
PANGUITCH CITY COUNCIL MINUTES

**April 10, 2018
CITY COUNCIL – 6:30 P.M.
PANGUITCH CITY OFFICE
25 SOUTH, 200 EAST
PANGUITCH, UTAH 84759**

Those present at the City Council meeting were Mayor Kim Soper, City Manager Lori Talbot, City Attorney Barry Huntington, City Recorder Tyrissa Howell, Council Members Rick Miller, Trudi Owens, Alan Johnson and Paul Dastrup. Council Member Lloyd Brinkerhoff was absent.

Others present were Randy Yard, Becky Yard, Art Cooper, Jodi Poulot, Sheriff Perkins, Todd Breinholt, Mike Johnson, Brian Stowe, Jace Mecham, Becky Dalton, David Frandsen, Cherri Frandsen, Cade Harland, Kim Harland, Tammi Bennett, Brienna Stowe, Brittney Henrie, Kapri Orton, Jevin Savage, Hunter Marshall, Luke Reeder, Kyle Heaton, Chuck Lawrence, McKenzie Tebbs, Ally Beckstead, Denny Orton, Casey Charles, and a group of boy scouts.

The meeting was called to order at 6:30 pm.

OPENING CEREMONY

Mayor Kim Soper conducted the opening ceremony.

ADOPTION OF THE AGENDA

Trudi Owens moved, seconded by Paul Dastrup to adopt the agenda. The motion passed with all in favor.

APPROVAL OF MINUTES

Alan Johnson moved, seconded by Rick Miller to approve the minutes as corrected. The motion passed with all in favor.

OFFICER REPORT

Sheriff Danny Perkins stated that Bryce Canyon National Park is already receiving a record number of visitors. He also informed the council that the inmate carwash has had to be shut down a few times to keep the inmate work crew available when needed.

DONATION – FCCLA

A group of ten students qualified for FCCLA Nationals in Atlanta Georgia. The Ten Students Brienna Stowe, Ally Beckstead, McCall Tebbs, McKenzie Tebbs, Brittney Henrie, Kapri Orton, Hunter Marshall, Jevin Savage, Kyle Heaton and Luke Reeder presented their projects to the council.

Alan Johnson moved, seconded by Trudi Owens to donate \$1500 for the ten students to represent Panguitch High School at Nationals; In exchange FCCLA will flowers plant for the City and lay sod at the baseball fields. The Motion passed with all in favor.

SOUTH CENTRAL FIBER UPDATE – TODD BREINHOLT

Todd Breinholt explained to the council that the construction crew will be starting in Panguitch in two weeks; installing the new fiber optics that will be replacing their copper lines. Existing South Central Costumers will receive the new lines and a giga center to replace their existing lines and modem at no cost. If a customer chooses not to switch to the fiber right now and then decides to switch at a later date there will be a \$300 fee. Construction crews will drill under the ground with the new line to the home, so there will be very little disturbance to the yards.

DALTON PROPERTY ANNEXATION – CERTIFICATION

City Recorder Tyrissa Howell certified the Dalton Annexation on April 5, 2018. A Public Hearing will be held on May 8, 2018.

OFFHIGHWAY VEHICLE ORDINANCE

Mayor Kim Soper reviewed the evolution of the City's Ordinances on ATV/OHV. Kim Harland stated that her focus is on golf carts. She stated in the last 8 years Garfield Memorial has seen accidents involving:

43 bicycle

2 golf carts

59 bulls

20 attacked by cow

Kim Harland talked with a lawyer about liability. That lawyer's opinion was that the city would have no liability due to the Government Immunity Act. She stated that the first time golf carts were mentioned in Panguitch City's minutes was after the ATV ordinance had passed.

Denny Orton felt the Public Hearing on the ATV/OHV ordinance was not advertised sufficiently.

Sheriff Perkins stated that law enforcement has started enforcing the ordinance, but he believes it will be hard to have total control.

Brain Stowe asked what the Council members view is on the ordinance.

Council Member Paul Dastup felt there is some merit to points brought up about golf carts.

Council Member Rick Miller wants the kids to be supervised.

Council Member Trudi Owens stated that she felt golf carts needed to be included in the ordinance because of the way kids have behaved on them.

Council Member Alan Johnson feels too much was taken away from the kids. He believes there could have been opportunities for more education to the parents and kids before everything is taken away from them.

Mayor Kim Soper feels golf carts are being used the same way as ATV's are by the kids.

David Frandsen stated he would like a chance to educate parents and kids about golf cart use.

The council decide to leave the ordinance the way it is for 6 months and then hold another public hearing to revisit the issue and discuss possible changes.

ROADS – DENNY ORTON

Denny Orton came to the council to share his concern on the condition of the city streets. He has come up with a plan he believes will help support the shoulders of the roads. He offered his help and experience to the city with his plan.

LIGHTING UPGRADE SAVINGS

Changing the lights to LED had shown a \$15,000 savings. NRCS has approved a matching grant to help redevelop the springs. Mayor Kim Soper would like to take the \$15,000 savings to use towards the matching grant.

PROJECT APPROVAL FORM

The building inspector asked that more information be required on Panguitch City's Project Approval Form. City Recorder Tyrissa Howell went through other city forms and added sections to Panguitch City's form about electrical, owner builder, impact fees and connection fees.

Trudi Owens moved, seconded by Alan Johnson to approve the changes to the project approval form. The motion passed with all in favor.

BUSINESS LICENSE FEES – STATE LEGISLATION

ULCT sent an email about the State Legislation requiring a fee exemption for home occupation business licenses, that do not have a material offsite impact in addition to the primary residential use. The Bill also eliminates cities authority to raise general fund revenues from business license fees. The council discussed the cost to administrate business licenses. The matter will be placed on the next agenda to allow time for further research.

CULINARY WATER RESTRICTIONS

Samples were taken at the City springs. Spring 5, the biggest spring came back with good test results and will be put back into the city's water system. Spring 5 produces 80 gallons a minute.

Paul Dastrup moved, seconded by Rick Miller to lift the culinary water restrictions. The motion passed with all in favor.

CONSTRUCTION BID LIMIT

Rick Miller moved, seconded by Paul Dastrup to raise the construction bid limits to \$5000. The motion passed with all in favor.

JP FINES

Trudi Owens moved, seconded by Alan Johnson to approve the JP Fines Report. The motion passed with all in favor.

PENDING BUSINESS

Bike Path – Prairie dogs are no longer an issue for the construction of the bike path. The project will be start soon.

Cameron Motel – The building inspector suggested the City look into condemning all dilapidated buildings; rather than focusing on one piece of property.

Culinary Water rehab – A large tree has fallen on the fence around the springs. The fence will need to be repaired.

Forrest Service Claim – The University of Utah did a study of the springs after the Brian Head Fire. They believe the fire caused the E.coli in the springs. The information has been sent to the Forest Service to be added to the claim Panguitch City has made against the Forest Service.

BIC Building – Mayor Kim Soper met with Kerry Alvey from South Central Communications about the BIC building. South Central would like more time in the BIC building while they find a solution for their office space needs.

DEPARTMENT REPORTS/CALENDAR

Splash Pad Block Building bid – The bid for the block building has been advertised in the newspaper.

Roads – The leak by 500 South and the leak by 400 East require road repairs.

Security Cameras – The security cameras are here for the green dumpsters.

CURRENT BILLS

Alan Johnson moved, seconded by Rick Miller to approve the current bills be paid. The motion passed with all in favor.

City Manager Lori Talbot left the meeting.

EXECUTIVE SESSION

Alan Johnson moved, seconded by Trudi Owen to enter an executive session for possible litigation. Those in attendance were Mayor Kim Soper, City Attorney Barry Huntington, City Recorder Tyrissa Howell and City Council Members Rick Miller, Trudi Owens, Alan Johnson and Paul Dastrup. The motion passed with all in favor.

Trudi Owens moved, seconded by Rick Miller to exit the Executive Session. The motion passed with all in favor.

PARTRIDGE PROPERTY PURCHASE

Alan Johnson moved, seconded by Rick Miller to purchase 6 acres at \$4000 an acre for a total of \$24,000 from the Partridge Family. The motion passed with all in favor.

ADJOURNMENT

Alan Johnson moved to adjourn at 8:45 pm. The motion passed with all in favor.

Kim Soper, Mayor

Tyrissa Howell, City Recorder