

PANGUITTCH CITY COUNCIL MINUTES

FEBRUARY 28, 2006  
6:30 P.M.

LIBRARY CONFERENCE ROOM  
25 SOUTH 200 EAST  
PANGUITTCH, 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 Eric Houston, John Orton, Greg Payne, Nick Reynolds and Tim Smith. Attorney Barry Huntington was absent.

OPENING CEREMONY The opening ceremony was conducted by Nick Reynolds.

ADOPTION OF THE AGENDA

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

APPROVAL OF THE MINUTES

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

UP COMING MEETINGS

- A. CITY MANAGER CONFERENCE - APRIL 3-6 - This conference is for Allen K. Henrie in St. George.
- B. RURAL BUSINESS CONFERENCE - APRIL 19 & 20 - Mayor Cooper would like to attend this conference in Vernal.
- C. CITY RECORDER CONFERENCE - APRIL 19-21 - This conference is for Cindy Johnson in Moab.

Greg Payne moved, seconded by Tim Smith to approve attendance at the above meetings. The motion passed with all in favor.

ELECTRIC UTILITY FRANCHISE - PACIFIC CORP Marc Cox was planning on being in attendance but was unable to attend due to illness.

Allen K. Henrie explained that the city has been a couple of years without an official franchise agreement with Utah Power. Mayor Cooper would like to see the city sign a five year franchise agreement with Utah Power and see if they live up to their agreements. Greg Payne

explained that a franchise agreement allows Utah Power to come in and work on their equipment as needed.

**PANGUITCH CITY COUNCIL MINUTES  
FEBRUARY 28, 2006  
PAGE 2**

Allen stated that previously Garkane was wanting to take over this system but found they could not serve the city at the time. Utah Power was not interested in selling at that time nor are they willing to sell at the current time. Greg Payne reported that if the city tried to force Utah Power out it could be quite a court battle and would not be good for anyone involved.

Nick Reynolds felt that we need to wait for Marc Cox to be in attendance to inform the city council about more details. John Orton would like to go over past city council minutes with the new council members to update them as to what has transpired previously. John would like to invite Garkane back and see where they are at, at the present time.

**John Orton moved, seconded by Nick Reynolds to table this item until Marc Cox can be in attendance and instruct Allen K. Henrie to invite representatives from both Garkane and Utah Power to make a presentation.**

**SPRING DEVELOPMENT** Allen K. Henrie and Kory Owens traveled to Fillmore and met with Sunrise Engineering to discuss the spring development project. Allen learned that the initial spring project will cost much more than originally thought. The city could do a few things at the springs to get us by for now, but that would just be a temporary fix.

The preliminary engineers estimate to go in and completely repair each spring would cost approximately \$278,000.00. If the city decides to go ahead with the complete project, an engineer would do a more detailed and accurate estimate.

Allen K. Henrie went over possible grants and low interest loans. The city would have to borrow approximately \$178,000.00. Allen needs to have one of the grants completed and applied for by March 15, 2006.

Kory Owens stated that he feels we are losing a lot of water from the springs and feels we need to repair the springs properly before they get worse. Mayor Cooper feels we need to do this right the first time or it will end up costing a lot more down the road. The project could be done by increasing water rates by \$2.00 to \$3.00. Water is our most important asset and we need to take care of it. Kory Owens also reported that he and Sunrise Engineering representative Robert Worley

will be meeting with The Division of Drinking Water at the water conference Kory will be attending starting tomorrow.

Nick Reynolds moved, seconded by Tim Smith to do the complete spring project and approve the approximate figures so Allen K. Henrie can proceed with applying for grants. The motion passed with all in favor.

**PANGUITCH CITY COUNCIL MINUTES  
FEBRUARY 28, 2006  
PAGE 3**

**RESOLUTION - BANKING PRIVILEGES** Allen K. Henrie explained that since 9-11 it is required to have a resolution in place for signatures on the city's checking accounts.

Greg Payne moved, seconded by Nick Reynolds to approve resolution 2006-1 - Banking Privileges. The motion passed with all in favor.

**ANNEXATION - ORTON, HOUSTON, MILLER PROPERTY- SCRIB GILLIES, JEFF BROTHERSON, BURDELL HENRIE AND JOHN ORTON PROPERTY**

Planning and Zoning has recommended approval on the following properties. - Orton, Houston and Miller property located on the Northwest boundary line west of 89, approximately 300 acres. Scrib Gillies property located at approximately 350 West, 300 South, less than one acre. Jeff Brotherson property located on the Southeast boundary line - approximately 35 acres. Burdell Henrie property located south of road leading into baseball complex at 350 East, 300 South, approximately 4 acres. And John Orton property located on the east side of the stables and north of town, approximately 19 acres. In this proposed annexation, it was also recommended that we annex Ron and Hollie Rossers and Richard Croft's storage units on the west side of Highway 89 north of town.

The city council needs to approve this proposed annexation before anymore can be done.

Greg Payne moved, seconded by Nick Reynolds to accept the Planning and Zoning's recommendation to annex the property listed above. The motion passed with all in favor.

**SALE OF PROPERTY - 200 WEST 200 SOUTH** Allen K. Henrie reported that the size of lot located at 200 West 200 South is large enough for a building lot. However there is a 4 inch water line running through the center of the property.

Paula Palmer and Nanette Matthew are interested in the property for a daycare center. A daycare is a permitted use in a residential zone with a conditional use permit.

Mayor Cooper asked the city council if they are interested in selling this property. The council responded with interest in selling.

Tim Smith moved, seconded by Greg Payne to move forward in placing the above property located at 200 West 200 South up for bid, get an appraisal if needed or required and instruct Allen K. Henrie to obtain a property description and complete a title search on the property. The motion passed with all in favor.

**PANGUITCH CITY COUNCIL MINUTES**  
**FEBRUARY 28, 2006**  
**PAGE 4**

**PLANNING AND ZONING REPORT** The new planning and zoning board are as follows: Chairman - Lloyd Brinkerhoff, Co-Chairman - Jerry Lefevre, New members - Lori Talbot and Jeremy Henrie, Alternate - Phil Norton. Other members are Grant Houston, Laura Mosdell, Wally Dodds and Eric Houston.

The committee is currently working on a request to build a home behind another existing home.

**AIRPORT ROAD RIGHT OF WAY** Denny Orton was in attendance and explained that the city has a road across their property that he would like to see access granted for a legal easement. This road is in the county. He also stated that it would help the city if they ever decided to surplus the property they owned up by the airport.

Greg Payne moved, seconded by Eric Houston to grant a 33 ft. right-of-way running east and west across property owned by the city near the airport. The motion passed with all in favor.

**DUMPSTER FENCING** Allen K. Henrie reported that the fencing will be ordered tomorrow by Kory Owens. Allen checked with the businesses in town regarding the fencing material and found that one could not get the materials and the other one was approximately double the price of Scholzens.

John Orton suggested that the city see how much it would cost to hire Markay Englestead to install the fence. Allen reported that it would cost approximately \$10,000.00. Allen feels the fence can be installed by workers and inmates with Kay Englesteads guidance.

**ANIMAL CONTROL ISSUES** There are some major concerns regarding two pit bulls just through the fence at the elementary school. Nick Reynolds is very concerned about these animals and has heard reports that these dogs have gotten out on occasion. He would like to see pit bulls outlawed. Allen K. Henrie had Donna Osborn call other communities around our area and see if they have any types of bans on certain animals. Of all of the places she called there were none who had

bans on certain breeds or not allow them within a certain distance from the school.

Allen K. Henrie suggested that we have the animal control officer go and talk with the family who owns the pit bulls near the school. It is feared that if something is not done a child will get hurt or killed.

**BIC BUILDING** The old museum is almost cleaned out. There is work to be done painting and on the floor.

**PANGUITCH CITY COUNCIL MINUTES  
FEBRUARY 28, 2006  
PAGE 5**

There is no insulation in the ceiling which is a metal ceiling on beams. Eric Houston has researched the cost of insulation and went over the information with the city council. He feels that one month gas bill would pay for insulation in the ceiling. Allen K. Henrie felt that it would cost approximately \$2,000.00. There are some wiring and lighting issues over there that are being addressed. Allen feels it would be money well spent to address the lighting/wiring issues and insulate the ceiling if we can do it for 3 to 4 thousand.

**John Orton moved, seconded by Nick Reynolds to approve insulating the gym ceiling at the BIC building. The motion passed with all in favor.**

**EASTER EGG HUNT DONATION - \$200.00**

**John Orton moved, seconded by Greg Payne to contribute \$200.00 to the Easter Egg Hunt. The motion passed with all in favor.**

**BASEBALL NETTING** Allen K. Henrie thanked Eric Houston for information obtained on netting for the baseball complex. The city will need 20,000 square feet to do the netting at the ball fields including the building. Allen K. Henrie reported on different netting and ways to install it.

**Eric Houston moved, seconded by John Orton to instruct Allen K. Henrie to move forward with getting the netting for the baseball complex and installing it. The motion passed with all in favor.**

**CITIZEN COMMENT** There was none.

**MULTI PURPOSE EVENT CENTER** The letter Attorney Barry Huntington wrote to Mike Riley enticed him to come and fix some of the leaks in the ceiling and he said he would be back to repair the others. They may have to make a new valley for the water to run down.

**PENDING BUSINESS** The pending business list was edited.

**DEPARTMENT REPORTS**

**Swimming Pool** - There is some damage to the roof at the pool. They are going to drain and close the pool. If it is a minor problem the pool should be back open in a couple of weeks. There are a couple of different proposals being discussed for restrooms and shower rooms. The school is asking Panguitch City for financial help for the restroom/shower rooms.

PANGUITCH CITY COUNCIL MINUTES  
FEBRUARY 28, 2006  
PAGE 6

**Golf Course** - John Orton asked the city council if there was any interest in the property owned by Orton, Houston and Miller across from the city park to the west.

**Southwest Mental Health** - A letter from Melissa Veater invited a representative from the city to a meeting that will be held in Washington Utah titled "Understanding the adolescent brain". They would like to see a representative from the city in attendance.

**Park** - There is some state property by penny's pond that may be turned into a possible park.

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

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

**ADJOURNMENT**

Meeting adjourned at 9:20 p.m.

---

J. Arthur Cooper, Mayor

---

Cindy Johnson, City Recorder