

PANGUITCH CITY COUNCIL MINUTES

**APRIL 24, 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 John Orton, Greg Payne, Nick Reynolds, Tim Smith and Attorney Barry Huntington. Council member Eric Houston was out of town.

OPENING CEREMONY The opening ceremony was conducted by Tim Smith.

ADOPTION OF THE AGENDA

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

APPROVAL OF THE MINUTES

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

UP COMING MEETINGS

A. On April 26, 2007, Blanche Pendleton will be awarded the Silver Cup for Volunteers.

JOANN MILLER PRESENTATION FOR COMMUNITY SERVICE JoAnn Miller picks up trash on the streets as she walks every day. She has done this for quite some time. The city council wanted to show their appreciation to her for doing this.

Mayor Cooper presented her with a plaque of appreciation and a gift certificate for any restaurant in town. He also expressed appreciation to her for all of her efforts.

JoAnn asked if the city could get more garbage cans to put around the city.

FCCLA DONATION - Shelby Taylor, Janisa Breinholt and Shyann Hatch were in attendance to ask for a donation to attend the National FCCLA competition in California. In order to compete at the National level the girls had to take first place at the State competition.

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The girls made dolls for nurses and doctors to use when they explain to children what is involved with the procedure being done to them when they come to the hospital. So far they have made 140 dolls.

John Orton moved, seconded by Greg Payne to donate \$200.00 to the girls who qualified to compete at the National FCCLA competition in California. The girls are to plant flowers for the city as a service project. The motion passed with all in favor.

ALTON COAL MINE - INFORMATION MEETING FOR CITY COUNCIL MEMBERS Alan Childs was in attendance to make a presentation of the proposed Alton Coal mine operation to the city council. He wants to make sure the council members have all of the facts.

Coal is used to produce 80% of the electricity used in Utah. The U.S. average is 50%. Utah is a producer as well as a consumer of coal. Mr. Childs showed the areas in Utah where there are coal reserves. Alton has approximately 5% of the coal reserves in Utah.

Mr. Childs went over the National Environmental Policy Act as well as the Environmental Impact Study. He also discussed the process of getting a coal mine operating. They have to pay the government for the coal mined and have five years to pay.

The coal is located 3.50 miles of Alton in Kane county. There are 62 million tons of coal and it is planned to harvest 2 million tons per year. The type of mining to be used is surface or strip mining. The coal will be mined in 5 to 10 acre parcels. Mr. Childs went over the mining and reclamation sequence. They want to do the reclamation process as quick as possible.

There will be 75 to 100 jobs at the mine site and 60 to 80 for the transportation side. Employees will be skilled, well trained and professional. There will be 10 to 20 technical positions imported to the area. The remainder will be recruited from Garfield and Kane Counties and training will be provided. The pay scale will be from 20.00 to 35.00 per hour with benefits.

The coal would be transported to a railroad out in Cedar City, Utah via 42 ton coal trucks. Approximately 150 truck trips per day 6 days per week. The route is Alton to Highway 89 to Highway 20 to I-15 to Cedar City, then west to proposed rail load out. Mr. Childs went over the coal truck design.

In conclusion Mr. Childs would like to have state and local support for the proposed mining project. He would also like to have cooperative partnership with private, local and state stakeholders. He feels this is a **PANGUITCH CITY COUNCIL MINUTES**
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very good economic development project for all stakeholders and is a win-win situation.

Mayor Cooper asked the council members if they had any questions for Mr. Childs.

Nick Reynolds asked if they will work with the community when we have large events by

limiting the truck traffic. Mr. Childs said they would.

Tim Smith expressed appreciation for the presentation and Mr. Childs honesty. He asked if the city would see any income from the proposed coal mine. Mr. Childs went over the breakdown on taxes.

Alan Childs stated that the jobs will be long term with benefits. They will be targeting Kanab, Orderville, Glendale, Alton, Hatch and Panguitch for employees. He also said the terminal would not be in Cedar City and if Panguitch wants the hub in town, it will be here.

BUDGET WORKSHOP Discussed a date for the budget workshop.

John Orton moved, seconded by Tim Smith to begin city council at 5:00 followed by a budget workshop on May 8, 2007. The motion passed with all in favor.

LANDFILL - BID OPENING Two bids were received regarding digging a new pit out at the landfill. Allen K. Henrie explained to the city council what needs to be done at the landfill. The bids came in as follows:

- Howard Construction - \$11,277.00
- Rock landscape and construction - \$30,800.00

Greg Payne moved, seconded by Tim Smith to accept the bid from Howard Construction in the amount of \$11,277.00 and instruct Allen Henrie to talk with Clark Howard to make sure he knows everything involved. The motion passed with all in favor.

PLANNING AND ZONING RECOMMENDATION - SPLITTING OF HARSHAD DESAI PROPERTY

Allen K. Henrie informed the council of the request by Harshad Desai to split his property at the Panguitch Inn located at 50 North Main. There is no city street or city frontage abutting the rear of this property which Mr. Desai is wanting to split.

The planning and zoning committee voted unanimously to deny the request made by Mr. Desai due to the property not having a access to a city street. Currently our city ordinance does not allow this.

Mr. Desai discussed this further with the council.

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Tim Smith moved, seconded by Nick Reynolds to accept the recommendation of the Planning and Zoning Committee to deny the request of splitting the property located at 50 North Main at this time. The motion passed with all in favor.

BUSINESS LICENSE APPROVALS

- PANGUITCH SAND AND GRAVEL - This is the former Jerry's Ready Mix that has been recently purchased. Currently they have four employees and hope to have additional employees as the company grows.

Tim Smith moved, seconded by Nick Reynolds to approve the business license for Panguitch Sand and Gravel. The motion passed with all in favor.

- BIG DADDY TATTOO PARLOR - Mayor Cooper asked about the address on the application for the proposed business. The one on the application was not valid. The proper address is 35 East Center.

Steve Worthen (Tattoo artist) handed out packets for all of the city council. He then went over his plans, rules and regulations for the tattoo parlor. Sterile, sanitized and proper disposal of needles will be practiced. He needs a business license in order to get the business running and to purchase item necessary. He will not tattoo or allow anyone under the age of 18 in the store at any time. Steve also had photos of his work at the meeting.

Nick Reynolds moved, seconded by Greg Payne to approve a business license for Big Daddy's Tattoo's. The motion passed with all in favor.

WATER REQUEST OUTSIDE CITY LIMITS - JESSIE HATCH Janice Hatch and her son Jessie Hatch were in attendance to request water and sewer service to a property located at 650 North 200 East. This property is located in the county next to the city limits.

Currently there is an existing water and sewer line next to the property. The city has set

policy to not sell any water outside the city limits unless previous arrangements had been made. If the property being discussed were annexed there would not be a problem providing a water service. The city has turned down several requests for water services outside the city limits and some felt uncomfortable granting this request until the property owner has petitioned to be annexed.

Greg Payne moved, seconded by Tim Smith to table the water service request at 650 North 200 East until the next city council meeting. In the meantime obtain a legal opinion from Attorney Barry Huntington regarding selling water outside of town before annexation of this property was complete. The motion passed with all in favor.

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MUNICIPAL JUDGE Russell Bulkley, our current Municipal Justice Court Judge has now become the County Justice Court Judge, taking John Yardley's place.

Allen K. Henrie asked the city council if he could have permission to advertise for a new Municipal Justice Court Judge. Attorney Barry Huntington went over the requirements to be eligible to apply for this position.

Greg Payne moved, seconded by Tim Smith to advertise for a new Municipal Justice Court Judge. The motion passed with all in favor.

Allen K. Henrie asked if it would be appropriate for Judge Bulkley to continue serving until a new judge can be hired. Judge Bulkley was in agreement.

PANGUITCH LAKE HIGHWAY CLEAN UP The city council and employees will meet at the county line, by the bar, on May 9, 2007 at 7:00 a.m. to clean up their portion of the lake road highway.

PANGUITCH MAIN STREET - CHERYL CHURCH Cheryl Church was in attendance and reported that she would like to purchase some new benches to be placed around the community.

She asked if the city would be willing to pay for half the cost of six benches. The benches cost \$1,000.00 each and Panguitch Main Street would pay the other half. These are very durable benches and should hold up much better than the previous wood benches did.

Nick Reynolds moved, seconded by Greg Payne to match the Main Street money up to \$3,000.00 for the purchase of six new benches. The motion passed with all in favor.

CITIZEN COMMENT There were a couple of comments made regarding the coal mine issue, largely about an impact study performed on our community.

MULTI PURPOSE EVENT CENTER They are meeting on May 3rd at 9:00 a.m. This week is the 4-H leader meet. Motels are full and there are some really good workshops lined up.

The floor in the Multi Purpose Center has been repainted and looks really nice.

PENDING BUSINESS The pending business list was edited.

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DEPARTMENT REPORTS

Spring Project - John Orton asked about the status of our spring project. Our secondary water may only last through the middle of August. Allen K. Henrie is going to report the status of the project next council meeting.

222nd - There are several young men that have been activated to serve in Iraq on July 1, 2007.

Questar Gas - The request for the \$30.00 fee to be taken off of Questar customers bills was denied.

Kaibab Subdivision - There will be approximately 40 homes. They would like to begin construction in a couple of weeks.

CURRENT BILLS The current bills were reviewed and approved by the Mayor due to a budget review needing to be done.

ADJOURNMENT

Meeting adjourned at 9:45 p.m.

J. Arthur Cooper, Mayor

Cindy Johnson, City Recorder