

City of La Verkin

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La Verkin City Council Meeting Minutes

Wednesday, July 3, 2024, 6:00 pm.

Gym, 111 S. Main, La Verkin, Utah

Present: Mayor Kelly Wilson; Council Members: Patricia Wise, Richard Hirschi, and Darren Prince; Staff: Derek Imlay, Kyle Gubler, Fay Reber, Chief Nick Nuccitelli, Maridee Johnson, Nancy Cline, and Christy Ballard; Public: Steve Drummond, and Peggy Gonzales.

A. Called to Order –Richard Hirschi gave the invocation/thought and Pledge of Allegiance at 6:00 pm.

B. Presentation:

1. Certified Municipal Clerk Award for Christy Ballard.

Mayor Wilson read a letter from the Utah Municipal Clerks Association congratulating Christy Ballard on completing 120 hours of educational class time.

C. Appointments:

Kyle Gubler introduced the new City Recorder, Nancy Cline, and the new Treasurer, Christy Ballard.

Kyle Gubler, the city administrator, swore in Christy Ballard and Nancy Cline.

D. Consent Agenda: (Items on the consent agenda may not require discussion. These items will be a single motion unless removed at the request of the Mayor or City Council.)

1. Declarations of conflict of interest
2. Agenda
3. Meeting Minutes: June 5, 2024, regular meeting
4. Checks & Invoices: \$484,616.21

The motion was made by Councilman Richard Hirschi to approve the consent agenda as written, including the minutes of the June 5, 2024, regular meeting and Checks and Invoices in the amount of \$484,616.21, second by Councilman Darren Prince. Roll Call Vote: Prince-yes, Hirschi-yes, Wise-yes. The motion carried unanimously.

E. Business:

1. Discussion and possible action to approve Ordinance No. 2024-14, an ordinance amending the zoning map of and for the City of La Verkin to rezone from Low-Density Residential (R-1-14) to Tourist Commercial (COMM-T) two parcels with the Tax ID # LV-40 and LV-40-B, a combined total of .65 acres located directly west of 310 South 100 West, and 320 South 100 West.

Councilwoman Wise commented she felt the residential areas were eroding into commercial tourist zones and suggested a High-density zone would make more sense. She suggested this Ordinance should go back to the planning commission to consider High-density zones. She informed the Council that the Planning Commission had already passed this for Commercial tourists but that was the only option they were given. She felt that if they had a high-density option, they would consider that. She pointed out that this would benefit the neighborhood and the owner.

Councilman Prince added that the city of La Verkin took a big parcel next to the owner and turned it into a Commercial Tourist, leaving the owner with no option to sell it as a residential parcel because of the location. He pointed out we need to change the zoning to an option that would help the owner. He felt that whether it's Tourist Commercial or High Density they do what the owner is comfortable with.

The motion was made by Councilwoman Patricia Wise to send Ordinance No. 2024-14 back to the Planning Commission an ordinance amending the zoning map of and for the City of La Verkin to rezone from Low-Density Residential (R-1-14) to Tourist Commercial (COMM-T) two parcels with the Tax ID # LV-40 and LV-40-B, a combined total of .65 acres located directly west of 310 South 100 West and 320 South 100 West., second by Councilman Richard Hirschi. Roll Call Vote: Prince-yes, Hirschi-yes, Wise-yes. The motion carried unanimously.

2. Discussion and possible action to recommend approval of Ordinance No. R-2024-15 amending the zoning map of and for the City of La Verkin to rezone from Residential-Agricultural (R-A-1) to One Family Residential (R-1-8) for two partials LV-3-1-13-34031 and LV-3-1-13-34021, a combined total of 7.37 acres located west of Cottonwood Hollow Phase 4 and east of 974 North State Street.

Mayor Wilson explained this is a property by Cottonwood Hollow and is a partnership between Interstate Homes and the Wilson family.

Councilman Prince asked what R-A-1 is.

Derek Imlay explained it is 1 house per Acre. They would change to 8,000 sq ft lots.

Councilwoman Wise commented it is within city code and would fit into the existing housing.

The motion was made by Councilwoman Patricia Wise to approve Ordinance No. R-2024-15 amending the zoning map of and for the City of La Verkin to rezone from Residential-Agricultural (R-A-1) to One Family Residential (R-1-8) for two partials LV-3-1-13-34031 and LV-3-1-13-34021, a combined total of 7.37 acres located west of Cottonwood Hollow Phase 4 and east of 974 North State Street, second by Councilman Richard Hirschi. Wise-yes, Hirschi-yes, Prince-yes. The motion carried unanimously.

3. Discussion and possible action to approve a subdivision amendment for Crestview Village Subdivision.

Derek explained that a family member passed away leaving the land to the family, there was a family dispute and they split the land through the county, which is not legal through the city. They have negotiated now on how to get the parcels back to two parcels minus the land that was sold. Now it meets the city code.

Councilman Prince asked what it entails to change the parcels back.

Derek explained they had to go to the Planning Commission and then the city council with signatures from the Mayor and Fey Reber.

The motion was made by Councilman Darren Prince to approve a subdivision amendment for Crestview Village Subdivision, second by Councilman Richard Hirschi. Wise-yes, Prince-yes, Hirschi-yes. The motion carried unanimously.

4. Discussion and possible action to ratify the resolution authorizing the city to pick up the public safety and Firefighter Tier II Contributory Retirement System increase.

Mayor Wilson explained we discussed the tier II increase already and he has signed it. That this part was just overlooked, thinking it had already been passed.

The motion was made by Councilman Richard Hirschi to ratify Resolution R-2024-11, to pick up the public safety and firefighters Tier II contributory Retirement system increase, second by Councilwoman Patricia Wise. Wise-yes, Hirschi-yes, Prince-yes. The motion carried unanimously.

5. Discussion and possible action to approve Resolution R-2024-12, a resolution setting the Certified Tax Rate for La Verkin City for the Fiscal Year beginning July 1, 2024.

Kyle Gubler explained the County gets us this information usually not early enough to make it on our budget. He estimates low for the fiscal year and will adjust in the 1st budget amendment with the exact number.

The motion was made by Councilwoman Patricia Wise to approve Resolution 2024-12, a Resolution to set the Certified Tax Rate for the City of La Verkin Fiscal Year beginning July 1, 2024, second by Councilman Richard Hirschi. Wise-yes, Hirschi-yes, Prince-yes. The motion carried unanimously.

6. Discussion and possible action to approve Ordinance No. 2024-16, an ordinance amending the Animal Control ordinance.

Fay Reber explained he had several discussions with the Animal Control Officer and Chief Nuccitelli on what needed to be updated. This is a complete overhaul of the last Ordinance. He gave the City Council an overview of the document and suggested they read it and come back later to approve it.

Steve Drummond, the Animal Control Officer (ACO) said he had been ACO for 5 years and the ordinance has been outdated. He explained the goal was to Keep animals safe, streamline the process, and protect the citizens. The shelter is as close to a no-kill shelter as it can be. We aid citizens in euthanizing animals with a local vet. The citizens of La Verkin are almost 100% retention of keeping adopted animals. They give them their shots when they come in. The county gives us most of the animals in the shelter and pays for their shots.

Kyle reports their contract with Toquerville expires on August 1, 2024.

Councilman Prince asked if there is an exception for backyard breeders who only breed once a year.

Steve commented that the ordinance is not against backyard breeding but for bigger breeders. They can have puppies up to 4 months old before we start counting them in the 4-dog limit. That gives them plenty of time with their mothers, and then to sell the puppies.

Councilwoman Wise thanked Steve, Chief Nuccitelli, and Fay for the explanation. She suggested they table it until all five city council members could be there to discuss and vote on the Ordinance.

Steve added that the fees need to be increased also. We are one of the lowest, so citizens drop dogs off to us because it's cheaper.

Fay informed him that would be a separate action and that they could do that after the Ordinance passes.

The motion was made by Councilwoman Patricia Wise to table Ordinance No. 2024-16 until August 7, 2024, an Ordinance amending the animal control Ordinance, second by Councilman Darren Prince. Wise-yes, Hirschi-yes, Prince-yes. The motion carried unanimously.

7. Discussion and possible action approving Resolution R-2024-~~13~~ authorizing a \$.03 per 1,000-gallon water rate increase.

Mayor Wilson explained this is a total of .13 cent raise, it increases every year by .10 so this calls for the additional .03 cent increase. This will also include future raises, so we won't have to pass a Resolution every year.

Councilwoman Wise asked why this would not be brought before City Council anymore. The citizens need to be aware of the yearly increase.

Fay commented that it's the Washington County Water Conservancy District (WCWCD) that raises the price and we are legally obligated to pass that on to our citizens.

Councilwoman Wise explained her concern is the city be transparent with the public. The citizens won't pay attention to the WCWCD agenda. She wanted the citizens to know it was happening and that the WCWCD was raising it.

Mayor Wilson asked if that could be added to the resolution to put information on the water bill.

Councilwoman Wise asked which would be more effective for the citizens to get it in a newsletter or the water bill, and would the staff remember to put it on the water bill every year.

Kyle replied that it would be cost-effective to put it on the water bill.

Christy Ballard replied she must manually add it to the water bill after it passes so they easily could put the notice on the bill also.

The motion was made by Councilwoman Patricia Wise to approve Resolution R-2024-13, a Resolution authorizing a \$.03 per 1,000 water rate increase for the City of La Verkin, in addition to notifying citizens on the water bill of WCWCD public hearing, second by Councilman Richard Hirschi. Wise-yes, Hirschi-yes, Prince-yes. The motion carried unanimously.

8. Discussion and possible action to grant a preliminary plat extension for the Sunset Mesa Subdivision, a six-lot subdivision located between 41 South 560 West and 61 South 560 West.

Derek explained the subdivision is off 560 West. They were unable to start construction in the 1-year time frame, so they need a 1-year extension. This is a one-time extension and if they don't complete it this year, they will have to start completely over with the Planning Commission and City Council.

The motion was made by Councilman Richard Hirschi to approve a preliminary plat extension for the Sunset Mesa Subdivision located between 41 South 560 West, and 61 South 560 West in La Verkin City, second by Councilman Darren Prince. Wise-yes, Hirschi-yes, Prince-yes. The motion carried unanimously.

9. Discussion and possible action to grant a preliminary plat extension for Chaco Ridge Subdivision. Derek explained this is the same situation as with Sunset Mesa. Chaco Ridge needs an extension for 1 year. They have already started moving dirt.

The motion was made by Councilman Richard Hirschi to approve a preliminary plat extension for the Chaco Ridge Subdivision in La Verkin city, second by Councilman Darren Prince. Wise-yes, Hirschi-yes, Prince-yes. The motion carried unanimously.

10. Discussion regarding the ChargeWest Partnership Agreement between the Zion Regional Collaborative (ZRC) and Utah Clean Cities (UCC).

Councilwoman Wise explained this is a non-profit organization that funds clean energy. Consisting of 11 western states looking for ways to fund clean energy. They wanted to see if electrical charging is feasible for the Zion Corridor. UCC proposed to ZRC that they would help support the position of coordinator for the next 2 years with \$10,000. They would want to get their objective taken care of, which is charging stations and they lost \$10,000 in funding last year. The goal is to keep ZRC in existence and help with the clerical work that ChargeWest needs. La Verkin City does not need to fund this at all, just the mayor's signature that La Verkin agrees with the partnership.

11. Discussion regarding the Southern Utah Regional Trail Standards.

Councilwoman Wise explained this is a study funded by the Metropolitan Planning Organization (MPO). The legislature has realized the need for active transportation other than our roads. They put in \$90,000 to build active transportation. Washington County did get some of that money. The Zion Corridor trail funding came from the Utah State Legislature. There are no standards for the trails like what kind of pavement, signage, or e-bikes. With trails in Santa Clara, Washington, St. George, Hurricane, and La Verkin you don't have to go far to find a trail. However, there are no standards like speed limits, signage, or right away. This study by the MPO will help us come up with "the rules of the road". Washington County has already passed it and they would like the cities to pass it as an ordinance with their master transportation plans. They want the staff and council to read over it and make any changes to pass an ordinance. This will be a document developers would get when they are putting trails in their developments and hold everyone to that standard.

Councilman Prince agrees this is a good document. We can see liability being a problem.

12. Discussion and possible action to update the city website.

Kyle is back for City Council approval on a company to update the city's website. He favored CivicPlus. He contacted a few other companies, but CivicPlus is still his recommendation. They make websites for the cities surrounding us. There will be some problems, in the beginning, but that's normal. We would have 3 months to design it and try it out. Nothing would go live until we look at it and make our changes. We would like to do bill pay and they can accommodate that.

Mayor Wilson said he had citizens call and complain about our outdated website.

Kyle agreed and added that the current website says it's unsecured for payments, so citizens are cautious about using it, and we need to change over to .gov and they can do that for us.

Councilwoman Wise commented she talked to the city of Springdale, and they liked working with CivilPlus and their website looks good. She said they need to decide on a package. Springdale and Hurricane have staff that also did work on their websites.

Kyle recommended the Ultimate package. And suggested that if the council is comfortable and the pricing is the same, they could approve it. We have not signed a contract yet.

The motion was made by Councilman Richard Hirschi to approve Civilplus with the Ultimate package to update La Verkin City website, second by Councilwoman Patricia Wise. Wise-yes, Hirschi-yes, Darren Prince-yes. The motion carried unanimously.

13. Discussion and possible action to move the September 4, 2024, City Council meeting to September 9th or 10th. Mayor reported the League of Cities will be in town September 4th and 5th therefore we need to move our council meeting to the 9th or 10th. They agreed on the 10th.

The motion was made by Councilman Richard Hirschi to approve canceling the city council meeting on September 4, 2024, and move the meeting to September 10, 2024, second by Councilwoman Patricia Wise. Wise-yes, Hirschi-yes, Prince-yes. The motion carried unanimously.

F. Mayor & Council Reports:

Mayor Wilson- The Mayor wanted a work meeting scheduled for July 10, 2024, at 5:00 pm for the City Council and Planning Commission to discuss the Development Agreement (DA) for the La Verkin Mesa project. He informed the council that Ben Willet and Matt Ence would be there to answer questions and make changes. The mayor also talked about the Re-Use water contract and having a work meeting on August 7, 2024, at 5:00 pm with the Planning Commission. He asked them to read through that information and they could meet and discuss their concerns. He was concerned that when they send river water to them, and they trade us the re-use water in exchange he does not want them to take any of the city's water rights. He explained the water would be held and treated in their facility and sent back at no charge.

Kyle suggested the city needs a water rights attorney in the future, so when we go into contract with WCWCD we won't lose those rights.

Councilman Prince asked if the WCWCD wanted the city's water rights.

Mayor Wilson answered he understood under the Constitution that cities must maintain those rights for future generations, however, he didn't want any loopholes to be missed. The mayor pointed out that the WCWCD is the reason we all can have this water, and as a county, we wouldn't be able to grow like we are without them. He asked them to review the information and be prepared with any questions for the August 7th meeting.

Mayor Wilson also asked them to review the Commercial Guidelines information and they will have a presentation for the council in the upcoming months.

Wise- Reported on the Planning Commission meeting last week.

Hirschi Reported on the proposed truth in taxation and that the fire district may be overstaffed. He also mentioned that there is a difference between part-time and full-time coverage.

Prince- Reported that the Rim-to-River trail is nice, he and Patty have hiked it. He would like to see some picnic tables down by the trees. The confluence park is exceeding expectations and had heavy use. He also reported on his presentation to the Planning Commission last week.

G. Citizen Comment & Request for Future Agenda Items:

Peggy Gonzales asked why La Verkin doesn't have any dog parks and if that could go before the City Council.

Derek said in the past it was proposed but was taken out of the park ordinance.

Councilman Prince added we do need a dog park maybe we can utilize a park we already have.

Peggy said in California they required the developers of subdivisions to provide green space. She pointed out that Wanless Park is big and maybe they could just fence it off to make some space for a dog park.

Derek said it was voted down by the neighborhood. They didn't want the noise and smell from them. We could revisit the dog park later.

H. Adjourn:

The motion was made by Councilman Darren Prince to adjourn, seconded by Councilman Richard Hirschi. Prince-yes, Hirschi-yes, Wise-yes. The motion was carried unanimously at 7:30 p.m.

8/7/2024
Date Approved

ATTEST:

Nancy Cline
Nancy Cline
City Recorder

Kelly B. Wilson
Mayor Kelly B. Wilson