

October 21, 2021 – City Council

The regular meeting of the Fountain Green City Council was held at 7:30 p.m. on Thursday, October 21, 2021, in the Fountain Green City Hall, 375 N. State Street.

Attendance: Julio Tapia, Shelith Jacobson, Rod Hansen and Larry Woodcox. Excusing Stuart Smith.

Presiding: Mayor Mark Coombs

Prayer: Shelith Jacobson

Pledge

Minutes. Rod Hansen made the motion to approve the minutes from the regular scheduled city council meeting held on Thursday, September 16, 2021. Seconded by Larry Woodcox, all in favor.

Rod Hansen made the motion to approve the minutes from the special meeting held at 7:00 p.m. on Tuesday, September 28, 2021. The meeting was held to adopt Resolution No. 2021-09-28 canceling Fountain Green City's 2021 General Election due to each municipal officer being unopposed, the number of at large candidates does not exceed the number of open offices for municipal officials, and each candidate is hereby considered to be elected to office. Seconded by Shelith Jacobson, all in favor.

Public Comment. No comments from audience or zoom participants.

Sanpete Kindness Group. Linda Christiansen and her girls introduced themselves and their organization "Sanpete Kindness". After her son committed suicide, she decided that maybe by posting visual positivity she could help someone who also may be contemplating suicide (The average suicide age is between 10-29). Their goal is to place positive outdoor signs throughout the county, motivational thoughts on bathroom doors and mirrors in churches, schools, gas stations and other buildings that have high traffic areas. She is currently applying for non-profit status and hopes to be able to hold fundraisers as well as receive private donations to cover the cost of the signs and other products. She can have 30 signs made for \$250.00.

To introduce "Sanpete Kindness", Linda wants to have a county wide contest to help design her logo. She is placing flyers in each of the cities of Sanpete County and is asking residents to create a logo that represents what it means to be kind or being a light to others. Participants have from November 1st – November 30th to enter their design. The winner will be announced on December 1st and will receive a \$50 dinner certificate for any restaurant in the county.

Linda is visiting each city's council meetings not only to introduce her organization but offer her services in any city event and to get their land use sign rules and regulations. Fountain Green's Ordinance allows 6 sq. ft. signs.

Mayor Coombs suggests she also research Rocky Mountain Power's grant opportunities. There is one for mental illness.

Shelith Jacobson made the motion to donate \$150.00 to purchase a sign for the City Building. Seconded by Larry Woodcox.

City Survey. At the request from the Mayor, Ryan Robinson from Rural Community Consultants, approached the City Council to discuss putting together a survey for Fountain Green residents. The

General Plan was adopted in 1995 and some amendments were made in 2009. The State recommends that City General Plans should be updated every 5 years. Mayor Coombs explained that with the help from Rural Community Consultants, survey questions would be developed to be fair and informative. Ryan explained that they would review the previous surveys and the current General Plan to get familiar with the City's background and form questions made specifically for Fountain Green. The questions may include subjects like: Open spaces, Commercial zones, Industrial zones, Roads (whether good or bad), and lot size.

The question was asked about how to get the best response from residents. Ryan explained that there are a variety of ways: Hold an open house so the public can come and familiarize themselves with the current plan and possible changes. They have had a generic questionnaire sent out via social media and then a more detailed one later. Deliver the questionnaire door-to-door and residents can either bring them to the City Hall, return them by mail or the city can pick them up.

There was concern about the validity of the results and why there is even a need for a new survey. Ryan explained that they have a software program that reads the results electronically and can usually detect any discrepancies. He also stated that surveys allow the citizens to have input into the City's General Plan and whether to change or not change the plan.

Mayor Coombs asked Ryan how much it would cost the city for their help. Ryan explained that it would be dependent on how involved the city wants them to be. The Mayor asked Ryan to put together a cost estimate that included different levels of involvement.

Michelle will email a copy of the General Plan to Ryan.

Public Service Announcement. Mayor Coombs asked Marty (Director of fundraising for Sanpete Food Pantry) to report on how the first Fountain Green City's food drop off worked out?

Marty reported that so far Fountain Green has had the most families show up for the first food drop off; having served 21 families. A question from an audience member asked Marty where the money comes from to supply the food bank. He explained the through the partnership with Utah Food Bank, Donations, Fundraisers, and Grants.

The next drop off for Fountain Green is December 30th at 6:30 p.m.

Move at Theater. Absent

Road at 4th N. 6th W. Dean Hansen bought property at 400 N. 600 W. and wants it to be recorded in the minutes that at some future date his family will be able to hook onto the city water and sewer services. City officials agreed that it is within city limits, so they will have access to water and sewer services.

Dean also asked if the city could get the county to clean up an old roll of wire and cement on the south side of the road by the new DUP Monument going up to the springs.

Compression/Jake Breaks. Lewis Rasmussen approached the council requesting the city to adopt an ordinance regarding the non-use of jake brakes through town and then request a sign from UDOT. With the influx of traffic, especially semi-trucks, the noise is becoming a nuisance. The Mayor explained that there have been other complaints and they will look into samples of other city's ordinances.

Michelle will get a sample of another city's ordinance.

Lion's Club Veteran's Dinner Donation. Julio Tapia made the motion to donate \$675.00 which will cover the cost of the 133 veterans, including spouses. Seconded by Larry Woodcox, all in favor.

Consistency in traffic signs/site triangles. Rod Hansen explained that he had driven on all the city roads and noticed that the stop and yield signs are inconsistent. He wants to put a list together of where they are all located and have the city council review it. He would also like to get Chad's recommendation.

Mother-in-law apartments (Accessory Dwelling Units)/HB82. Rod had asked Riley to put together some information together regarding Accessory Dwelling Units (ADU) and the Utah HB82. The following information was presented:

An ADU is a subordinate residential dwelling unit, with its own food preparation, sleeping, and sanitation facilities, meant for one additional single family located in a separate dwelling unit on the same lot as a single-family dwelling unit, whether within the same building as the single-family dwelling unit or in a detached accessory building.

Internal ADU – An Internal Accessory Dwelling Unit (IADU) is an ADU created within the footprint of a primary dwelling.

UT HB82 – Requires municipalities and counties to make Internal Accessory Dwelling Units (IADU) an allowed use, with limited exceptions. Provides guidance on how IADUs can be regulated within a community. Provides recourse for violations with IADUs via a lien against real property in certain circumstances.

Internal Accessory Dwelling Unit-

Basement apartment, upstairs apartment, garage apartment

Primary dwelling is a single-family dwelling.

Either the primary dwelling or owner occupied. Owner lives there at least 180 days.

Long term rental – 30-days or more.

It is not a duplex, apartment, room to rent, apartment separate from the dwelling, or short-term rental.

Allowed Building requirements – Smoke detector, GFCI protected outlets, street addressing, hand or guard rails, occupants have a separate door.

Allowed Zoning Requirements – Does not change the appearance of the home as a single-family dwelling. Additional parking space.

Prohibit within mobile homes. Require a permit to build/rent.

Allowed Restrictions – Prohibits in home with a failing septic tank if lot is under 6000 sq. ft., is not the owner's primary residence, and short-term rental.

Residential Area Restriction. Municipality may prohibit IADUs within a zoning district covering an area that is equivalent to 25% or less of the total area in the municipality that is zoned primarily for residential use.

A municipality that issues a permit or license to an owner to rent an IADU may record a notice in the office of the county recorder.

Statement that the primary dwelling contains an IADU.

Statement that the IADU may be used in accordance with the municipality's land use regulations.

Municipality shall upon recording the notice, deliver a copy of the notice to the owner

A city can adopt regulations but needs to have an ordinance in place asap to reflect what the city wants.

CIB Funding/size, scope, and nature. Larry Woodcox made the motion to pursue the application to CIB for a grant to replace current grader, staying within the parameters set (grant only, reviewing options – dealer vs. county). Seconded by Shelith Jacobson, all in favor.

Ordinance establishing criminal charges. Rod Hansen made the motion to adopt Ordinance Number 2021-10-21 that establishes criminal penalties for the violation of city ordinances. Seconded by Julio Tapia, all in favor.

Amendment to Dog Pound fees. Shelith Jacobson made the motion to accept the amendment to 13-20-3-14 – Redemption of Impounded Dogs Pound fees. Seconded by Rod Hansen, all in favor.

Police Report. Chad stated that he hasn't been able to get the data on traffic patterns since the council sent out the letter to the citizens. He hopes to provide better information next month. Is ticketing for speeding 5 and over

Planning Commission report.

Rezoning 5 public facilities/sensitive land properties. Shelith Jacobson made the motion to give approval for the Planning Commission to hold a public hearing to present the change of 5 zone areas Seconded by Rod Hansen, all in favor.

Proposed Fountain Green City make the following zoning changes:

1. Rezone lot S-18131, the location of the new public safety building (City Hall/Fire Station) to public facilities.
2. Resize the Public Facilities zone near the old city building to only cover S18074, the location of the city storage shed only,
3. Resize the public facilities zone near the fish hatchery to only cover the area used for the hatchery. Removing S18150x for the Public Facilities zone.
4. Move the city lots at the well site (S18077, S209197, S18076) from Sensitive Lands to Public Facility zone.
5. Extend the sensitive lands zone at the intersection of 100 N and 100 W to the Southeast along the creek on Block 30 until it reaches the Business Commercial zone.

Proposed: City to update the sensitive lands zone use table 7.5-2 to make "Child Care allowed with conditional use permit" within the Sensitive Lands Zone,

Work meeting will be held on November 13th 9:00 a.m. to discuss the Utah HB82.

City Report. Roger reported that the city cleanup on the Oct 9th went well. Maybe shorten time.

Fire Department Report. Open burn Nov. 1- May 31 – still need to inform the Fire Chief or Matthew Bills at 435-262-2678.

City Bills. Shelith Jacobson made the motion to pay the city bills. Seconded by Larry Woodcox, all in favor.

Miscellaneous.

Rod – suggested that the city work with UDOT regarding the fence at the end of town (James Bailey – 15 W. 400 S); has been ran through at least 4 times this year.

Business License – Council member should meet with the new business owner to see if they have the right facilities to run their business.

Surveys – must easily be understood; work to get a good response from the public; help the public understand that whatever the results are there is still a process; City still has to go by state laws.

Nov 15 & 16 – City Audit

Christmas Party – Do potluck and donate the rest of the money to food pantry. City to provide the meat.

Fraud Assessment – working on

RMP still getting LED light proposal together

Officials agree that Youth Activities/Church groups will not be charged for renting city owned facilities.

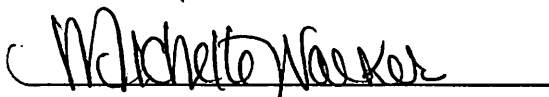
Rural Co-working grant. Received, but need to adjust.

Rod Hansen made the motion to move into an executive session. Seconded by Julio Tapia, all in favor.

Rod Hansen made the motion to move back into the regular meeting. Seconded by Larry Woodcox, all in favor.

Shelith Jacobson made the motion to adjourn. Seconded by Julio Tapia, all in favor.

Meeting adjourns at 10:52



Michelle Walker, City Recorder

