



**Present:**

Mayor Adele Justice                      Council Member Chris Winn  
Council Member Dell Mead              Council Member Wendy Price

**Also Present:**

Brittany Yeates, Recorder	Sally Washburn	KerriLynn McFadden
Jacqueline Wilde, Treasurer	Jason Maxfield	Cheryl Lechene
Sid Swasey, Maintenance	Sherrie Swasey	Debora Peterson
Darrell Brotherson	Kathy Brotherson	Ellen Wingside
Rayola Pfnister	Brock Morrill	Nicole Morgan
Laramie Morgan	Ashley Mills	Bobbi Brown
Irene Williams	Diana Ralphs	Michael Ralphs
Rhonda Hammond	Don Hammond	Randy Fox
Mitch Kimbal	Kyle Bundy	Dawn Winn
Don Childs	Sharol Childs	McKaylee Grange
Gary	Blake Sorensen	Joy Bloomer
P. Funk	Carla Caldwell	Suzanne Mortensen
Ray Petersen	Jean Morlen	Stephanie Chamberlain
Stewart Behling	Genny Benson	Marilyn Hooley
Douglas Knotts	Sharon Owens	Kai Maxfield
Kathryn Horrocks		

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

Mayor Justice welcomed everyone and called the meeting to order at 7:14 PM. Council Members Winn, Price and Mead were present. Council Members Richman and Winter were excused. Council Member Winn led the Pledge of Allegiance.

2. BUSINESS OF THE MONTH

Castle Valley Supply is August's business of the month. Mayor Justice read the following statement.  
"Been in business since 2010. Opened the Ferron store in 2016. It's farm, feed, construction, safety, hardware, and more store. Couldn't have done it without the support of all the residents. Thank you for your support."  
The mayor thanked them for being part of the community.

**Council Member Winn moved to open the public hearing at 7:16 PM. Council Member Price seconded the motion. The motion carried with Council Members Mead, Winn and Price all voting aye in a roll call vote.**

**PUBLIC HEARING**

3. TO CONSIDER INPUT REGARDING ADDING RV COURTS AS A PERMITTED USE TO THE CC-1 CENTRAL COMMERCIAL ZONE

The question was asked if the Singleton's court was in violation. It is but the business was there before the zones, so it is grandfathered in.  
Ray Peterson is supportive of tourism. He opposes amending the central commercial zone to include RV courts. Space is already at a premium in the Central Commercial Zone. RV courts are seasonal and doesn't think it is the best use of space.  
Stewart Behling feels RVs are an eye sore in the center of town.

Rayola Pfnister asked about having houses on one side of street and businesses on the other. She was told that, unfortunately, there is some residential mixed in with the commercial.

4. TO CONSIDER INPUT REGARDING EXPANDING THE H-1 HIGHWAY COMMERCIAL ZONE

Mayor Justice explained that the city had been approached by multiple people who could not find property to do business on. The Planning Commission was tasked with coming up with ideas on how to expand commercial opportunities. They came up with expanding the Highway Commercial zone one block to the east and one block to the west in the central area of Ferron.

Ray Peterson said he appreciated the opportunity the Ferron City Council has provided for comments on proposed zoning amendments. He asked that the comments be considered and included in the administrative record. He and his wife live in the area that would be rezoned. They enjoy the small, quiet atmosphere in their neighborhood. Much of the area is currently dominated by residential activity. While sympathetic to those who desire further opportunity in the central area of town and supportive of tourism industry and the role it can play in the economy in this area, he had concerns with the proposed amendment. Visitation from outside the area is already present and likely to increase. The challenge is to responsibly develop and maintain the amenities which will service visitors and benefit the community economically. While supportive of increasing economic activity he did not support the proposal. A major concern is the inclusion of RV Courts in the H-1 Zone. RV Courts would best be located not adjacent to residences. He said they currently enjoy quiet Sundays and RV Courts are generally noisiest on weekends. He also voiced concerns about the use of generators and the increased traffic from OHVs accessing trails. RV courts would impact residents.

Diana Ralphs asked for clarification as to what this would allow. She was told it would allow all commercial activity.

Multiple citizens asked how this would affect their taxes. The properties are assessed and taxed based on their use.

Michael Ralphs said that this proposal deviates from the Brigham Young model. He said that model has served well for over 150 years. This proposal could bring substantial costs by opening roads, sewers, and other utilities by increasing use. Other adverse impacts to residential areas are increased traffic, congestion, noise, loitering, and vandalism. He said he and his neighbors are opposed to this plan.

Diana Ralph asked if the city could tear down the deserted businesses in Ferron and open those up to new commercial opportunity. The city cannot. The property owners would have to do that.

Randy Fox said that his property taxes have already tripled. He said if there are businesses on both sides of his property then his taxes will go up.

Ashley Mills was concerned about not having a say about a business becoming her neighbor if the area around her is rezoned to allow businesses.

Blake Sorenson said he opposes it.

Laramie Morgan questioned if someone could build a residential house on the property after it is zoned. He was informed that both are allowed in this zone. He was concerned about how easy it would be for a council in the future to rezone the area to not allow residential building in an area. It was explained that it is a public process and takes a few months, but it is up to the council.

Ashley Mills and Blake Sorenson asked for the names of the individuals on the Planning Commission. The Recorder listed them.

**Council Member Mead moved to close the public hearing and move back to the public meeting at 7:55 PM. Council Member Price seconded the motion. Motion carried with Council Members Mead, Winn and Price all voting aye in a roll call vote.**

## CONSENT AGENDA

5. APPROVAL OF MINUTES DATED JULY 14, 2021

**Council Member Winn moved to approve the minutes. Council Member Price seconded the motion. Motion carried.**

6. RENTAL PROPERTY UTILITY PERMISSION – TRACY BEHLING & BROOKS BEHLING

**Council Member Mead moved to accept the rental property permission for the Behling family. The motion was seconded by Council Member Price. Motion carried.**

## GENERAL BUSINESS / DISCUSSION ITEMS

7. UPDATE OF FAIRGROUNDS RESTROOM & ENGINEERING OF ADVENTURE HUB

Jones & DeMille are moving forward with engineering the retaining wall. The Fairgrounds restroom is still on hold. Council Member Winter, Stilson & Sons Construction and Jones and DeMille will meet to try to find ways to cut cost.

8. DISCUSSION OF DRY YARD AWARDS

There was a short discussion of whether to give dry yard awards to those who have sacrificed their yards to conserve. It was agreed that it would be hard to pick just the few when so many have pitched in.

9. WATER UPDATE

The mayor said a big Thank You to the citizens. The water continues to last. It is anticipated to shut off the secondary after Peach Days.

10. DISCUSSION OF SHORT-TERM RENTALS ORDINANCE

As it is now anyone in Ferron who wants to turn their home into an air B&B can. The ordinance that is being suggested is patterned after Castle Dale City's ordinance. This limits the amount of Air B&Bs in a specific area. This would limit them to being at least 300' apart. It would also require B&Bs to license with the city. Passing the ordinance can give Ferron some authority to regulate. All B&Bs should be paying the transient room tax. It is beneficial for the city to have some control to protect the neighboring properties. It was suggested to also require a local property manager.

11. DISCUSSION OF PURCHASING FEED BACK SPEED SIGNS

Council Member Winn talked with Robert with UDOT. They did a study to extend 35 mph. According to the speed study, they would raise the speed limit but not lower it. If people were going the speed limit, it wouldn't be an issue. It's an enforcement issue. Having feedback signs helps remind people to not speed. UDOT is willing to partner to pay for the signs. It could cost \$5000. He has been talking to the trucking companies and they have GPS to track speeding. There have been some firings for speeding. Council Member Winn is wondering if he should pursue purchasing the signs. Council Member Mead was not in favor. Council Member Price wanted to see the lower speed signs moved out further. It was agreed to review later.

12. FRAUD RISK ASSESSMENT REVIEW

The mayor and council read through the fraud risk assessment. The result was better than last year. It was found that the city needs to have a policy for “personal use of entity assets” and “IT and computer security.” Also, that the employees and elected officials should commit annually in writing to abide by a statement of ethical behavior and complete entity specific training.

13. ACCEPTANCE/APPROVAL OF NEW ANNEXATION EXPANSION AREA MAP

**Council Member Mead moved to accept and approve the new map area. Council Member Price seconded the motion. Motion carried with Council Members Mead, Winn and Price all voting aye in a roll call vote.**

14. PEACH DAYS

There was a quick discussion of minor changes and things that were still being planned.

**RESOLUTIONS/ ORDINANCE**

15. ORDINANCE 2021-2: AN ORDINANCE REGULATING THE LICENSING AND USE OF DWELLINGS IN A RESIDENTIAL ZONE FOR SHORT TERM RENTALS

**Council Member Winn moved to make changes to ordinance 2021-2. Council Member Mead seconded the motion. Motion carried.**

16. ORDINANCE 2021-3: AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY AND EXTENDING THE CORPORATE LIMITS OF FERRON, EMERY COUNTY, UTAH KNOWN AS THE KINDER ANNEXATION

**Council Member Mead moved to accept ordinance 2021-3, the Kinder annexation. Council Member Winn seconded the motion. Motion carried with Council Members Mead, Winn and Price all voting aye in a roll call vote.**

17. ORDINANCE 2021-4: AN ORDINANCE AMENDING FERRON CITY CODE 10-6F-2 PERMITTED USES IN CC-1 CENTRAL COMMERCIAL ZONE

Council Member Price asked if they could have more time to think about it.

**Council Member Mead moved to vote down ordinance 2021-4 amending the city code. Council Member Winn seconded the motion. Council Members Mead and Winn voted aye and Council Member Price voted nay in a roll call vote. Motion carried.**

18. RESOLUTION 2021-13: A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION OF CERTAIN REAL PROPERTY

**Council Member Mead moved to accept the petition of resolution 2021-13. Council Member Winn seconded the motion. Motion carried with Council Members Mead, Winn and Price all voting aye in a roll call vote.**

**REPORTS**

19. MAYOR AND COUNCIL REPORTS

Council Member Mead reported that the fire station only had two calls this month.

Council Member Winn reported that the Special Service District was discussing doing a place where people can get metered water. They would also like to have common water charges throughout the county.

Mayor Justice told Council Member Winn that the Youth Council has offered to help with the Halloween party. She had met with the BLM about the golf course. Started off saying we could work with Great Life. Then back tracked. Can own the course out right. They made an offer to put the golf course up for short sell right away and the city could bid on it. Would have to relinquish the lease. Might not get it. Would also be buying back what the city had put into it. She did not feel like that was a good plan for the city. Also, the city still has a loan payment. Then she was told that the DINGLE ACT takes priority over everything. Can't move forward until a portion that is in the DINGLE ACT and part of our current lease is taken care of. It could take another 18 months to two years to get through the DINGLE ACT. Great Life is proposing to be a consultant.

20. GOLF COURSE AND MAINTENANCE REPORTS AND WORK ORDER REVIEW

Sid Swasey reported that he has been spraying for weeds.

21. (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

There was no need for a closed session.

22. BUDGET REPORT

The Recorder reported that the city received a deposit of nearly \$85,000 from the ARPA.

23. APPROVAL AND PAYMENT OF WARRANTS

**Council Member Mead moved to pay the bills. Council Member Winn seconded the motion. Motion carried with Council Members Mead, Winn and Price all voting aye in a roll call vote.**

24. PUBLIC COMMENT

Public comment will be moved earlier on the agenda again. Diana Ralphs commented that the mayor and council handled the public hearing well. It could have been worse.

25. ADJOURNMENT

**Council Member Mead moved to adjourn at 9:05 PM. Council Member Winn seconded the motion. Motion carried.**

ATTEST:

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Mayor Adele Justice

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Brittany Yeates  
Ferron City Recorder