



Present:

Mayor Justice
Council Member Richman

Council Member Price
Council Member Trenergy

Council Member Mead
Council Member Fox

Others Present:

Shala Hunsaker, Recorder
Tami Bennett, Treasurer
Sid Swasey, Maintenance
Kathi Kearney
Brent Funk
Jim Behling
Stewart Behling
Donald Campbell
Garrett Snow
Kyle Singleton
Jared Snow
Jeremy Guymon
Paula Caldwell
Albert Anderson
Darel Behunin

Robyn Snow
Justin Snow
Rick Price, Maintenance
Dave Blackwell
Kurt Larsen
Stephen Snow
Heidi Bowden
Lane Justice
Craig Nielson
Kathy Jenkins
Bonnie Christensen
Max Anderson
Brian Caldwell
Jonathan Hunt
Al Anderson

Tyson Perkins
Kelly Perkins
Lonny Zwalen
Kenzie Guymon
Bruce Fish
Gil Bowden
Vickie Anderson
Rex Funk
Cynthia Nielson
Trent Jackson
Alan Christensen
Grant Nelson
Maegan Crosland
Heidi Bowden
Mickey Sindegaurd

1. CALL TO ORDER, ROLL CALL, WELCOME & PLEDGE OF ALLEGIANCE
Mayor Justice called the meeting to order at 7:00 p.m. and welcomed everyone. The roll Call noted the following:
Present: Council Member Fox, Trenergy, Richman, Price, and Mead.
Council Member Trenergy led the Pledge of Allegiance

CONSENT AGENDA

2. APPROVAL OF MINUTES DATED JULY 12, 2018, AND PUBLIC HEARING MINUTES DATED JULY 27, 2018
3. BOARD OF EQUALIZATION REQUESTS
 - Rental Permission Form- Dawn Manzanaras
 - Utility Adjustment- Tyrell Justice
 - Peach days Refund for vendor booth

Council Member Richman moved to approve the consent agenda. The motion was seconded by Council Member Trenergy. The motion carried with Council Members Fox, Richman, Price, Trenergy and Mead each voting aye.

PUBLIC HEARING

Council Member Fox motioned to enter a public hearing. The motion was seconded by Council Member Mead. The motion carried with Council Members Fox, Richman, Price, Trenergy and Mead each voting aye in a roll call vote.

4. TO CONSIDER RAISING WATER RATES TO COUNTY USERS

Mayor Justice Briefly explains that this is a public hearing and that each person who would like to speak is welcome to; however, because there are so many present they will each be allowed 2 minutes to speak. She asks Council Member Mead to time.

Mayor Justice gives a brief background of the topic. In 2012 the district raise the water rates for culinary water to all users. Last month the district decided to raise the water rates for county users to 45\$. The City will now be required to pay the CVSD (Castle Valley Service District). \$45 a month for each county user; therefore, we need to raise your rates from the current \$38.25 to cover the costs. The reason that this happened, people who live in the city pay property tax that goes to CVSD for maintenance and care of the culinary water. People who live in the county do not pay that same portion. The CVSD and board feel it is only fair to try and make things more equal. The rate change passed, and the City began paying them \$45 as of September 1st.

Darel Behunin - Asks if this is set in stone? He reports that after looking at the numbers, county users and city users are paying around the same amount already. He feels that they are almost equal now and wants to know why they are raising it so much. Mayor Justice directs the citizen to their tax notice and asks them to review. County users do not pay the same taxes as those who live within the city boundaries. She has an example of the taxes of Tami Bennet who lives in the city and a county user. Mayor Justice briefly explains the difference between the two.

Al Anderson, wants to know where the taxes come from and who is taxing the citizens. Mayor Justice explains that everybody pays taxes that go to the city, CVSD and the community impact fund. Mr. Anderson states how he wouldn't mind paying more money if someone would put a gas station in town. He states his displeasure with the agreement the city has with the restaurant at Milsite. He explains that he feels things are unfair. He explains the difficulty he had years ago getting culinary water and asks if we can protest the increase. Mayor Justice expresses that she was at the district meeting and didn't protest the increase as she thought it was a fair increase. Mr. Anderson then states that he is under the impression that we receive our water from Milsite reservoir and that the cost to treat the water has not changed since 2005.

Council Member Fox gives a brief explanation about water shares and how water is obtained from the canal company and paid for. He says that the cost has changed since 2005 and changes yearly. Mayor Justice adds that the cost of treating the water has changed as well as paying for the new water treatment center.

Kurt Larsen asks that if the cost of treating the water has increased, why hasn't there been an increase for the City users increased as well? Mayor Justice explains that back in 2012 everyone had an increase; however, the district felt that they didn't raise it to a fair amount between citizens inside city limits as compared to what citizens in the county pay.

5. **CONSIDERATION TO ENTER AN AGREEMENT WITH JUSTIN SNOW CONCERNING THE PURCHASE CITY PROPERTY**

Mayor justice states that the city is still negotiating terms with Justin Snow. She states that the city will not be entering into a no competition clause and would like to make that very clear. That will not be happening. We have not been able to find a commercial appraiser. The county accessed the property to be valued at \$24,000. Justin talked about buying the property for a thousand, curb and gutter on Molen Road, asphalt, and the movement of a powerline that would cost about \$2,500. Mayor opens the floor for comment from the public on what they believe is fair and the council will decide tonight.

Council Member Fox states how he thinks we need gas in Ferron and is 100% for a gas station; however, everything that was just stated would cost the city around \$10,000, and we are only going to get \$1,000 out of it.

Justin Snow states that is not quite right

Mayor Justice states that Justin has talked about a clause where if Justin were to

ever sale the property, he would then pay the city back to full appraisal value.

Mayor asks for anyone to please make public comment. The property belongs to the citizens, so please make your concerns known. It is not fair to criticize the council without public comment.

Brief discussion on the lot size and the price the city paid for the lot. The City bought the property for \$50,000. At the time, the property had a house and shop on in that were deemed unfit and un-fixable.

Kathy Kearney asks about the cost from the city and if the city has budgeted for such an expense? The Mayor states that the money has not been budgeted and a public hearing would need to take place in order to open the budget for any expenses.

Spencer Ward- I think the gas station would be good for everyone involved. I'm from Orangeville, I have had to come and save people who were stranded with gas

Mickey Sindegaurd- I feel if it's not going to hurt the city, let the man have the deal for whatever you feel is appropriate. We have been 2 years without gas and we need it. He's not in it for the money at the moment, so give it to him for whatever he wants.

Justin Snow makes a brief statement about contractors and plans, but that the bulk will be built by him and whomever wants to hammer a nail.

Trent Jackson reminds the citizens about a tax that was passed on gas that returns to development. That is why there are has not been as many sidewalks being built, because we have not been receiving that gas tax. I think that it is a good deal. I think that there are 2 places that may have more gas stations. I think that no matter. the more gas stations we have running, the more the citizens are going to benefit. Trent then asks about the power pole. The Mayor explains that only the small pole would be moved and that is has been talked about the city would pay up to \$2500 and that's it.

Justin Snow states that If this takes off, he would like to pay that straight out and it's all on him sink or swim. The city would be making taxes that they currently aren't.

Heidi Bowden asks if should the city be paying for the power pole and any other expense?

Garrett Snow- We paid for a softball field that doesn't get used, why can't wait we pay for a power pole. Trent Jackson states that he would like to correct Garrett and that the baseball field was almost 100% free from donations.

Gil Bowden states how he was once in Justin's shoes and started out just as he is. He supports Justin and anyone who would like to put a gas station in, whether it would be 3 or 4 stations. My concerns are with the expenses that he is going to have. We need more than just the citizens to support these gas stations. There are many expenses that you won't expect. Make sure that the city doesn't have an open-ended agreement. I'm just trying to protect the city from any unexpected expenses. I'm for helping him getting going, I don't in any way want to stop him, just make sure that all the expenses are in the agreement and the city doesn't bear any burden. The city should have no liability.

Mayor Justice- There will be no agreement that is open ended and there will be dollar amounts in the agreement.

Gil Bowden states that is his main concern and Justin Snow agrees that will be taken care of.

Council Member Richman offers his opinion that we need to make sure that we put a clause in there that if there is an expense that we didn't anticipate we need to

explicitly state who will cover the costs.

Cathy Jenkins states that there are many business owners present tonight. Some of whom have failed. When someone new comes with a new business idea, is the city willing and open to support them? Kathy asks about the support given to Gil when he had a problem. What if someone stops coming to him because they have a disagreement. Is the City council going to support the other businesses?

Mayor Justice answers that Ferron City is willing to help anyone, anyway they can. As a government entity, it is very difficult by law to help an existing business. We want economic development. We need to bind together. Any person that wants to come put in a new business we will go through this same process that we are doing for Justin and do what we can by law.

Trent Jackson makes the comment that last year the city council opened the entire city up as an enterprise zone. This opens up many possibilities for individuals hoping to open a business. Mayor responds that the city can't do all of the work for you but did open up the city for different possibilities.

Kelly Perkins asks about a time frame for when we will actually get gas. What is the realistic estimate when gas can be purchased.

Justin Snow states that his first priority is to obtain the property and then obtain the loan from the bank. He says how he has already put up his house and as soon as he has the land, he has the money to put the tanks up. Justin's plan is to put up the gas pumps first, and then the store later. He claims that his hope was that gas would be ready by Peach Days. Spencer Ward expresses that the Gas tanks can be up in 3 weeks.

Stuart Behling expresses how the time line is unrealistic. He explains that the paper work from the city alone will take time. Mayor Justice expresses that we should consider putting a 6 month timeline in the agreement.

Max Anderson makes his opinion known, Shit or get off the pot! (the crowd erupted in laughter)

Mayor Justice expresses that she is sorry about the two public hearings and miscommunication

Mayor Justice suggests moving forward with the agreement stating Justin purchases the property for \$1000, with a clause stating that if the property is sold Justin will pay full appraisal value that as of right now as far as we can tell is \$24,000. Ferron City will move the small power pole at relatively \$2500; if that changes we will let you know before we sign the agreement. Ferron City will fix the curb and gutter on Molen Road. Asphalt is not in the budget at this time.

Council Member Fox asks if this property will be this sold as is? Justin and Mayor Justice States yes.

Sherrie Swasey asks if there will be a fence between Justin's property and the cities? Mayor asks that will be addressed later on a as needed basis.

Council Member Motions to close the Public Hearing and move back into regular City Council Meeting. The Motion is Seconded by Council Member Mead. The Motion Carries with Council Member Fox, Richman, Price, Trenergy and Mead voting Aye by roll call.

GENERAL BUSINESS / DISCUSSION ITEMS

6. ITEMS PULLED FROM THE CONSENT AGENDA

7. PUBLIC COMMENT PERIOD

Random citizen asks what was decided with the water rates? Mayor Justice answers that the water rates will be raised. We will look at the current rates and try to keep it as low as possible. It will be at least \$45.

8. DISCUSSION AND CONSIDERATION TO ALLOW THE PTO PERMISSION TO RENT THE CITY MOVIE EQUIPMENT– PTO PRESIDENT, MEAGAN CROSLAND

PTO President for Ferron Elementary Meagan Crossland is asking to use the outdoor movie equipment for a fund raiser, Friday August 24th. They would like to hold the fund raiser as a back to school party for a fundraiser through. The PTO operates on a modest budget and everything made in fundraising is given back to the students. Council Member Price states that The Youth Council is doing a back to school movie this Friday. Meagan states that their dates are flexible, but wanted to ask if the equipment would be available. Brief discussion about screen possibilities.

Council Member Mead makes a Motion to agree to let the PTO borrow the movie equipment for a back to school fundraiser. The motion is seconded by council member Trener. The motions passed unanimously.

9. DISCUSSION AND CONCERNS FOR YEAR ROUND INTENTIONS OF THE MUD BOG TRACK – REX AND BARBARA FUNK

Rex Funk addresses the council about his concerns about the mud bog. He explains that he never complained about the demolition derby, but is in disagreement with the location of the mud bog. He gives a brief description of the issues he has been facing with the construction of the mud bog. He also expresses that he feels the citizens were not informed about the plans and intentions. Rex states that his biggest question is this just for Peach Days or for continual use.

Mayor Justice explains that the intent is to use this just for Peach days. An annual event, just for the sake of peach days. She apologizes for not including the citizens in the discussion and decision.

Rex asks how the city intends to keep the place secure and if zoning has been changed to accommodate the event.

Mayor Justice- I believe that the gate will be locked. I apologize for not letting the public know more about our plans. We were trying to find a solution to the Derby, Council Member Price came up with an idea to give Peach Days a new event. There doesn't need to be changes in the zoning as we are just replacing one event with another.

Rex asks that if there are any plans to make this bigger and usable year round will you please inform the property owners.

Council Member states that if this goes well, I hope that we can plant grass out there where the track isn't and knock down the dust. Right now this is a trial and error.

Barbara Funk expresses that she is more upset than Rex than this. She asks who is paying for this. I want a commitment that this is only for Peach days.

Council Member Price introduces Jeremy Guymon and explains that everything on the Mud Bog has been volunteer work. They have donated their time, equipment, and time. This is a trial and error and I am hoping that this works.

Barbara Funk expresses that if this is just for Peach Days it is acceptable, but if it is to continue, there need to be environmental testing, sound barriers, fences ect. There are sound ordinances that prohibited such things. She asks if there is someone down there, can I call the city.

Brief discussion about equestrian use. Barbara states how she feels that the Mud Bog is not comparable to equestrian.

Mayor Justice states that if there is someone do case by case. If there is a problem, we will address the problem when a problem comes up.

Jeremy Guymon expresses that he feels is stupid and crazy to use it one time only with all the money that is spent there. I think we should do surveys and environmental impact. I think the city would be crazy to only use it once a year.

Mayor Justice states that we will need to wait and see what happens and asses further when things come up.

Lane Justice states that the arena gets used and is open for people to use. They have cleaned that infield up from the pile of weeds that it was and feels this track should be open to use for other events. It is an event center.

10. DISCUSSION AND CONSIDERATIONS FOR 2019 CAPITAL PROJECTS

Brief discussion for Prject requests for 2019 CIB Funding.

Council Member Trenergy moves to submit the following CVSSD: Curb and Gutter on 300 west from Main street to Canyon Road (east side); Curb and Gutter with possible drainage needed on 400 north from 200 east to 225 east (north side); Retaining wall on 100 north from 100 east to 200 east (north side) needed before the sidewalk can be installed. Motion seconded by Council member Mead. Motion passed unanimously.

11. DISCUSSION AND CONSIDERATION TO GIVE COMPENSATION TO PLANING AND ZONING COMMISSION MEMBERS

Brief discussion about the Planning Commission. Council Member Richman explains that we have a hard time getting people to the meetings. It was suggested that we give an incentive to people to the Planning and Zoning committee when they attend the meeting. If they don't attend the meeting, they don't get money. Discussion now, change the ordinance later. Council Member Fox asks about budget consideration. The budget would have to be open in order to move the budget. It is discussed to change the terms of service. It is currently at 2 years. They do a lot of volunteer work. Mayor asks to move forward with writing an ordinance. Council agrees. They discuss changing the Ordinance for a possible 5 member with a maximum of 7 members.

12. PEACH DAYS DISCUSSION

Shala states that we have been given the \$3,500 Grant from the Emery county Travel Bureau. We need to know asap what needs to be Ordered.

Brief discussion about the mud bog and possible advertisement as well as tee-shirts, and posters. Less advertisement on the radio and more somewhere else.

Brief discussion of the location of the fireworks Council Member Mead states there is no more room with where the Mud bog is going to be, a possibility is behind the shoots. Lane Justice suggests the Arena. The street dance and dinner will be at the Mayors park so the fireworks can be at the Arena.

Update about the other Peach Days events. Council member Trenergy says that Kailyn Winn is going to do the Picasso. The Soap box derby is good to go as long as Randy come through with the hay. Council member fox states he has 300 bales that we can use if we have someone to help us carry. Stephanie Chamberlain is discussed with helping with the dessert contest

Council Member Price discusses possible location for Straight Canyon Band for the street dance. The veteran's memorial is briefly discussed as well as parking. She explains also that the mud bog is not just a mud bog, but also a UTV Challenge. It is a very friendly course. We have release forms for participants to sign. The prize money and classifications for races is briefly discussed.

Bleachers and seating for the mud bog is discussed. Could the bleachers be set up before the event or do we need to wait until after the horse races. Tami Bennet expresses that we are going to ask around for a possible Human obstacle course inside of the arena. Council Member Fox shares an opinion on taking the bleachers through the gate across the horse track as a straight shot. He states that he will work the track after they take the bleachers across.

Council Member Richman gives an update about Exhibits and the parade and feels confident that everything is good to go. Jeff Smith will announce the parade.

Council Member Fox gives an update about the horse races, the ranch Rodeo and team roping. Everything is set on track

Mayor Justice gives an update on the Field of Flags, fun day, Bike Ride, Queens performing and the Hypno Hick. The Hypno Hick is going to be moved to the Metal building at the Fairgrounds.

RESOLUTIONS

13. DISCUSSION AND RECOMMENDATIONS FOR THE RESOLUTION 2018-5 CONCERNING TYPES OF PARKING VIOLATIONS AND THE FEES TO BE CONSIDERED

Council Member Richman explains that there needs to be fines for leaving obstruction on the streets. The Sheriffs department can tell them to move, but we do not have a fine specific for it. They discuss to look at other cities fine schedules and come back to this resolution.

REPORTS

14. MAINTENANCE AND GOLF COURSE REPORTS

Brief discussion of spraying weeds and preparing for Peach Days.

15. BUDGET REPORT

The current budget is discussed as well as some suggestions from the auditors to hold people more accountable for what is being spent in the different departments.

16. APPROVAL AND PAYMENT OF WARRANTS

Motion made by Council Member Trenerly to pay the bills. The motion is seconded by Council Member Fox. The motion carries with Council members Fox, Richman, Price, Trenerly and Mead all voting aye in a roll call vote.

17. ADJOURNMENT

Council Member Mead moves to Adjourn. Motion is seconded by Council Member Trenerly. Motion passes unanimously.

ATTEST:

Shala Hunsaker
Ferron City Recorder

Mayor Justice