

Town Council Regular Meeting
August 20, 2024
FINAL Minutes

Council

Jean Krause- Mayor
Paul Luwe
Mistie Baird
April McKeon

Attendance

Krystal Percival-Clerk
Heath Snow-Attorney
Kim Kietzman -Permit Clerk
Shaila Kuikahi-Permit Clerk
Ryker Steglich
Lenny Brinkerhoff
Kent Peterson – PZ Chair
Jay Lee
Gene Garate -Zoning Administrator
Hannah Barry
Rebecca Galvez- Treasurer
Pat Galvez
Skip Boissonnault
Dayton Hall
Sherlene Hall
Tom Lacross

Online

Monica Bowcutt
Jim, Niles Ritter,
Darcy Spendlove,
Cheryl Sampson,
Charlotte Downard

REGULAR MEETING: 6:03pm

A. CALL TO ORDER/PLEDGE OF ALLEGIANCE

B. DECLARATION OF CONFLICTS OF INTEREST -NONE

C. CONSENT AGENDA

1. Approval of Minutes from February 1 2024, June 25 2024, July 2 2024, and July 11 2024, Town Council Meetings
2. R2024-Q, Approval of Public Entity Resolution

April McKeon made a motion to approve the consent agenda / Mistie Baird seconded / ALL AYE / No NAE

D. REPORTS

1. Zoning Administrator - status of commercial projects

Gene Garate Zoning Administrator stated: We did not have a DRC meeting this past month, not a lot has changed, The Labrie project has attended a DRC meeting and should be moving onto the next phase of their project, The Quail Mesa has attended two DRC meetings and is working on the road, Tom Lacross has attended his DRC meeting and also has been talking to the council, Unplugged is still waiting for the approval process for the building permit, The Red coyote has a name called the River and Zion. Virgin goods have a permit for the café only.

2. Planning Commission - upcoming meetings and ordinances

Kent Peterson, Pro Tem Planning Commission Chair, stated: The Planning Commission has met and sent over the sign ordinance to the Town Council, P&Z, feel it's great. Regarding the Peek Zone Change we are short a commissioner it was a 3/2 vote, and the commission voted to keep it the same vote and send it to the Town Council. One of our commissioners has resigned.

3. Mosquito Abatement (if Jay Lee has anything)

Jay Lee Abatement Representative Stated: Right now, Cedar City is getting hit hard with the West Nile virus. They have over 20 individuals getting hit with it, Las Vegas is getting hit with it pretty hard as well. We have no West Nile cases right now. With the rain that has been falling down right now we are on the public health advisory and an invasive mosquito has been found and it's in our county. Make sure you have no standing water or containers around to help control the mosquitoes.

E. PRESENTATION

1. Doug Bennett from Washington County Water Conservancy District re: excess water usage surcharge

Doug gave a presentation slide show re: excess water usage surcharge

F. OPEN FORUM

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

Gene Garate stated that the last little flood that we had washed away a couple of people that were rescued and there is a system that can alert us and gives us about a 15-minute warning. He added that it is something we might want to think about adding to the North Creek River as the Virgin River already has several alert systems.

Kent Peterson stated that he had been here before about voting for the park name, about the old Sierra Bella Park. It is taking away the availability to have a dog park or playground for kids to play on, I have a problem with something taking away an area that will have an availability for my grandkids to play. I don't think we will ever have playground equipment at all to support a business to have a liquor license.

Jay Lee stated that years ago we did not have a place in the newsletter for Mayor in the past, but I would like to see what the rest of the Council has to say. I also agree with what Kent Peterson said about the park.

G. COUNCIL COMMENTS

Paul Luwe stated that the most recent Fire District calls, for the Fire District, are now on share point. Chad Olefiant is now the representative for the Fire District. Patriot day is September 11th in remembrance of the police and firefighters for 9/11.

Jean Krause stated that she went to the DRC meeting, and they have the spread sheets for all the infrastructures stuff they have. Also, the sound wall that is going up along I-15 in Washington City, UDOT wants to put up more sound walls and they have received a lot of pushbacks from the mayors.

ACTION ITEMS:

A. MOTION AND VOTE FOR ITEMS 1 - 9

1. Ordinance 2024-13 Water Efficiency Standards for Virgin, Public Hearing held August 14, 2024.

Doug Bennett from Washington County Water Conservancy District presented a slide show explaining the water efficiency standards.

Heath Snow stated that under 62.04 it should state depending on Virgin Uniform Land Use Code (VULU)

Paul Luwe stated that we knew this was coming when we joined the WCWCD, now this also gives a voice at the table.

Mistie Baird made a motion to approve Ordinance 2024-13 Water Efficiency Standards for Virgin, with the effective date being August 20, 2024, and the change to 62.04 it should state "depending on Virgin Uniform Land Use Code (VULU)" / Jean Krause Seconded /

Roll Call Vote

Jean Krause- AYE

Paul Luwe- AYE

Mistie Baird- AYE

April McKeon- AYE

Pass

2. Ordinance 2024-14: amending Virgins Official Zoning Map by rezoning V-2149 currently, Rural Residential zone (RR) to Highway Resort Zone (HRZ). Public Hearing was held previously on June 12, 2024, and August 14, 2024.

Jean Krause stated that this piece of property would be an issue as they are surrounded by HRZ.

Paul Luwe stated that we need more Residential Zones, and we have plenty of HRZ. The Town recently approved a zone change adding 140+ acres of HRZ at the expense of rural residential, and I don't think we need more HRZ. We don't need another Wildflower.

April McKeon said we have always talked about that side of Town being HRZ zone and with our general plan how it's going, I think it should be HRZ.

Mistie Baird stated that this fits in with our general plan.

April Made a made a motion Ordinance 2024-14: amending Virgins Official Zoning Map by rezoning V-2149 currently, Rural Residential zone (RR) to Highway Resort Zone (HRZ) with adding the amendment to add the public hearing dates to the ordinance / Mistie Baird Seconded

Roll Call Vote

Jean Krause- AYE

Paul Luwe- NAE

Mistie Baird- AYE

April McKeon- AYE

Pass 3/1

3. Extension of Shirlene Hall Zone Change request for another 6 months (with no need to re-file or pay a second zone change fee)

Dayton Hall said we are not in favor of this dragging it out for another 6 months. We would like approval, and we feel that we are entitled, and we would like a decision on that now. We want the front properties commercial. We would like to have what the ordinance allows now.

A special meeting will be held on August 27, 2024, at 4:30pm, to further discuss and possible vote on this.

4. Referral to Planning Commission: Ordinance 2024-XX, Amendment to Chapter 20 Requiring Public Notice for Public Meetings of the DRC

Heath Snow stated that this ordinance stated this should not be a public body, it shouldn't be open to the public, I have sat through every meeting with every other municipality and it's in a conference room and its staff and the public.

Paul Luwe stated that it uses taxpayers' money and uses the old church and staff time. Paul Luwe wants to see these meetings publicly noticed and allow the public to come.

Jean Krause stated that we should just move this to a public hearing, and we can talk about this later.

Paul Luwe made a motion to move this to the planning commission / April McKeon Seconded
ALL AYE/ Mistie Baird NAE

5. Referral to Planning Commission: Ordinance 2024-XX, Repeal and Replace for Chapter 18, Subdivision Ordinance

Ryker Steglich discussed the ordinance he presented to the council.

Paul Luwe made a motion move this to the planning commission / Mistie Baird seconded / ALL AYE / No NAE

6. Referral to Planning Commission: Ordinance 2024-XX, Amendment to Chapter 4.02, Planning and Zoning Commission

Paul Luwe made a motion move this to the planning commission / Jean Krause seconded / ALL AYE / NO NAE

7. Referral to Planning Commission: whether to create a new use in commercial zone for a duplex for long-term rental only and such accompanying regulations

Paul Luwe made a motion to motion to move this to the planning commission / Jean Krause seconded / ALL Aye / No NAE

8. Resolution R2024-R, Resolution of Water Rates and Enforcement, required for the loan funding the construction of the East Water Tank

Paul Luwe made a motion to approve Resolution R2024-R, Resolution of Water Rates and Enforcement / April McKeon seconded / ALL AYE / No NAE

9. Resolution R2024-S, Resolution Adopting Revisions to Virgin Town's Capital Improvements Program Policy

Paul Luwe made a motion to approve Resolution R2024-S, Resolution Adopting Revisions to Virgin Town's Capital Improvements Program Policy / April McKeon seconded / ALL AYE / No NAE

B. DISCUSSION

1. Workforce Housing Task Force
2. New backhoe for Public Works
3. Town Council Meeting Procedures Rules
4. Property line between Lenny Brinkerhoff and the town

Jean Krause talked about the surveying going into the Brinkerhoff's property about 6-feet, she talked about how Lenny would like to help the town with preserving her town history records with an exchange of the property. Heath snow will draft an agreement and the Brinkerhoff's will do a survey and the Town will waive the lot line adjustment application fee.

Jean Krause said she has been doing a lot of interviewing and found a person that will be great to work for our website and our GIS mapping system. This would be part time. I would like to be able to amend the budget and include his pay. This would be about 20 hours a week and \$22 an hour. I had him come in for a second interview and he's very well knowledge. The council has agreed to give her approval for the hire.

C. PLANNING & ZONING SUMMARY

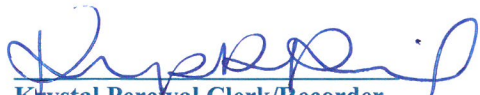
Items 4,6 and will be going to planning and zoning for a public hearing. 5 & 7 will go to Ryker and then will be presented to the planning commission.

CLOSE PUBLIC MEETING AND OPEN CLOSED MEETING (IF NEEDED)

ADJOURN MEETING 9:33pm

Motion to adjourn public meeting

Paul Luwe made a motion to adjourn / Mistie Baird seconded / ALL AYE / No NAE


Krystal Percival Clerk/Recorder

9/17/2024
Approved Date