

**TOQUERVILLE CITY
CITY COUNCIL MEETING MINUTES**

**November 6, 2024 at 6:00 pm
212 N. Toquer Blvd, Toquerville Utah**

Present: Mayor Justin Sip; Councilman: Gary Chaves, Chuck Williams, Joey Campbell, Todd Sands, Wayne Olsen; Staff: City Manager Ben Billingsley, Assistant City Manager Darrin LeFevre, , Recorder/Planning & Zoning Administrator Emily Teaters, Attorney Kayla Gothard, Planning Commission Chair Valerie Preslar City

A. CALL TO ORDER:

Mayor Sip called the meeting to order at 6:00 p.m. Councilman Chaves led the Pledge of Allegiance. Invocation was led by Councilman Williams. Mayor Sip invited the new City Attorney, Kayla Gothard, to introduce herself. Kayla shared a brief overview of her background, education, and personal interests.

B. APPROVAL OF AGENDA:

https://www.youtube.com/live/t8sv_ZKNuSs?si=rfaLk27ELtz_fFx6&t=170

The Council reviewed the agenda.

*Councilman Chaves made a motion to go ahead and approve the agenda order.
Councilman Williams seconded the motion. Motion carried, 5-0. Gary Chaves – aye, Joey Campbell – aye, Chuck Williams – aye, Todd Sands – aye, Wayne Olsen – aye.*

There were no declarations of conflicts from the Council.

C. CONSENT AGENDA:

https://www.youtube.com/live/t8sv_ZKNuSs?si=AMBI2VOdl_XyqsG1&t=200

1. Review and possible approval of meeting minutes from October 16, 2024 City Council Meeting.

Councilman Campbell motioned to approve the minutes of the October 16, 2024, City Council Meeting. Councilman Williams seconded the motion. Motion carried, 4-0. Gary Chaves – aye, Joey Campbell – aye, Chuck Williams – aye, Todd Sands – aye, Wayne Olsen – abstain.

2. Review and possible approval of City Expenditures from September 2024.

*Councilman Chaves motioned to go ahead and approve the City Expenditures.
Councilman Campbell seconded the motion. Motion carried, 5-0. Gary Chaves – aye, Joey Campbell – aye, Chuck Williams – aye, Todd Sands – aye, Wayne Olsen – aye;*

D. CITY DEPARTMENT REPORTS

https://www.youtube.com/live/t8sv_ZKNuSs?si=c7QLeR5X2nU0rn0K&t=271

1. Ash Creek Special Services District Representative – Matt Goodrich

Matt provided an update on the progress of the treatment plant and addressed questions from the council.

2. Hurricane Valley Fire District Representative – Merlin Spendlove
Absent. Mayor Sip provided an update on the Truth in Taxation process, along with other ongoing studies and tax-related issues, and addressed questions from council members.
3. Toquerville Bypass Road Update – Bob Lamoreaux, Stanley Consultants
Absent. Darrin provided an update on the Bypass Road and related projects, shared a UDOT drone video showing the latest progress across the entire parkway, and answered questions from the council.
4. Planning Commission Chair- Valerie Preslar
Valerie reported that the Planning Commission will be working on updates to the Subdivision Ordinance as well as their policies and procedures manual.
5. Planning & Zoning Administrator – Emily Teaters
Emily provided an update on the Cross Connection Program on behalf of the Public Works department.
6. Assistant City Manager – Darrin LeFevre
Darrin provided updates on Boulder Ridge and IME Automations and answered questions from the council.
7. City Manager – Ben Billingsley
Ben reported on ongoing projects with the previous attorney, introduced the new attorneys, and discussed progress. He also updated the council on his review of Capital Facilities Projects, accounting for the parkway and water tank, and the new agenda item sheet.

E. CITY APPOINTED REPRESENTATIVE REPORTS

https://www.youtube.com/live/t8sv_ZKNuSs?si=ZippMUzCCqAfp9P&t=2243

1. Mayor Sip – Hurricane Valley Fire District/Ash Creek Sewer SSD/DTEC/DTAC/MPO Rep.
Mayor Sip reported on transportation updates in Washington County.
2. Joey Campbell – Ash Creek Sewer SSD Representative
Councilman Campbell reported on budget reviews and timelines for approval.
3. Todd Sands – Wash. Co. Solid Waste & Southwest Mosquito Abatement Representative
Councilman Sands updated the council on the Southwest Mosquito Abatement budgets and the Solid Waste District's contracts and billing increases.

F. PUBLIC FORUM:

https://www.youtube.com/live/t8sv_ZKNuSs?si=nklkSWzuBPGHRmW2&t=2468

Mayor Sip opened the public forum. No comments from the public. Mayor Sip closed the public forum.

G. BUSINESS:

1. **Discussion and possible action** on waiving the Town Hall Reservation fee for Readiness Meeting 2024-2025 Schedule.

https://www.youtube.com/live/t8sv_ZKNuSs?si=VmhxeX5KT7-670a&t=2481

Mayor Sip introduced this item. Councilman Campbell wanted to clarify that that City does not have any connection to the meeting, it's just providing the building. Councilman Sands did clarify that during the meetings he attended, this was clear.

Councilman Olsen made a motion to waive the Town Hall rental fees for Leif Bjarnson, for his readiness meetings. Five meetings between November 24 and March 25 Councilman Sands seconded the motion. Motion carried, 5-0. Gary Chaves – aye, Joey Campbell – aye, Chuck Williams – aye, Todd Sands – aye, Wayne Olsen – aye.

2. **Discussion and possible action** on the Toquerville City Culinary Water Master Plan.
https://www.youtube.com/live/t8sv_ZKNUss?si=PqJOojIwcnsEoF8x&t=2609
Vern Maloy presented the study and answered questions from the council.

Councilman Chaves made a motion to approve allowing the City to move forward with the essential modifications to address anticipated growth and future water demands and infrastructure needs. Councilman Campbell seconded the motion. Motion carried, 5-0. Gary Chaves – aye, Joey Campbell – aye, Chuck Williams – aye, Todd Sands – aye, Wayne Olsen – aye.

3. **Discussion and possible action** on the Washington County Water Conservancy District's Reuse Authorization Contract.
https://www.youtube.com/live/t8sv_ZKNUss?si=zVI8YM2lsahmgUoD&t=4054
Mayor Sip introduced the item to the public, and Attorney Kayla discussed her concerns with the plan and her ongoing discussions with the district. Councilman Chaves mentioned a few points he plans to discuss with the attorney.

Councilman Olsen made a motion to table this item. Councilman Williams seconded the motion. Motion carried, 5-0. Gary Chaves – aye, Joey Campbell – aye, Chuck Williams – aye, Todd Sands – aye, Wayne Olsen – aye.

4. **Discussion and possible action** on approving Change Order #10 in the amount of \$800,498.50 from JP Excavating for work items completed during construction that have not yet been formally incorporated into the project.
https://www.youtube.com/live/t8sv_ZKNUss?si=M6sJv92cSrR0yx2x&t=4491
Darrin introduced this item to the public. The Council and staff discussed this item.

Councilman Sands made a motion to approve Change Order #10 in the amount of \$800,498.50. Councilman Williams seconded the motion. Roll Call Vote, 5-0. Chuck Williams – aye, Gary Chaves – aye, Todd Sands – aye, Wayne Olsen – aye, Joey Campbell – aye.

5. **Discussion and possible action** on approving Change Order #11 in the amount of \$1,894,059.35 from JP Excavating mitigation of the north slope.
https://www.youtube.com/live/t8sv_ZKNUss?si=Y4CT5GnxVyCwWwEh&t=4930
Darrin LeFevre introduced this item. The Council and staff discussed this item.

Councilman Campbell made a motion to approve business item G-5, Change Order #11 up to but not to exceed \$1.9 million. Councilman Williams seconded the motion. Roll Call Vote, 5-0. Joey Campbell – aye, Wayne Olsen – aye, Todd Sands – aye, Gary Chaves – aye, Chuck Williams – aye.

6. **Discussion and possible action** on approving Change Order #12 in the amount of \$80,801.28 from JP Excavating for sand pocket mitigation.
https://www.youtube.com/live/t8sv_ZKNUss?si=0aysaZEutC-V1D3A&t=5093
Mayor Sip introduced this item. The Council and staff discussed this item.

Councilman Campbell made a motion to approve business item #6 Change Order #12 for up to but not to exceed \$81,000.00. Councilman Sands seconded the motion. Roll Call Vote: 4-1. Chuck Williams – aye, Gary Chaves – aye, Todd Sands – aye, Wayne Olsen –

nay, Joey Campbell – aye.

7. **Discussion and possible action** on Resolution XX.2024 – Zions Bank General Fund Disclosure Signatory Designation.

https://www.youtube.com/live/t8sv_ZKNuSs?si=wN6c0k4Ap1WQJsRQ&t=5322

Ben Billingsley introduced this item and answered questions from the Council.

Councilman Chaves made a motion to approve the General Fund Disclosure Signatory Designation. Councilman Campbell seconded the motion. Motion carried, 5-0. Gary Chaves – aye, Joey Campbell – aye, Chuck Williams – aye, Todd Sands – aye, Wayne Olsen – aye.

8. **Discussion and possible action** on a Procurement Waiver for Civil Science Parkway Right of Way.

https://www.youtube.com/live/t8sv_ZKNuSs?si=kvbAV2nQy_Rkxtqp&t=5402

Darrin LeFevre introduced this item and answered questions from the Council.

Councilman Campbell made a motion to approve a Procurement Waiver for Civil Science Parkway Right of Way. Councilman Olsen seconded the motion. Motion carried, 5-0. Gary Chaves – aye, Joey Campbell – aye, Chuck Williams – aye, Todd Sands – aye, Wayne Olsen – aye.

9. **Discussion and possible action** on DNR Smart Controller Grant Award Contract.

https://www.youtube.com/live/t8sv_ZKNuSs?si=b_ClvXvrbCdUqWNZ&t=5776

Mayor Sip introduced the item, and the council discussed it with staff. Councilman Campbell expressed interest in exploring alternate options with JD and bringing suggestions back to the council..

Councilman Campbell made a motion to table business item #9. Councilman Olsen seconded the motion. Motion carried, 5-0. Gary Chaves – aye, Joey Campbell – aye, Chuck Williams – aye, Todd Sands – aye, Wayne Olsen – aye;

10. **Discussion and possible action** on a Memorandum of Understanding between organizers of the Toquerville Turkey Trot and Toquerville City.

https://www.youtube.com/live/t8sv_ZKNuSs?si=1dEdukf87ltlj3k7&t=5915

Mayor Sip introduced this item. Council and staff discussed this item.

Councilman Campbell made a motion to approve the MOU between Toquerville City and the Toquerville Turkey Trot with the insurance, as stated by the attorney. Councilman Williams seconded the motion. Motion carried, 5-0. Gary Chaves – aye, Joey Campbell – aye, Chuck Williams – aye, Todd Sands – aye, Wayne Olsen – aye;

H. CALENDAR OF EVENTS:

https://www.youtube.com/live/t8sv_ZKNuSs?si=4JHOn6t2xTmOnGYo&t=6442

Mayor Sip reviewed the calendar of events.

I. CLOSED SESSION:

https://www.youtube.com/live/t8sv_ZKNuSs?si=qhBzCI_ktLn-eGOe&t=6764

Councilman Campbell made a motion to move into a closed session to discuss the character, professional competence, physical or mental health of an individual and strategy session to discuss pending and reasonable imminent litigation. Councilman Williams seconded the motion. Motion carried, 5-0. Gary Chaves – aye, Joey Campbell – aye, Chuck Williams – aye, Todd Sands – aye, Wayne Olsen – aye.

Minutes of the Closed Session were recorded and are now on file as a Protected Record.

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

The Council moved back into the open meeting at 8:53pm.

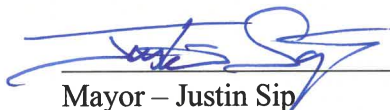
J. BUSINESS:

1. **Discussion and possible action** to authorize the Mayor to execute an updated contract with the Assistant City Manager.

Councilman Campbell motioned to table this business item. Councilman Williams seconded the motion. Motion carried, 5-0. Gary Chaves – aye, Joey Campbell – aye, Chuck Williams – aye, Todd Sands – aye, Wayne Olsen – aye.

1. ADJOURN:

Mayor Sip adjourned the meeting at 8:53 pm.



Mayor – Justin Sip

Date

Attest: City Recorder – Emily Teaters