



PRESENT: Commissioner Chair Ronny Bloomer Commissioner Lane Justice
Commissioner Brad Richman

OTHERS PRESENT:

Shala Hunsaker, City Recorder	Council Member Wendy Price
Rick Price, Maintenance	Jeremy Guymon
Kenzie Guymon	Collette Cologie
Rex Funk	Barbara Funk
George Marshal	

1. CALL TO ORDER

Commissioner Bloomer calls the meeting to order at 7:02 p.m. and welcomes everyone.

2. APPROVAL OF MINUTES DATED AUGUST 7, 2018

No minutes to be approved.

3. DISCUSSION OF CITY ORDINANCES – REX FUNK: 220 E 100 S MOLEN RD

Rex Funk starts by stating they are not against the Mud Bog, they're problem is the location being right up against the homes. He is concerned this is going to be a permanent track for recreation, not just for the Peach Days event. He complimented the workmanship but complains the work has caused an incredible increase in dust. He also talks states his concerns about the type of vehicles possibly participating. Council Member Wendy Price responds this event is for locals with trucks, not big rig or monster trucks.

Mr. and Mrs. Funk both express their frustration about the lack of information on the mud bog. They also express their frustration when trying to vocalize their concerns in City Council Meeting. They fear the sounds from the Mud Bog event will violate city ordinance. Commissioner Bloomer responds that we won't really know what sounds or disturbances will happen until the event occurs and this is all speculation.

Commissioner Justice reminds Mr. and Mrs. Funk the Peach Days Fireworks are also shot from that location and have been for years.

Mr. Funk asks why this location was chosen. He suggests where the location would be better to absorb the sound and dust. Mrs. Funk expresses her opinion that the location is right up in their face and aggregates to them.

Commissioner Justice states the Mayor has apologized to the Funks for the lack of information. Circumstances have led to the delay in getting information to them and they have received apologies. Justice also states the location is in the Ferron City Fairgrounds and right now is trial and error. Something must be done for the Peach Days celebration because we cannot compete with other Demolition Derby's. The Demolition Derby has been going on for years, creating noise and dust. In his opinion, he doesn't think the mud bog will create as much noise and dust as the Demolition Derby.

Mr. Funk states that for years they have left town during the Demolition Derby, but the sounds were buffered by the stands and the fans. Because this is in the open air, there is nothing to buffer it. He claims that people are already riding on the track. Council Member Price states

the track is on Ferron City Property. Mr. Funk continues to complain about the dust and dirt they have been subjected to. He is concerned there is not enough water to water the bumps, the humps, the mounds and keep the dust down.

Mr. Funk expresses he doesn't believe enough planning has been done. He feels this was just an idea Wendy came up with. The idea isn't what bothers him, the location is the lousy part.

Council Member Price states something had to be done, an event needed to be planned. Unfortunately, because of the short timeline, Ferron City not had time to sufficiently prepare the dirt like the arena and horse track, that is something to look to in the future. We understand the dust and problems. If this works, and people enjoy the event we can look at planting grass around the track and better preparation. We won't know until after the event, and we apologize for the mess.

Mrs. Funk states there is a failure to communicate. Commissioner Bloomer disagrees. Mrs. Funk expresses her opinion that Peach Days is not her concern. Her concern is the now, newly built track being used year-round. Commissioner Bloomer says he doesn't know that it will be and again, this is all speculation. The best answer is to bear with each other and try to make a resolve with something that is beneficial to everyone.

Mrs. Funk asks again what type of vehicles are going to be participating. Council Member Price tries to clarify by giving her Jeep as an example.

Mr. Funk asks how the City plans on keeping kids from getting on the track. Price answers by stating she can't stop the horses from using the facility. Commissioner Justice states he feels securing the track is a legitimate concern for liability reasons. He feels this is an easy fix. We can't prevent them all, but we can do our best.

Everyone agrees that as of right now it is a wait and see how things go.

Mrs. Funk asks for clarification on the zoning of the Fairgrounds. Commissioner Justice states it is a recreational facility. Mrs. Funk states that the track is zoned right down the middle between residential and agricultural. Commissioner Bloomer responds he does not know if it has to fall into a category and doesn't have an answer. He gives a brief explanation of Ferron Cities zoning plans and the reasoning for the areas surrounding the Fairgrounds to be zoned as residential. Mrs. Funk explains that by being zoned as R2-7500, there are ordinances giving them protection from noise, fumes, ect. Commissioner Bloomer responds there are nuisance ordinances protecting every citizen of Ferron from such things. Mrs. Funk expresses her hope that she doesn't have to "go there", but she does have rights as a property owner. She then gives a brief discussion of the health issues she has experienced over the last few weeks because of this situation. She states, "This is affecting my life, my health, my very existence."

Mrs. Funk states she doesn't want to come across as if they're trying to stop Peach Days, they are trying to stop the new obstacle track from being used as a 24-7, at-will, facility.

Mr. Funk states that how Planning and Zoning should have contacted them about this before the construction took place. Both Commissioners Justice and Bloomer disagree. Commissioner Bloomer goes on to briefly discuss the purpose of the Planning and Zoning Commission, and that this has nothing to do with Planning and Zoning. Mr. Funk states this is going to be an issue where they cannot protect the citizens against pollution, fumes, the sounds and all the problems that go with an UTV course. The issue again is the location, move it and this all goes away.

Commissioner Justice asks where we would move the Fairgrounds to? He expresses his love of living in Ferron. He states we make compromises for the best decision and for the majority

of people. The Fairgrounds is there as a multi-use for all the citizens of Ferron. There is not a place that would eliminate all nuisance for every person.

Mrs. Funk, becoming more intense, makes the comment that for 45 years this piece of land has been unused. Commissioner Justice argues that's not true; the land was once used as baseball fields behind the bucking shoots. Mrs. Funk responds, "Oh Hecks Fire, I know, our kid coached it."

Mrs. Funk then states that there is obviously a failure to communicate. We have a preconceived idea that may not be correct, and we will just have to wait and see. Commissioners Justice and Bloomer both agree with that statement. Mrs. Funk says they want their concerns on record and if there is an impact affecting the enjoyment of their property, where there is a law against that, then they go further.

Mrs. Funk and Commissioner Bloomer agree there is no further discussion on this. Mrs. Funk expresses that if these issues come into fruition, they will be back to talk about this more. After stating that in City Council Meeting he could receive no commitment, Mr. Funk expressed again his dissatisfaction with the location.

Council Member Price gives a suggestion of putting up a wood fence or some type of barrier. Mrs. Funk responds that since Ferron City put the mud bog up, they can put up a fence and she is going home.

Commissioner Justice expresses that he hopes Mr. and Mrs. Funk will stay for the Mud Bog and stay and enjoy Peach Days. He also states that he hopes this is a success for everyone. Justice then states that if there are issues, we can all meet again and discuss those issues, including looking at moving the location for next year. He also states his opinion that he doesn't believe it is going to be an open thing 24-7. Mrs. Funk responds, "I heard something once: Where you stand depends on where you sit."

Mr. Funk then says how he has never been a problem to the community. In his years of service with the road department, Rex Funk was a blessing to the community. He then gives a brief description of his work on the road department. He expresses his love of the community and neighbors, but feels he needs to also state his opinion. He then says this could drop his real estate value. Commissioner Bloomer responds that is speculation.

Commissioner Bloomer states the Funks know their rights and expresses they can exercise those rights to what they feel they need to. He asks them to bear with the city and wait and see. He also expresses his wishes to find a happy medium and get along. Mr. Funk suggests meeting on the grounds to walk around and discuss options. Bloomer also states the dust issue could be caused from other places than just the Mud Bog, including the property next to the Funk's home. He says we are here to try and figure things out to get along.

Mr. Funk makes the statement he does not want to threaten anyone, but there are issues, and Peach Days will tell the tale. He hopes the Commission is sincere in wanting to talk about the issues and finding a solution. Commissioner Bloomer says he hopes they can find a solution as well. Commissioner Justice suggest Mr. and Mrs. Funk attending the next Planning and Zoning meeting after Peach Days to do a follow-up.

A brief discussion about possible conflicts post- Peach Days between the equestrian group and people hoping to use the UTV obstacle course breaks out. Council Member Price says she doesn't feel there would be a problem if there is communication. Maybe they can look at people reserving the facility. A brief discussion about what Jeremy Guymon said in City Council Meeting is brought up. Mr. Funk says Mr. Guymon suggested if the equestrian group is able to use the facility, then the UTV group should be able to use it 24-7 as well. Mr. Guymon corrected Mr. Funk stating he never brought up equestrians, but feels if the new track could bring in revenue to our community, then they should utilize the track..

Commissioner and Mr. Funk agree to work together. Mr. Funk apologizes if he came off rowdy but hopes the Commission understands this is a sensitive issue. He then asks if Commissioner Bloomer would like this behind his house. Commissioner Justice states that everyone has issues; when the wind blows, dust scatters around Ferron and there is no way to stop it. He hopes that we can all work together.

A brief discussion of the why the fireworks were moved from Milsite to the fairgrounds. Mr. Funk expresses his feelings about the fireworks being close to his house has also been a nuisance and disrespectful. Commissioner Justice responds that for a big celebration, the city tries to find the best solution for the most people: the best location is the Fairgrounds.

Commissioner Bloomer and Justice both say Mr. Funk is welcome to apply to be on Planning and Zoning at any time. Mr. Funk states he might take them up on that as they could use a little salt with a little laugh.

Commissioner Bloomer asks Mr. Funk if the Fairgrounds were there when he purchased his home. He responds yes, the arena and stands were already there, and the demolition derby started back before the 1980's. He then gives a brief history of problems that have occurred over the years from the Derby. He then thanks the commission for their time and leaves.
33:00

4. WORK SESSION

Brief Discussion with George Marshal about his options of splitting and selling his property on 100 North. His options are splitting the property into 3 or 5 different lots and selling them. He also owns 3 culinary water shares and 3 secondary shares. The commission gave a few words of wisdom, told him about the required applications to subdivide property, as well as informed him the zoning requirements in Ferron; however, recommended he decide what he wants to do and call to be on the agenda when the time comes.

DISCUSSION ON CHANGING PLANNING AND ZONING ORDINANCE

Discussion about changing the Planning and Zoning ordinance. The commission discussed compensating each member of planning and zoning \$50 when they attend the meeting each month. They also recommended changing the required members to make a quorum to 3 with a maximum member of planning and zoning to 7 members with possibly staggering when the members would attend the meeting. They also discussed changing the term limits, as well as adding a request to be on letter and a resignation letter.

DISCUSSION OF 2018-5: A RESOLUTION ESTABLISHING FINES AND ADOPTING A FEE SCHEDULE FOR PARKING VIOLATIONS

The commission briefly discussed possible parking violations and fees, but ultimately decided to wait until they viewed some examples of parking violations.

Brief discussion on the Fowlers store selling and storing gas in their store.

The commission briefly discussed the process for new construction and when it is necessary for people to attend planning and zoning.

Discussion about adding a new member to Planning and Zoning and whether they have the authority to add, reject or remove members. They recommended asking the Mayor.

5. ADJOURNMENT

Commissioner Richman made a motions to adjourn. Commissioner Justice seconded the motion. The motion carried with Commissioners Richman, Justice and Bloomer all voting aye. The Meeting Adjourned at 8:31 P.M.

ATTEST:

Commission Chair Ronny Bloomer

Shala Hunsaker
Ferron City Recorder