

The regular meeting of the Fountain Green City Council was held on Thursday, March 24, 2016 in the Fountain Green City, 260 W 100 N, Fountain Green, UT

Citizens In Attendance: Tony Kogianes, Dan Naylor, Greg Johnson, Gene Jacobson, Jon Anderson Homer Workman, Terry Smith, Garrick Wilden Richard and Cassia Snow, Verden Dent, Ken Brown, Mike Johnson and Bryan Allred, Mary and Larry Gilgen

Council in Attendance: Scott R. Collard, Dean Peckham, Jeff Walker and Holly Oldroyd. Excusing Jerime Ivory.

Presiding: Mayor Ronald L. Ivory

Pledge

Prayer: Holly Oldroyd

Conditional Use Permit for Snows. Dean Peckham made the motion to accept the recommendation from the Planning Commission to grant a Conditional Use Permit allowing the Snows to live in their RV for 6 months, while building their house. Sseconded by Holly Oldroyd, all in favor.

Jacobson Application for Water. Gene Jacobson, representing Evan Jacobson and his application for a non-resident water connection outside of town, stated that a lot of the discussion regarding the connection took place in the work meeting. He did say that Evan would be willing to make adjustments to the application in question.

Availability of Culinary Water. Jeff Walker asked the Mayor and City Council if the City should continue to approve what has been done in the past, allowing a 1" culinary water line connection outside of city limits? Or should the City use the Water Usage Analysis that Roger and Terry presented in the work meeting, which determined that there is only enough water for 251 more connections? Scott Collard did say that he could see the extra revenue possibilities. Dean Peckham commented that in the Water Ordinance, it states that the City could determine, if in a shortage, the connections outside of city limits could be interrupted or cut off. He feels that the city would not be able to really shut off people's water outside of town.

Jon Anderson, Evan's attorney, reads from the Water Ordinance Section 8.9 which states that the non-resident applicant is aware that their connection can be terminated at any time. The City should not change rules in the middle of the application. Evan Jacobson did follow the Ordinance by filling out an application. Mr. Anderson also asked how fast is the city really going to grow?

Joseph Papenfuss states that the City has a 2% average growth rate.

After much discussion Scott R. Collard made the motion, based on the Water Usage Analysis and in the best interest of Fountain Green City, the City does not allow any more water connections outside of city limits, amending the current Water Ordinance to reflect the above motion as well as the connections that have already been approved. Seconded by Holly Olroyd, all in favor.

Award of Well House and Transmission Piping. Jeff Walker made the motion to accept the recommendation from Jones and DeMille, to award the Well House and Transmission Piping, to Barton's Excavating (lowest bid) totaling \$304,987.53. Seconded by Dean Peckham, all in favor.

Garrick discussed the following:

*All Wells Drilling are still about 2 weeks out.

*Jones and DeMille will monitor the Irrigation Company's observation well for any water fluctuation during Fountain Green City's well flow test.

*City needs to make a decision on using Rural Community Consultant's help with developing a Masterplan. Would be easy to put on the same application, to CIB, as the fire station.

Award Bid for Mainstreet Project. Mike Naser, Ensign Engineering, presents the Main Street Improvements bid tabulation form to the Mayor and Council. Mike read a letter of withdrawal from Wes Ivory, which left A&D Jensen Excavating and Carlisle Excavating. Carlisle Excavating came in as the low bid at \$350,730.00. This will put the project over budget. Mike feels that some of the decorative extras could be put in the contract as optional. Such as, the tile finish on planter boxes, sheep print stamps. With Carlisle Excavating moving those items to an optional category, the bid will come in at \$314, 680.00. Mike will also try to get UDOT to cover the cost (at least some of the cost) on their new specifications regarding the curb/gutter within the project area. Mike will speak with Kelly (project supervisor) so that Ensign will include the invoice from David Bradley in their contract

Scott Collard made the motion to accept the bid from Carlisle Excavating with the indicated items above being changed to an optional status and if the city is not in agreement with the final bid amount may turn it down. Seconded by Jeff Walker, all in favor.

Review New Wording for Parking Ordinance. Officer Huff presented a rough draft of the parking ordinance. Section G will be reworded. Remove reminder, warning, process. Scott thinks 14 days should stay – in case of vacation. Will need a public hearing.

Approval to Pay City Bills. **Scott Collard made the motion to pay the city bills. Seconded by Dean Peckham, all in favor.**

Approval of Minutes. **Scott Collard made the motion to accept the minutes for the work meeting and minutes, as read. Seconded by Holly Oldroyd, all in favor.**

Miscellaneous.

Park Project report.

Verden Dent – Would like to see recycling bins in town. Asks why the yield signs aren't placed all going in one direction or the other? Roger explains that there is a traffic plan which basis their position on flow and feeder routes.

Ken Brown suggests the city adopt a 0 based budget.

Bryan Allred reads section 7.2 Use if not listed, is prohibited

Scott Collard made the motion to adjourn. Seconded by Dean Peckham, all in favor.

Meeting adjourns at 8:25 p.m.

Mayor Ronald L. Ivory

Michelle Walker, City Recorder

A work meeting of the Fountain Green City Council was held on Thursday, March 24, 2016 at 6:15 p.m.
In the Fountain Green City Hall, 260 W 100 N.

Citizens attending: Tony Kogianes, Dan Naylor, Greg Johnson, Gene Jacobson, Jon Anderson, Homer Workman, Terry Smith, Garrick Wilden, Mary and Larry Gilgen and David Church.

Employees: Roger Aagard, Chad Huff, Michelle Walker

Council: Scott R. Collard, Jeff Walker, Dean Peckham and Holly Oldroyd. Excusing Jerime Ivory

Presiding: Mayor Ronald L. Ivory

Analysis Regarding Availability of Culinary Water within City Limits. Terry Smith, Rural Water and Roger Aagard presented the city council with ERC (Equivalent Resident Connections) calculations along with the formula as to how Rural Water determines those calculations. The customer water usage analysis included usage during the six months the meters are read and the total usage for the year (no excess being calculated in the winter). The analysis also included peak day demand vs. supply. The calculated peak day usage reports that 52% supply of water is used with 48% remaining, which would leave enough water available for 251 future connections.

Comments:

David Church (City Attorney) – The City does have an obligation to make sure there is enough water for the future residents of Fountain Green City. The Current Water Ordinance does state that non-residents who have culinary water connections outside of town know that their services will be the first to be shutoff if there is a shortage. On the other hand, the water is a business enterprise, which is basically a retail business looking for ways to create revenue.

Jon Anderson (Jacobson's Attorney) – Again, the Water Ordinance 8.9 states the non-resident applicant understands and agrees that if there should occur any shortage, deficiency, or inadequacy of water supplies of the City, the City Council may, in its discretion, interrupt or cut off service to any user outside the corporate limits of the City.

Scott Collard – The Council has been elected to look out for the future of the city. The 4" line requested in the application makes the city nervous.

Gene Jacobson – The 4" line was requested to make sure there was plenty of pressure.

Gene Jacobson – The city shouldn't change rules in the middle of someone's application. Should already have something in writing. The City could grant a special use permit for this application and review every 5 yrs.

Jon Anderson – The analysis does suggest a current surplus of water.

Mayor Ivory closes the work meeting to move into the regular city council meeting.

Adjourns at 7:00p.m.

Mayor Ronald L. Ivory