

November 18, 2021 – City Council

The regular meeting of the Fountain Green City Council was held at 7:00 p.m. on Thursday, November 18, 2021, in the Fountain Green City Hall.

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

Presiding – Mayor Mark Coombs

Prayer – Rod Hansen

Pledge

Minutes. Larry Woodcox made the motion to approve the minutes. Seconded by Shelith Jacobson, all in favor.

Public Comment – Riley Hansen made comment regarding the city donating funds for the Veteran's dinner, that in his opinion, should come from the citizens not the City. The City should not be using taxpayer's money to donate to charitable groups, such as the Lion's Club. He expresses his gratitude for what they do, but it should come from the citizens. It's the City Council's responsibility to carefully take care of and use taxpayers' money to manage the affairs of the city. He continued saying that he would hope that the city would annually allocate a percentage of funds for charitable purposes and maintain most of the funds for city primary responsibilities.

Michelle explained that there is an annual budget line item (Council Contributions and Sponsorships) of about \$3,000 that is set aside for donations, flowers, and other contributions.

Audience member Homer Workman and resident Clint Hansen agree that these types of donations are inappropriate.

Shelith commented that if we don't support the citizens in the community what good is a community to start with. Donating to a good cause is part of being in a community; what a community does.

Mayor Coombs reminds the audience that this is a time for comment not arguing.

Rod Hansen believes that donations cause/purpose should directly benefit the citizens of Fountain Green City. He feels that there are better ways to support charitable organizations: Allowing them to use city buildings for their fundraisers, advertising on the City's website, facebook page and bulletin boards. He recommends reading "Not Yours to Give" by Davy Crockett.

Brian Allred comments that Veterans shouldn't be considered a charity if it wasn't for the veterans there wouldn't be a town. He thanks the veterans and comments there has been money spent more foolish things.

Construction Issues/Requirements. Bradd Hancock had two issues that he wanted to bring to the Council's attention:

1. Conflict/Discrepancies regarding property lines. He recommended that to avoid conflict all new building lots should be surveyed before the planning commission issues building permits. Fence Lines vs. surveys are controversial and confusing. Bradd asks how Roger is even able to measure setbacks without a survey. The City should hire someone responsible for code enforcement so

that there are no mistakes as to where correct property lines are established and contractors are meeting city standards, which could include: porta potties, dumpsters, keeping trash and dirt off neighbor's property, and drainage inspections

Fountain Green will experience growth which will have a big impact on the city. Bradd recommends that the City start charging various impact fees to help cover the impact from growth: code enforcement officer, roads, police officers, park, and building inspections. He also recommends that the City shouldn't be giving legal advice as to where property lines are; it should be a surveyor.

2. Bradd explained that the new Property owner next door burned down the existing barn and fence lines. The Hancock's were told by the fire chief that it was legal, but they were not notified. He feels that if their asthmatic grandson had been there, he would have ended up in the hospital and possibly could have died. There was so much smoke in their house, they called their insurance to inquire about smoke damage. Common sense tells you that there should be a limit. Fire Chief Todd Robinson apologizes to the Hancock's.

Mayor Coombs asked Bryan if there was an Ordinance regarding burning. He replied that there is currently not an Ordinance but agrees about using common sense.

Rhett Larsen commented that cities can over policy their citizens. He feels that you shouldn't create policies for things that don't exist just because they do in the bigger cities. You can overregulate on potential "what-ifs".

Mayor Coombs replied that there is a fine balancing act with overregulating and trying to protect the town's culture and at the same time the citizens.

Rod agreed that the city needs to consider hiring an enforcement officer but would need to find the funding. Establishing an impact fee could cover it.

Clint Hansen comments that common curtesy and communication between neighbors could solve a lot of these small community problems.

Shelith. Fence line vs. surveys have always been an issue in Fountain Green. Sometimes it causes more disputes. Fountain Green City will have growing pains, but city officials need to try and maintain the community that brings us here and still be equitable and fair using every resource to its very best ability.

Joseph Papenfuss stated that because of the layout of the city from years ago, many of the surveys show that property lines are skewed. The roads have long been established, and you can't move the roads. Citizens and officials need to work together to solve the problems. Oft times, neighbors could work it out between themselves.

Jake Brake Ordinance. The issue of semi-trucks using their jake/compression brakes through town was discussed in the last few city council meetings. Mayor Coombs spoke with UDOT and was told that they would not do anything without the city having an Ordinance in place. The drafted Ordinance was discussed in the public meeting at 6:30 p.m. **Stuart Smith made the motion to accept the Jake Brake Ordinance as written. Seconded by Larry Woodcox, all in favor.**

Traffic Signs. Rod presented information that addressed all current yield and stop signs. He explained that there are several inconsistencies of sign placement. The city may need to form a committee that

can address the inconsistencies. There are also several site triangle problems that have serious safety issues that should be reviewed as soon as possible. Discrepancies also found on 500 and 600 West.

CDBG Funding Recap. Mayor Coombs explained that the public meeting, held previously, was one of the first steps in meeting the criteria in applying for the 2022 CDBG grant. If awarded, the grant would be used to cover the cost of improvements to the city. Details will be discussed later.

Lot Split w/ Conditional Use Permit. Larry Woodcox made the motion to approve the recommendation from the Planning Commission for a conditional use permit given to Dawn Allred. The approved and applicable conditions are as follows: 1. Perk test for the south lot. 2. Southern lot cannot be split again. Seconded by Shelith Jacobson, all in favor.

Internal Accessory Dwelling Unit (IADU). Riley Hansen reported on the draft regarding the City's Guidelines for implementing the State Legislative HB82. Due to timing issues, the city has cited Land Use Ordinance. Chapter 3. 3.1.F – TEMPORARY OR EMERGENCY ZONING. The City Council may enact an ordinance without a public hearing or Planning Commission recommendation, which establishes temporary zoning regulations for any part of or all the area within the City. The City Council shall establish a period of limited effect for the ordinance, which period may not exceed six months.

Proposed Chapter Drafted Guidelines state:

- *Creation of a small zone within the city, SFRA (Single Family Residential Agriculture), in which the Internal Accessory Dwellings are not allowed. This zone would be centered around the school and park.

- *IADU must be created within the footprint of the primary dwelling.

- *Homeowner must occupy the dwelling.

- *IADU must provide living areas for eating, sleeping and sanitation facilities separate from the principal dwelling unit.

- * Permits for IADU will include an affidavit which will be recorded at the county.

Shelith Jacobson made the motion to accept the Internal Accessory Dwelling guidelines that have been determined and brought forth in an emergency with the possibility of changes and/or clarification and holding a public hearing within the allotted six months. Seconded by Julio Tapia, all in favor.

Police Report. Officer Huff reported on the traffic activity from September to current. He has detailed logs of all the findings, if the city council would like to look at them. After monitoring traffic patterns, he found that there are two main issue - state street (no surprise) and 400 S. Most of the traffic traveling on 400 S. are going at least 5 mph over the speed limit. One of the main issues is the conflict between the county speed limit (35 mph) and the city speed limit (25 mph). The City may have to contact the county to resolve the issue. Traffic patterns within the rest of city limits are random, with enforcement probably being the only answer.

City Report. Mayor Coombs excused Roger Aagard from being in attendance.

Fire Department Report. Michelle reported that the USDA Grant for removeable fire equipment was finished and closed out. The Fire Department had been looking for an old ambulance to use as a rescue

and wildland fire vehicle. An Idaho Fire Department responded with a donation of one of their old ones. They will be picking it up next Friday. The Department plans on using it as a "quick response vehicle" and will not be affiliated with the county's ambulances.

City Bills. Rod Hansen made the motion to pay the city bills. Seconded by Stuart Smith, all in favor.

Miscellaneous.

Audit Findings – Too much money in the fund balance. Fee Schedules should be reviewed annually by the Council.

Christmas Party – January 15th at 5:00 p.m. City to bring the meat.

Julio would like to see AEDs in all city trucks and buildings. Clifton is currently looking into grants.

Michelle will check with city insurance to see if it would lower insurance.

City provide CPR classes – with/without charge.

Donate unused portion of money from the City party to the food pantry.

List what makes it a community charitable donation.

Work meeting Jan. 15 (Saturday) at 9:00 a.m.

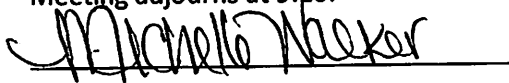
Need to fill positions on the planning commission.

Council in December – Keep, Change, Cancel?

Mayor – Waiting for the contract from the Rural Coworking grant

Rod Hansen made the motion to adjourn. Seconded by Shelith Jacobson, all in favor.

Meeting adjourns at 9:10.



Michelle Walker, City Recorder

