

PANGUITCH CITY COUNCIL MINUTES

**FEBRUARY 13, 2007
CITY COUNCIL - 6:30 P.M.**

**LIBRARY CONFERENCE ROOM
25 SOUTH 200 EAST
PANGUITCH, UTAH 84759**

Present at the City Council meeting were Mayor J. Arthur Cooper, City Manager Allen K. Henrie, City Recorder Cindy B. Johnson, City Council Members Eric Houston, John Orton, Greg Payne, Nick Reynolds, Tim Smith and Attorney Barry Huntington.

OPENING CEREMONY The opening ceremony was conducted by Tim Smith.

ADOPTION OF THE AGENDA

Eric Houston moved, seconded by Greg Payne to adopt the agenda as outlined. The motion passed with all in favor.

APPROVAL OF THE MINUTES

Greg Payne moved, seconded by Tim Smith to approve the minutes of 1/23/07 as corrected. The motion passed with all in favor.

UP COMING MEETINGS

A. NATURAL GAS MEETING - 2/8/2007 They have agreed in principal the surcharge will be eliminated on our natural gas bills.

B. NATURAL GAS PUBLIC WITNESS HEARING - 2/15/2007 - BEAVER - 6:30 P.M. It would be good to have a large number of citizens in attendance for this natural gas public witness hearing in Beaver. Those who would like to attend can meet here Thursday evening at 5:30 to car pool.

C. CITY MANAGER CONFERENCE - APRIL 9, 10, 11 - ST. GEORGE - This conference is for City Manager Allen K. Henrie.

Tim Smith moved, seconded by Eric Houaton to approve attendance by Allen K. Henrie at the city manager conference in St. George. The motion passed with all in favor.

SHERIFF DANNY PERKINS Sheriff Danny Perkins was in attendance and handed out officer reports. The reports show where and when they are patrolling. The report also shows how many case numbers each officer has handled. It is very difficult to schedule officers for just Panguitch. PANGUITCH CITY COUNCIL MEETING
FEBRUARY 13, 2007
PAGE 2

Attorney Barry Huntington reported that more than half of the district court cases were in Panguitch.

Allen K. Henrie would like to get with an officer to look at the infractions in town regarding our rights-of-way.

Eric Houston will be at post from February 26, 2007 until April 27, 2007. After he is finished he will be out on patrol.

The council reviewed the JP fine report.

Greg Payne moved, seconded by Nick Reynolds to accept the JP Fine report for January 2007. The motion passed with all in favor.

LANDFILL ISSUES - JEFF EMMONS Jeff Emmons was in attendance to discuss landfill issues with the city. He first went over the Utah Solid Waste Permitting and Management Rules/Financial Assurance Requirements.

The owner or operator of a solid waste disposal facility shall establish financial assurance sufficient to assure adequate closure, post closure care and corrective

action, if required. The financial assurance must use a mechanism approved by the Executive Secretary.

The city would need 5,000.00 per year for the next 10 years to fund the closure cost estimates. There are some other options we can look into. The city could eliminate the area for junk cars and sell a portion of land to Brent Worthen for these cars.

Mayor Cooper and Allen K. Henrie thanked Mr. Emmons for coming and presenting us with some options to look at.

DRAINAGE BY POST OFFICE - BOB SCHMERHORN There is a drainage problem on 100 West in front of the Post office. Bob Schmerhorn is having problems with drainage in front of his home next to the post office also.

VACATE ROAD - LDS STAKE CENTER/MORNING SIDE ESTATES UNITS #1 & #2
The LDS Church has requested through Horizon Engineering to vacate a proposed road, and proposed lots in the morning side subdivision. This is actually the parking lot for the LDS Stake Center. They also asked to separate a parcel of land south of the present LDS church pavilion and west of the Stake Center to be sold to private individuals.

This has been recommended to be approved by the planning and zoning commission.

**PANGUITCH CITY COUNCIL MEETING
FEBRUARY 13, 2007
PAGE 3**

**Greg Payne moved, seconded by Nick Reynolds to eliminate lots 6 thru 13 in the Morning Side subdivision. (Current LDS Stake Center parking lot)
The motion passed with all in favor.**

EAGLE SCOUT PROJECT AND MERIT BADGE SAFETY PROJECT Brady Owens and his father Dave presented the city with a proposal to install bike racks at the city library and baseball park for Brady's Eagle Scout project. Each rack will cost \$329.00

with the cement being donated by Bryce Valley Builders.

Eric Houston moved, seconded by Tim Smith to fund the Eagle Scout project of building two bike racks to be placed at the library and ball park by Brady Owens. The motion passed with all in favor.

The 1st ward scouts are also doing a safety project. They would like to place bright colored flags at the intersection corners for pedestrians to carry across the street making them more visible. They are working on getting the flags donated by the state road or the Lions Club.

Greg Payne moved, seconded by Tim Smith to approve the safety project presented by the 1st ward scouts to place bright colored flags, to be carried by pedestrians, at the main intersection of town. The motion passed with all in favor.

SOCIAL HALL LIGHTS - ELAINE BALDWIN

Eric Houston moved, seconded by Greg Payne to table the above item until further notice. The motion passed with all in favor.

SEWER POND LEASE - BILL FRANSDEN This was discussed at the last city council meeting. It was not on the agenda so no action was taken.

John Orton moved, seconded by Eric Houston to approve a five year lease with Bill Frandsen to graze his goats at the city sewer ponds which is a big help to the city. The motion passed with all in favor.

ANNEXATION ACCEPTANCE - DAVE AND BUD DODDS Allen K. Henrie handed out a map of the area which Dave and Bud Dodds are requesting to be annexed. Planning and zoning recommended to move forward with this annexation.

There is property which Panguitch City would have to petition to annex in order to annex the Dodds property.

PANGUITCH CITY COUNCIL MEETING

FEBRUARY 13, 2007

PAGE 4

Eric Houston moved, seconded by Tim Smith to accept Dave and Bud Dodd's annexation petition and to also move ahead on petitioning to annex the other areas necessary. John Orton opposed. The motion passed.

WHITNEY SUBDIVISION Planning and Zoning has recommended approving this subdivision. Questions were brought up regarding the possible flood issues. Mr. Whitney plans on putting in curb and gutter. The council feels that when the property is sold in this area they need to be told that the property is in a flood plane.

Nick Reynolds moved, seconded by Greg Payne to accept the Whitney subdivision. The motion passed with all in favor.

PLANNING AND ZONING/BOARD OF ADJUSTMENTS - ALTERNATE MEMBERS

The council discussed new members for the above boards.

John Orton moved, seconded by Greg Payne to move Wayne Ross up on the Board of Adjustments and put Tracy Armstrong as an alternate. The motion passed with all in favor.

SEWER SYSTEM - NEW PUMP The city needs to purchase a new pump for the sewer ponds.

Greg Payne moved, seconded by Eric Houston to purchase a new pump for the sewer system. The motion passed with all in favor.

INDUSTRIAL PARK FLOOD CONTROL Allen K. Henrie reported that the city, county and private land owners may put in some dykes or basins west of the industrial park to try and help with flood control in the future.

BUSINESS LICENSE - HIGH MOUNTAIN CLEANERS

Greg Payne moved, seconded by Nick Reynolds to grant a business license to High Mountain Cleaners after business license payment comes in. The motion passed with all in favor.

CITIZEN COMMENT There were several people in attendance to voice opinion on the proposed Alton coal mine. Their comments are listed below.

Peggy Egan - Concerned with the trucks coming through town. They will be hazardous for people crossing the roads especially children. The vibrations will cause house foundation to crack. It will impact tourism negatively. There is a large group of citizens and county residents who are lobbying against the proposed mine.

**PANGUITCH CITY COUNCIL MEETING
FEBRUARY 13, 2007
PAGE 5**

Vinny Salvato - Discussed the impact the coal trucks would have on our area. He asked to please not allow this to happen.

Bobby Bryant - Coal trucks would be coming through every three to four minutes.

Mack Oetting - He is strongly opposed to this coal mine. His home is a pioneer home and it needs to be taken care of well. He fears the trucks will cause damage to his home.

Tracy Armstrong - He has concerns. Thousands of dollars and hours are spent on the festivals we have in our community each year. He challenged the city council to determine what they want the city to be. Don't ruin what we have by this coal project.

Mike Powell - He came here for the beauty. Heavy trucks will damage the roads badly and the tourism will go down.

Jeannie Walen - She is concerned about children's safety and feels we will have a causality at some point.

Bret Egan - Kane County will benefit from this not Garfield County. Cedar City will benefit from this not Panguitch.

Kathy Scott - Moved here from Las Vegas. Cannot imagine trying to pull in and out of her home located south of seven mile on highway 89.

John Mclaine - Came here from Sedona AZ. He has emphysema and asthma. There are over 100 people in the area on oxygen and they do not need the additional coal dust.

Linda Rabin - We just went and got a historic district designation for Panguitch and for what.

Ed Owens - I don't think this is something that Panguitch wants or needs.

Mayor Cooper stated that he feels very good about the positive comments that have been made about our community and thanked everyone for coming.

MULTI PURPOSE EVENT CENTER Recently the city council sent out a survey to get citizens input regarding the Triple C. False rumors were spread around as to what was going to happen with the multi purpose center. This offended several of the city council members and was uncalled for.

PANGUITCH CITY COUNCIL MEETING

FEBRUARY 13, 2007

PAGE 6

The executive committee would like to book the Bar J Wranglers for the Cowboy's ain't dead yet festival.

Eric Houston moved, seconded by Greg Payne to approve booking the Bar J Wranglers for the upcoming Cowboy's ain't dead yet festival. The motion passed with all in favor.

PENDING BUSINESS The pending business list was edited.

DEPARTMENT REPORTS

Resort Tax - The state is trying to make it so this tax will no longer be on food. Allen K. Henrie is going to call Dennis Stowell and express the city's concerns.

CURRENT BILLS The council reviewed the current bills to be paid. Eric Houston asked if we were doubled on snow plow skids or did we have two sets made.

Eric Houston moved, seconded by Nick Reynolds to pay the current bills. The motion passed with all in favor.

ADJOURNMENT

Meeting adjourned at 9:35 p.m.

J. Arthur Cooper, Mayor

Cindy Johnson, City Recorder