



TOQUERVILLE CITY COUNCIL
Special City Council Meeting Minutes
March 6, 2024, at 5:00 pm
212 N. Toquer Blvd, Toquerville Utah

Present: Mayor Justin Sip; Councilmembers: Gary Chaves, Chuck Williams, Todd Sands, Wayne Olsen, Joey Campbell; Staff: City Manager Afton Moore, City Recorder Daisy Fuentes, Planning and Zoning Administrator Darrin LeFevre, City Attorney Matt Ekins.

A. CALL TO ORDER:

Mayor Sip called the meeting to order at 5:03 p.m. The pledge of allegiance was led by Councilman Olsen and the invocation was led by Councilman Sands.

Councilman Campbell is attending via phone call.

B. APPROVAL OF AGENDA:

Councilman Sands made a motion to move approve the agenda order. Councilman Williams seconded the motion. Motion carried 4-0. Chuck Williams – aye, Joey Campbell – aye, Todd Sands – aye, Wayne Olsen – aye;

There were no declarations of conflicts from mayor or council.

C. CLOSED SESSION:

Councilman Sands made a motion to move into a closed session to discussion on the purchase, exchange, or lease of real property, including any form of a water right or water shares. Councilman Williams seconded the motion. Motion carried 4-0. Chuck Williams – aye, Joey Campbell – aye, Todd Sands – aye, Wayne Olsen – aye;

Minutes of the Closed Session were recorded and are now on file as a Protected Record. Councilman Chaves joined the meeting at 5:15pm. Councilman Campbell joined the meeting in person at 5:39pm.

Councilman Campbell made a motion to move out of a closed session. Councilman Sands seconded the motion. Motion carried 5-0. Gary Chaves – aye, Chuck Williams – aye, Joey Campbell – aye, Todd Sands – aye, Wayne Olsen – aye;

The mayor called for a 10-minute break to resume the open meeting at 6:00pm.

D. PUBLIC HEARING:

<https://www.youtube.com/live/mWH9kVgr5BI?si=X73xs0d2W2vw4qzd&t=20>

1. Public input is sought on a Preliminary Plat Application submitted by Jerry Eves located at Northwest Intersection I-15 & SR-17. Tax ID # T-3-0-22-3212. Current zoning is Business and Manufacturing Zone (BMP).

Mayor Sip opened the public hearing. Councilman Sands and Councilman Chaves read email submissions by Doug Towler and Ryan Hales. Mayor Sip closed the public hearing.

E. BUSINESS:



1. **Discussion and possible action** on a Preliminary Plat Application submitted by Jerry Eves located at Northwest Intersection I-15 & SR-17. Tax ID # T-3-0-22-3212. Current zoning is Business and Manufacturing Zone (BMP).
<https://www.youtube.com/live/mWH9kVgr5BI?si=gXcVRog1D9RCz2nw&t=463>

The council and staff discussed this item and addressed their concerns to the applicant.

Councilman Campbell made a motion approve the preliminary plat application submitted by Jerry Eves business item E1. Councilman Williams seconded the motion. Motion carried 5-0. Gary Chaves – aye, Chuck Williams – aye, Joey Campbell – aye, Todd Sands – aye, Wayne Olsen – aye;

2. **Discussion** on acquiring a Generator for City Hall.
https://www.youtube.com/live/mWH9kVgr5BI?si=4Qh5XXrG_p-fY7cv&t=1079

City Manager Afton Moore gave a brief update to council. The council and staff discussed this item and addressed their concerns and comments. This is a discussion item only; no motion is needed.

3. **Discussion and possible action** on the RFP for Legal Services.
https://www.youtube.com/live/mWH9kVgr5BI?si=KYvca_zlt3DPMYYA&t=1258

The council reviewed the request for proposal submittals and discussed this item with staff.

Councilman Sands made a motion to approve Gallian Welker as our new city attorney. Councilman Williams seconded the motion. Roll Call Vote: 4-1. Gary Chaves – aye, Chuck Williams – aye, Joey Campbell – nay, Todd Sands – aye, Wayne Olsen – aye;

4. **Discussion and possible action** on Ordinance 2024.XX – Amending and restating Chapter 7 of the Toquerville City Code to define the duties of the City Cemetery Clerk and revise the process for Burial of Indigents.
<https://www.youtube.com/live/mWH9kVgr5BI?si=oFQQBUIPCmISdZHA&t=2466>

The council discussed this item and addressed their concerns. Afton reviewed the redlined ordinance and answered questions from council.

Councilman Campbell made a motion to approve Ordinance 2024.XX amending and restating Chapter 7 of the Toquerville City code to define the duties of the City Cemetery Clerk and revise the process for burial of indigents. Councilman Williams seconded the motion. Motion carried 5-0. Gary Chaves – aye, Chuck Williams – aye, Joey Campbell – aye, Todd Sands – aye, Wayne Olsen – aye;

5. **Discussion and possible action** on waiving the Floodplain Development Review and Permit Fee for Shangri-La residents connecting to the Toquerville City water system.
<https://www.youtube.com/live/mWH9kVgr5BI?si=MQ5ZSMZOO2PLkZic&t=2632>

Afton Moore explained this item to council and answered questions from council.

Councilman Williams made a motion to waive the floodplain development review and permit fee for Shangri-La residents connecting to Toquerville City water system.



Councilman Campbell seconded the motion. Motion carried 5-0. Gary Chaves – aye, Chuck Williams – aye, Joey Campbell – aye, Todd Sands – aye, Wayne Olsen – aye;

6. **Discussion and possible action** on a supplemental agreement in the amount of \$280,000.00 amending Stanley Consultants Construction Engineering Management Agreement for the Toquerville Parkway project.
<https://www.youtube.com/live/mWH9kVgr5BI?si=G4B8byAZvOSBujvv&t=2916>

Councilman Williams made a motion to table the action on Stanley Consultant construction fees. Councilman Chaves seconded the motion. Motion carried 5-0. Gary Chaves – aye, Chuck Williams – aye, Joey Campbell – aye, Todd Sands – aye, Wayne Olsen – aye;

7. **Discussion and possible action** on approving a change order in the amount of \$113,984.00 from Landmark Engineering for materials testing on the Toquerville Parkway project.
https://www.youtube.com/live/mWH9kVgr5BI?si=_uV09tsSCbExnroB&t=2957

Councilman Sands made a motion to table so staff can get further documentation that we need on item E7. Councilman Campbell seconded the motion. Motion carried 5-0. Gary Chaves – aye, Chuck Williams – aye, Joey Campbell – aye, Todd Sands – aye, Wayne Olsen – aye;

8. **Discussion and possible action** on Ordinance 2024.XX – Grading Ordinance amending and restating Toquerville City Code 10-18B to modify the grading process.
https://www.youtube.com/live/mWH9kVgr5BI?si=3G4ToOwYH2AWwI_S&t=3001

Jared Bates with Rosenberg Associates joined the meeting via phone call. The council, Planning Commission Chairman Eaton and staff discussed this item and addressed their concerns. Jared Bates entered the meeting in person. The council directed staff to create an erosion control plan policy.

<https://www.youtube.com/live/mWH9kVgr5BI?si=zMZneKlv4b8mGyPw&t=9861>
Councilman Williams made a motion to (table) remand this whole thing back to the staff and Planning Commission to look over all this hour of YouTube and pick out all the suggestions and information and changes we've made and put it all into one document that we and then have it come back to us in a usable format that we can see at least a week before we bring it back on the ballot here or agenda to look at so next time we bring it up that we can have it ready to go for a vote. Motion failed for lack of a second. The council and staff continued to discuss this item.

<https://www.youtube.com/live/mWH9kVgr5BI?si=UPFDDCmc8jfmFqyf&t=10081>
Councilman Sands created a motion to approve business item 8 with changes in xiii, roman numeral 13, that we add to a permanent erosion control plan addressing the final conditions o the site that we instruct the city to come up with a policy for that in accordance to the current maintenance policy and then that we also change under exemption B, number 2, that we change the residential landscape to mirror the agricultural number 1 and then also that we include all the recommended changes to the ordinance that the Planning Commission recommended and eliminate exemption B – strike the sentence the applicability of any of the below listed exemptions must be determined by the zoning administrator.

Councilman Williams seconded the motion. Motion carried 3-2. Gary Chaves – aye, Chuck Williams – aye, Joey Campbell – nay, Todd Sands – aye, Wayne Olsen – nay;


F. ADJOURN:

Mayor Sip adjourned the meeting at 8:54pm.



Mayor – Justin Sip

3-27-24
Date



Attest: City Recorder – Daisy Fuentes

