

PANGUITTCH CITY COUNCIL MINUTES

MARCH 25, 2008  
CITY COUNCIL - 5:30 P.M.

LIBRARY CONFERENCE ROOM  
25 SOUTH 200 EAST  
PANGUITTCH, UTAH 84759

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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, Lori Talbot and Attorney Barry Huntington.

OPENING CEREMONY The opening ceremony was conducted by Eric Houston.

ADOPTION OF THE AGENDA

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

APPROVAL OF THE MINUTES

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

UP COMING MEETINGS

A. JUSTICE COURT JUDGES CONFERENCE - APRIL 23-26 - This is a conference for the Justice Court Judge to obtain continuing education hours.

B. ULCT 2008 MIDYEAR CONVENTION - The conference is held in St. George on April 9<sup>th</sup> - 11<sup>th</sup> and appears to be a good conference this year.

Tim Smith moved, seconded by Nick Reynolds to send Judge Martin Nay to the Justice Court Judges Conference in St. George and also approve those who wish to attend the ULCT 2008 Midyear Conference in St. George. The motion passed with all in favor.

SWIMMING POOL-GEORGE PARK, BRANDON & SANDY SMITH  
Superintendent George Park was in attendance to discuss the current events at the swimming pool.

He handed out some information he prepared regarding the swimming pool and explained that the age of the pool makes it very difficult and costly to repair.

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Mr. Park stated the reason the school district came to the city for help was because they believed there was only one individual in the area qualified to run the pool. This individual was already working for the school district and had maxed out on her hours as a Special Education Instructional Aide. The district could not contract with her to be the manager of the pool.

The district learned there were other individuals qualified to be the pool managers. They appointed Brandon and Sandy Smith on January 17, 2008 as the pool managers.

Mr. Park apologized for the communication breakdown between the city and school district. When the time is right they would like the city's help to obtain a grant from the CIB board.

A letter was also in the packet from Brandon and Sandy Smith outlining their plans for the pool and the hours of operation. Brandon Smith reported on what has happened thus far at the pool. They now have a Panguitch swim team who practices twice a week. Lap swim and open swim has been well attended. They are planning to start a ladies only night and a senior splash night.

John Orton stated that he has heard nothing but good about the pool but feels there is not a relationship left between the city and the school district. He feels there is no excuse for the lack of communication between the two entities.

**EMERGENCY OPERATION PLAN**

Eric Houston moved, seconded by Tim Smith to table the above item until the next council meeting. The motion passed with all in favor.

**MINOR LOT SUBDIVISION AT 385 NORTH 100 WEST - PETE LARSON**

Planning and Zoning approved the minor lot subdivision requested by Pete Larson with the condition that he get a survey done on the property.

John Orton moved, seconded by Nick Reynolds to approve the minor lot subdivision request by Pete Larson at 385 North 100

West, with the condition that he get a survey completed on the property. The motion passed with all in favor.

**BUSINESS LICENSE - FOREVER NAILS** Planning and Zoning approved a request made by Desiree Sidwell for a conditional use permit at 35 North 100 West to start a business of a nail salon.

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Tim Smith moved, seconded by Eric Houston to approve the conditional use permit and business license request by Desiree Sidwell at 35 North 100 West for a nail salon. The motion passed with all in favor.

**FINAL CONSTRUCTION DRAWING - CREEK SIDE ESTATES** Engineer Jeff Albrecht was in attendance to go over the Creek Side Estates Subdivision plans he prepared for Gordon Whiting.

Planning and Zoning reviewed and approved the plans. Engineer Joe Black reviewed the plans and also feels they are adequate.

Gordon Whiting wanted to make sure the construction drawings were correct before he proceeded further with the project.

Eric Houston moved, seconded by Tim Smith to approve Planning and Zoning's recommendation to approve the construction drawings for Creek Side Estates. The motion passed with all in favor.

**COMMUNITY CLEAN UP DAY** A letter was received from Steve Marshall stating that Panguitch needs to have a formal City Beautification week.

Allen K. Henrie reported that we have had a clean up day for the past 15 years until last year. It had gotten to the point where the only ones coming to help were city employees. Allen feels that if the community would pitch in it would be a favorable project.

John Orton and Eric Houston would be willing to bring out prisoners to help. They would like Allen K. Henrie to pick a day in May for the cleanup and get the state road, hospital, scouts etc. involved.

Tim Smith moved, seconded by Eric Houston to direct Allen K. Henrie to select a date and inform the council at the next meeting. The motion passed with all in favor.

**PUBLIC HEARING - IMPACT FEES** Those in attendance to the public hearing was Randy and Becky Yard, Pete Larsen, Troy and Cauleen Pollock, Jolyn Smith, Robert Worley and Skyler Davies.

Mayor Cooper opened the public hearing at 7:03 to discuss the possible implementation of impact fees on sewer and water. He explained that the city is seriously considering charging an impact fee on sewer and water.

Robert Worley, with Sunrise Engineering explained that you can only charge a justified amount. He also explained how he came up with the figures and how to determine how much to charge to large users. The impact fee is usually charged when a person purchases a building permit.

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Panguitch City called some other communities and asked what they were charging for impact fees. They are as follows:

**IMPACT FEES 03/08**

PAROWAN	WATER	\$4,802.00
	SEWER	\$2,274.00
BEAVER	WATER	\$1,308.00
	WATER RIGHTS	\$3,050.00
	SEWER	\$950.00
RICHFIELD	WATER	\$2,250.00
	SEWER	\$2,250.00
ESCALANTE	WATER	\$5,700.00
	SEWER	\$1,000.00
TROPIC	WATER	\$1,000.00
	SEWER	\$1,000.00
KANAB	WATER 1 INCH	10,389.82
	WATER 3/4	\$5,849.34
	SEWER	\$1,702.00

Eric Houston asked if the city could charge double the impact fee for county property. Attorney Huntington did not feel that was appropriate.

Allen K. Henrie read the impact fee charges the engineers had prepared which was 3,500.00 for water and 2,500.00 for sewer. However their recommendation was to charge 2,500.00 for water and 2,000.00 for sewer. This fee should be revisited every five years.

Mayor Cooper asked if there was any public comments. Becky Yard asked when the city would be at a point where we would not allow these subdivisions to come in and how much more the city sewer and water system's could handle.

Robert Worley gave the percentages and reported that Panguitch City is in good shape. Impact fees are used to lessen the impact of additional homes.

Mayor Cooper closed the public hearing at 7:25 p.m.

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Tim Smith moved, seconded by Eric Houston to go with the suggested impact fee figures from Sunrise Engineering of \$2,000.00 for sewer and \$2,500.00 for water, effective immediately. The motion passed with all in favor.

Attorney Barry Huntington will prepare the necessary ordinance.

**CITIZEN COMMENT**

**MULTI PURPOSE EVENT CENTER** Things are going well. The Little Britches Rodeo was held last weekend and had 85 contestants.

Everything in the building has been repainted and all of the blinds have been replaced with new ones.

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

**DEPARTMENT REPORTS**

Bantam Wrestling Tournament - There were a lot of people involved and a very big crowd was in attendance. Kory Owens needs to be commended for his efforts.

BIC Building rent - The rent at the BIC Building needs to be looked into.

16 Team Tournament - The 8<sup>th</sup> grade 16 team tournament in not paying for itself. Greg Excell needs to start charging more money.

Alton Coal - A letter was received from the State of Utah, Department of Natural Resources that the Utah Division of Oil, Gas and Mining has determined that the Alton Coal Development, LLC permit application for the Coal Hollow Mine is administratively complete.

Lawsuit - There is currently a lawsuit against the Main Street Committee regarding discrimination on hiring practices.

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

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

ADJOURNMENT

Meeting adjourned at 7:30 p.m.

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J. Arthur Cooper, Mayor

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Cindy Johnson, City Recorder

