

PANGUITCH CITY COUNCIL MINUTES

**JUNE 23, 2009
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 J. Arthur Cooper, City Manager Allen K. Henrie, Deputy Recorder Donna Osborn, Treasurer Carla Farnsworth, Attorney Barry Huntington, and Council members Eric Houston, John Orton, Nick Reynolds, Tim Smith and Lori Talbot.

OPENING CEREMONY

Nick Reynolds conducted the opening ceremony.

ADOPTION OF THE AGENDA

Nick Reynolds 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 Lori Talbot to approve the minutes as corrected. The motion passed with all in favor.

UP COMING MEETINGS

The Balloon Festival will be held this weekend. Tickets for the dinner Friday night are available to City Council members and their spouses. VIP balloon rides are available to City Council members on Friday morning at 6:30 a.m.

The 4th of July events will be hosted by the Panguitch High School senior class on July 4, 2009.

Baseball tournaments will be held at the Baseball Complex almost daily over the next three weeks.

PUBLIC HEARING - OPENING OF 2008/2009 BUDGET

Mayor Cooper declared the Public Hearing open at 7:00 p.m. Those present for the Public Hearing were Treasurer Carla Farnsworth, citizens Jolyn Smith, Randy Yard, Becky Yard, and Harshad Desai. Allen K. Henrie explained that this year there is no need to open the water or the sewer budgets. Only the general fund budget will be opened at this time. Resolution 2009-1, resolution for budget opening for fiscal year ending June 30, 2009, was included in the information for each City Council member. Mr. Henrie informed the council that the City is waiting for payment on a \$65,000.00 grant/loan from the CIB for the purchase of the UDOT shed. If this money comes in before the end of the fiscal year, it will offset the \$3,169.00 that is shown as coming out of the surplus fund. The General Fund Expenditures are not exact, but they are the best determination for the end of the fiscal year.

Panguitch City Council Meeting
June 23, 2009
Page 2

Mayor Cooper opened the hearing for comments from the public or from the City Council members. Harshad Desai asked for more breakdown and detailed information on salaries. This information was not included in the budget opening. It was ascertained that Mr. Desai was addressing the 2009/2010 budget, which was approved in the City Council meeting held on June 9, 2009 and was therefore not open for discussion in this meeting.

Eric Houston moved, seconded by Tim Smith to accept Resolution 2009-1 for the budget opening for the fiscal year ending June 30, 2009. The motion passed with all in favor.

Mayor Cooper closed the public hearing at 7:10 p.m.

John Orton addressed Mr. Desai explaining that he has great respect for Mr. Desai and some of his ideas, and questioned why Mr. Desai demonstrates a negative attitude and doesn't support the events in Panguitch. Mr. Desai explained that his role is to monitor the city government and push for change.

BASEBALL COMMITTEE

Allen K. Henrie has contacted all the people recommended for the baseball committee, and all have agreed to serve. Those names are John Orton, Leland Pollock, Brett Taylor, Lloyd Brinkerhoff, Paula Palmer, and Mike Johnson. X Officials recommended to sit on the committee are Greg Excell, Kory Owens, Allen K. Henrie, and Clint Barney. Mr. John Black has agreed to come and meet with the committee.

John Orton has talked to Kory Owens, and they have formulated a needs and costs list. The committee will work with this list adding and subtracting items as needed. The City Council members will also receive a copy of this list. John also feels that Kory Owens needs more time to spend maintaining the baseball fields. John suggested that the prisoners be brought out to help with mowing, etc. as needed to allow Kory more time to maintain the baseball fields. John Orton stated that we need to put in the effort to make this the best facility possible. He feels that it is important enough to pull money out of surplus funds if necessary.

Tim Smith stated that it is important to maintain the facility when we have it. We should not neglect the facility to the point where major repairs are required. Allen K. Henrie agreed that the baseball complex should be maintained, but he also pointed out that as city manager it is his job to watch the budget and the expenditures and balance the needs of each department.

The council recommended that the Baseball Committee meet as a group and meet with Mr. Black as soon as possible to consider the needs and costs list and bring recommendations to the City Council.

Tim Smith moved, seconded by John Orton to approve the formation of the Baseball Committee involving those people recommended. The motion passed with all in favor.

WATER HOOKUP - DWIGHT MILLER

John Orton explained that Dwight Miller is requesting a water hookup for a tap on his property near the cemetery and north of the Tim Dennis home. John believes that a water line and hookup have been used there in the past. If this is the case, the water hookup could be approved. If there is not a water line on the property, City policy does not allow new water hookups outside the City limits. If a new line must be dug, there will be impact fees involved.

Tim Smith moved, seconded by Nick Reynolds to send Kory Owens or Dave Owens out to the Dwight Miller property to investigate the existence of a water line and report their findings at the next city council meeting. The motion passed with all in favor.

JOHN D. LEE STATUE

Allen Henrie explained that the John D. Lee statue was commissioned by the Lee family several years ago to be placed in Washington, Utah, but because of the controversy surrounding John D. Lee, Washington has refused the donation of the statue. The Lee family would like to know if the statue could be placed in Panguitch outside the City Office near the other monuments. The size of the statue is bigger than life. The council was reminded that John D. Lee was a great colonizer of Southern Utah, but he was also prosecuted for the Mountain Meadows Massacre. Nick Reynolds stated that he has concerns about honoring one man, or ancestor, or family on public property.

Harshad Desai questioned if this man (John D. Lee) was tried and convicted.

John Orton moved, seconded by Tim Smith to table the John D. Lee Statue for a future meeting. The motion passed with all in favor.

BUSINESS LICENSE APPROVAL - SHED

Mat and Randy Houston have applied for a business license for a sporting goods store named "The Shed" to be located at 44 North Main Street. They have enclosed the \$25.00 business license fee.

John Orton moved, seconded by Tim Smith to approve a business license for The Shed as long as the business meets all criteria. The motion passed with all in favor.

TAX RATE SUMMARY APPROVAL

The percentage of the tax rate from the County is 0.002156 for \$127,284.00 in property tax. The auditors require the City Council to approve the tax rate summary.

Nick Reynolds moved, seconded by Eric Houston to approve the tax rate summary. The motion passed with all in favor.

CITIZEN COMMENT

Becky Yard suggested that the John D. Lee statue be placed in the city park facing west.

MULTI PURPOSE CENTER

The return alley is being constructed at the Triple C Arena. In July there will be a major barrel race and a team roping event as well as the Homecoming rodeo. This year the main prize at the Team Roping will be a trailer.

PENDING BUSINESS There were no changes in the pending business list.

DEPARTMENT REPORTS

John Orton asked who is filling up with water at the Triple C Arena. Allen K. Henrie responded that the Forest Service is using water from the Triple C in the construction of the Bike Trail on Highway 12. They are paying \$10.00 per 1000 gallons. Dave Owens also has agreed to allow a contractor to use water from the Triple C.

Lori Talbot pointed out that a pot hole on Main Street by the Country Corner Café needs to be repaired. Allen Henrie will talk to Dave Owens about this repair.

John Orton asked who is responsible to seal cracks at the Post Office.

Tim Smith commented that the secondary water pressure was good today. Allen Henrie commented that West Panguitch Irrigation to the south fields was off for repairs today, so the secondary water pressure was good.

Attorney Barry Huntington said that he has sent a letter concerning the lease agreement on the old fire station. The rent will increase to \$500.00 per month and all utilities will be put in the lessee's name.

Allen K. Henrie told the council that H & R Building Supply is planning to remodel their storefront. They would like to put an awning over the sidewalk to help with snow and ice control and removal during the winter. They will replace the concrete in front of the store. The city would not be liable if someone were to hit the awning or supports. Attorney Barry Huntington will draft a hold harmless agreement to cover this issue.

CURRENT BILLS

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

ADJOURNMENT

The meeting adjourned at 7:45 p.m.

Mayor J. Arthur Cooper

Deputy Recorder Donna Osborn