

PANGUTTCH CITY COUNCIL MINUTES

JANUARY 10, 2006
5:30 P.M.

LIBRARY CONFERENCE ROOM
25 SOUTH 200 EAST
PANGUTTCH, 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, Nick Reynolds, Tim Smith and Attorney Barry Huntington.

OPENING CEREMONY The opening ceremony was conducted by Allen K. Henrie.

ADOPTION OF THE AGENDA

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

INTERVIEW AND EXECUTIVE SESSION Mr. Harshad Desai was unable to attend the first interview session held. He was interviewed tonight and asked five questions as the other applicants were asked. After Mr. Desai's interview he has two requests. One was that the paid staff not be involved. And the seconded was that councilman Eric Houston not be permitted to vote.

Mr. Desai was informed by Mayor Cooper that the city recorder has to be included in the executive session to take minutes and that Mr. Houston would also be involved in the decision on who is hired to fill the vacant two year council seat.

John Orton moved, seconded by Tim Smith to move into executive session at 5:45 p.m. to discuss the character, professional competence of an individual to determine who to appoint to the vacant council seat. Those invited in were Mayor Art Cooper, City recorder Cindy Johnson, Council members, John Orton, Eric Houston, Tim Smith and Nick Reynolds. The motion passed with all in favor.

Nick Reynolds moved, seconded by Eric Houston to come out of executive session at 6:17 p.m. The motion passed with all in favor. Tim Smith moved, seconded by Nick Reynolds to appoint Greg Payne to fill the vacant two year council seat. The motion passed with all in favor.

There were some very qualified applicants who applied for the vacant council seat position.

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APPOINTMENT TO CITY COUNCIL/SWEARING IN Mr. Payne was not in attendance to be sworn in but will be as soon as we can get in touch with him.

APPROVAL OF THE MINUTES

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

UP COMING MEETINGS There is a seminar held by Rural Water here in Panguitch on Thursday, January 12, 2006. Kory Owens and Troy Pollock are planning to attend.

ORDINANCE 2002-1 - RENEWAL OF COUNCIL TIMES & DATES

John Orton moved, seconded by Tim Smith to approve ordinance 2006-1 establishing times and dates of city council unless otherwise posted. The motion passed with all in favor.

ORDINANCE 2002-2 - RENEWAL OF CRIMINAL CODE

Tim Smith moved, seconded by John Orton to approve ordinance 2006-2 renewal of the Utah Criminal Code. The motion passed with all in favor.

APPOINTMENT OF CITY OFFICIALS/CITY STAFF - 2006

Eric Houston moved, seconded by Nick Reynolds to approve the following list as the city staff/city officials. The motion passed with all in favor.

**CITY MANAGER/AIRPORT MANAGER/ECONOMIC
DEVELOPMENT/DEPUTY TREASURER -
Allen K. Henrie**

CITY RECORDER - Cindy B. Johnson

CITY TREASURER - Carla Farnsworth

PUBLIC WORKS DIRECTOR - David V. Owens

ACTING PUBLIC WORKS DIRECTOR - Kory B. Owens

MAINTENANCE/PARKS - Kory B. Owens

MAINTENANCE/ANIMAL CONTROL - Troy Pollock
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LIBRARIAN/DEPUTY RECORDER - Donna Osborn
MULTI PURPOSE CENTER COORDINATOR/DIRECTOR -
Scott Christensen

CITY ATTORNEY - Barry Huntington

JUSTICE OF THE PEACE - Russell B. Bulkley

FIRE CHIEF - Dave Dodds

ASSISTANT FIRE CHIEF - Russell B. Bulkley

HOLIDAY SCHEDULE 2006

NEW YEARS
JANUARY 2nd (Monday)

HUMAN RIGHTS DAY
JANUARY 16TH (Monday)

PRESIDENT'S DAY
FEBRUARY 20TH (Monday)

MEMORIAL DAY
MAY 29th (Monday)

INDEPENDENCE DAY
JULY 4TH (Tuesday)

PIONEER DAY
JULY 24TH (Monday)

LABOR DAY
SEPTEMBER 4TH (Monday)

COLUMBUS DAY
OCTOBER 9TH (Monday)

HARVEST DAY
OCTOBER 23TH (Monday)

VETERANS DAY

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NOVEMBER 11TH (Saturday)
EMPLOYEES WILL TAKE NOVEMBER 10TH (Friday)

THANKSGIVING
NOVEMBER 23RD & 24TH (Thursday & Friday)
Employees will take Friday the 24TH,
using a personal day

CHRISTMAS
DECEMBER 25TH (Monday)

John Orton moved, seconded by Tim Smith to approve the 2006 Holiday Schedule as listed above. The motion passed with all in favor.

DISCLOSURE STATEMENTS FROM CITY OFFICIALS City recorder Cindy Johnson requested that the council members who are or could be involved with outside dealing in regards to the city complete a disclosure statement and turn them into the office as soon as possible. Allen Henrie will notarize the disclosure statements for the year 2005 and will file them in their personnel file.

BIC RENT - ERIC HOUSTON Apparently Robert Driedonks is not going to be out by January 15, 2006 as earlier agreed upon with he and the mayor. Eric Houston would like to increase the rent now so something is in action. The city has been more than patient with Mr. Driedonks and is now losing \$500.00 per month while Mr. Driedonk's is in there.

Attorney Huntington suggested writing a letter. Allen K. Henrie had previously written a letter stating that he would be out on January 15, 2006 as agreed. The attorney will write a letter to Mr. Driedonks regarding the items discussed.

WATER RATES OUTSIDE OF CITY LIMITS Eric Houston updated the new council members about the pending annexation and the planning and zoning meeting where some who attended were very vocal in regards to the pending annexation. He explained that the main portion of the most recent water project was to provide additional water pressure to those living south of town in the subdivisions. When the water rates were raised for the project, the city rate was increased at a higher percentage rate than the county rate was increased. Councilman Houston feels there needs to be an increase in the county water rates.

David Church, Utah League of Cities and Towns Attorney, recommended that we annex all areas we are providing service to.

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Attorney Barry Huntington recommended that the city hold a public hearing to discuss raising the water rates outside the city limits. Mayor Cooper feels we did not get an accurate view from those that would be affected by a water rate increase.

John Orton moved, seconded by Eric Houston to hold a public hearing on January 24 at 7:00 p.m., to discuss the possibility of raising the water rates outside the city limits. The motion passed with all in favor.

RYAN HOUSTON SHED/ZONING ORDINANCE John Orton began stating that he is not against Ryan Houston but feels we need to enforce our ordinances.

Ryan Houston explained the issue of shed placement to the new city council members. He, in his mind, felt he was in compliance. This is the fourth meeting he has been in attendance to discuss this issue and he felt he was fully in the right and perfectly legal. Planning and Zoning voted unanimously to allow the shed to remain where it has been placed which does not meet the city zoning ordinance requirements. Mr. Houston asked if his shed is being singled out or is the city going to see that all the other sheds in town that are not in compliance removed as well.

Tim Smith asked for the legality of the other sheds that are not in compliance and/or the zoning ordinance has not been enforced and how far back can the city go. Attorney Huntington stated that the city could go back as far as ten years and enforce the code. Tim feels the city should completely avoid making Ryan tear the shed in question down.

The city council discussed various ways to remedy the problems of the zoning ordinance and building permits. The project approval form will be redone to be more informative and require signatures from both city officials and the owner or builder of the project. The city will advertise this information in both the news paper and the city news letter. We also need to state in the news letter that the city will be enforcing the zoning ordinance and the we will maintain the set back requirements of that ordinance.

John Orton moved, seconded by Eric Houston to over look existing shed placements to date and from this point forward enforcement will be done to the best of the city's knowledge with a new

updated project approval form to be approved by the city council.
The motion passed with all in favor.

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PLANNING AND ZONING - NEW MEMBERS The planning and zoning committee makes recommendations and has seven members plus a couple of alternates. The current members are Grant Houston, Jerry Lefevre, Laura Mosdell, Lloyd Brinkerhoff, Wally Dodds, Eric Houston and alternate Allen Henrie. The city council needs to appoint two new members and one alternate. Names were suggested and discussed.

Eric Houston moved, seconded by Tim Smith to appoint Lori Talbot and Jeremy Henrie as the new members and Phil Norton as an alternate if these individuals decide to serve. The motion passed with all in favor.

BUSINESS LICENSE - TANNER'S TREASURER'S The planning and zoning has approved this for a home occupation permit. They are selling antiques and used tools.

Tim Smith moved, seconded by Eric Houston to approve a business license and home occupation permit for Tanners Treasures's. The motion passed with all in favor.

BUDGET/ACTIVITIES/JOB DESCRIPTIONS-ALLEN K. HENRIE Allen K. Henrie went over his job position with the new city council. He is a city manager by city ordinance. He is over personnel, chief financial officer, day to day operation of the city office, grants, projects, events, payroll, works with auditors closely, budget, income and expenditures, budget preparation, and following it, contracts and many other areas. Allen stated that he is willing to discuss any information with any one at any time and will go over any questions or issues someone may have.

Allen talked about the proposed sales tax removal on food and how this would impact our community. He went over the prior list the previous council had voted on and explained that over time things will be added and moved around on the list as they already have done.

Allen also explained that we are trying to make Panguitch a destination place rather than a pass through city and went over some of the events. Any major decisions are brought to the city council. Allen said he is there to work for the council and move the city forward.

Mayor Cooper feels that it is important that the citizens understand what the city does.

MULTI PURPOSE EVENT CENTER The new years party was a big success and went well. Scott Christensen expressed thanks to all those who were in attendance and helped. The 2006 schedule is being worked
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on and all of the weekends during the summer are already booked. Scott stated that he is also willing to visit with anyone who has questions about the Triple C.

The Cowboy's Ain't Dead Yet event is being worked on at the present time. It will be held in conjunction with the Senior Pro Rodeo. Baxter Black is willing to come for \$6,000.00. They need approval from the council in order to book Baxter.

John Orton moved, seconded by Tim Smith to make a contract with Baxter Black to pay him \$6,000.00 for the Cowboys Ain't Dead Yet/Senior Pro Rodeo event. The motion passed with all in favor.

CITIZEN INPUT Mayor Cooper would like to have Citizen Input on the agenda each council for anyone to share comments or suggestions. A suggestion was made that if they have a complaint, they should have at least one suggestion to fix the problem.

Nick Reynolds moved, seconded by Tim Smith to limit the input by citizens to three minutes per person. The motion passed with all in favor.

PENDING BUSINESS The pending business list was edited and discussed in detail.

DEPARTMENT REPORTS Department reports were discussed.

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

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

ADJOURNMENT

Meeting adjourned at 8:30 p.m.

J. Arthur Cooper, Mayor

Cindy Johnson, City Recorder