

TOQUERVILLE CITY COUNCIL
Regular Meeting Minutes
July 14, 2016 - 6:00 p.m.
Held at 212 N. Toquerville Blvd, Toquerville Utah



Present: Mayor and Council: Mayor Darrin LeFevre, Paul Heideman, Ty Bringhurst, Mark Fahrenkamp; Staff: Heath Snow- Attorney, June Jeffery, Mike Vercimak, Public: Manning Butterworth, Leah Matheson, Leah Matheson. Excused absence: Councilmember Keen Ellsworth, Councilmember Brad Langston.

A. CALL TO ORDER:

1. Call to Order – Mayor LeFevre at 6:06 p.m. Councilmember Ty Bringhurst led Pledge of Allegiance and Councilmember Paul Heideman led invocation.
2. Disclosures and Declarations of Council Members: Mayor LeFevre declaring he works for ProValue Engineering.
3. Requests for Statements of Belief from Anyone Present: None

B. CONSENT AGENDA:

1. City Council Regular Meeting Minutes from June 9, 2016
2. City Council Special Meeting Minutes from June 30, 2016
3. City Expenditures from June 2016

Motion to approve the Consent Agenda by Councilmember Heideman, second by Councilmember Fahrenkamp. Motion carried unanimously.

C. PUBLIC FORUM:

No comments.

D. PRESENTATIONS:

No presentations.

E. PUBLIC HEARING:

None

F. BUSINESS:

1. Discussion and Possible Approval of city Basketball Court modification to turn into pickleball courts.

The \$250.00 for the Eagle Scout project needs to be awarded to this project. This item will be tabled until next month due to the item of business described on the agenda. The scouts won't be starting this project until Wayne Olsen gets further information regarding the possibility of receiving donated pickle ball nets.

Motion to approve table item F1 until August City Council Meeting made by Councilmember Fahrenkamp, second by Councilmember Heideman. Motion carried unanimously.

2. Discussion and Possible Approval of Modification of Non-Conforming Duplex and Multi Housing

Unable to discuss this item until the Planning Commission has a chance to review this matter. Attorney Snow has a question of whether or not this is going to expand the current city ordinance, or whether or not the City will allow non-conforming uses. Councilman Keen has a drafted document that is in progress regarding this item.

Motion to table F2 until the planning Commission has a chance to review this matter made by Councilmember Heideman, second by Councilmember Bringhurst. Motion carried unanimously.

3. Discussion and Possible Approval of RES#2016.12 Holiday Park Reservations

June Jeffery stating that the park needs to be made readily available to all citizens on holidays and to eliminate city employees from working on the holiday. The rules to reservation exemptions follows the City approved holidays and to include the weekend of scheduled holiday. This resolution would not apply to the towns 4th of July celebration, the Turkey Trot, or Annual Christmas Celebration.

Motion to approve Resolution 2016.12, the Holiday Park Reservation made by Councilmember Mark Fahrenkamp, second by Councilmember Bringhurst. Motion carried unanimously.

4. Discussion and Possible Approval of RES#2016.13 Ball Park Fee Waiver and Costs for Local Leagues

Mark Fahrenkamp stating that this fee could be modified to be either \$15.00 a game or \$18.00 a game. Mayor LeFevre suggested an even \$20.00 fee. Councilman Heideman would like the fee to be an affordable \$15.00.

Motion to approve Resolution #2016.13 to require a \$15.00 fee rate per game by Councilmember Mark Fahrenkamp, second by Councilmember Ty Bringhurst. Motion carried unanimously.

5. Discussion and Possible Approval of Updated Cemetery Code / Policy

Councilmember Fahrenkamp stated that Councilmember Langston will speak with Attorney Snow on changes of the Cemetery Code. June Jeffrey would like to include a policy of financing cemetery plot purchases into City Code. Plots are not opened and closed if full payment has not been made. Attorney Snow had a concern that we are financing the purchase of a plot, and as such we are not a financial institution. It was noted that other cities are allowing the payment of plots over time. Councilmember Heideman asked if someone could purchase a plot and then turn around and sell it for an increased price. Jeffrey responded in saying any plots that are originally sold, are to be resold at the same purchase price. At this current time the town has 5 people purchasing plots on a time payment plan. This item will be tabled until Councilmember Langston is able to review this item.

Motion to table item F5 of updated cemetery policies and financing of cemetery plots made by Councilmember Bringhurst, second by Councilmember Langston. Motion carried unanimously.

6. Discussion and Possible Approval of WCWCD Water Purchase Agreement

This agreement was created after a verbal conversation was had with the conservancy district to purchase back the water unused by Toquerville. This item was researched to find what municipal and irrigation water rights Toquerville has and the creation of a formula of how the town will monitor and charge water not being used by Toquerville. Mayor LeFevre stated the water conservancy district has updated the pump system and it wouldn't be what it is today without their updates. The water the city doesn't use is

being sent to Hurricane and LaVerkin or the irrigation ponds currently. The four shares in which we own 8% of the water rights is what we are negotiating on for reimbursement. The fifth share we own 100%. Mayor LeFevre is also requesting the flow rate of our rights to be changed from acre feet to gallons. Councilmember Bringhurst would like a more finalized document before negotiations are made with the water district.

7. Discussion and Possible Approval of the expenditures for the improvements on Frontage Road

Councilmember Bringhurst reporting this is a multi-faceted bid. The oil is one bid, the chip seal is another bid, with a third for the spreading bid. Total estimated cost is under \$70,000.00. Firm prices will need to be obtained prior to approval on this item.

Motion to table this item per Councilmember Bringhurst, second by Mark Fahrenkamp. Motion carried unanimous.

8. Discussion of Utah Retirement System for City Employees

June Jeffrey obtained information in regards to the Utah Retirement System for city employees. There are two different systems employees can choose from. One is a Hybrid Plan and the other is a Defined Plan. July 1, 2011 there was a change for employees that were enrolled in the Utah Retirement system. Previous members were attached to a tier 1 plan. The current budget benefit is \$14,200.00, 9 % of current city employee wages. The city would need to budget an additional \$26,000.00 to enroll in this program. Currently the town is offering a monthly stipend benefit plus an insurance package to include Dental, Vision and Death and Dismemberment. If the city would budget for \$35,000.00 a year this would cover retirement for City employees. Councilmember Heideman wanted to know what changed from a year ago when the state representative came and spoke with the council about deterring the city from enrolling in the program. Jeffrey explained that the representative apologized for presenting in that way to the council. The system is a great benefit but the council will need to consider whether or not the town can afford to enter into the state retirement system.

G. COUNCIL REPORTS AND CITY DEPARTMENTS:

1. Mike Vercimak- Zoning Administrator

Developmental Staff has received a request for a simple subdivision, a CUP request for a wind and solar project by Jerry Eves at the Browse junction, and a CUP for a bed and breakfast. Attorney Snow knows a possible contact that may be available to explain the environmental impacts of the wind and solar project to the City Council. The conditional use permit is a preliminary step in the solar and wind project for this construction to make sure this project is able to move forward.

2. Heath Snow- Attorney

Snow received a municipal adjustment request from a property owner, whose property borders the City of Toquerville from the City of LaVerkin. LaVerkin City doesn't see an issue with this request. This type of application needs to be filed in both cities. A resolution will need to be passed to consider this request, both cities need to hold a public hearing, a surveyor needs to survey the property, and both cities need to agree upon the adjustment. This request affects a specific portion of the property owned, which to Mr. Snow's understanding is along the ridgeline where part of the utilities would be hooked up to the City of LaVerkin, and the other portion of responsible utilities would be thru Toquerville City. Mayor LeFevre stated engineering reviews will need to be seen by both cities to address the costs of this adjustment. The application process needs to be started before any further research is done to make sure we are being financially

responsible on spending. Mike Vercimak states this is a long process where zoning determinations will need to be assessed and disclosures on the property will be submitted. Councilman Bringhurst stated that the request should have a zoning request upon submittal of application. Mayor LeFevre would like a plan of what the requestor is expecting to do with the lot so there is communication of what the expectations are of the future expansion of the property, costs that will incur for the property owner, and how utilities will be ran onto the property.


3. Ty Bringhurst - Water Department/Streets/MPO/Emergency Preparedness/Safety Committee
Interstate rock will start construction on Toquerville Boulevard the first of next week. Bringhurst has a bid proposal for the traffic paint markings of Westfield Road from Straight Stripe Company when they crack seal the road this fall. There will be three bids for this job.
4. Keen Ellsworth - Economic Development/Subdivisions/Planning Commission
Oversight/Mosquito Abatement
Absent
5. Mark Fahrenkamp - Park Maintenance/Park Committee/Risk Management/Trails Committee
The Softball League fees are being held by the project manager at this time due to conversations of the fees possibly changing this year. Some of the leagues paid the new fee instead of the old fee. Mayor LeFevre recommended the League submit the fees collected to the town, whatever it may be since there was discussion about fee changes.
6. Paul Heideman - Sewer District/Culture and Recreation/Confluence Park
The 4th of July breakfast celebration was a success with almost a double amount of people attending this event. A good time was had by all including The Toquerville Royalty whom showed up and helped the Town Council Members with this event.
7. Brad Langston - Solid Waste/Tree Board/Cemetery/City Hall Maintenance/Beautification
Committee
Absent
8. Mayor LeFevre – Fire District/Irrigation Board
Mayor LeFevre is reporting for Lance Gubler whom was unable to attend this meeting. He wanted to talk about the Tree City Project and the retaining wall. Lance is estimating the rock wall project would incur the following costs. A mini-ex rental is \$2,700.00 a month, or a year lease of \$6,000.00. They need \$790.00 worth of geogrid material and \$3-4,000 dollars for operator costs. The rock and sand will to be provided from the city reserves. Mayor asked whether or not to use the existing wall in this project or start anew. The extension for the grant is only thru December. Councilmember Bringhurst recommended that the existing blocks needs to come out and to not piece this project together. Bringhurst believes this project would cost \$46,515.00. This is the entrance into the Town of Toquerville and needs to look appealing. Mayor LeFevre would be willing to donate some trees to this project to get it started after the block wall is completed. Mayor LeFevre is requesting direction of what they want to do with this project, come to terms of what will be done and how much they are willing to spend. June Jeffrey was wondering if we drop this grant and apply for maybe a larger one. Mayor advised that this is the top end of the grant money available. If we budget for the higher priced project we will need to reopen the budget to complete the project. Councilmember Fahrenkamp stated final costs and plans need to be made. Mayor LeFevre also commented on how this project could logistically be executed in regards to parking and placement of equipment and resources during this job.

Lance gave the Mayor bids on new ATV equipment needed for the public works staff. The John Deere model price is \$8,389.15, with a max speed is 25mph. The Tymoka brand is \$7,995.00, with a max speed of 45mph. Mark Fahrenkamp said the staff needs to purchase a model that can drive on the highway without concern of safety. Councilmember Heideman stated that maintenance costs need to be looked at for both units. Some of those ATV's have higher costs for upkeep.

Lance agreed to purchase a stencil to mark no parking areas for approximately \$300.00 rather than use Straight Stripe. Mayor LeFevre requested staff that when vehicles are parked in a no parking zone, to contact Law Enforcement dispatch and report a parking violation. He is requesting that the vehicles be towed. This is a safety issue for both drivers and the residents who reside in the area, especially since there has been an increase in traffic from the construction zone. Councilmember Heideman requesting that some stripe marking needs to be done on Main Street in front of the LDS church. When vehicles park on Main Street it impedes the view of traffic flow on Toquerville Blvd. This is a traffic/safety hazard.

K. ADJOURN:

Motion to adjourn made by Councilmember Ty Bringhurst , second by Councilmember Heideman . Motion carried unanimously. Meeting ending at 7:51.



Toquerville Mayor – Darrin LeFevre

8-11-2016
Date



Attest: City of Toquerville Recorder – Dana McKim

