

City Council, Mayor, & Fountain Green Planning Commission Work Meeting
Fountain Green City Hall
January 15, 2022 9:04 a.m.

DRAFT

Attendance: Joseph Papenfuss, Heather Papenfuss (PC secretary), Alison Strait, Bryan Allred, Stuart Krukiewicz, Riley Hansen, Rod Hansen, Tom Hansen, Mark Coombs, Jerime Ivory, Stuart Smith

NOTE: Michelle Walker (CC secretary) is not present and no recorder is available.

Mark calls the meeting to order and asks what the **PRIORITIES** for the Planning Commission and City Council members should be **for the coming year**.

- Bryan stresses that **ENFORCEMENT** should be the number one priority since there is no point in having rules if there is no enforcement. And by extension, no point in Planning Commission or City Council meetings if there is no enforcement.
- Jerime feels that **WATER** should also be a priority. Stuart has talked to Roger and obtained usage measurements that appear to show that the City has plenty of water available. We may need to work on storage and distribution.
- Joseph suggests that the City needs to increase its water and sewer **IMPACT FEES** and Riley added the possibility that impact fees for street maintenance, Park improvement, police service, etc might be needed.
- Riley reminds the group that we need to wrap up some loose ends from last year: a **SURVEY** of the City citizens so that the Planning Commission can update the **GENERAL PLAN**. They discuss whether to allow one or two survey responses/household and whether to include out-of-town landowners or not. They decide on two responses/household, but not to include landowners that do not live in town. Riley cautions against an on-line survey. Stuart K. feels like the City should change its fire safety minimum to 2' like other cities up north. Joseph reminds him that other cities up north have dedicated fire departments, but Fountain Green only has a volunteer fire department. The fire safety minimum is designed to slow the spread of a fire from one structure to another. The minimum fire safety distance is determined by the Fire Chief and has not changed in the City through several changes of Fire Chiefs. Mark suggests asking the County Fire Marshall for his advice.
- Jerime asks if the Noise Ordinance has been implemented and Mark reports that it has and he has also contacted UDOT to request that they consider moving the reduced speed limit sign on SR 132 up by the gravel pit and also adding a No Jake Brake sign.
- Mark reports that the City has not heard back from the firm that offered to conduct the survey for the City, but they will follow up and meet with the City Council and Planning Commission to finalize the questions. Rod pointed out that the City had stressed NO survey via the Internet.
- Mark reported that ~60% of the sales tax collected from sales in the rural counties goes to the Wasatch Front! Sales tax from Air B&B goes to the County! Rod suggests getting our congressman, Derrin Owens, &/or Governor Cox to look at this unfair practice. Maybe the Utah League of Cities & Towns could also help, since many other rural cities are upset about this practice.
- Mark reports that Edwin Sunderland (one of the County Commissioners) is working on a Master Transportation Plan for the County. One suggestion is to have SR 132 be upgraded to a 4-lane highway through the County. There is also a suggestion of rerouting SR 132 to the west of

Fountain Green, Wales, Moroni, Ephraim, and Manti. This, of course, would be extremely expensive.

• Stuart S. asks if the intersections throughout the City have been reviewed for safety – especially those on 400 South, 400 North, 500 West, 600 West, and Center Street. Rod remembers that 400 South is listed as a County road with a 35 mph speed limit, but would like it to be changed to 25 mph since it is within City limits and is a residential area. Jerime asks if the City could paint crosswalks at the intersections by the elementary school, but Tom points out that there are no sidewalks in the City for crosswalks to join up with. Rod suggests a 20 mph speed limit by the school and Mark adds that the next policeman could conduct some safety training for the school students. Bryan notes that the City web site is advertising for a "City Manager" – not a "City Policeman"! Stuart S. confirms that there is no ad for a City policeman on the City web site. Mark reports that Congressman Burgess Owens is sponsoring a bill to provide money for rural cities needing to offer higher wages for police services. The rural cities cannot compete with the pay scale of the big cities. They discuss grants (a short-term solution), sales tax to help pay police salary, County police coverage, and sharing a policeman with Moroni (Bob Hill is willing). Mark reports that there are two proposals on the next City Council Agenda dealing with the policeman dilemma. Rod suggests that the City needs a **CODE ENFORCEMENT OFFICER** as well.

• Riley reminds the group that the City needs to hold a Public Hearing to finalize its emergency passage of the **INTERNAL ACCESSORY DWELLING UNIT (IADU) ORDINANCE** and decide if they want a Single Family Residential-Agriculture (SFRA) Zone.

• Bryan reports that the Planning Commission has had an Initial Contact from Kyle Johansen/Curt Blackham with plans to build a 19-lot subdivision between 200 North, 300 North, 600 West, and the west City limit boundary. The Planning Commission has discussed requiring them to put a thru street at 800 West and 1000 West. Our Land Use Ordinances, Chapter 11, also requires them to repave the streets that they cut to provide services to the lots. Tom adds that an engineer should determine the depth of the pavement required when repaving. Although the subdivision builders provide their own engineer to plan water and sewer lines, the City should have a contracted engineer to provide a second opinion. The City needs to make sure that the water and sewer lines continue to provide adequate services for the rest of the residents on the lines. Tom points out that the west City limit boundary is at 800 West, but Joseph reminds them that the loop was added from 100 North to 100 South when the water system was upgraded. He feels that the same argument could apply to the subdivision addition. Riley suggests that the City should suggest phases for development of one block at a time. The Planning Commission reminds the group that a study must be done by an engineer before increasing or adding impact fees for water, sewer, Park, Streets, school, etc. These fees must be directly traceable to the intended usage of the fees. Alison adds that the elementary school now has the pre-school children there as well. Mark reports that Fountain Green's impact fees are much lower than others throughout the State. Alison asks if we should require curb and gutter in the new subdivision and Rod thinks that maybe it should be added throughout the whole City. Stuart K. says that it causes more problems than it solves – retention ponds, storm drains, etc. Bryan refers the group to the City General Plan, page 11, #4 – curbs and gutters "may be required", but are not required.

• Joseph reminds the group that a Public Hearing was held for Zone changes and the results, as determined after comments by the public, will be presented to the City Council at their meeting next week. They also need to act on passing the IADU Ordinance change with or without the SFRA Zone. He reminds them that they also need to appoint 2 new alternates to the Planning Commission – this letter will also be on their Agenda next week. Mark reports that a Public

Hearing is scheduled for the IADU Ordinance change just before the next City Council meeting in February.

• Mark reports that CIB money will be "drying up"! There will be no more or very few grants – they will only be able to provide low interest loans (0%-½%). Mark is planning to write and mail a letter to the citizens of Fountain Green reminding them that they need permits to build any structure, dog rules and requirements, library hours, etc. Bryan suggests adding that irrigation water can only be used if you have a share. Rod recommends putting the letter on the City web site as well. He thinks a "heads-up" about the upcoming survey and construction on the Divide would also be a good idea. We need to encourage a large response to the survey. Tom suggests a monthly or quarterly City newsletter with a story of the City's history, news, etc. The newsletter could be written by the library &/or DUP ladies. Rather than mailing them, they could be made available at Beck's service station, Shep's grill, the Post Office and on the City web site.

• Heather asks WHO WILL ENFORCE the City Ordinances. Joseph suggests a part-time enforcement officer – Bob Hill? for 10 hours/month? They discuss hiring a code enforcement officer or having our policeman deliver the letters of violation. Heather reminds them that Shelith wrote a letter of violation that was approved by the City Attorney. Jerime feels that any enforcement officer should live out-of-town for his peace of mind. Rod suggests that any fines collected could help pay for an enforcement officer. Joseph suggests that the City could charge for building permits – \$5 or \$10 for an accessory building permit and \$25 or \$50 for a house building permit. Stuart K. reports that we cannot call it a "building permit fee" and Tom suggests calling it an "application fee". Rod thinks the application fee could be based on square footage, but Joseph thinks the City should keep it simple. Mark adds that the State requires cities to review its fees each year. This would be a good time to make any changes – fees and fines.

• Bryan brings an ad for the Air B&B that Joseph Burton has in the City's old "Bath House". He is advertising to allow "friends and family (including face book friends)" to stay for less than 30 days which is against the City Ordinances.

• Since the County is requiring building applications to be submitted on-line, Heather suggests that the City no longer needs to have so many carbon copies in the building permit applications. We could dispense with the City and County copies. When an applicant asks for a building application, they could be required to pay the fee at that time – no application handed out without paying the fee.

• Heather asks if the letter of violation was ever sent to Wendell Jacobson, as he was very concerned about "what violations" he was accused of when we read the minutes at the last Planning Commission meeting. Mark admits that it wasn't, but it needs to be sent so that the County will have a legal reason to inspect the changes/remodeling that was done for Heidi Shakespeare.

• Bryan reports that Stuart brought him an announcement of a "Land Use Training" seminar by the Ut. League of Cities & Towns for Thursday, January 20, 2022 in Manti from 1-4 pm. Pre-registration is requested.

• The group decides to plan the next combined work meeting for March 12, 2022 at 9 am.

• The meeting adjourns at 11:24 am.