

## **Tropic Town Council Meeting**

Minutes of the Tropic Town Board Meeting  
Held September 20, 2018 at 6:00 p.m. in the Tropic Town Heritage Center

**PRESENT:** Mayor WaLon Brinkerhoff **BOARD MEMBERS:** Dennis Pollock, Brook Wiseman, Lisa Johnson and Kelly Shakespear. Marie Niemann – Tropic Town Clerk & Cassie Chynoweth – Tropic Town Treasurer.

**OTHERS:** Bob Sudweeks, Joe Thompson, Travis LeFevre, Heather McKnight, Gary Bybee

**CALL TO ORDER:** Mayor WaLon Brinkerhoff

**PRAYER:** Gary Bybee

**PLEDGE:** Joe Thompson

**VISION STATEMENT:** Cassie Chynoweth

**APPROVAL OF MINTUES:** A motion was made by Dennis Pollock to approve the minutes of the Tropic Town Board Meeting held August 9, 2018. Second by Kelly Shakespear - Motion carried.

**APPROVAL OF THE AGENDA:** A motion was made by Brook Wiseman to approve the agenda. Second by Lisa Johnson - Motion carried.

---

### **THE COMMUNITY**

Katie Parkin: Unable to attend

Heather McKnight: With the recent move of Dan Cloud, Ms. McKnight is taking over Dan's martial arts class. She asked to use the conference center; discussed liability insurance, schedule, etc. The insurance Dan has expires in January; will be using this until then. Classes will be on Thursdays; it was explained that planning commission and town board meetings are held Thursdays, but it shouldn't be a problem.

### **PLANNING COMMISSION**

Gary Bybee: Planning commission reviewed signage for the "Cottages at Bryce Canyon" and gives recommendation to the Town Council for approval; the sign is temporary, no building permit is needed. All was found to be in order. A motion was made by Dennis Pollock to approve the sign. Second by Lisa Johnson. Voting was unanimous with Council persons Dennis, Brook, Lisa and Kelly voting "aye". Mayor abstained

Travis LeFevre: The contractor has asked for a separate approval authorizing the construction of the canopy covering the gas pumps; site plans, construction, etc. were reviewed with the original application. A motion was made by Dennis Pollock to approve the canopy – Second by Kelly Shakespear. Voting was unanimous with Council persons Dennis, Brook, Lisa and Kelly voting "aye". Mayor abstained

Addressing the agreement to keep the stream bed clear of debris, Travis asked that modification be made referencing he responsibility for his section of the wash, but not what happens to property upstream.

Nancy Harrison Williams: Representing Ms. Williams was Joe Thompson. Brief history of the property was given.

This property is located north of town and records dated from 2008 to the present show many attempts to subdivide; which was never follow through with. Mr. Thompson explained she would like to subdivide her property, selling it in pieces. Dennis explained Town code defines a minor subdivision as a development not more than five (5) lots along an existing improved public street and where public utilities have already been installed. Joe stated the County allows this, referencing a development within the County that was approved. It was asked that it follow procedure having the Planning Commission review the request and follow Town Code.

CIB Grant General Plan: Funding is being sought for revising the Town's general plan. A public hearing will be held prior to Town Board in October to apply for grant from the Community Impact Board.

Ordinance Review/Adoption: Four-(4) documents pertaining to Town Code were reviewed by the Planning Commission and have been recommended to the Town Council for approval and adoption; the following actions were taken:

~ Water/Sewer Moratorium: After much deliberation, a number additions and changes have been made. With recent request on residential home construction, Mayor Brinkerhoff asked the Council for input as to allowing residential connections be available; having a cap on the number per year. Dennis concurred, suggesting setting the limit of 12 w/s connections. A motion was made by Dennis Pollock that these changes are made in the Ordinance, adding the allowance of residential connection with a cap of 12 per year; and having it sent to David Church for legal counsel. Second by Brook Wiseman. Voting was unanimous with Council persons Dennis, Brook, Lisa and Kelly voting "aye". Mayor abstained.

~ Bed & Breakfast: This ordinance combined the current B&B ordinances #1990-1 & #1996; having no guidelines to address the use of a single-family dwelling(s) and bringing it up-to-date, the creation of a new ordinance was written. Council members read through the ordinance. Council Member Brook Wiseman asked what changes if any were recommended. It was reported the planning commission removed the amount of square footage regulating the size of guest rooms. A motion was made by Dennis Pollock to approve the B&B Ordinance and to place ordinances on-line. Second by Brook Wiseman. Voting was unanimous with Council persons Dennis, Brook, Lisa, and Kelly voting "aye". Mayor abstained.

Due to a conflict of interest with the Vacation Rental ordinance and the Business Licensing Ordinance, Mayor Brinkerhoff turned the direction of a portion of Town Board meeting over to Mayor Pro Tempore to Dennis Pollock.

~ Business License: Much research regarding fees, issuing dates, etc. and the requirement of issuing a business license for branch establishments has been in question. After corresponding with many municipalities throughout the State, it was found that licenses are issued on the calendar year; and a branch or a second location within the municipality are required to have a second business license. It's the only way the State can verify a business and collect taxes. Regarding fees, a chart was created using classifications and grades to structure the Town's businesses; i.e. Home Occupations, Lodging, Restaurants, etc. using Small, Medium and Large grade to the fee charged. A motion was made by Brook Wiseman to approve the business licensing ordinance. Second by Kelly Shakespear. Voting was unanimous with Council members Dennis, Brook, Lisa and Kelly voting "aye". Mayor abstained.

~Vacation Rental/Holiday Homes: In 2016 an ordinance regulating single-family homes as a nightly rental business in a residential district was adopted. After a number of public hearings and receiving input from the community, the issue was revisited and an ordinance amending the 2016 version was drafted; term definitions clarified; building codes, parking, safety inspection and other commercial business requirements implemented. Those currently in operation are acknowledged, but license will be revoke for violations. Vacation rentals/Short Term Rentals are prohibited in residentially zoned areas.

A motion was made by Kelly Shakespear to approve the Vacation Rental Ordinance. Second by Lisa Johnson – voting was unanimous with Council members Dennis Brook, Lisa, and Kelly voting “aye”. Mayor Brinkerhoff abstained.

After ordinances were addressed, Dennis turned the conducting of Town Board meeting back over to Mayor Brinkerhoff.

Other PC items ~ Cassie reported the commission hasn't received word from Tyson Brinkerhoff regarding the laundry facility at the business; is it a private/guest laundry or public. It was explained that the commission felt Bryce Canyon Inn should be charged the same as Red Ledges laundry - \$100 plus overages; as outlined by code; not right to charge one and not the other. A motion was made by Dennis to contact Tyson Brinkerhoff and have it on the agenda for planning commission. Second by Lisa Johnson. Voting was unanimous with Council members Dennis, Brook, Lisa, and Kelly voting “aye”- Mayor abstained.

## **FINANCIAL/WARRANTS**

A motion was made by Dennis Pollock to approve the warrants. Second by Kelly Shakespear – Voting was unanimous with Council member Dennis, Brook, Lisa, and Kelly voting “aye”. Mayor Brinkerhoff abstained.

## **CULINARY SEWER**

Dayne Shakespear: Misinformation has been given to Dayne and Lindsey Shakespear regarding the property purchased from Bill and Nancy Crawl on Francisco Lane. It was purchased with the understanding there was an active water and sewer service on this property. Information shared explained that in 2006 sewer connections were stubbed in during the development of “Joe Hughes” subdivision; up until 2013 those living on Francisco Lane had septic systems. Previous owners Slate and Penny Stewart did not opt to purchase a sewer connection when given the opportunity; it is noted they do have an active water connection.

Continuing, Joe Thompson reported his paper work shows a building permit for a modular home was approved in 2016 for Bill and Nancy Crawl; they too must have been with the understanding there was a sewer connection because of the connection being stubbed in; and presented their plans as such. Council directed Marie and Cassie to research the events and records regarding this and report back.

Water/Sewer Rates: Curt Lundington has been working with Cassie on the town's water rate structure; decisions are needed on rate increase, allotment, billing procedure, etc.; and implement ASAP.

## **ROADS/STREETS**

Elementary Easement: Mayor Brinkerhoff signed the right-of-way easement for the sidewalk; Marie will notarize the document and it will be sent to the District.

County Dumpsters: A number of large misc. items are being placed in the County trash bins, which have caused much concern to the County. Follow up on what regulations, what can and cannot be placed in the trash bins, County's landfill information; post/publish information.

Kelly reported the town information kiosk is completed; finished project looks great, the funding was given through the travel council.

## **HERITAGE CENTER/PARKS/RECREATION**

Heritage Center Parking Lot: Resurfacing the Heritage Center parking lot was discussed; two proposals were received. A motion was made by Brook to hire Spencer's Asphalt – Second by Lisa Johnson. Voting was unanimous with Council member Dennis, Brook, Lisa, and Kelly voting “aye”. Mayor Brinkerhoff abstained

Splash Pad: Will be winterized

## **FIRE DEPARTMENT**

A mock training against distracted driving was carried out by Bryce Valley EMS, Fire Department, Utah Highway Patrol and local law enforcement; students from Escalante also participated. Students witnessed the consequences of driving while drunk, texting, etc. and the permanent and lasting effects it has physically and emotionally.

## **ANIMAL CONTROL**

One incident was reported. A owner and his dog was walking near the Town park, two other dogs came near and bit the leashed dog under its eye. Bob made contact with all involved, resolving the conflict.

## **EMPLOYEE REPORT**

IRA Account: Probation period for Cassie Chynoweth ended; the benefit of opening an IRA with contributions outlined for employees be made. A motion was made by Brook Wiseman to approve for an IRA account for Cassie with contributions being retroactive. Second by Dennis Pollock. Voting was unanimous with Council member Dennis, Brook, Lisa, and Kelly voting “aye”. Mayor Brinkerhoff abstained.

Zoning Map: Following up on revision to the Town's zoning map, Marie reported working with Aubrey Larsen at the Utah Community Development office. Following up on one item, there is question on the amount of acreage and which lots in the Ahlstrom subdivision was rezoned; once resolved, map will be reviewed by the planning commission and prepared for the Council's approval.

## **MAYOR'S REPORT**

Project List Update: The master project list was reviewed and updated.

## **EXECUTIVE SESSION**

A motion was made by Dennis Pollock to move to executive session. Second by Brook Wiseman - Voting was unanimous with Council member Dennis, Brook, Lisa, and Kelly voting “aye”. Mayor Brinkerhoff abstained.

## **ADJOURN**

A motion was made by Dennis Pollock to close executive session and adjourn. Second by Brook Wiseman - Voting was unanimous with Council member Dennis, Brook, Lisa, and Kelly voting “aye”. Mayor Brinkerhoff abstained.

Approved this 11<sup>th</sup> day of October 2018  
Marie H Niemann – Tropic Town Clerk