

Virgin Town
Town Council
December 19 2023
Final Minutes

Council
Mayor Jean Krause
LeRoy Thompson
Gene Garate
Paul Luwe

Attendance
Krystal Percival-Clerk
Heath Snow-Attorney
Kim Kietzman-Permit Clerk
Jim Kietzman, Debrah Masefield
Mechelle Kelin, Jay Lee, Caitlin Kelin,
Mark Ingersoll, Becky Galvez, Pat Galvez,
Sean Amodt, Bronwyn Wallace

Online
Monica Bowcutt

REGULAR MEETING: 6:05pm

A. CALL TO ORDER Jean Krause /PLEDGE OF ALLEGIANCE Gene Garate /OPENING THOUGHT OR PRAYER LeRoy Thompson

B. DECLARATION OF CONFLICTS OF INTEREST – NONE

C. CONSENT AGENDA

1. Approval of Minutes from November 14, 2023 Town Council Meeting
Paul Luwe made a motion to move item C 1 out of the consent agenda to Item F. / Gene Garate seconded / All Aye
2. Approval of Checks and Invoices for November 2023
3. Approval of Resolution of the Town Council of Virgin, Utah Nominating Paul Luwe to be Reappointed to the Administrative Control Board of Hurricane Valley Fire Special Service District.
LeRoy Thompson made a motion to approve the consent agenda (item 2 & 3) / Gene Garate seconded / All Aye / No Nae

D. OPEN FORUM

Limit 2 minutes per speaker, may talk about anything NOT on the agenda.

1. Recognition of Service: LeRoy Thompson and Gene Garate

Krystal Percival – Recognition of Service for LeRoy Thompson and Gene Garate
Paul Luwe thanked Gene and LeRoy for their time.

Jay Lee gave an update on Mosquito Abatement District. He talked about the budget. He stated that everything is looking very well.

E. COUNCIL COMMENTS

LeRoy Thompson gave a budget report update.

Jean Krause talked about the Scenic Overlay Ordinance Draft with the County. She talked about what the county will and will not allow regarding buildings and other structures on county land. The County wants to protect the Scenic Byway.

F. MINUTES:

Paul Luwe made a motion to table the minutes to January as they are not finished / Jean Krause seconded / All Aye / No NAE

PUBLIC HEARING:

Gene Garate made a motion to close the public meeting and open the public hearing / LeRoy Thompson Seconded /

Roll Call Vote:

Gene Garate: AYE

LeRoy Thompson: AYE

Jean Krause: AYE

Paul Luwe: AYE

A. ACCEPT PUBLIC COMMENT

1. Public input on amending the adopted budget for FY 2023-2024

NONE

2. Adoption of Capital Improvements Plan for FY 2025-2029

NONE

Paul Luwe made a motion to close the public hearing and re-open the public meeting / LeRoy Thompson seconded / All AYE no NAE

NEW BUSINESS:

A. MOTION AND VOTE FOR ITEMS 1 - 4

1. Consideration of Resolution Amending the Adopted Budget of Virgin Town for Fiscal Year 2023-2024.

Submitted by Jean Krause, Mayor

Jean Krause indicated that the Town would purchase the land that the Mesa Road Water Tank sits on. This land is presently owned by SITLA. The town had a lease on this land. However, that lease expired several years ago without our knowledge. We are purchasing this land and paying the back lease for \$45,000.00.

The town also intends to hire another public works person and create a paid treasurer position.

Paul Luwe made a motion to approve the budget amendments / LeRoy Thompson Seconded

Roll call vote:

Gene Garate: AYE

LeRoy Thompson: AYE

Jean Krause: AYE

Paul Luwe: AYE

Passed

2. Consideration of Resolution Adopting the Five-Year Capital Improvements Plan for Fiscal Years 2025-2029 for the Town of Virgin, Utah.

Submitted by Paul Luwe, Town Council Member

Paul Luwe made a motion to table this at the next meeting / No seconded / Motion Failed.

Jean Krause made a motion to adopt the CIP plan 2025-2029 / LeRoy Thompson seconded / Roll Call vote:
Gene Garate: AYE
LeRoy Thompson: AYE
Jean Krause: AYE
Paul Luwe: AYE
Passed

3. Approval of Ordinance 2023-XX Amending Virgin Town's Official Zoning Map by Re-Zoning V-2-1-21-2342 (Currently Rural Residential Zone) to Commercial Zone.
Requested by Land Owner

Paul Luwe made motion to table this to next month / Jean Krause seconded / Roll call Vote.

Roll Call vote:
Gene Garate: NAE
LeRoy Thompson: NAE
Jean Krause: AYE
Paul Luwe: AYE
Failed

Paul Luwe made a motion to allow public comment / Jean Krause seconded / Roll call vote.

Roll Call vote:
Gene Garate: NAE
LeRoy Thompson: NAE
Jean Krause: AYE
Paul Luwe: AYE
Failed

Jean Krause allowed Deb Masefield to make a public comment. Deb Masefield was present at the Planning Commission's public hearing earlier this month. She intended to make a comment at the public hearing, but the public hearing was closed before she was able to stand up and get to the microphone. Deb Masefield said she has known Mechelle for a long time, and these are the kind of people we need in our town to allow them to do their business.

Gene Garate stated that good comments were made at the public hearing, and it was done properly.

LeRoy Thompson stated that he agrees with Deb, and he is fine with the zone change.

Paul Luwe said he likes the project, not the location, and with the roundabout not there, it is not the right location, and the intensity of commercial is not compatible with the surrounding zoning.

Jean Krause stated that many of the comments are about the project not the zone change. Only a few of the public comments were about the zone change itself. (spot zoning) She does not see this as spot zoning as there is already a lot of commercial property nearby. She feels that Mechelle is honest and will do what she says she will. The mayor proposed a development agreement with Mechelle, but Mechelle was not in favor of that.

Gene Garate made a motion to approve the zone change / LeRoy Thompson Seconded / Paul Luwe made an amendment to the motion to make it effective January 31, 2024. Heath Snow

responding to Jean Krause's question, indicated this item could be reconsidered next month. No seconded to the amendment. Amendment failed.

Roll Call vote:

Gene Garate: AYE

LeRoy Thompson: AYE

Jean Krause: AYE

Paul Luwe: NAE

Passed 3/1

4. Whether to join Dixie Transportation Executive Council as a voting member with a 1/3 share with an annual cost of \$1,833.00.

Submitted by Jean Krause, Mayor

Jean Krause talked about joining Dixie MPO and how we need to decide before the end of this month. She talked about member towns and cities that are entitled to apply for money to help with some road improvements in their communities. The Dixie MPO will help with that, and she sees a benefit in joining. We Just need to decide, and we do not need a resolution.

LeRoy Thompson made a motion to join Dixie MPO and pay and annual cost of \$1,833.00 / Paul Luwe seconded.

Roll Call vote:

Gene Garate: AYE

LeRoy Thompson: AYE

Jean Krause: AYE

Paul Luwe: AYE

Passed

DISCUSSION ITEMS:

B. DISCUSSION

5. Status Update by committee Revising Regulations on Short-Term Rentals (VULU Chapter 60) with regard to number of bedrooms and occupants.

Gene Garate said that in the STR committee meeting the committee decided they still need to work on this or have a new committee since two of the members are no longer on the committee.

Heath Snow stated that time is especially important, and we need not take the full 6 months on this.

CLOSE PUBLIC MEETING AND OPEN CLOSED MEETING (IF NEEDED)

ADJOURN MEETING 7:16pm

Motion to adjourn public meeting

Gene Garate made a motion to adjourn / LeRoy Thompson Seconded

Roll Call Vote:

Gene Garate: AYE

LeRoy Thompson: NAE

Jean Krause: AYE

Paul Luwe: AYE



Krystal Percival Clerk/Recorder



Approved Date