

## **PANGUITCH CITY COUNCIL MINUTES**

**JULY 9, 2013  
CITY COUNCIL - 6:30 P.M.**

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

---

---

Those present at the City Council meeting were Mayor Eric Houston, City Manager Lori Talbot, City Recorder Donna Osborn, Council Members, Lloyd Brinkerhoff, Rick Miller, Nick Reynolds, Tim Smith and Attorney Barry Huntington.

Others present were Art Cooper, Connie Orton, Sheriff Danny Perkins, Trudi Owens, Garrett Wolfley, Karen Schroyer, and Mack Oetting

The meeting was called to order at 6:30 p.m.

### **OPENING CEREMONY**

Tim Smith conducted the opening ceremony.

### **ADOPTION OF THE AGENDA**

**Lloyd Brinkerhoff moved, seconded by Tim Smith to adopt the agenda as outlined. The motion passed with all in favor.**

### **APPROVAL OF THE MINUTES**

**Tim Smith moved, seconded by Nick Reynolds to approve the minutes as corrected. The motion passed with all in favor.**

### **UP COMING MEETINGS**

- **Ribbon cutting ceremony at the Patchwork Parkway kiosk at 6:00 p.m. on July 10, 2013.**
- **The Division of Drinking Water Department of Environmental Quality will hold a meeting July 23, 2013 in Richfield to consider imposing fees to cities on drinking water.**
- **Panguitch City will sponsor a dinner for the Southwest Regional Baseball on July 22, 2013 at 6:00 p.m.**

### **POLICE REPORT (NOT ON THE AGENDA)**

Sheriff Danny Perkins distributed the report on the officer event activity. He commented that the Balloon Festival, the Harley Owners Group rally, and the baseball tournament went without a major incident. The Bryce Canyon Marathon will take place this weekend. The jail is full.

**PANGUITCH CITY COUNCIL MINUTES  
JULY 9, 2013  
PAGE 2**

We continue to have problems with dogs. Also we are having increasing problems with prairie dogs. A young prairie dog entered the courthouse through the open garage, but was finally caught. Areas surrounding Panguitch are heavily populated with prairie dogs, and they are now coming into town.

A drug bust confiscated 2800 marijuana plants near a popular camping spot at Ranch Creek. The plants would have been worth \$2.8 million.

The Sheriff's Department was complimented on having a trailer and emergency station at the Balloon glow. There were a few alcohol related problems at the Balloon Festival, but nothing significant. There were fewer HOG bikers in the biker's parade this year.

**CITY COUNCIL VACANCY - CANDIDATE'S EXPLANATION OF INTEREST**

Trudi Owens was out of town for the candidates' explanation of interest at the last council meeting. She was given two minutes to explain her interest in serving on the City Council.

**EXECUTIVE SESSION**

**Nick Reynolds moved seconded by Tim Smith to go into executive session at 6:55 p.m. to discuss the replacement for the City Council vacancy. Those invited into the executive included Mayor Eric Houston, City Manager Lori Talbot, Attorney Barry Huntington, Recorder Donna Osborn and Council members Lloyd Brinkerhoff, Rick Miller, Nick Reynolds, and Tim Smith. The motion passed with all in favor.**

**Tim Smith moved, seconded by Rick Miller to come out of executive session at 7:10 p.m. The motion passed with all in favor.**

**APPOINT NEW COUNCIL MEMBER**

**Tim Smith moved, seconded by Lloyd Brinkerhoff to appoint Trudi Owens to serve on the City Council through December 2013. The motion passed with all in favor.**

Trudi Owens will assume her duties on August 13, 2013.

**PUBLIC HEARING - ORDINANCE 2013-6 - REGULATION OF RETAIL TOBACCO SPECIALTY BUSINESSES**

**Rick Miller moved, seconded by Lloyd Brinkerhoff to open the public hearing at 7:10 p.m. on ordinance 2013-6. The motion passed with all in favor.**

**PANGUITCH CITY COUNCIL MINUTES  
JULY 9, 2013  
PAGE 3**

Mayor Eric Houston opened the public hearing for comments and questions. Art Cooper asked what the ordinance would do. He was informed that this ordinance regulates where a specialty tobacco or smoke shop can be located in the City. Specialty tobacco shops often sell tobacco products and substitutes for tobacco products including additives to tobacco, and tobacco paraphernalia. "Spice" is a popular but dangerous substance often provided in these shops. Art Cooper recommended the adoption of the ordinance and complimented the Council for taking initiative in this matter.

**Nick Reynolds moved, seconded by Rick Miller to end the public hearing at 7:15 p.m. The motion passed with all in favor.**

**ADOPTION OF ORDINANCE 2013-6**

**Nick Reynolds moved, seconded by Tim Smith to adopt ordinance 2013-6 to regulate retail tobacco specialty businesses. The motion passed with all in favor.**

**EAGLE SCOUT PROJECT - GARRET WOLFLEY - MOVE FIRE PIT AT PARK**

Garrett Wolfley was present to explain his eagle scout project to the Council. He intends to build a new fire pit behind the County Fair Building. The old fire pit near the pavilion can then be filled in. Building a new fire pit will be a two phase project. Garrett Wolfley will complete phase 1 with his eagle scout project and Garrett Finch is planning to complete phase 2. Garrett Wolfley estimates the cost of the project to be approximately \$350.00.

**Rick Miller moved, seconded by Nick Reynolds to fund Garrett Wolfley's eagle scout project for \$350.00 or more if necessary to build a new fire pit behind the fair building. The motion passed with all in favor.**

**REBECCA HOLBROOK - DONATION**

Rebecca Holbrook has cancelled her trip, so she will not need a donation.

**WINDOW COVERINGS AT CLOSED BUSINESS AT 47 N MAIN**

Mayor Eric Houston reported that this project will cost about \$2000. These windows could be used to display pictures, panels similar to those at the Patchwork Parkway kiosk, and advertising events in Panguitch.

**Nick Reynolds moved, seconded by Tim Smith to approve \$2000 to provide window coverings at 47 N Main upon approval by the owner of the building. The motion passed with all in favor.**

**PANGUITCH CITY COUNCIL MINUTES  
JULY 9, 2013  
PAGE 4**

**BUSINESS LICENSE - PANGUITCH WINDSHIELD REPAIR**

This will be a mobile unit brought to Panguitch periodically by owner Gilles Beaudoin for windshield repair. He has submitted an application and paid the business license fee.

**Tim Smith moved, seconded by Lloyd Brinkerhoff to approve the business license for Panguitch Windshield Repair. The motion passed with all in favor.**

**BUSINESS LICENSE & HOME OCCUPATION PERMIT - DALE BALDWIN SHARPENING SERVICE AT 270W 200 N**

Dale Baldwin has obtained his neighbors' signatures, has submitted the business license application, paid the license fee, and the Planning & Zoning Commission has approved the home occupation permit.

**Rick Miller moved, seconded by Lloyd Brinkerhoff to approve the business license and home occupation permit for Dale Baldwin for a sharpening service at 270 w 200 N. The motion passed with all in favor.**

**4-WHEELERS**

Sheriff Danny Perkins informed the Council that there are numerous complaints about kids and teens riding 4-wheelers too fast. There needs to be better enforcement, and training classes. The minimum legal age to drive a 4-wheeler in Utah is 8. All 4-wheeler drivers between the ages of 8 and 15 must complete the Utah State Parks and Recreation Know Before You Go! Certification course. The speed limit for 4-wheelers driving in the city limits is 15 MPH. Sheriff Danny Perkins urges citizens with complaints about 4-wheelers to call the sheriff's department.

**CITY COUNCIL MEETING - JULY 23, 2013**

**Nick Reynolds moved, seconded by Tim Smith to cancel the City Council Meeting on July 23, 2013. The motion passed with all in favor.**

**APPROVE MAYOR TO PAY CURRENT BILLS FOR JULY 23, 2013**

**Nick Reynolds moved, seconded by Tim Smith to approve the mayor to pay the current bills for July 23, 2013. The motion passed with all in favor.**

**PANGUITCH CITY COUNCIL MINUTES**  
**JULY 9, 2013**  
**PAGE 5**

**TRIPLE C ARENA**

Tim Smith asked if the County pays half of Triple C Manager Tony Beckstead's wages. It was affirmed that the county pays half of the expenses of the Triple C Arena except for the debt payment. Tim Smith has noticed that maintenance workers Dave & Kory Owens spend a great deal of time helping at the Triple C. City Manager Lori Talbot explained that Troy Pollock, who has been unable to work for 2 years because of a shoulder injury, usually takes care of the events at the Triple C. Mayor Houston stated that there will be more inmate help available because the jailers who bring out the inmates for work detail will be paid a time-and-one-half wage for this duty.

Rick Miller asked if the leaking roof in the foyer of the Triple C has been fixed. Mayor Houston explained that the problem has been identified, but we have been unsuccessful in getting the repairs done.

**PENDING BUSINESS**

The City Park project is making progress. It looks nice, but more concrete needs to be added to the bridge and a handrail needs to be installed at the sidewalk on the south entrance to the park. The existing restrooms are partially on the Reagan sign property, and negotiations are in progress to get this resolved. Prairie dogs are holding up the project.

The Swimming Pool agreement has not been signed by the School District.

**DEPARTMENT REPORTS**

**Fiddlers Festival:** Lloyd Brinkerhoff reported that the Fiddlers will perform at the rodeo to encourage better attendance at the Fiddlers program at the first performance on July 18, 2013. They will also have raffles and door prizes. The name of the Taste of Panguitch has been changed to the Fiddlers Feast.

**Librarian/Part-time employee hours.** Nick Reynolds reported that there are different interpretations on the law regarding amount of hours allowed for an employee to be considered part-time. Therefore, the City will should continue with the 19 1/2 hours for each of the librarians.

**Dogs:** Tim Smith reported that there has been some improvement with dog problems.

**Unkempt properties:** Lori Talbot stated that the Englestead property on Center Street has become a problem again. She requested that Attorney Barry Huntington write a letter to the residents. The attorney was also requested to write a letter concerning the Jim Patterson property on Center Street.

**ATM at the Gem Theater:** Lori Talbot reported that the ATM machine outside the Gem Theater has been cancelled.

**Highway 89 Yard Sale:** The Main Street committee is supportive of the Highway 89 yard sale. However, the organizers of the yard sale have been notified that the State of Utah will require collecting sales tax.

**PANGUITCH CITY COUNCIL MINUTES**  
**JULY 9, 2013**  
**PAGE 6**

**Video:** The Council watched a video on the Panguitch Quilt Walk performed by Clive Romney which can be viewed on the You Tube channel. Tim Smith was one of the performers in the video.

**Thank you notes:** Mayor Eric Houston read thank you notes received from Happy Healthy U, the Drug Prevention Coalition for support for their family night, and the Bonnie Owens family.

**J. P. FINES REPORT** (Not on the Agenda)

The council approved the J.P. Fines report

**CURRENT BILLS** The council reviewed the current bills to be paid.

**Nick Reynolds moved, seconded by Rick Miller to pay the current bills. The motion passed with all in favor.**

**ADJOURNMENT**

**Meeting adjourned at 7:50 p.m.**

---

Eric Houston, Mayor

---

Donna Osborn, City Recorder