

City of La Verkin

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La Verkin City Council Special Meeting Minutes

Wednesday, September 10, 2024, 6:00 pm.

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

Present: Mayor Kelly Wilson; Council Members: Patricia Wise, Blair Gubler, and Micah Gubler; Staff: Derek Imlay, Kyle Gubler, Fay Reber, Chief Nick Nuccitelli, and Nancy Cline; Public; Stephanie Gubler, Willyne Beacher, Jillian Ballard.

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

B. Presentation:

1. Victorious Yaanz regarding a clothing manufacturing company.

Sunita Devi introduced herself, mentioning her background in fashion design, her journey from Fiji to the United States, and her plans to start a clothing and manufacturing company in La Verkin City. Their business plan is to hire 25 local people initially, offering six weeks of free basic sewing training, followed by employment opportunities. They mentioned a few rental locations and said they would need sewing machines and other equipment to start. She explained that she would obtain grant money for the startup, with the city as a sponsor. The grant could be up to \$600,000 but typically is \$300,000. Sunita added that once the manufacturing was settled, they would like to open a retail store to sell the clothing.

Kyle Gubler discussed the next steps to applying for the grant and checked what the city needed to do to be a sponsor. He added that money is available for rural communities. The next step would be to meet with him to discuss the grant requirements.

C. 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 August 21, 2024, regular meeting
4. Checks & Invoices: \$493,576.65

The motion was made by Councilwomen Patricia Wise to approve the consent agenda as written, including the minutes of the August 21, 2024, regular meeting and Checks and Invoices in the amount of \$493,576.65, second by Councilman Blair Gubler. Roll Call Vote: Micah Gubler-yes, Wise-yes, Blair Gubler-yes. The motion carried unanimously.

D. Public Hearing:

1. FY 2024-2025 Budget Amendment

Kyle Gubler spoke about the budget amendment. The income from property tax is always estimated until they get the actual numbers, so there was a difference of about \$8,000. He wanted to ask the council about hiring a part-time employee for the Recreation department to help with events such as fairs and festivals. This employee would take some of the pressure off the city crew to set up for these events. He added that there was \$24,500 in the budget, which was \$20 an hour from September 30th to June 30th, which was about 40 weeks. To justify that, they would also have that person take on some responsibilities like emptying city trash cans, mowing lawns at the parks, etc. He added that this job could be a trial year to see if it's necessary. Kyle continued to discuss the changes in the budget, where the income came from, and invoices paid.

Public Hearing opened at 6:26 pm.

Stephanie Gubler asked about the surplus money in the revenue line and whether it was revenue or expenditure.

Kyle responded that it was a surplus from money in another account that was not used, so it went back into revenue to cover the expenditures. He continued explaining how the surplus gets put into other accounts, like parks, roads, etc.

Stephanie Gubler asked if there was a negative sign before the expenditures or if they were on the budget.

Kye explained that there were no negative signs. The column increases with revenue or decreases with expenditures. The city receives money but cannot spend it until it is added to the budget, and a budget amendment is approved. Then we can spend it. We received the money, and now we want to spend it.

Jillian Ballard was concerned about the sidewalk on 300 getting finished. She owns the land onto which the water is draining since the sidewalk isn't in front of her property. She wanted to know if it was within the budget and if the city would put a sidewalk or drain on their property. She also asked if there was a date they would be getting the work done.

Kyle said they would dump dirt to reroute the water draining to the property. He informed Jillian that the owners are responsible for providing a curb, gutter, and sidewalk on the property. He reported that the Smiths paid the city to pour the sidewalk, curb, and gutter in front of his house while they were doing cement work and that she could do the same.

Mayor Wilson added that the plan is to put a storm drain on that side of the street, and that's why they are waiting on the sidewalk, so they don't have to tear it up. The storm drain money goes into a fund until there is enough to do a big project, so a date is not set.

Jillian Ballard asked if they could build up the dirt so the water doesn't drain into their field and can direct it further down the road.

Derek responded that two drop boxes would be on each side of the 100. The curb carries the water, which drops into the drainage, where the drop box is to carry it underneath the road and back up the other side. He told her they would bring dirt over and fill up the ditch to help prevent the water from flooding her field.

Public Hearing closed at 6:35

E. Business:

1. Discussion and possible action to approve Resolution No. R-2024-15 a resolution opening and amending the Fiscal Year 2024-2025 Budget.

Councilwoman Wise asked if the part-time position they are proposing could also include time cleaning and maintaining the Power Plant Park, parking lot, other parks, and special events.

Councilman Micah Gubler agreed that a lot of work was involved in the Peach Days seed display, Winterfest, and other festivities. If the part-time employee could also free up time for the street crew and help maintain parks, he would agree with hiring a part-time employee. He also said that Winterfest has a lot of volunteers, but it is growing and might warrant a part-time employee. He also agreed that if they didn't have the extra budget at the end of the year or didn't need the help, they could discontinue that position next year.

Councilwoman Wise agreed to do this for six months, after which they can reevaluate whether to keep the position or increase it if necessary. She liked the idea of merging the special events with maintenance.

The motion was made by Councilman Richard Hirschi to approve Resolution No. R-2024-15 a resolution opening and amending the Fiscal Year 2024-2025 Budget, second by Councilman Micha Gubler. Roll Call Vote: Micah Gubler-yes, Wise-yes, Blair Gubler-yes. The motion carried unanimously.

2. Discussion and possible action to approve Resolution No. R-2024-16, which gives the city treasurer access to PTIF accounts.

Kyle explained that this is a formality. The new treasurer needs access to the accounts to do her job, which must be authorized through a resolution.

The motion was made by Councilwoman Patricia Wise to approve Resolution No. R-2024-16 giving the city treasurer access to the PTIF accounts, second by Councilman Richard Hirschi. Roll Call Vote: Micah Gubler-yes, Wise-yes, Blair Gubler-yes. The motion carried unanimously.

3. Discussion and possible action to approve the preliminary plat for Cottonwood Hollow Phase 5, a 13-lot subdivision between 740 North and 1040 North

Derek explained the property's location on the subdivision's West side.

Councilwoman Wise reported that before the planning commission, the public made comments. There were concerns about construction dirt and noise. Another citizen brought up the tumbleweed issues in Cottonwood Hollow. She reported that Derek did an excellent job explaining that he would talk to the school district about keeping weeds down on their property and talk to Interstate Rock about the trash, dirt, and noise. The citizens then agreed to approve the next phase of Cottonwood Hollow.

The motion was made by Councilman Micah Gubler to approve a preliminary plat for Cottonwood Hollow Phase 5, a 13-lot subdivision between 740 North and 1040 North, second by Councilwoman Patricia Wise. Roll Call Vote: Micah Gubler-yes, Wise-yes, Blair Gubler-yes. The motion carried unanimously.

4. Discussion and possible action to set a public hearing for October 2, 2024, regarding the vacating and selling of surplus land

Kyle Gubler explained this is a piece of land on 600 that goes nowhere. It was supposed to be a public road, but a house was built, and that was the end of the road. The property owners have the first right to buy it, and the city would like to get rid of it and not be responsible for cleaning it up. The city must have a public hearing to vacate and sell the land.

The motion was made by Councilman Richard Hirschi to set a public hearing for October 2, 2024, regarding the vacating and selling of surplus land, second by Councilman Micah Gubler. Roll Call Vote: Micah Gubler-yes, Wise-yes, Blair Gubler-yes. The motion carried unanimously.

5. Discussion regarding Commercial Design guideline ordinance.

Fay explained that the planning commission would hold a public hearing on September 11th. Then, they would recommend the plan to the City Council and present it to them in the October meeting. No further comments were made.

6. Discussion regarding amending the Tourist-Commercial zone.

Kyle explained that the RV resort was zoned for only a 29-day maximum stay when it went in. They have come to the city to discuss having a six-month stay so that snowbirds can stay through winter. The upside is that that will help them be more successful, which is what the city wants, is for the businesses in town to be successful. The downside is the city will not be able to collect transit room tax on those spots that go longer than 30 days. It is a small amount of money, but it is still tax revenue that the city won't get because of how the law is written. If someone stays longer than 30 days, they're not transient but long-term. They wanted to make 25% of their spots available to do that. They told them that about 70% of people who stay there eat out, which would help local businesses. They propose the months of October through March for the snowbirds staying.

Mayor Wilson added that the other RV resorts in Hurricane City allowed snowbirds to stay for six months. People asked to stay longer, so they would like this change to be made.

Derek explained that this property is the only one in La Verkin that is allowed to have an RV resort. The Tourist-Commercial zone only allows it on this property; no other tourist-commercial property meets the criteria.

Councilman Micah Gubler asked how many spots would be affected.

Kyle responded it would be twenty-three spots. The resort has ninety-three spots, and 25% of that would be twenty-three spots. The owners also said they would spread out the twenty-three spots so it would appear to be fuller.

Councilwoman Wise asked if the casita rentals would be used for this six-month agreement.

Kyle responded that those would always be nightly rentals.

Mayor Wilson explained that when the resort advertised the casita rentals, it marketed them wrongly as RV resort rentals, and they were not getting much interest. They have fixed that.

Kyle added that since they changed the advertisement to Airbnb, they have dramatically increased the number of rental bookings.

Councilwoman Wise also asked if the resort had planned to come to the city to build a storage facility on the land it purchased across the street.

Derek explained that they originally purchased the land to offer the RV clients a place to store their side-by-sides, four-wheelers, and other cars so it wouldn't impact the resort parking lot. Since purchasing the land, they have not returned to the city to ask for it.

Councilwoman Wise said that from her experience with RV resorts, she agrees that many resorts offer this. If it were restricted to not a percentage but a number, that would be better, and the monthly restriction should be included. It would be their discretion to determine which lots they are, but not the casitas. She thought this discussion item shouldn't be amending the tourist commercial zone, but it should be amending the RV resort lines of the tourist commercial zone because she was concerned it would open it up to any other possibility of long-term rentals, keeping it very specific to this.

Councilman Micah Gubler was concerned about how they could regulate this. When March comes, how will the city know those RVs have been there for six months? He felt like the RV resort didn't do their homework ahead of time, and this is something they should have foreseen. He added that he sells insurance to many people who come year-round to Willowwind RV Resort in Hurricane City. They say they've been there for a year or two. He was concerned that is where this would end up.

Chief Nuccitelli suggested doing registry checks to see how long people have been there. Then, they can use that information to remove people.

Councilman Micah Gubler said he didn't think that would be a good use of the police department's time and was still concerned they would end up with 23 permanently occupied spots.

F. Mayor & Council Reports:

Micah Gubler-Reported that the police department is gearing up for the cops and cars on September 21st. It'll be at 6 p.m. It was a great event last year, and he anticipated it would be even better this year. The police department will be in the force tomorrow morning to support the Hurricane Valley Fire Department with their ceremony for the 9-11 commemoration. They have also done a great job in animal control. They've adopted all the dogs in the shelter over the last month except for one, so good things are happening there. He thanked the Chief and told him he appreciated all their efforts. He thought the department tried to be in the community and among the residents. He noticed there is not a lot of turnovers among officers like they have had in the past. So, you're doing something right. And they all have smiles on their faces. So, thank you for what you're doing with them.

The Youth Council is joining the Hurricane Youth Council to plan a Valley-wide dance and a few service activities for recreation. They are also going to have leadership training meetings periodically. Maridee is in touch with the state of Utah, working on getting grants to support the Youth Council and participate in councils across the state. They have the Princess Orientation Tee this last week or two. Six contestants signed up for the Miss La Verkin pageant on the 20th of September at 6 pm. One of the six that signed up is severely handicapped, so they're excited. They will offer a new honorary position on their royalty titled the Spirit of La Verkin Award. That way, they will allow individuals of all abilities and levels to be a part of it.

Along with the cops and cars, a 9-11 National Day of Service is happening. Some activities have been organized. If anyone's interested, you could go onto JustServe.org. Activities for that day are targeted at providing service and examples of gratitude towards first responders. Winterfest is coming up; planning is well underway, and they are beginning to accept vendors this Thursday. If you hear of anyone wanting to be a Winterfest vendor, that opens up and closes quickly. For Peach Days, we have two floats. We have the Royalty and the Cops and Cars in the Peach Day Parade.

La Verkin City's seed display won the sweepstakes, the grand prize of \$500., The sign coming into La Verkin from Hurricane, right there before the. The bridge has been cleaned and updated with some plants; it looks nice.

Richard Hirschi- Reported that the Fire Department is still pursuing truth in taxation.

Wise- Reported on the planning commission meeting on August 28th. She updated the Rim to River trail, which is almost finished. She suggested some cautionary signs to protect the city and citizens from climbing up the rock. She added that it is an excellent asset to the businesses around there. Not only River Rock Roasting but also the new Zion Hot Springs can be accessed for a hike, and CrossFit gym members can run the loop instead of running down State Street. The ribbon cutting is planned for October.

Blair Gubler- Reported Washington County Solid Waste will meet in October. Confluence Park was closed. They said they notified the County but not the city. It will be closed for the next two and half weeks.

Mayor Wilson informed everyone there would be no more meetings for the city council in September.

G. Citizen Comment & Request for Future Agenda Items:

Willyne Beacher appreciated the opportunity to come and share just a few thoughts. She talked to two members of the planning commission and learned that pretty soon they are going to be talking about high density. We're going to be zoning and changing some of the zoning. I want to start being part of that conversation and let you know that high-density housing puts many people in a small space with a lot of noise and traffic. She has spoken to citizens in Washington City about the high-density housing there. She realized we have a unique opportunity where we have some undeveloped land up on the Topside above the "L" to put high-density. She agreed there was a need for it. She suggested that there could be a technology park up there, which would bring many jobs into the community and families. She added there could be mixed-use projects and commercial activities, and I would love to be a part of that. She added that La Verkin is a unique community, and according to the information she gathered, La Verkin is a little over one square mile, and we are one of the county's largest dense areas of one square mile. So, it makes sense that we would take projects that involve high density, commercial activities, etc., that would be put in an undeveloped area of our community. She said she would like to help with that in any way instead of rezoning an already residential area. This is why we have zoning maps and zoning laws. She thanked the council for listening.

Jillian Ballard Shared her concerns about high-density housing in her neighborhood. They own a piece of land across the street; from what she heard; it could be zoned high-density. She said they had looked for this property for a long time and kept it nice with a playground and garden, and hoped to build on it. She felt that, like the bigger city, St. George has high-density residential areas, and after a while, it turns into a bad part of town with higher crime, drugs, and emergency services. With lower income and transient people this would be by the city's elementary school. She added she would gather names for a petition if that could stop the zone change. She pointed out that Hurricane and Washington City had put that type of housing on the outskirts of town. She felt when the Zion Hot Springs zoning was presented to the public, they felt bullied to decide if they wanted a big parking lot or high-density housing. So, they chose the parking lot. She felt that housing should be on the Topside of La Verkin and not down in town. It is cheaper to build in town than on the Topside, and families should be able to build single-family homes and keep high-density residential on the Topside. She pointed out that they recently changed a piece of property from residential to tourist-commercial and were concerned it would keep happening. She is willing to get a petition if that is what is needed to stop residential zoning from changing. **Stephanie Gubler** agreed with Willyne and Jillian that it works better to avoid this and not try to stop it once it happens. She noticed that in the August 14th meeting, Derek had given a presentation on high-density housing. She read the minutes from it, and he talked about how it's been a really good fit for Washington City, and she agreed that, yes, today, it probably is. She added that she grew up in the East and has observed what happens in bigger metropolitan areas. She said if you've been to Vegas, Salt Lake, and other areas and drive through the high-density area that's been there for 10-plus years, it is not a good fit. And she hoped the city would not encourage that type of zoning in town in an already long-standing, single-family, residential-zoned area. She couldn't remember the timeline but recalled it was recent that the whole area being discussed was just north of 300. They wanted to do commercial tourism, and the neighborhood fought against that, so the city split it; the front half was commercial, and the eastern half would stay residential, for which I think everybody was on board. Now, they wanted to rezone that back piece high-density. We understand the city needs commercial property but feel it can be closer to State Street; nobody's arguing with that. We are concerned with the encroachment on already established single-family zones. She pointed out that with the Topside property, people who bought a single home would see the master plan has high-density, mixed-use, and commercial zones. She added with La Verkin City now, it feels like the city is going to keep changing the zoning that residents have bought into already, thinking it's going to stay residential. She felt that this scenario would only benefit the developer. She didn't see how that

would benefit any citizens in an already single-family residential area. She wanted the council to consider that and realize it's not what your constituents, whom it directly affects, want. She pointed out she is not against high density altogether; however, why does the city want to implement this in an already single-family residential zone area?

Mayor Wilson commented that nobody has proposed high density on the property you're talking about yet. It depends on who owns the property, and if they approach the city to change the zone, then the city will look at it. It first goes to the planning commission before it ever comes to the city council. Nothing will happen until the person who buys the property or the owner decides what they want to do with it.

Willyne Beacher added that the two planning commission individuals that she spoke to have both been approached already about high density, and they've been given pictures. So, that's why she came tonight: to get in front of it and be part of the discussion. So, it has already been brought up.

Mayor Wilson said it still hasn't come to the city. However, if somebody buys that property, they can come to the city and ask for a change. It doesn't mean the city will give them the change. And that's why we have public hearings.

Derek commented that people have got the wrong idea of what the presentation was about. The targeted areas, which were Squire property, specifically in Riverwood or Cottonwood Hollow, were areas that the state, through the study, had shown were areas of high density that would work well for a walkable downtown. We're working on the ordinance right now, primarily for the topside. Those are primarily for the topside because we're getting developers interested in the topside now. We don't have any ordinances available. That's why we're discussing high-density residential, mixed-use, lived work. Everything we're targeting right now, I'm not saying it wouldn't be used for down here, but what we're doing now is targeting everything on the topside. I proposed the issues based on what the state did on the corridor study. If you look it up on the website, you can see the corridor study. Those are all areas that the state identified as making it a walkable downtown. Having a commercial here, having high-density here, and spreading out from here. And that was one way they thought they could reduce the amount of traffic and congestion.

Councilman Micah Gubler added I would imagine if someone's going to spend that type of money, they would make the purchase, dependent on getting approval. They wouldn't purchase it ahead of time and then hope they will change zoning. They will want it ahead of time. That will give the public a heads-up when that happens.

Mayor Wilson commented that's why we do things the way we do, so you're aware of what's happening. We're not trying to hide anything. It's a city, and we want to listen to what you say. But if somebody wants to buy that property, they will probably approach the city and tell us their plan. And we will explain to them the process they must go through to do that. And let them know there will be some opposition to their proposal. There always will be. We call it NIMBYism. Not in my backyard, but it's okay somewhere else. And that's something that we deal with as a city. Every city does. Not that we're against whatever you have to say or think. That's the process of city government. And we appreciate you. Thank you for coming and expressing your thoughts to us, and we will consider those.

H. Adjourn:

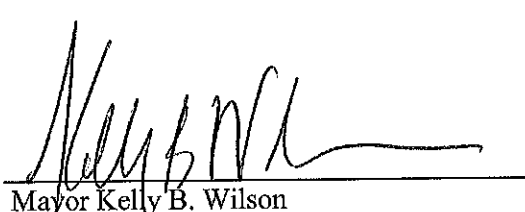
Mayor Wilson closed the meeting at 7:35 p.m.

10-16-2024

Date Approved

ATTEST:


Nancy Cline
City Recorder


Mayor Kelly B. Wilson