



**Present:**

Mayor Adele Justice	Council Member Dell Mead
Council Member Troy Winter	Council Member Gerry Stotler
Council Member Chris Winn	Council Member Brad Richman

**Also Present:**

Jacqueline Wilde, Treasurer	Justin Snow	Debra Hancock
Liz Nielson, PC Chair	Kern Behling	Kathryn Conover
Sid Swasey, Maintenance	Sherrie Swasey	Jeff Harbertson

1. CALL TO ORDER, ROLL CALL, WELCOME & PLEDGE OF ALLEGIANCE

Mayor Justice called the meeting to order and welcomed everyone at 7:00 p.m. Roll call showed Council Members Mead, Winter, Stotler, Winn and Richman were all present. The City Recorder was excused. Council Member Winter led the Pledge of Allegiance.

2. APPOINTMENT OF INCUMBENT MAYOR, COUNCIL MEMBERS AND NEW COUNCIL MEMBER AND ADMINISTERING OATH OF OFFICE

The Treasurer administered the oath to Mayor Justice and Council Members Richman, Stotler, and Mead.

3. REAPPOINTMENT OF FIRE CHIEF

**Council Member Winter moved to reappoint Dell Mead as the Fire Chief. Council Member Richman seconded the motion. Motion carried.**

4. BUSINESS OF THE MONTH

“Snow’s Heating & Air Conditioning is owned and operated by Justin and Robyn Snow. Justin has 27 years of experience in the heating and air conditioning trade, with both commercial and residential knowledge. Snow’s Heating & Air Conditioning opened its doors in 2000 to serve the great people of Emery and Carbon counties. They have been blessed with the support of the community and have enjoyed serving them as well. Word of mouth has been their best advertisement and they are still going strong. Snow’s Heating & Air Conditioning offers services including new construction for both residential and commercial, gas and wood fireplace installations, furnace and A/C repair, gas line installations. They are looking forward to offering more services in the future. They have recently added financing to their customers for all their heating and air conditioning needs. They are grateful for the opportunity to serve and support the community.”

**PUBLIC HEARING**

5. CONSIDER INPUT REGARDING BORROWING FROM THE WATER UTILITY FUND FOR CONSTRUCTION OF FITNESS CENTER

**Council Member Winter moved to close the regular meeting and open the public hearing to discuss borrowing funds from the water fund for the construction of the Fitness Center. Motion seconded by Council Member Mead. Motion Carried in a roll call vote with all Members voting Aye.**

Mayor Justice opened the public hearing stating that the Fitness Center is part of the operation with the Golf Course. She noted that if the Conover's building is used then there will need to be some construction. The City would pay for the construction costs and the money would be paid back to the city by Great Life. Basically, the City would be fronting a loan to get the center open. Great life would be purchasing all the equipment and the city would just be working on getting the building ready for the equipment to be installed. Borrowing from the water fund would alleviate the need to borrow from the bank. The meeting was then opened up for public comment.

Liz Nielson asked if that meant that the City would pay for renovations to Conover's building.

It was explained that the money would be used for the buildout of the portion of the building that the city would be leasing from Conover's. The Mayor explained that as part of the proposed lease agreement with Conover's, it was agreed that if the city did the buildout, the rent would be much less. It would also speed the process of getting the project up and going rather than to have to wait on a bank or financial institution to approve funding. The Mayor mentioned that there are other options for the project. Kern Behling asked if the City was going into the exercise business. He stated that it was his understanding that the company leasing the course would be putting in the exercise facility. Council Member winter explained that the city had not been able to enter into an agreement with Great Life as the process of purchasing the golf course from the BLM has met with some delays. Currently the City has an agreement with great Life as consultants over the course. The city will proceed with the fitness center in order to keep the model working and once the deal with the BLM is complete the transfer to a lease will be an easier process. Mr. Behling asked if members of the community can use the fitness center if they do not golf. Council Member Winter explained that anyone would be able to use the center for a fee. Mr. Behling said he did not feel it was right for a citizen to pay tax dollars to build out the facility and then have to pay to use it.

Mayor Justice explained that the consultant agreement with Great Life is a temporary solution to the proposed lease of the golf course while the city waits for the BLM process to be completed. Once the city has the patten on the course then they will be able to enter the full lease agreement. Jeff Harbertson briefly explained Great Life's position on the lease and the conditions of the consulting agreement. Mayor Justice explained that the council are not experts in the golf industry. Since the beginning of time the course has not made money and has been subsidized by the city. Bringing in Great Life and their model is a choice the city made to try to get the course up and running in a manner that it will be a benefit to the community.

Debra Hancock asked if the city felt a fitness center would be successful here. She mentioned that she had a fitness center in Ferron aa few years ago and it was not a business that made money or was of interest to citizens. The council explained that business come and go and that there has been a lot of interest lately in a fitness center. It is a risk that they feel needs to be taken at this time in order to keep the course open. Mr. Behling asked how much money would be borrowed from the water fund. The Mayor responded \$60,000 to \$80,000. She gave a brief explanation on the water fund and the operation of the fund. Several non-pertinent questions were then asked and the Mayor called attention back to the purpose of the public hearing. She reminded everyone that the purpose of the public hearing was to see if there were any feelings negative or positive for taking a loan from the water fund for the buildout of a fitness center. She then also noted that there were other options that had recently been presented to the council and so there may be other ways to go about getting the fitness center up and running.

There were no further comments.

Council Member Mead moved to close the public hearing and reenter the regular meeting. Council Member Richman seconded the motion. The motion carried in a roll call vote with all members voting aye.

## **CONSENT AGENDA**

6. APPROVAL OF MINUTES DATED DECEMBER 8, 2021
7. BOARD OF EQUALIZATION REQUEST
  - a. TERRY SOLBERG TERMINATION ACCOUNT BALANCE

**Motion by Council Member Richman to approve the minutes of December 8, 2021. Council Member Richman then amended his motion to include the board of equalization request and Moved to approve the items on the consent agenda. Council Member Stotler seconded the motion. Motion carried with all council members voting aye in a roll call vote.**

#### **GENERAL BUSINESS / DISCUSSION ITEMS**

8. PUBLIC COMMENT

Kathryn Conover asked what could be done about her business. She explained that her husband stated an auto repair shop in their back yard many years ago. When he passed away she put the business license in her name but now she cannot keep the business going or hire help because of the city code. She stated that there were individuals wanting to work out of her building but they cannot because they are not part of her family. She took the matter to the appeal authority and asked for a variance. She does not understand why a variance could not be granted to her and said that all she got was a call that said she did not meet the criteria. The Mayor briefly explained to the council what had happened noting that the planning commission sent her to the appeal authority to see if a variance could be granted. The request was denied. The Mayor stated she felt it was a very unfortunate situation and that somehow there needed to be a way to help her stay in business especially since the business had been in operation in Ferron for such a long time. The council agreed that the matter will be discussed to see if there is a way to keep the business open.

9. DISCUSSION OF SITE PLAN FOR FAMILY DOLLAR TREE

Liz Nielson, planning commission chair brought the dollar Tree plans to the attention of the council. She noted that the planning commission had reviewed the plans and were in agreement that the plan needed some adjustment. As it is currently, the store will face west and there will be an exit/entrance onto state street about halfway through the block. The commission felt that this is not a safe area for an approach to state street and would like to see the buildings facing south. She also noted the sign location and listed several other details for the plan. The mayor stated that the developer had contacted her one day before the loan closing asking for the city to agree with the site plans. She stated that she reviewed the plans and initially felt the same about the approach on state street. She did however, talk to the developer at length and finally agreed to the plans as presented. She noted that her reasoning for this was because there is another entrance/exit that will come be located on 100 north. She feels that most everyone will use this access point because of the highway and poor visibility. She also noted that the state street entrance/exit was needed for the delivery trucks to make the turn around. She feels that this will work with the current design plan and therefore approved the plan. The council agreed to the site plan and expressed excitement for the project to finally begin.

10. DISCUSSION AND ADOPTION OF CAPITAL IMPROVEMENTS (CIB) LIST

The council briefly looked at the list that was approved for last year. they did not identify any changes to the previous list and agreed to move the dates on the current list forward.

**Motion to approve the CIB Capital Project list as written and to push the completion dates forward by Council Member Mead. Second by Council Member Richman. The motion carried in a unanimous vote.**

11. PUBLIC DISCLOSURE OF ANY CONFLICT OF INTEREST

Council Member Mead noted that he works for Ace hardware and the City frequently does business with Ace. There were no other disclosures from anyone.

12. APPROVAL OF LOAN FROM WATER UTILITY FUND FOR FITNESS CENTER

No action was taken on this item at this time.

13. DISCUSSION OF COUNCIL MEMBER DUTIES

Mayor Justice outlined the council duties for 2022 and asked if anyone desired a change to the list. Everyone agreed to the list as presented.

14. UPDATE OF FAIRGROUNDS RESTROOM & ENGINEERING OF ADVENTURE HUB

Council Member Winter noted the change to the restroom plans he noted that it was going to now be a prefab building that has showers on the exterior of the building with doors. It is similar to the forest service or state park bathrooms. They are now just working on the preliminary details and will see that all the amenities are adequate. The building is cheaper in comparison to what was initially decided on. It will be completed prior to stock show so all seems to be in order. There is no update as of yet on the adventure hub. Council Member has friends that will assist in doing kiosks at the park that will designate trails. All the projects for the park hinge on the completion of the bathrooms so it will be good to get the bathrooms finished.

## REPORTS

15. MAYOR AND COUNCIL REPORTS

Council Member Richman reported that the signs were finally installed. He thanked Rick, Sid and Byron Thompson. Mike Riley borrowed forms for the cement and Royce Stilson helped keep the cement warm by letting the city use blankets. Council Member then talked about another city which is having people from larger cities purchase cemetery plots. He suggested raising the outside fee or making it cheaper for residents. He feels that something similar may happen here and thinks we should look at it again in the future. He concluded by saying he was contacted by Ace about the city purchasing the flowers from them this year. They are trying to get the orders in now so that they are able to provide us with the flowers we need. The council agreed that the flowers should be ordered now. Council Member gave a huge thank you to Brittney for her hard work and feels that the city has been lucky to have competent workers. Mayor Justice echoed the sentiment and asked the council to try hard to respect the city workers private time and noted that the office staff work hard to cover and pick up the slack for all the council and Mayor. Council Member Richman also complimented the Maintenance staff and suggested looking at the budget and seeing if it is feasible to raise wages.

Council Member Winn thanked the maintenance for removing the snow during the holidays. He noted that the snowplow was broken and said that it had now been fixed.

Council Member Stotler had nothing to report.

Council Member Winter stated everything had been discussed but wanted to thank the Fire Department for the way they responded to the incident on I-70 last month.

Council Member Mead reported that the department saved a cat from a tree. He said that they were second on the scene on I-70. It was a good learning experience for him and for many on the department. He plans to go to Winter fire school next week. He then asked about the way the snow was plowed and said he did not know if there was another way it could be done. Council Member Winter stated that they try to go back and push snow to

the corner, but it does not always happen and there are areas where it is really hard the way vehicles are parked. Council Member Mead then reported about several thefts that occurred and said we need to make people aware of the theft and encourage them to keep things locked up.

16. GOLF COURSE AND MAINTENANCE REPORTS AND WORK ORDER REVIEW

Sid reported that the Christmas decorations were taken down. Yesterday someone run over the pipes at the RV dump and he went and put them back up. The Canal Company tried to get in the building last week and could not find anyone that could let them in the building and wondered if they can have a card. The mayor noted that the city will not give out cards, but they can call and get the meetings on the calendar and then the building can be unlocked for them.

17. (IF NEEDED) CONSIDERATION TO ENTER CLOSED SESSION TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL, PENDING OR REASONABLE IMMINENT LITIGATION, AND THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, PURSUANT TO UTAH CODE SECTION 52-4-205

**Motion by Council Member Richman to close the regular session and enter into a closed session to discuss professional competence or physical or mental health of an individual. Second on the motion by Council Member Mead. The motion carried with all council members voting aye in a roll call vote.**

Minutes of the closed session are filed but not made public.

**Motion by Council Member Richman to re-enter the regular meeting. Second on the motion by Council Member Mead, Motion carried with al voting aye in a roll call vote.**

18. BUDGET REPORT

Mayor Justice asked the council to review their areas in the budget and let her know as soon as possible. She noted that the council should start working on the new budget in the next meeting.

19. APPROVAL AND PAYMENT OF WARRANTS

**Motion by Council Member Mead to pay the warrants. Second on the motion by Council Member Winn. The Motion carried with all council members voting aye in a roll call vote.**

20. ADJOURNMENT

**Motion by Council Member Mead to adjourn the meeting. Second by Member Richman. Motion carried.**

ATTEST:

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Mayor Adele Justice

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Barbara Bowles  
Ferron City Recorder