

## **Tropic Town Council Meeting**

Minutes of the Tropic Town Board Meeting  
Held Thursday, May 14, 2020 at 6:00 p.m. in the Tropic Town Heritage Center

**PRESENT:** Mayor WaLon Brinkerhoff **BOARD MEMBERS:** Lisa Johnson, Gene Anderson, Marie Pollock and Michael Ahlstrom. Marie Niemann – Tropic Town Clerk & Dayne Shakespear – Tropic Town Treasurer.

**OTHERS:** Brett Chynoweth, Bob Sudweeks, Carson DeMille, Darren Cottam, Todd & Lynda Niemann, Travis LeFevre, and Dennis Pollock.

**CALL TO ORDER:** Mayor WaLon Brinkerhoff

**PRAYER:** Marie Niemann

**PLEDGE:** Dayne Shakespear

**VISION STATEMENT:** Marie Pollock

**APPROVAL OF MINTUES:** A motion was made by Mike Ahlstrom to approve the minutes of the Tropic Town Board Meeting held April 9, 2020. Second by Lisa Johnson. Voting was unanimous with Council persons Lisa, Gene, Marie and Mike voting “aye”. Mayor abstained.

**APPROVAL OF THE AGENDA:** A motion was made by Lisa Johnson to approve the agenda. Second by Michael Ahlstrom. Voting was unanimous with Council persons Lisa, Gene, Marie and Mike voting “aye”. Mayor abstained.

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### **THE COMMUNITY**

Levi Holm: The vacation rental of Bryce Canyon Log Cabins owned by Toni Foster was sold to Levi Holm; an application to renew the business license listing new ownership was received. A motion was made by Gene Anderson to acknowledge the change of ownership and reissue the business license under the Holm management – Second by Mike Ahlstrom. Voting was unanimous with Council persons Lisa, Gene, and Mike voting “aye”. Mayor abstain

Also, Mr. Holm would like to use a section of property along Main Street for signage; the property was previously used by Lance Foster to advertise his food truck. The Council has no issues, but the project will need to be reviewed by the planning commission.

Todd & Lynda Niemann: There has been much debate over the operation of a Bed & Breakfast Establishments in a Residential zone; having conflicting interpretation or definition of a B&B. Town Code identifies two different types of establishments, a “Bed & Breakfast” having no more than five-(5) rooms and a “Bed & Breakfast Inn” having six-(6) to eight-(8) rooms. It has been the Towns understanding that a “B&B Inn” is not allowed in a Residential Zone, being they are not in harmony with the character and atmosphere of the zone; rather it would be best suited for Residential Recreation Commercial (RRC) or General Commercial (GC).

Discussion commenced with the agendas and minutes from past planning commission and town board meetings being reviewed. Mayor noted the subject item listed on the agenda what was approved was a “B&B” license; if they were wronged, why was this not addressed at the time of the approval and why did they accept the ruling and a business license issued.

Continuing, Council Member Mike Ahlstrom reported he has found nothing in Town Code stating a “B&B Inn” cannot be allowed in a Residential zone; and that having made the ruling to deny the application was wrong on the Planning Commission and Town Council’s part; Planning Commission Chairman Travis LeFevre agreed.

Inquiries were made into the proposed project of converting a residential home to a “B&B Inn”; as to the number of rooms it would have. In response, Todd & Lynda stated there would be 8 bedrooms and 4 bathrooms. Questioning this, the Council asked if their plans were to enlarge or build on to the existing home; wasn’t sure the house was large enough and would meet the Utah State Construction code. They stated no, they were not going to make any structural changes, building any additions to the existing home; just remodeling within the home. Todd & Lynda were directed to resubmit their business license application for a “B&B Inn”, to be reviewed in June. With a Resolution making revision to the B&B Establishment ordinance being on agenda to be adopted, Lynda expressed concern that it would be denied again. Travis reported Austin LeFevre was also denied a “B&B Inn” because he had seven-(7) rooms and felt Austin should be allowed and operate and “B&B Inn” as well.

After much discussion, the motion was made by Marie Pollock for Todd & Lynda to resubmit their business license application for a “B&B Inn” to the planning commission for review; making note that due to an err on the Town’s misunderstanding of code, they would not be denied because of the zoning issue. A building permit application will also need to be submitted with engineered floor plans meeting Utah State Construction code, address parking, and all other requirements as outlined by code. The motion was second by Lisa Johnson. Voting was unanimous with Council persons Lisa, Gene, Marie and Mike voting “aye”. Mayor abstained. Travis will follow up with Austin regarding the Council’s decision. Travis will follow up with Austin to resubmit Bryce Point B&B application for an “Inn”.

Electronic Meeting Resolution: With the ongoing restrictions in mass meetings, in business and social gatherings, a resolution allowing meetings to be held remotely was reviewed. A motion was made by Gene Anderson to approve and adopt Electronic Meeting Resolution #2020-2. Second by Lisa Johnson. Voting was unanimous with Council persons Lisa, Gene, Marie and Mike voting “aye”. Mayor abstained.

Town Meeting Schedule Resolution: With changes to the day and time of planning commission, it is required to adopt new Town Meeting Schedule ~ Planning Commission will be held on the 1<sup>st</sup> Tuesday of each month in the Heritage Center at 6 pm. Town Board will continue to meet on the 2<sup>nd</sup> Thursday at 6pm in the Heritage Center. A motion was made by Marie Pollock to adopt Town Meeting Schedule Resolution #2020-3. Second by Mike Ahlstrom. Voting was unanimous with Council persons Lisa, Gene, Marie and Mike voting “aye”. Mayor abstained.

Founder’s Day: Tropic Town was established May 23, 1892 and in recognizing the day, last year the Town provided a hot dog lunch and invited the community to tour the pioneer museum, sharing stories and histories. With the restrictions in place due to the pandemic, plans were altered; invitation will be extended out to tour the museum, share histories, stories, etc. encouraging residents to bring memorabilia, photos, and stories to place in a time capsule – which will be collected throughout the summer and then saved to be open at a specific time, which has not been decided. Ice cream will also be provided.

## **PLANNING COMMISSION**

Michael Ahlstrom: A building permit application for a garage/workshop with water/sewer service was submitted and reviewed by the Planning Commission. Mr. Ahlstrom currently has a water connection and would like to purchase a sewer connection. After making adjustment to the setback from 20ft to 25ft and finding everything else in compliance, the project was recommended to the Town Council for approval. A motion was made by Gene Anderson to approve a building permit for this project and authorize a sewer connection. Second by Marie Pollock - Voting was unanimous with Council persons Lisa, Gene, and Marie voting “aye”. Mike Ahlstrom and Mayor Brinkerhoff abstained.

Bed & Breakfast Resolution #2020-2: In reviewing the drafted resolution, Mike expressed concern regarding the one-(1) acre requirement per structure in Agricultural zone; felt this is a miss-use of property. Comments from Dennis Pollock and Travis LeFevre explained the reasoning, which was to? This is a zoning issue, not a Bed & Breakfast Establishment issue.

A motion was made by Gene Anderson to adopt and approve Resolution #2020-2 amending the Bed & Breakfast Establishment ordinance, clarifying the operation and zoning of such establishments. Second by Lisa Johnson. Voting was unanimous with Council persons Lisa, Gene, and Marie voting “aye”. Council Member Mike Ahlstrom voting “Nay”. Mayor abstained.

## **EMPLOYEE REPORT**

Marie Niemann: Certified Municipal Clerk (CMC) Certification ~ Due to COVID-19 pandemic Institute & Academy has been cancelled; but will be held via Zoom, attendance is a requirement toward certification.

Brett Chynoweth: Reported progress on the water pump at the baseball field. In talking with Danny Brinkerhoff, it was determined that East Fork was the better source. Brett will follow up with the engineer on the type of pump to install.

Will be working weed control in Stewart Cove. Also, cleaning out and repairing culverts; Council asked that a reminder be placed on Facebook asking residents to keep their driveway culverts clear of debris to help drainage. Brett will be working with the Mayor on signage.

Bob Sudweeks: Finished placing Town logo’s on equipment. Working on completing his CDL.

Dayne Shakespear: Discussed Scout House project; would like to finish fencing at the Heritage Center. Would be purchasing the materials for both projects.

## **ANIMAL CONTROL**

There have been no problems reported. Bob expressed the need to place signs at the Town Park; reminding pet owners to clean up after their dogs ~ Council acknowledge the need and to order the signs.

## **FINANCIAL/WARRANTS**

Council appreciates Dayne sending a PDF file of the Town’s financials out prior to meetings; please continue. A motion was made by Mike Ahlstrom to approve the warrants. Second by Lisa Johnson. Voting was unanimous with Council persons Lisa, Gene, Marie and Mike voting “aye”. Mayor abstained.

## **CULINARY/SEWER**

Water Sewer Increase Resolution: In April 2019, a rate structured increase to water/sewer was implemented. In reviewing the resolution, nothing was found addressing an Annual Percentage rate increase as well as an increase to the Road and Drainage fees. An amendment to add a yearly percentage increase was reviewed; and though a public hearing is not required and do to the sensitivity of the subject, Mayor Brinkerhoff and Council call for a public hearing June 11<sup>th</sup> at 6 pm to address the issue; Town board will be held at 5 pm prior to the public hearing.

Sewer Lagoon Project Bid Award: Bidding process was conducted by Jones & DeMille Engineering; Carson was present to discuss the bids and to receive input from the Council on the results; ten bids were received. Before awarding the bid, a discussion commenced on the credentials of contractors; their skills, previous projects, experience, etc.

Comments from Carson and the Council expressed concern as to quality of the final project; Carson would like to follow up with reference that the contractors provided before awarding the project. Council agreed – A motion was made by Marie Pollock to table the awarding of the project. Second by Gene Anderson. Voting was unanimous with Council persons Lisa, Gene, Marie and Mike voting “aye”. Mayor abstained.

## **ROADS/STREETS**

Road Repairs: Working with Mayor Brinkerhoff, Darren Cottam completed an inventory of the Town’s roads, identifying those areas needing repair. Southern Utah Asphalt will do the road and street repairs; Spencer Asphalt will provide the work to crack sealing the heritage center’s parking lot. A motion was made by Gene Anderson to move forward with the road repairs. Second by Lisa Johnson - Voting was unanimous with Council persons Lisa, Gene, Marie and Mike voting “aye”. Mayor abstained. Darren will follow up with the office in scheduling.

## **PARK/RECREATION**

In preparation of the possible senior citizen center in Tropic, the Mayor Brinkerhoff and Town Council will tour the Escalante Senior Citizen center on Monday, as well as the fitness center in Bryce Canyon City.

## **HERITAGE CENTER**

Dayne reported carpeting in the heritage center was cleaned by Tate Elmer; did a good job. Imperial Glass will be installing the glass enclosing the office. Dayne met with Tony Peterson, moving forward with the installation of a door, limiting access to the upper level from the conference center.

## **FIRE DEPARTMENT**

Following up on the creation of a Fire District, Marie reported the County Commissioners are needing the recommendation County Recorder Les Barker and County Assessor Joe Thompson; Les is not on board with it. With Les retiring, the matter will need to be proposed again. Thoughts and comments expressed the benefits it would provide; receiving financial support from all communities, not placing all the responsibility on Tropic Town and Bryce Canyon City.

Due to the COVID-19 pandemic, the 112<sup>th</sup> Annual Utah Fireman Association Conference to be held in Tropic and Bryce Canyon City may be cancelled and rescheduled for next year; this is discouraging for the Association as well as to local businesses. In the history of the Association the convention has never been cancelled. Mike also reported Ron, along with two others will be traveling to Logan Utah to pick up the recently purchased brush truck.

## **MAYOR’S REPORT**

No report

## **ADJOURN**

A motion was made by Mike Ahlstrom to adjourn. Second by Lisa Johnson - Voting was unanimous with Council persons Lisa, Gene, Marie and Mike voting “aye”. Mayor abstained.

Approved this 11<sup>th</sup> day of June 2020  
Marie H Niemann – Tropic Town Clerk