

City of La Verkin

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La Verkin City Council Meeting Minutes

Wednesday, March 5, 2025, 6:00 pm.

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

Present: Mayor Kelly Wilson; Council Members: Patricia Wise, Blair Gubler, and Darren Prince; Staff: Derek Imlay, Kyle Gubler, Chief Nuccitelli, and Nancy Cline; Public: Nick Wright with HVFD, Jennifer Collins with Republic Services, and Mathias Schmitt.

Councilman Richard Hirschi and Micah Gubler were excused.

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

B. Presentation:

1. Nick Wright reported on February's statistics.
2. Jennifer Collins from Republic Services introduced herself to the council and gave out her contact information.

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: February 19, 2025, regular meeting. January 15, 2025, work meeting.
4. Checks & Invoices: \$249,415.84

The motion was made by Councilman Darren Prince to approve the consent agenda as written, including the minutes of the January 15, 2025, work meeting and the February 19, 2025, regular meeting. Checks and invoices in the amount of \$249,415.84, second by Councilman Patricia Wise. Roll Call Vote: Prince-yes, Wise-yes, Blair Gubler-yes. The motion carried unanimously.

D. Business:

1. Discussion and direction regarding the culinary water report.

Councilman Blair Gubler discussed his concern for the citizens on fixed incomes and how an increased water rate would affect them. He looked at his bill and added the proposed water price, and his bill increased by \$25-30 dollars. He is concerned that this would be a hardship for some citizens. He suggested that the city could discount the bills of those citizens who had financial hardship.

Blaine mentioned he had heard of other cities discounting water rates for citizens who could prove it was a hardship.

Fay Reber agreed it could help those citizens and would research how other cities did it.

Councilman Price agreed it would benefit those citizens but wanted more criteria than their age. He was concerned that people who did not need financial help would want discounts.

Councilwoman Wise agreed they needed more verification; however, it needed to be simple, so the city employees didn't get tied up too long verifying their information.

Councilman Blair Gubler suggested they bring the driver's license and tax return. He added that another way to help would be to raise it not 35% at once but 10-15% yearly for 3-5 years. He suggested that a slow increase would be more manageable for citizens to prepare for.

Blaine was concerned that if the city raised it slowly, they would not have enough money to complete projects and maintain the system.

Kyle pointed out that if the city's rate isn't high enough, the State won't issue a bond for the projects. The State wants to ensure the bond payment can be made with the fees the city charges.

Councilwoman Wise asked if the city had enough reserves to increase the rate slowly.

Mayor Wilson replied that the last bond they received from the state was conditioned on the city raising rates to keep up with the bond payment. He thought a 15% increase each year for 5 years would catch the city up, and the rate could stay the same after 5 years.

Blaine pointed out that they could make a slow rise, which could affect the completion time of a project. For example, a project planned for 2 years might take 3 years because they are waiting for the water rate increase to pay for it. Kyle suggested they research which cities have offered a discount. He could contact them to learn how they vetted the applicants and how it affected their maintenance and project times.

Blaine asked if he could answer any more questions before preparing the final report. He wanted the council to be comfortable with it before the Public Hearing.

Derek suggested a public hearing for the April 2nd meeting.

Councilman Blair Gubler suggested they have a work meeting before the city council meeting.

Mayor Wilson agreed they should have one on April 2nd.

2. Discussion and approval for further action regarding Interstate Rock Critical Infrastructure Materials Protection area.

Chase Stratton from Interstate Rock reported to the council that they tried in 2022 to have the city pass this critical infrastructure materials protection area. He was back again to get the city's cooperation.

Mayor Wilson explained that Interstate Rock has the right to mine that area. He thought it was a good idea to work with them on this protection area to avoid legal trouble in the future.

Fay Reber explained that if the city agrees to this, the owners get the benefit of the city not changing the zoning unless the owners agree to it. The city couldn't stop them by passing ordinances hindering their business. He gave an example of the airport and new houses going in after and wanting to sue the airport for the noise. This would help protect them from lawsuits. This agreement would last 20 years and then need to be approved again. The court would uphold the city's decision.

Mayor Wilson asked if Hurricane had passed this yet with the Interstate Rocks sites.

Chase replied that they passed it to both locations.

Derek added that they brought it to the city council first to ask questions and get their needed answers before taking it to the Planning Commission.

Fay explained the process, which includes a 15-day notice on the state website and notifying the neighbors within 1000 feet. They have 15 days to file an objection. After the proposal is sent to the planning commission, the county advisory board has 45 days to make a recommendation. The second public hearing then happens, and the city council passes an ordinance. The motion they are making tonight is moving forward with all these steps. It is not passing the ordinance.

Mayor Wilson added that the city couldn't stop them from mining it.

Fay agreed, saying it was already zoned for that purpose. If the council worries about the roads, they can add that to the ordinance.

Mayor Wilson asked Chase if they agreed to continue Main Street through their property.

Chase replied that they already agreed to that in the master plan. He added that this will help against frivolous homeowners' lawsuits. Any house sold within 1000 feet has this on the title report. That way, homeowners know they are buying next to a mining plant.

Councilwoman Wise was concerned about having a second access road that the big trucks can take.

Chase commented that they are legally obligated to have a second access point when they reach a certain number of homes.

Councilwoman Wise wanted some language in the motion that added the secondary road for the big trucks. That way, they aren't holding up traffic and ruining the road.

Chase agreed they could tell their trucks to take 740 North, but other companies that come to the property won't have to obey that.

Fay commented that if the council was comfortable, they could pass the motion to add an access road and agree to start posting notices to the public.

The motion was made by Councilwoman Patricia Wise to approve the Interstate Rock Critical Infrastructure Materials Protection area with the stipulation to add language for a secondary road , second by Councilman Blair Gubler. Roll Call Vote: Prince-yes, Wise-yes, and Blair Gubler-yes. The motion carried unanimously.

3. Discussion and direction regarding the addition of the animal shelter.

Chief Nuccitelli explained that last fall, the county asked if La Verkin City would be interested in expanding the animal shelter to house more dogs for them and the city. Derek looked at the building and what would be possible with the city codes.

Every year, our shelter takes in an average of 200 dogs; of those 200, 90% are from the county. Eight kennels are open to the outside yard and an outside kennel of 8x6 feet. When the shelter hits capacity, they rely heavily on the volunteers in town. They currently have two part-time animal control officers. They work 50 hours every two weeks. It is a 24-hour shelter, and they have volunteers who help walk, feed, and care for the dogs when the animal control officers are not there.

Our county has four animal shelters: Hurricane, Santa Clara, Ivins, and La Verkin. La Verkin takes dogs if they are on the county's east side. Hurricane City has two full-time animal control officers, two full-time kennel assistants, one part-time kennel assistant, and one full-time supervisor. They have nine kennels that can become 18 kennels for overflow.

The county is pleased with our service and wants to pay for additional rooms. They proposed using a storage container. A 40-foot container would fit on the property. They would pay for the cement pad, plumbing, electrical, container, paint, fencing, heating, and air. He showed a picture of the container. The county also agreed that if they paid for this expansion, the contract would stay the same: La Verkin only takes the county's dogs if they have room.

Councilwoman Wise asked how many more kennels would be supplied.

Chief Nuccitelli replied that there would be 6-8 more kennels, which would double the size of the current building.

Councilwoman Wise wanted to know if the container would be comfortable for the staff and the dogs, including whether there would be windows and doors.

Chief Nuccitelli replied that it would be fabricated with windows and doors, painted, and aesthetically pleasing to look at. He reported that storage containers come in different qualities, and he would suggest the insulated, higher-quality one.

Councilwoman Wise asked if the city needed more personnel to run the shelter.

The chief responded that, over time, they would need full-time employees. La Verkin has more volunteers than anyone else in the county.

Councilwoman Wise asked if there was a timeline the county wanted.

The chief replied that there was no timeline. Derek and the county supervisor should submit some renderings of the addition as the next step.

Councilwoman Wise asked if there would need to be a budget amendment for this to happen.

Kyle replied no because the city isn't paying for any of it. However, they may need to be one later to account for the more personal needs with more dogs there.

Councilwoman Wise suggested the contract with the county would include payment for the additional staff needed.

The chief agreed that the county should pay the additional staff cost. Once underway, the project will take about four months to complete. However, the city would be responsible for the long-term cost.

Mayor Wilson asked the Chief to discuss that with the county and see if they will pay for the additional staff.

Mayor & Council Reports:

Mayor Wilson reminded the council about the budget retreat at the city office on March 26th at 3:30.

Blair Gubler- Nothing to report

Patricia Wise-Reported the county had a meeting about the Zion Corridor trail going from Ash Creek to Confluence Park under the bridge. They are starting the construction process for the trail.

Micah Gubler- not in attendance.

Hirschi.- Not in attendance

Prince-. Reported the county requested water for the orchard and camping area. They are talking about tying into Ash Creek's waterline.

Citizen Comment & Request for Future Agenda Items:

Mathias Schmitt commented that he has a business up in Springdale that is sky watching. There will be an eclipse of the moon on March 13th at midnight. It's called the blood moon. He encourages the citizens to enjoy it. He also talked about dark sky communities and that it has health benefits and he educates the public about night skies.

I. Adjourn:

The mayor closed the meeting at 7:15 p.m.

April 2, 2025
Date Approved

ATTEST:

Nancy Cline
Nancy Cline
City Recorder

Kelly B. Wilson
Mayor Kelly B. Wilson