richfield.

J&D gives eight hours of paid volunteer time for each employee to use in the communities they live in. The trail system west of town involved a lot of J&D employees, who helped with the mountain bike system, which has been included a lot of donations from the company.

Farmer said the company has helped with Rooster Ride, new benches at the Nelson Park, and helped with some drainage work. Wanted to say thanks for for letting Jones & DeMille staff who live here the ability to work here.

e. Recess to convene a Municipal Building Authority Meeting. **Motion:** Recess to convene a Municipal Building Authority Meeting , **Action:** Approve, **Moved by** Kip Hansen, **Seconded by** Elaine Street, **Vote: Motion passed** (summary: Yes = 5, No = 0, Abstain = 0). **Yes:** Brayden Gardner, Elaine Street, Kendrick Thomas, Tanner Thompson, Kip Hansen.

f. Reconvene

g. Consider a request from Braden Seegmiller to waive the requirement for a portion of a fence along the northeast side of the property being developed where it would conflict with the back wall of the Royal Inn. (Cove View Road and 500 West).

Deputy Clerk Anderson explained the property is being developed for an apartment complex. By code, the developers are required to build a fence along the north border of the property. However, the Royal Inn's rear wall abuts the property line. Building a fence along the back wall of the Royal Inn could

potentially block windows, and mechanical access, as well as create other problems. The request is to allow the required fence to end at the edge of the Royal Inn building. It is similar to other wavers that have been granted. They will build it if required, but feel like it would potentially cause more problems than it would solve. The planning commission looked at it and felt that it was a reasonable request and gave it a positive recommendation.

Councilmember Hansen said there is basically no set back on the Royal Inn since it's built right on the property line.

Councilmember Thompson said it makes sense.

Motion: Waive the requirement for a portion of a fence along the northeast side of the property being developed where it would conflict with the back wall of the Royal Inn. **Action:** Approve, **Moved by** Tanner Thompson, **Seconded by** Elaine Street. **Vote: Motion passed** (summary: Yes = 5, No = 0, Abstain = 0). **Yes:** Brayden Gardner, Elaine Street, Kendrick Thomas, Tanner Thompson, Kip Hansen.

h. Consider approving a conditional use for a second drive-thru window for the Jared Cephalia plaza development at the corner of Main Street and 400 South. This is C-2 use in a CS Commercial Shopping Zone.

Mayor Burrows said he read through the materials, but found some of it confusing.

Deputy Clerk Anderson said this also went through the Planning Commission. The first drive through on the lot is already approved, but Mr. Cephalia would like to add a second to the north side of the facility. The Planning Commission's recommendation was to allow it as long as UDOT is OK with it. UDOT has issued a permit for an access off of Main Street on the north side of the property, as well as one coming off 400 South. The southern access on Main Street will have to be closed as part of the project. UDOT said as long as the facility utilizes the two approved accesses, they were not concerned with the additional drive through.

Cephalia explained how the traffic would flow on the property between the two drive throughs. Those using the south drive-through would enter it off of the north entrance off of Main Street. Those using the south would access it by using the access off of 400 South.

Councilmember Gardner asked about the entrance on the Main Street side of the building. As vehicles leave, assuming the drive-through is full, how would they exit and enter?

Cephalia said there is room for up to five cars to stack in the drive-through.

Councilmember Thomas asked about the entrance and exit entrance points on the property.

Cephalia said they are planning to put one of the local food trucks in a brick and mortar facility on north side, the south side is slated for a business that plans to provide like a breakfast focused menu. The parking lots would allow for traffic to flow in both directions to accommodate entrance and exits.

Councilmember Gardner said if the Planning Commission is fine with it, he is as well, even though there may be some congestion.

Motion: Approve a conditional use for a second drive-thru window for the Jared Cephalia plaza development at the corner of Main Street and 400 South. **Action:** Approve, **Moved by** Kendrick Thomas,

Seconded by Kip Hansen. **Vote: Motion passed** (summary: Yes = 5, No = 0, Abstain = 0). **Yes:** Brayden Gardner, Elaine Street, Kendrick Thomas, Tanner Thompson, Kip Hansen.

i. Consider a request to waive improvements (curb, gutter, sidewalk, asphalt shoulder) for property located at the corner of 700 North 400 East with a recommendation from the Planning Commission that the waiver be denied.

Tyson Hansen addressed the council. He explained that he and Donavan Allen are working to purchase the property in question and intend on putting a single level, single family home on the lot. The lot does not have curb, gutter, sidewalk or an asphalt shoulder. The lots on either side of it also lack these improvements, except for a sidewalk to the south. He asked if an exception could be granted to just put sidewalk around the lot, similar to what was done with a home located at 500 North and 400 East.

Councilmember Thomas asked how wide the sidewalk to the south is. Hansen said he believes it to be approximately three feet. There really isn't anything to match it up to.

Mayor Burrows said as a reminder the council did discuss not long ago that it was going to stick to the city's ordinances when it comes to improvements.

Councilmember Gardner said he didn't remember the conversation. He said this doesn't seem out of the ordinary.

Mayor Burrows said what has changed is the council had decided to make people put the improvements in because they're not being done. There have been waivers all over town. Councilmember Hansen said it was discussed twice.

Mayor Burrows said he didn't recall how the home Masons built, down at 500 North and 400 East, nor it coming before the council. Richard Starr owned the lot, sold it and a home was put on it.

Deputy Clerk Anderson said the Mason home was done before his tenure with the city. He said sometimes things get missed, and that may have been the case.

Councilmember Thompson said this is an issue that comes up – people want an exemption for curb and gutter. Then making them putting it in doesn't really fulfill the function of doing it. Richfield City does need curb and gutter, but creating these islands all over town – it feels like there could be a better way to do it. We get this every six months, but it doesn't solve the problem.

Councilmember Hansen applauded the planning commission for it's recommendation to follow the ordinance. He backs the approach. It's a hard thing. There is a great need for that type of housing, this would add to the cost of that. He said he understands that it may make it less profitable to the point of them not wanting to do it. We just spend a lot of money, blood, sweat and tears updating our ordinances. Every time we grant an exception, we are weakening them. Where this is a corner lot, he said is not included to support it.

Mayor Burrows said when Tad Rollins bought the Blake home on 500 East and built behind it, he was against making them put the curb and gutter in. However, the council voted to make them do it, and now the city has a whole block.

Donavan Allen asked if it was paid for by the city. Mayor Burrows said it was not. When Wes Kirshner bought his home, they did do curb and gutter. Had we not made that happen, it wouldn't have happened.

Councilmember Gardner said he has spent a lot of time looking at this. The difference is when Rollins and Kirshners bought their lots, they covered half a block. This is a small corner lot, but the rest of the block is already developed. Yes it's a corner and a starting point, but it's also starting on a block where he doesn't see the other home owners jumping in and adding the improvements to their lots. There are not a lot of lots like this left in town. Gardner said he is in favor of the sidewalk and not including the curb.

Mayor Burrows said he is concerned that providing the exception would result in it eventually being taken out of the ordinance.

Donavan Allen said he thinks the council should use its discretion on the issue of the curb and gutter, and look at the purpose of it and where it will push the water.

Mayor Burrows said the reality of it is the council's position is it should want to enforce the ordinances, not to go against them. He said that is what the discussion has been and now the council backpedaling on the very next one.

Councilmember Hansen said whatever the decision is made tonight will not bind the future councils. It's an evolutionary thing. Bringing the human element into it is frankly what the council is not supposed to do. There are other communities that make every decision by vote. They treat everything on a case by case, approach. Richfield City has done a very good job on updating its ordinances and plan, and some of those changes have been made since some of these exceptions. The council should uphold the ordinance.

Councilmember Thompson said he agrees with the sentiment that they set the rules and follow them. However, he said the city hasn't set anyone up for success. The ultimate goal is to have large swaths of town. It's going to take 150 years to get it all done. Maybe there is an approach to do it chunk by chunk, rather than piecemeal. He said maybe there is a way to charge developers a fee in lieu of putting the improvements in, putting those dollars into an account and once it builds up do a larger scale project.

Mayor Burrows said that's not something that can be done.

Commissioner Hansen said a lot of are places with curb were completed by special improvement districts. He said when he was younger, his family lived on a big corner lot in town and his father wasn't happy when the special improvement district was approved because he had to pay twice the amount. The special improvement districts proved invaluable in developing the town. The state legislature has basically nullified that tool. He said he wished the discussion was how to set up a SID, which would help spread out the cost and get the improvements for the entire block. How does it happen, it happens here and now. You have to start somewhere.

Councilmember Thompson said this isn't a good plan, because it won't get large swaths of town.

Mayor Burrows said the SID worked well along 400 West and side streets. It was a great thing, until someone sued the city. The city ended up losing.

Councilmember Thomas asked what the difference is between this and what the Calls were granted without much discussion.

The Calls had agreed to put in the improvements when the neighboring properties did as well, Councilmember Thompson said.

Mayor Burrows said there has to be a majority vote in favor of a SID. So, if the footage where this exception has been granted is included, it is an automatic yes vote. If you waiver it now at $40,000, down the road it could be $80,000. It's all relative.

Councilmember Hansen said it's almost like a lien on the property.

Allen said the improvements causes an inflation to the price.

Mayor Burrows said it is always the City that has to take the exception. The City didn't control lumber prices going up, or the cement prices going up. The City deals with that as well. Every time this happens, it's "lets make the city defer on their section of it." It's never the property owner, or the purchaser or the developer - it's always the city that has to flex on it.

Councilmember Hansen said each exception is passing that costs on to the populace of Richfield at some point in the future. The easy solution is to frequently update the master plan and ordinances, and then stick to them. That's what helps us make the best decisions.

Tyson Hansen asked if the best decision to let the lot sit vacant.

Allen said it makes it impossible if they purchase the lot and then have to nearly double to costs of it by putting in the improvements.

Councilmember Hansen said the part of the discussion the city owns is the infrastructure/public improvements. He said the council member share concerns for their own kids, and for them to have affordable houses. However, in this capacity the council is here to represent the municipality. "I always feel better when we follow the ordinance," Councilmember Hansen said.

Councilmember Thompson asked if the council open to looking at a different strategy. In a few years, everyone on the council will change.

Mayor Burrows said maybe the option for leeway will be taken out in the future. That's part of what people expect when they develop here. Not saying that's wrong. That is definitely why its attractive to some people. People understand that it's going to cost more. In Monroe they don't have these things, and that's not wrong, but the City had made the decision that curb and gutter is required in Richfield. Also, there is a ditch in front of the home. It is piped in front.

Mayor Burrows the reason the Calls is the way it is, it's a major collector, but it's wasn't built correctly. It needs a wider road and curb, gutter and sidewalk, but it'll never happen because of how it was built.

Councilmember Gardner said he remembers when the Butlers didn't have to do it. It's a similar situation here.

Councilmember Hansen said the lack of improvements is a negotiating point for the sale of the lot.

Allen said they would have to negotiate it to zero, as if held to it, they would have to put $60,000 into a $40,000 lot.

Councilmember Gardner said he is favorable to offering the deferment in this case.

Motion: Defer the curb and gutter, require the sidewalk, graded properly with gravel on the shoulder with an agreement that if a special improvement district is created, this property cannot vote against it, **Action:** Approve, **Moved by** Brayden Gardner, **Seconded by** Elaine Street. **Vote: Motion passed (summary: Yes = 4, No = 1, Abstain = 0). Yes: Brayden Gardner, Elaine Street, Kendrick Thomas, Tanner Thompson. No: Kip Hansen.**

j. Consider a request for a mineral lease on the property the City has leased to the DWR.

Motion: Deny the request for the mineral lease, **Action:** Approve, **Moved by** Kip Hansen, **Seconded by** Brayden Gardner. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Brayden Gardner, Elaine Street, Kendrick Thomas, Kip Hansen, Tanner Thompson.

k. Consider approving the purchase of property (.64 acres) from Donnell Spencer for a purchase price of $90,000.

Mayor Burrows said this is just to clean up what was talked about.

Councilmember Gardner asked if it is going through a title company and if it has title insurance. He also recommended that it be under a general warrantee deed instead of a special warrantee deed.

Mayor Burrows said it is being handled through the City attorney.

Councilmember Gardner said he just wants to make sure the City is getting clear title and attorneys can't offer title insurance.

Financial Director Jenson said he recalls some discussion of a title company in relation to this property.

Motion: Make motion to approve the purchase as long as it has a title insurance policy and the transfer done via a general warrantee deed, **Action:** Approve, **Moved by** Brayden Gardner, **Seconded by** Elaine Street. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Brayden Gardner, Elaine Street, Kendrick Thomas, Kip Hansen, Tanner Thompson.

l. Consider opening and amending the budget as discussed.

Financial Director Jenson said he has been waiting to see what the auditors had to say first. The City carried over $3.1 million over from last year, which was transferred over from the general fund. The big reason was there was a project that wasn't complete by the end of the fiscal year. The City needs to appropriate those funds.

The largest amount is the $1.371 million the City needs to appropriate to the pool. That is added to the $1.2 million that is already set aside for the pool and puts the city at the $2.5 million we have set aside.

The next one is the bike path projects, for which the city council approved an increase to the match. So, some $247,000 would be appropriated to those two projects. This brings the total for those two projects to $677,967.

The rest of the amounts are part of that $3.1 million that needs to be appropriated. For instance, the police bought two new vehicles, the fire department bought one, and a new backhoe was purchased for public works.

Bottom of page 15, there is $918,000 from capital projects to the general fund, back on page 3, it is going into a line item for crack and slurry seal project. It is a project that didn't get completed in the last fiscal year, so it the funds have to bring it back to balance it out for this fiscal year. Has to come it before it comes out.

Councilmember Thomas asked why the city is bringing in more money to the pool project. Is it in anticipation of it going over budget.

Financial Director Jenson said when he was hired, the city had a goal of $2.5 million for the pool that would be set aside. That was established prior to getting the funding the City has recently acquired.

Mayor Burrows said it would have be used to match the LWCF grant, had the city not got a grant from the CIB.

Councilmember Thomas said by doing this it's like having a second contingency.

Councilmember Hansen said it's good to have that option.

There are committed funds and assigned funds. Assigned doesn't mean it's not movable, it can be moved around as needed.

Mayor Burrows said it's a way the City can park money in the capital improvement fund, and have funds available when they are needed instead of having to hunt for it.

Chief Trent Lloyd said it has been good to do business to do it this way.

The budget will have to be opened and amended in January, with a public hearing, Financial Director Jenson said.

8. OTHER BUSINESS –

Councilmember Hansen said he likes the new holiday decoration at the City Park.

Carson DeMille addressed the council. He said he has identified a new grant program that is divided into five regions in the state of Utah. Sevier County is in the central region. There is approximately $4 million per region available. DeMille said is group has submitted application for a grant to study the Pahvant Trail System – some $72,000. The county is covering the $10,000 match, but the city will be the sponsor. The study gather data on bikes, wildlife, usage data, as well as analyze the CC Road for future improvements. The hope is to address Forest Service concerns and expedite future development of the mountain bike trails. It kind of forces their hands. It would also provide a good way to collect data through more than just volunteer means.

The grants also have money for NEPA permitting, as well as n funding for large projects down the road. The hope is to apply for a $3 million grant next year. That money would be used to develop a campground, restrooms and perhaps even pave the CC Road to the campground. This first grant for the study will provide the information to see if further improvements can happen.

Councilmember Thomas asked about the Forest Service moratorium on bike trail development west of town. DeMille said the Forest Service suggested the five-year moratorium, but this study may help them move that up. The Forest Service is aware of the study, and is also moving into a study phase on its end.

DeMille said he also reached out to Jason Curry, state director of outdoor recreation, who will reach out to the Forest Service to advocate for more development of the trail system.

Mayor Burrows talked about the pool construction contract with VCBO. The construction budget was lowered by approximately $1 million and they adjusted their fee by lowering it by $65,000.

Councilmember Thomas said the change addressed one of his previous voiced concerns with the contract.

Councilmember Hansen said they appear to have addressed every concern that Councilmember Thomas voiced.

9. ADJOURNMENT **Motion:** Adjourn the meeting, **Action:** Adjourn, **Moved by** Tanner Thompson, **Seconded by** Kip Hansen. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Brayden Gardner, Elaine Street, Kendrick Thomas, Kip Hansen, Tanner Thompson.