

MINUTES  
MANTI CITY PUBLIC COMMENT MEETING  
RELATIVE TO PROPOSED MODIFICATIONS (CHANGES)  
TO THE MANTI CITY LAND USE (ZONING) ORDINANCE  
MARCH 16, 2011

Mayor Natasha R. Madsen in chair and presiding. Roll call showed Councilmembers Galen Christiansen, Vaun Mickelsen, Loren Thompson, Alan Justesen and Korry Soper present. A copy of the roll of those attending the public meeting is attached to and made part of the minutes.

1. Mayor Madsen introduced the information for the public comments meeting and made reference to the proposed zoning changes. She directed the City Recorder to provide copies of the proposed changes to any in attendance who wish to have them.

The Mayor then reviewed the proposed modifications/changes to the zoning ordinance, numbers 1 through 14 on four pages. A copy of which is attached to and made part of the minutes.

The Mayor requested those wishing to speak state their name, address and phone number for the record prior to making comments. She also requested that if individuals agree with the comments made, they need not repeat them simply indicate their concurrence.

Below is listed synopsis of comments made by attendees at the information meeting/hearing. In most cases they were recognized by Mayor Madsen prior to making their comments.

Alan Braithwaite made reference to the section in the proposed changes that refers to sexually oriented businesses and said Manti City does not want and should not have sexually oriented businesses.

Betty Amrine said that the Federal Government can't do things for people and should not be involved in directing items such as rights to sexually oriented businesses.

Gene Hagloch referenced a section in the ordinance change requiring an 80-foot frontage and asked if this was the only lot requirement. The Mayor advised that the lot requirements are for one-quarter of an acre and there are side yard setbacks.

Benton Petersen inquired if the 80-foot frontage would apply to cul-de-sac lots. Councilmember Thompson explained that a cul-de-sac recognizes a different frontage based on varied lot configuration. Benton said he felt having different frontages for different lots such, as on a cul-de-sac, would be confusing.

Doug Squire said he agreed with Benton Petersen.

Gene Hagloch inquired into what the setbacks are for lots. The Mayor advised that the front setback for lots is 30-feet.

Doug Squire inquired as to when 30-feet had been put into the ordinance because his house was setback 25-feet and it had always been 25-feet and why had it been changed to 30-feet. The City Recorder noted that to his knowledge the setback had been 30-feet since the inception of the zoning ordinance.

Joe Dow quoted from John Adams on property and property rights noting that the constitution, particularly the fourth and the tenth amendments, guarantee property rights.

Betty Amrine objected to the portion of the changes which allowed entry upon private property for inspection, particularly items i and j in number 7. She said the entry upon land was unconstitutional.

Benton Petersen said he felt that the zoning ordinance should be completely done away with.

Gene Hagloch said that the continued reference to the Utah League of Cities and Towns made him to believe that the City is serving the Utah League of Cities and Towns and not the citizens.

Ruth Anderson said that quite often the City has entered on land making surveys for their own use and this is not right.

Joe Dow referenced article four in the constitution and read same.

Ruth Anderson said that all laws should benefit the individual not the government.

Benton Petersen said that item #7 is poorly written and is simply a basis for legal action by attorney's and the City will no doubt get in trouble for having it.

Mary Pipes said she agreed with everything everyone had said already and felt that government had no business governing private property.

Alan Braithwaite said that government does not have the authority. Only the people have the authority and the ordinance should be changed to say that the Planning Commission has an advisory capacity, not authority.

Joe Dow said that the whole issue of zoning is unconstitutional and should be done away with.

Ed Painter said that people lose freedoms a little bit at a time and he objected to item #7, item l, i and j.

Benton Petersen said he objects to the City skimming off the profits off of the power department and lining their own pockets with it or using that money in the general fund.

Doug Squire said he did not understand how the City could allow a member of the Planning Commission to be a member of the Board of Adjustment as referenced in item #9 in the proposed changes. Mayor Madsen noted that the item Doug is referencing is the old ordinance and the change in the ordinance eliminates that particular section. Doug said he did not understand.

Gerald Christiansen inquired as to how the members of the Board of Adjustment and the Planning Commission are picked. The Mayor explained that she selects them and they are appointed with the advice and consent of the Council. Gerald said that means that the Planning Commission and Board of Adjustment are hand-picked by the Mayor. Councilmember Thompson explained that this does not occur and that there is usually a difference of opinion which exists between the Planning Commission and the Board of Adjustment and the Mayor and Council. No representative on any of these Boards is anyone's "pocket" when it comes to decision making.

Gene Hagloch said all people who are interested should meet with him in the lobby because this matter is going to be called to referendum.

Doug Squire made note of number 11, item 3 concerning variances and asked why anybody should have to prove the conditions rather than government having the burden of proof. The Mayor explained this section involves someone attempting to prove the need for a variance.

Morrie Cloward said that the people have all of the authority and government has none of the authority and the people should be listened to.

Alan Braithwaite said that all authority is vested with the people not with government. He also said that the City should be cutting back on all areas because people are losing their jobs and will not be able to pay their taxes and the economy is going to collapse and what's the City going to do then. They should not be spending so much money and doing projects.

The Mayor declared the hearing closed at 7:15 p.m.

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Natasha R. Madsen, Mayor

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William A. Mickelson, Recorder/Administrator