

City of La Verkin

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La Verkin City Council Work Meeting Minutes

Wednesday, August 2, 2023, 5:00 pm.

Council Chambers, 111 S. Main, La Verkin, Utah

Present: Mayor Kelly Wilson; Council Members: Blair Gubler, Chuck Hardy, Patricia Wise, Richard Hirschi, and Micah Gubler; Staff: Kyle Gubler, Kevin Bennett, and Christy Ballard; Public: Senator Evan Vickers, Senator Derrin Owens, Representative Joseph Elison.

A. Called to Order-Mayor Wilson called the work meeting to order at 5:05 pm.

1. State Representatives

Mayor Wilson explained the City thought this would be a good way for us to get to know our representatives and for the representatives to get to know the city council and discuss some items La Verkin City is looking at that they may help with.

Senator Evan Vickers introduced himself. He lives in Cedar City and has represented this area for ten years.

Senator Derrin Owens introduced himself. He is from Fountain Green and has been a representative for six years in the Sanpete/Juab District. He ran legislation this year with Joe Elison that was successful and hopefully helped this area.

Representative Joseph Elison introduced himself. This is his first year. La Verkin, Toquerville, Virgin, and Springdale were the heart of his campaign.

He hopes the Hurricane Valley Fire District will jump on board with the passed tax bill. This is the bill that he and Senator Owens sponsored. The bill was drafted so that the citizens must vote on the sales tax, which only affects the area the tax is derived. For instance, if the Hurricane Valley Fire District participated, only the citizens who are part of the District would vote on it, and that would be the only place the tax would be imposed. It takes the burden off citizens anytime you can shift a tax liability to visitors (tourists). The funding source would move from a property tax to a sales tax.

Third to sixth-class counties have been doing this already. Some do both sales tax and property tax by adjusting the property tax and having the sales tax pick up the difference. We have enough tax base, so we could eliminate our Fire property tax altogether and save the average household \$60-80 per year.

It is up to the Hurricane Valley Fire District to propose that to the County Commissioners, and if they are okay with it, it would go to the ballot for the people to decide.

Mayor Wilson stated there are some things the Council would like to discuss. The first is funding for secondary water systems.

La Verkin City has a secondary water system that was installed about 40 years ago. The Washington County Water Conservancy District (WCWCD) knows it is substandard. The City took it over from the Canal Company and acquired the water rights from them. We provide secondary water to the citizens where it's available.

The original shareholders no longer hold a share in the system; the City provides a delivery contract to those individuals. These contracts can be bought and sold, and the City is obligated to provide water to those contract holders.

The system is losing water; our best guess is 500 gallons per minute. To conserve that, we need to replace a large share of the system. The WCWCD is aware of the situation and, for the past couple of years, says they have been trying to get money for us, but the City hasn't seen anything.

The engineer's estimate to replace the whole system is 16 million dollars. We don't have the funding for that.

La Verkin City is exempt from the meters, but we are preparing for the future by requiring new construction to install the right materials according to the state requirements. Hopefully, in the near future, the City can trade some of our secondary water with the WCWCD for water from the Toquerville Reservoir and have clean water able to be metered.

It was explained to the Senators that the irrigation water comes from the Virgin River; we do not have a settling pond, so we are exempt from metering secondary water.

Mayor Wilson reported the City did try to get the 70/30 split for metering and install everything but the meter, and they told us no.

There is not a lot of grant money available for this, and the City could not afford even the interest on a 16 million dollar loan.

La Verkin City is all under sprinkler irrigation, even the agriculture users.

The next item is a traffic study the City did with UDOT. They are concerned with the traffic coming through La Verkin going to Zion. They predict the traffic will double in the next 20 years, from 20,000 cars per day to 40,000.

Senator Vickers asked if the Toquerville bypass road would help alleviate any of that.

The answer was that it would add to the issue. They explained the location of the bypass road.

The Mayor said the study suggests another travel lane, and UDOT proposed a one-way highway through the north part of town heading south. The thought is that it would move traffic more efficiently through town than traffic lights alone. The City will eventually get one more traffic light at 300 South with the hot springs development.

Councilwoman Wise commented that the proposed highway would also help La Verkin create a downtown business zone with a lot of walkability. It would create a median on State Street, so you don't have cross traffic. The overall concept was essentially to move traffic more efficiently and, at the same time, retain the tourist in town.

Mayor Wilson reported the City is planning to submit the application for a feasibility study with the State to see if this will work. The other option is traffic lights all through town. He understands this may not come up in the state legislature; he just wanted them to be aware of what La Verkin is looking at.

Kyle said UDOT needs to address the traffic coming off the hill. It is one lane for two miles. The one-way road isn't going to solve the issue of two lanes going up the hill and only one coming down from the Park.

Councilwoman Wise stated this is an issue and is not even on UDOT's improvement plan until 2040-2050.

Mayor Wilson stated UDOT has improved things between here and Springdale with the four lanes, but it needs more work.

Councilwoman Wise reported the County has already gone through the appropriations committee with Chris Stewart's office for paving Sheep Bridge Road and Smithsonian Butte. Commissioner Victor Iverson reported in a meeting she attended that while Sheep Bridge will be paved, it is intended for commuters from Apple Valley who work in Zion National Park. Regarding La Verkin City's need for another lane, if you hear paving that road will help alleviate traffic, it really won't. We also don't want to lose tourism. We want it to come through town; we just need to manage it.

Representative Elison stated his understanding of that road is the tourist companies would use the road to drop people off and take that route to pick them up at the backside coming through Coral Pink Sand Dunes. It was funded with TRT money, but he will look into that.

Councilwoman Wise said the next item deals with rock climbing on public property. La Verkin City has a guiding company owner interested in putting in some rock-climbing routes on City cliffs. City officials are in favor of this, but the City Attorney felt we were not adequately protected from liability. She spoke to Tera McKee with the Utah Division of Outdoor Recreation, and a list of recreational purposes is already in Chapter 14, Limitations on Landowner Liability. What it doesn't list are any rock-climbing activities. She gave the Representatives a copy of the chapter. Some listed items are already in La Verkin and definitely in the County. The County has Confluence Park, which is in La Verkin and already has climbing routes. When the climbing guide approached the County about improving those routes, they were all for it until she asked the County to pay for the cost. That is when they backed away because of the perceived liability.

She spoke with Karson Eilers, a senior analyst with the Utah League of Cities and Towns, and he said the League would give full support to a bill making that amendment.

The Division of Outdoor Recreation told her that Unita County is working on the same thing. Their County Deputy Attorney is looking over the language. It all came up very quickly; this afternoon, she got the email out to Mayor Wilson, Kyle, and Kevin, the city attorney. All she is asking is to add rock climbing to the list of recreational purposes, and then what rock climbing would entail would be the question of how involved to get. It would be great to have this amendment sponsored through Washington County.

Senator Owens pointed out the language does state "not limited to."

Councilwoman Wise said that Kevin did not like that statement.

Representative Ellison said his son-in-law does this a lot and has been on federal lands. There is a permitting process they go through to create a new route. He will look into the possible language from the federal side that we could adopt.

Councilwoman Wise mentioned this bill would apply to public properties, private landowners where recreational purposes are allowed and not charged for, and trespassing. It's not adding anything new, just adding rock climbing to the list. The Division of Outdoor Recreation said they would give their full support. If possible, she would like to get into the upcoming legislature.

Senator Vickers said the soonest it could go into effect would be May-July of 2024.

Mayor Wilson said the last item they want to discuss is the transient room tax. He knows Springdale qualifies for a higher percentage of transient room tax because they are a small community with ties to the National Parks. La Verkin is the gateway to Zion National Park, and wondered if anything could be adjusted for us.

Senator Vickers mentioned Washington County does qualify. Every year there is tweaking with the TRT. A lot of people feel like the original purpose of the TRT is no longer needed, but that is not true. We still need the C-Core for advertising. They have given a lot of leeway, especially for rural counties and counties with national parks, to use the money for infrastructure related to tourism and emergency response. Anything currently available to La Verkin City would be through the County.

You can add a 1% sales tax if you are considered a resort town.

Kyle said the definition of that is 66% of your population, and he wondered if there was any way to adjust that percentage.

Senator Vickers replied that it would be a big lift but could be discussed. There is always discussion regarding TRT. Unfortunately, you've got a pendulum. Some counties think it's all there's, and they should be able to use it for whatever they want, which is inappropriate. Maybe at this point in the evolution, having 100% advertising is not appropriate either; it must be somewhere in the middle. We keep moving in that direction, but we still need to ensure significant money goes into advertising. We had a substantial uptick during Covid, but there will be a time when we wish we had some advertising.

Councilman Hirschi asked about the status of the Toquerville Reservoir.

Mayor Wilson reported that the WCWCD said they should have it ready to bid by the end of 2023.

Senator Vickers asked what they were planning on doing.

Representative Ellison explained they would build a dam with a small reservoir that would take all the east flow off Pine Valley.

Kyle mentioned that Doug Wilson, a La Verkin Water Board member, wants to ensure the reservoir doesn't affect the Toquerville Springs. The water from the Black Ridge may flow into that Spring.

Councilwoman Wise asked the Representatives what some of their priorities are that may affect La Verkin.

Representative Ellison replied nothing directly, but one of his items was to change the selection process of the Boards of Trustees for Higher Education.

He is working with the City of St. George on their dinosaur museum. He wants to make the museum a state landmark. He worked on a bill last year for them and explained that right across the street from the dinosaur tracks museum is a property that was going to be developed, but they found out there is a ton of dinosaur artifacts there, so the owner donated the property to the City with the intention they would stay in Washington County. The old rule stated they have to be deposited in Salt Lake. The new law said anything found in Washington County remains in Washington County in our museum. They think they will find 28-30 new species.

This year they are going for funding to warehouse what they find. That will put St. George and Washington County as the biggest paleontological site in the world.

Senator Owens reported he is the Chair of the Executive Offices of Criminal Justice and is working on some education and corrections but nothing major.

Every Friday during the session, they have a rural caucus at 7:00 am, where they listen to rural issues. Some of La Verkin's water issues may be answered there. He invited the Councilmembers/Mayor to attend either in person or virtually. You could even participate in the Transportation Committee via Zoom.

They explained that process.

One big win for the County was getting the new DPS helicopter paid for. It went on 20 rescue trips before they even had the ribbon-cutting ceremony. National Parks don't provide EMS; it is all in the District.

Senator Vickers said he is involved in several different things. His most recent assignment deals with mental and behavioral health. There will be a lot of discussion this year on licensure in that area. There is a significant need for more practitioners. They are looking at expanding the capabilities of the paraprofessionals in that arena.

Mayor Wilson thanked the representatives for coming and would like to do it a couple of times a year.

Senator Vickers suggested May and again in the Fall.

B. Adjourn:

The meeting adjourned at 5:56 pm.

August 16, 2023
Date Approved

ATTEST: Christy Ballard
Christy Ballard
City Recorder

Kelly B. Wilson
Mayor Kelly B. Wilson