

PANGUITCH CITY COUNCIL MINUTES

**FEBRUARY 10, 2009
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 Johnson, City Council Members Eric Houston, John Orton, Nick Reynolds, Tim Smith and Lori Talbot and Attorney Barry Huntington.

OPENING CEREMONY

Attorney Barry Huntington conducted the opening ceremony.

ADOPTION OF THE AGENDA

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

APPROVAL OF THE MINUTES

Eric Houston moved, seconded by John Orton to approve the minutes as corrected. The motion passed with all in favor.

UP COMING MEETINGS

Allen K. Henrie will be attending an RC & D meeting in Kanab on February 11th.

There is a Triple "C" meeting on February 17th at 9:00 a.m.

Planning and Zoning will hold a meeting on February 25th at 7:30 p.m.

MOTOCROSS TRACK - ROBERT BROWN Robert Brown, Mike Johnson and Andy Black were in attendance to discuss a proposed motocross track. They would like to lease 30 acres from Panguitch City north of the Panguitch Airport. Garfield County has applied for 300 acres of BLM land north of the Panguitch City airport. The group would like to lease some of this property also.

The group would like to form a non profit club to maintain and keep the track up. They are looking at charging a yearly membership fee and a practice fee as well as a spectator fees, camping fees and vendor fees. USRA rules would apply.

They already have lots of volunteer help lined up to build and maintain the track. There will be a safety zone from the track to the spectators. They also plan to go above and

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beyond the normal specs of a track to make it as safe as possible. They are also investigating putting in a pee wee track for smaller bikes.

Allen K. Henrie stated there was a major liability issue. However it can be solved. He called our insurance company and they informed him that if it were ran under a volunteer status the city would be covered. Attorney Barry Huntington stated that the less the city was involved with this track the better.

Tim asked what would happen if someone were to get hurt out there right now. Allen K. Henrie said currently they are trespassing when they go out there and ride. They do not have permission to be riding out there.

If they are a non profit organization they could not get sued personally.

John Orton feels Allen K. Henrie needs to make sure there is not a problem to have a moto cross track near an airport.

There is a huge interest in getting a track to ride on. There were several people in attendance.

Tim Smith moved, seconded by Nick Reynolds to talk with airport officials regarding the regulations, if any, of a motocross track next to an airport and also obtain an opinion from the attorney regarding liability concerns. The motion passed with all in favor.

BALLOON FESTIVAL Travis Hatch sent a letter to all of the city council and Cheryl Church regarding the usage of his field. The property has access, the room and is the prime spot for the balloon festival launching field. He would like to the city to lease the property on an five year lease at the rate of \$5,000.00 with some stipulations.

Travis and his family have been very easy to work with through the years of using the property for the balloon festival.

Allen K. Henrie suggested the city pay \$2,000.00 and the main street organization pay \$3,000.00. Over a period of time the city will pay the main street back \$1,000.00 per year over a three year period.

There are concerns of paying the money to lease the property and not having the balloon festival. Mayor Cooper does not feel this will happen. He feels leasing the property would be the best route to take. The city tried to do a lease year to year but Travis was not willing to do this.

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Tim Smith moved, seconded by Eric Houston to contract with Travis Hatch for \$5,000.00 to obtain usage of his property to hold the balloon festival over the next five years. John Orton and Lori Talbot opposed. The motion passed three to two.

John Orton stated that he is not in favor of paying to lease land. He feels the community pulls together to put this on and does not feel the city should have to pay for it.

STEVE MARSHALL ROADWAY Steve Marshall informed one of the council members that he had deeded the roadway leading into his home over to the city and he would like it paved. This access road provides access to Steve's home only.

Allen K. Henrie informed Steve that the city would not even consider it unless there was a 50 foot right of way. It would cost approximately \$8,000.00 to pave this section of road.

Allen K. Henrie recommended the city allow some time to research this issue.

Nick Reynolds moved, seconded by Eric Houston to table the above issue until some research can be done. The motion passed with all in favor.

SOCIAL HALL USAGE Alberto Vasquez was in attendance asking to use the social hall until 7:30 for an adult karate class on Wednesday nights. He has noticed the social hall has not been being used after he leaves.

Allen K. Henrie asked if it has to be until 7:30. The city has been opening up the social hall from 6:00 to 9:00 p.m. for open gym and have provided a monitor. We are having problems this year and the gym is not being used as much as in the past. Allen K. Henrie feels it would be more workable if we allowed Mr. Vasquez usage until 7:00 p.m. and continued with the open gym from 7:00 to 9:00 p.m. with a monitor.

John Orton does not want to see the public not able to use the social hall any longer and feels it is very important to allow public usage with a monitor.

Mr. Vasquez said he is willing to share the floor with the basketball players from 6:00 to 7:00 p.m.

Eric Houston moved, seconded by Tim Smith to allow the social hall to be used until 7:00 p.m. on Wednesdays by Alberto Vasquez for an adult Karate class and reevaluate the later usage for Mr. Vasquez in the fall. The motion passed. John Orton opposed stating he feels it should stay open to the public.

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OLD FIRE STATION POWER BILL It was asked in the previous city council if the rent and power was current at the old fire station the city is leasing to Beckie Gregg. She is current on the rent but not the power.

Beckie stated that she receives the power bill sporadically. Allen K. Henrie said Carla Farnsworth sends them out monthly. Beckie said she has not received a power bill on a monthly basis.

John Orton said if she were to pay on time there would be no action taken.

Eric Houston moved, seconded by Lori Talbot to allow 30 days for Beckie Gregg to become current or we start the eviction process. The motion passed with all in favor.

EMPLOYEE PAY ERROR Allen K. Henrie reported on an error found on Carla Farnsworth's pay. When she started working for the city she was part time and paid on an hourly basis. When she went to full time the code in the computer was not changed. Therefore she has been over paid for sick leave and vacation time over the past several years which has added up to be over \$8,300.00.

Allen K. Henrie stated this was a combination of faults and an honest error all the way around. He feels we should cut the amount in half and have her pay \$35.00 per check until half has been paid back to the city. Allen had talked with Carla and she is fine with paying half back this way.

Eric Houston asked about a time adjustment to pay it back. Lori Talbot stated that she does not feel Carla was being dishonest in any way. John Orton does not feel Carla should be punished for something that was not her fault.

John Orton moved to not penalize Carla Farnsworth for the error. The motion died for lack of a second.

Lori Talbot moved, seconded by Tim Smith to table this item until next council meeting. The motion passed with all in favor.

The error in payroll has been corrected.

CITIZEN COMMENT There was a question on the Alton Coal Mine and what progress has taken place in regards to it.

Mayor Cooper reported the Alton Coal representative said the truck hub would be in Panguitch and they are still going through the permit process.

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MULTI PURPOSE EVENT CENTER The multi purpose center is slow this time of year. The committee is looking at increasing the stall rates.

There was a National Team Roping instructor here. The Senior Pro Rodeo is not feasible for the city to host.

PENDING BUSINESS Tony Beckstead met with the Lions Club President and Brady Eyre and worked out the concessions stand issue at the race track.

DEPARTMENT REPORTS The City council reviewed the JP Fine report for the month of January, 2009.

Nick Reynolds moved, seconded by Tim Smith to accept the JP Fine report for the month of January, 2009. The motion passed with all in favor.

Police - Sheriff Perkins expressed concerns about the state contracts we have at our prison. They are releasing inmates early in many areas. The local officers are working on meth problems around town and prescription drug problems at the high school.

UDOT - UDOT is currently moving out of their current building into their new one. The city has not received permission to move into their old shop yet. Currently we are having issues with water pressure at their new building.

Thank you card - A Thank You card was received from Claudia Crump thanking all the city employees for their great help with everything.

Stamped Concrete - A section of stamped concrete in the southwest area of the main intersection of town is crumbling.

New Motel Rooms - Travel Council reported there were just under 1.5 million visitors at Bryce Canyon this past year. Ruby's Inn is opening 160 new rooms.

Impact Fees - There has been a question regarding impact fees being charged if there is an existing home on the lot that will be replaced with a new home.

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

Eric Houston moved, seconded by Nick Reynolds to pay the current bills except #6207 until Allen K. Henrie can check into it. The motion passed with all in favor.

ADJOURNMENT

Meeting adjourned at 8:30 p.m.

J. Arthur Cooper, Mayor

Cindy Johnson, City Recorder