

City of La Verkin

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La Verkin City Council Meeting Minutes Wednesday, September 17, 2025, 6:00 pm. Council Chambers, 111 S. Main, La Verkin, Utah

Present: Mayor Kelly Wilson; Council Members: Patricia Wise, Richard Hirschi, Darren Prince, and Micah Gubler;
Staff: Kyle Gubler, Fay Reber, Derek Imlay, Nancy Cline, and Chief Nuccitelli. **Public:** Wanda Malony, Jerry

A. Called to Order –Patricia Wise gave the thought and Pledge of Allegiance at 6:00 pm.

B. Presentaion:

1. Nick Wright from HVFD
Nick had nothing to report

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. Checks & Invoices: \$ 165,140.01

The motion was made by Councilman Micah Gubler to approve the consent agenda as written. Checks and invoices in the amount \$165,140.01, second by Councilman Richard Hirschi. Roll Call Vote: Hirschi-yes, Wise-yes, Blair Gubler-yes, Micah Gubler-yes. The motion carried unanimously.

D. Business:

1. Discussion and possible action to approve Resolution No. 2025-10, a resolution for the Zion Scenic Byway Corridor Management Plan. Wanda Malony presenting.

Wanda Malony explained that this is an update for the corridor management plan for the Scenic Byway. She was chosen to work on the plan by the ZRC, Zion Regional Collaborative, and also partnered with Abadie consultants in St. George. The plan was completed in July, working with all the stakeholders in the communities along the corridor, and with considerable public and media. The entirety of SR 9 was designated as State Scenic By-Way, Utah State Scenic By-Way in 1990. And that is from I-15 to US-89. There was a corridor management plan developed in 2011 for the route, but not for the entire route. And also in 2020, a portion of the route was designated a national scenic byway, but not the entire route. This plan sort of brings into the planning process and into the visitor experience the entirety of SR now. This document applies to all 57 miles. One of the goals of the plan is possibly, when there's an opportunity, to then apply for the route to become an all-American Road. That is the national designation. The US Secretary of Transportation designates national scenic byways to become an all-American Road which is the highest level of recognition by the Secretary of Transportation. This plan meets all the criteria for designation, because a coordinator plan is required for that designation. The plan is intended to be very straightforward. It has six chapters. There's an introduction that outlines the purpose and the process that we went through to create the plan. The second chapter is dedicated to identifying the resources within the corridor that make it significant enough to merit designation as an all-American Road. Each community identifies those resources that contribute to the experience of someone who would come here to drive the road. The things that they could see, things that they could do, the stories that they would learn about within each of the communities that establish the significance of the corridor. And that's the intrinsic qualities; that's the jargon that we use in byways to talk about the resources that align with it. The third chapter is dedicated to the corridor from the visitor's perspective. We've looked at an assessment that she conducted early in the process that is sort of identifying the challenges and the opportunities from the perspective of the visitor as they travel through the corridor what information is present, what is helpful, what additional information

might be needed in order for someone to come to know and appreciate the resources that lie within the corridor. chapter four which is dedicated to the existing conditions of the road, and that's essentially where my partners, Avenue Consultants, were involved in doing an assessment of the roadway itself, looking at the crash test data, the alignment, the types of roadway within the corridor, and also some future projects that will impact the corridor for the next 25 to 30 years. The fifth chapter is dedicated to stewardship who implements this plan and sort of what that collaboration will look like and also how the stakeholders within the corridor will continue to engage the community as well in deciding the best way forward. What types of resources folks who live in communities would like to be promoted within the corridor. Finally, there's an action plan and the action plan is based on voluntary commitment and cooperation among all of the stakeholders within the corridor. The types of actions that are in the action plan would be regarding, again, sort of the stewardship role, sort of moving forward, how they continue to enhance the collaboration that will work to bring projects forward that will enhance the experience. There's a section on marketing. It was clear when we developed the plan that there is not a strong desire to increase the number of visitors within the corridor. The goal is to manage how we're moving within the corridor. In other words, try to make some effort to redistribute the travelers who are already here and take pressure off of those areas that are experiencing over tourism and try to direct those instead to communities that have capacity and have resources that they would like to promote further tourism. That not only benefits the communities, but it also benefits the traveler because it will increase the quality of their experience, if they're not frustrated about crowds or not being able to get to the thing they originally thought. And we all know that most of them are focused on coming to the national park. So, another thing we looked at was, breaking down who the travelers are. There is a profile of the national parks' traveler. Their demographics are consistent. The types of experiences they are seeking are consistent. But then we looked at some profiles and there's a lot of overlaps. For example, we looked at RV travelers. Who are they? What are their demographics? What do they like to do when they visit a place? Bird watchers, glampers. There are about six profiles in this plan that are identified. Having a lot of overlaps with the national park traveler, so the idea is that the communities throughout the route will use that information to target those types of travelers with the experiences they have available within their communities. It's the individual communities themselves who will decide what they will promote and the types of travelers they want to attract to stay longer in their communities and spend more money. That's sort of a very broad summary of the plan. The process and policy in Utah require that the plan is adopted by all of the municipalities within the corridor and then also by the state legislature so we're in the process now of that adoption and we have adoption Rockville, Springdale, Virgin and Kane County. They are on target to have all seven entities by the end of the month. We also have the sponsors for the 2026 legislators.

Councilwoman Wise explained that Washington county has given the thumbs up but didn't get it into review in time. They will present it in two weeks. There is Hurricane, La Verkin, and Washington county that needs to give approval.

The motion was made by Councilwoman Patricia Wise to approve Resolution No. 2025-10, a resolution for the Zion Scenic Byway Corridor Management Plan, second by Councilman Richard Hirschi. Roll Call Vote: Hirschi-yes, Wise-yes, Prince-yes, Micah Gubler-yes. The motion passed.

2. Discussion, and possible to approve the Resolution No. 2025-11 a resolution of the city council of La Verkin city, Utah, temporarily adjusting culinary water rates for Residential customers exceeding tier 3 usage under the 2025 schedule of culinary water rates.

Mayor Wilson explained they talked about this in the last meeting and now they have it in a resolution to approve.

Councilwoman Wise commented that John Valenti from the Planning Commission had reviewed and sent us all the email where it says fair. Do we want to leave that in there? Are we concerned about the water rates being fair or not? Or that we're just going to do this to give relief?

Fay explained that we're always trying to be fair in whatever we do. Whether it's part of the resolution or not, that's kind of inherent in what we try to do is be fair. We are trying to express whether the original water rates were fair or not fair. All we're trying to do is pass the original water rates, but because some residents were caught unawares, we wanted to be fair in how we implemented the ordinance, and rather than make it effective immediately, we were giving a three-month reprieve for the months of July, August, and September. anybody that was using rates and water in the Tier 4, Tier 5 category would fall back down to the Tier 3 category. Beginning on October 1, everybody's rates will be the new tier amounts. The reason we did that, in his mind at least, was we were trying to be fair with our residents.

Councilman Prince added it was mentioned they do two months not three. Everyone is comfortable with that.

Mayor Wilson explained they are comfortable with the three-month reprieve. Then in October everyone goes back to the regular tiers.

Kyle thought it would be in the best interest of the city, and he will make sure it happens that there's going to be a big push on the website. Letting the citizens know that it's possible that when they get their bill at the end of October beginning of November the rates will go back to the tiers they passed.

Fay added that he drafted a letter for the citizens that hit tier four and five that they would have a reprieve but only for three months.

The motion was made by Councilman Richard Hirschi to approve Resolution No. 2025-11 a resolution of the city council of La Verkin city, Utah, temporarily adjusting culinary water rates for Residential customers exceeding tier 3 usage under the 2025 schedule of culinary water rates., second by Councilman Darren Prince. Roll Call Vote: Hirschi-yes, Wise-yes, Prince-yes, Micah Gubler-yes. The motion carried unanimously.

3. Discussion and possible action to approve Resolution No. 2025-12, a resolution in support of America 250.

Kyle explained We were given an opportunity to get a grant from Utah America for \$1,500 that we can use towards promoting something for the 250th birthday of the United States. We've decided that we're going to take that, we've filled out the grant, it's been processed and everything. We will get the \$1,500 and that's going to go to the cops and cars and we're going to put in a soapbox derby car painted and decorated and that's the kind of thing they're looking for. We'll advertise and meet all the qualifications but one of the qualifications is that we pass a resolution. That will cost the entire \$1500.

Councilwoman Wise replied that will be some car!

Kyle added they wanted a unique event, and we're going to take videos and photographs of all the stuff at the event so we can show it to them. They responded and thought it was pretty exciting, so they're anticipating pictures and video, and hopefully, maybe give them an impression, we'll get on their advertisement.

Chief Nuccitelli added that it'll be branded as America's 250 car, and then we also have two people from the region that are coming from Soapbox Derby International, and depending on how the event is ran, they're saying that if that car is fast enough or qualifies, it could be in position to then be sponsored to go to Ohio to run in their national races next July.

Kyle explained they redesigned the 250 logos to go on the car.

The motion was made by Councilwoman Patricia Wise to approve Resolution No. 2025-12, a resolution in support of America 250, second by Councilman Micah Gubler. Roll Call Vote: Hirschi-yes, Wise-yes, Prince-yes, Micah Gubler-yes. The motion carried unanimously.

4. Discussion and possible action to approve Resolution No. 2025-13, an ordinance adjusting the business license fees.

Kyle explained we drafted a letter over Nancy's signature, and she sent that out to all the existing short-term rental people, and in the letter, it identified why and gave the information of why the fees are increasing. We notified them that we had taken action as far as hire a company to monitor that which we're live right now. We're just in the process of defining people on the list that are doing it illegally because there are some discrepancies Nancy's been working with him. They are going to get a letter, and it'll be a nice letter, and they progressively get less nice. We did receive one response back so far, they were in favor of the increase and that we are cracking down on the illegal rentals.

Councilman Micah Gubler asked how many properties are on the list.

Nancy Cline replied to around 50 properties. They are doing another update to make sure the addresses are correct.

Kyle explained that if they call the staff, we're going to say we're obeying the laws that are passed by the city Council. So, city council could get some phone calls. We need to enforce what's on the books.

Councilman Micah Gubler commented that they don't have a business license.

Kyle replied that it was correct. They are operating without a business license. And to come into compliance where we don't allow them anymore. The letter gives them 30 days to comply.

Councilwoman Wise added that originally, she was concerned, not so much with the illegal operators, but for all of their guests who have reservations. Being notified 30 days out, that there's no longer a house available for them. But interestingly, a friend of hers has reserved a short-term rental here in Washington County for a group get-together, and she got a notice that, and it's three weeks out, got a notice that house is no longer available. And the company that it was through arranged for other homes to come into consideration. And if the pricing was higher, the company took the hit for it. She would imagine that VRBO, and Airbnb have the same policies.

The motion was made by Councilwoman Patricia Wise to approve Resolution No. 2025-13, an ordinance adjusting the business license fees, second by Councilman Richard Hirschi. Roll Call Vote: Hirschi-yes, Wise-yes, Prince-yes, Micah Gubler-yes. The motion carried unanimously.

5. Discussion and possible action to approve Proclamation No. 2025-03, a proclamation designating October as Domestic Violence Awareness Month.

Chief Nuccitelli explained that the county will send out information. We specifically work with the Washington county sheriff's office, with our victim services program and also the Dove center and we just recently received training on domestic violence.

Mayor Wilson asked if that was prevalent in our community.

Chief replied he didn't think so. Today they had a person come in and we made an arrest based on some incidents that occurred, but he would say on the east side of the county, that's who we get information from. We usually average under two and a half to four domestics.

The motion was made by Councilman Darren Prince to approve Proclamation No. 2025-03, a proclamation designating October as Domestic Violence Awareness Month., second by Councilman Micah Gubler. Roll Call Vote: Hirschi-yes, Wise-yes, Prince-yes, Micah Gubler-yes. The motion carried unanimously.

6. Discussion regarding the city priority list.

Mayor Wilson explained one thing that he thought was Main Street sidewalks is number one on the list. Irrigation system. We're getting really close to having an agreement with the Washington County Water Conservancy District, which would allow us to pretty much redo the whole irrigation system, and they would fund it for us. And the main line on SR 17, the 12-inch line that comes into town from Toquerville Springs, as far as the culinary water system, in his opinion, that should be our priority number one, as far as the water system. The Stowell's Trailer Court is probably where most, 95% of the lead and copper pipes are in our community. We did receive a grant from the federal government to identify the lead and copper services in our community, which they've given out a mandate to have it taken care of by 2030. Just so everybody knows, we applied for money to do that. We thought that we were going to get a 100% grant from that to be able to replace those. We went up to the Division of Drinking Water. Apparently, they got the money from the federal government to do those replacements, but they didn't get enough for everybody. So, our application was in, and we were approved by them to do that replacement. The estimate is \$2,200,000 to do that. They gave us a 50% grant to do it, and the rest of it would be responsibility to the community. When we were up in front of them, he expressed to them that we were here to get a 100% grant, and that was what we thought we were going to get because it was a federal mandate, and they should be paying for it. And they were quite stunned to think that we were going to ask for it all. And it took them a few minutes before anybody could even comment. But finally, they started to ask a few questions, and we just told them that's what we were expecting, and they said the only thing we could do right now is to offer you that 50 percent grant money. We wouldn't have to accept it but that's the offer. He asked them if they could maybe even do a 75 percent grant and we would come up with 25 percent of the money. They said they hadn't even considered that. Their suggestion to us was that we accept what they have to offer now because there's a lot of other cities that are coming to them now to get that money. They felt like that this was the best they could do right now. It's up to the council tonight if we want to accept that grant money and put that on the priority list, we can. That puts us at a \$75,000 a year repayment for the part that we have to come up with for 20 years at 2.9% interest. It would be up to the council whether or not we want to do that. The proposal of increasing the water rates is to be able to pay for repairs and replacement of the water system, and that's part of replacement of the water system. The 12-inch line coming into town, part of the replacement of the water system. We haven't had those rates out long enough to know for sure how much money can actually afford to spend on these projects. They looked at what we have currently, and they could see that we are financially solved enough to be able to pay the \$75,000 a year. He explained to them that there's other items on our priority list that maybe were ahead of this, particularly that 12-inch line coming into town. That line is buried too deep in the ground; it happened probably 40 years ago when they redid the road coming into town. He didn't know why they didn't raise it, but we've talked to UDOT about it several times, and they don't want to take any responsibility.

Councilwoman Wise asked if the line coming in on SR-17, is that on here or is that part of the offer.

Mayor Wilson replied that it was item number three. The estimate from the engineers is \$2.5 million to replace that line. He told the drinking water board that this is a priority for us and asked them if they would participate in that. They said, well, if you take this one and you come back and we can see that you maybe need some extra help, they will take that into consideration too. They said there's a possibility that they could maybe even give us more money than 50% on that particular one, too.

Kyle added that either way, we're going to need to add Stowell's trailer park, lead and copper, on this. That's another thing that was a hang-up, going and asking for that money when we got our federal money. You can modify that now, but you've got to decide what's a priority. He wondered what would happen if they didn't complete it by 2030. They mandated it. He wondered what they would do if the city didn't have the money to complete it in time. They're either going to find a way to help us pay for it or extend it out. There might be more money coming. It's frustrating when they mandate something like that and then don't provide the means for us to do it, and our budget is pretty hard for us. And yes, we show money from our rates, but we raise those rates based on some of these other projects that we're going to do.

Councilwoman Wise asked about the SR-17 line, since that's a UDOT road, that there should be money available through the MPO. She didn't see why this couldn't be on one of those numerous funds that come through the MPO.

Kyle responded that that's all transportation.

Councilwoman Wise added that SR-17's transportation, this relates to it. And they also have them, it is more related to right-of-way, but there's also something they designate as kind of hardship. She couldn't remember exactly what fund it could potentially be, but it seemed to her that the MPO would be worth checking out.

Kyle responded that she could ask them, but UDOT is very clear that it's not their line, it doesn't matter that it's in the road. They're pretty clear that most of their stuff, if it was built in the road, that would be one thing, acquiring a right-of-way or something. In our next DTAC meeting, they mentioned something or just talked to Washinton County. I'm pretty sure that they're going to say no.

Mayor Wilson added that he met with Kirk Thornton from the UDOT this last week, and that was one of the things we asked him about. He said even though it was something they overlooked when they did that a long time ago. He said, UDOT doesn't want to put any money towards water lines only towards roads. It's just one of those things that should have been taken care of 40 years ago.

Councilwoman Wise commented between the two projects we're looking at \$5 million that needs to be spent in a relatively short amount of time.

Kyle responded that there's no timeline on that, SR-17 mainline. There's a deadline for the other one.

Mayor Wilson added we told them that there's a possibility we wouldn't accept that money, and they said, well, if you don't, we can just reverse it and have it given to somebody else.

Kyle added that this situation may be different, but a lot of times it's not a good look to turn down money when they give it to you because they'll remember that the next time they try and give you money. He didn't think this situation would put them in a bind like that. We can also go back and resubmit our application and say we want 75% grant, we want a lower interest rate, or we want to extend that out to 30 years or whatever. They can adjust that. They've done it to us before. If it's going to put a pinch on the budget, they may change the agreement.

Councilman Prince asked if there are health concerns with the lead pipes.

Councilwoman Wise asked about cancer or other problems.

Mayor Wilson responded the city has not heard of any.

Councilman Micah Gubler asked if it's mainly too hard to access? Or is it just a matter of it being 40 years old?

Derek replied that on the SR-17 line, it's mainly a C-900. The fact is we have to rent a bigger tractor and put it in a trench box. Repairs are \$50,000 per time. And back then, that was about the amount of our budget. We took out a pretty good section of sidewalks and other parts there on 170 South and SR-17. We took out a large, almost both lanes of 17. So, there's a lot of things that go into play there.

Kyle added that a phone call today from UDOT. It was Tracy Monson, who lives in Tocqueville, and it's Kurt Thornock's head that he called and wanted some explanation. And he told him that it's on UDOT. It was well before anybody that's working had to be 35 years ago plus improve that road and then just left the line deep. And he asked what we were planning on doing with the line. He said, leave it in the ground, 18 feet. The new line will be 3 feet down. Then we can get in and work on it ourselves with our own equipment. You go start getting that deep in a trench, you've got to V it out so that the sides collapse on anybody that's working in there, trench boxes and stuff like that. But Tracy Munson, again, reiterated, good luck. And we talked about retaining the west side because it's right against that. And UDOT should have never done that either. It may require, because of that, that when they redo that road, they move over towards the other side. Because it's going to be

easier to get on that side and west side. They can't leave that road two lanes. When the Toquerville bypass goes four lanes and we're four lanes up on top. Choke down two lanes for half a mile.

Councilwoman Wise asked the mayor what he wanted them to do about the lead and copper pipes with 50% grant.

Mayor Wilson replied it's up to the council. If we want to move ahead with that or we want to go maybe not do it now and go back and ask for more money. He got the impression from them that that's what they had available right now. And that's all that they could do. And that's taken into consideration that we're a disadvantaged, small community.

Councilman Prince asked when the grant money would be given.

Mayor Wilson responded they would notify them when we're going to do the project.

Derek added that they would receive the actual letter from NMEA, which would be the point where our guys would be shovel ready. That's kind of the reason that we went a little bit beyond that grant that gave us \$100,000 to find out where all these issues were. Because we wanted to be in front and get the most money. We were like the third person applying for this. And then they have about 10 or 12 more on their next round. More and more people will come on board. He wasn't sure they would get more than this, they might get less.

Councilman Prince felt that it's going to get more and more expensive. We need to replace it. We raised the rates to do these repairs, and we don't want people to have lead pipes.

Mayor Wilson responded that something needs to be done, definitely.

Derek added 4-inch galvanized lines. The reason we made that project bigger is because they say that the galvanized pipe actually can retain the lead pipes and the things that come off of it, which would be harmful for people down the line. When they started out, they did the funding 100% from the federal government.

Councilman Hirschi asked how often they have to make a payment.

Kyle replied to it would be once a year. He thought they should try and get better terms. They can negotiate. All you have to do is ask them. They can guarantee you can get it. If we have our engineer's approach and say, you know, if we're going to go 50-50, you're going to have to work with us and you're going to have to spread that over 25 years or 30 years or drop the interest rate to zero or 1.5 or something like that. It made a difference to have the mayor there with them. It's easier to tell the staff no. Regardless of what the council does about the grant it needs to be added to the priority list.

Mayor Wilson suggested have you and the engineers get with the drinking water board or contact them and tell them that we would like to see if there is any possibility that we could get more favorable terms on it.

Derek replied that he would talk to Blaine, and we'll call the lady who's been working with Division of Drinking Water. Before extending it out further.

Kyle wanted to be involved in that conversation.

Councilwoman Wise thought that actually would be some urgency, because if we kind of vacillated on whether to accept it or not, and they have 12 more cities coming in, towns, for the same pot of money, they might think, well, La Verkin wasn't that grateful about it, so maybe we should consider these others.

Mayor Wilson commented that it's not that they aren't grateful it's that we expected them to cover more. That was just their recommendation to us. You don't have to take the money, but just why don't we take what we've got to offer and then see what we can do from there.

Kyle added that it is going to affect whatever you do in the future as well. It will. Because that payment is going to come out of what our rates are, and you're approved for. If you guys decide to do it, we can put it on the priority list. He assumed that they'd award us the money, and that'll just give the engineers to go ahead and put it out to bid. And then once that's bid, usually the first thing is, assuming it'll be 2027, but that may not have to be. And you're locked in for 20 years. 20 years, or maybe you don't want to extend it out. That's just debt for longer. But we also need cash flow, it must be a thought process, too

Councilman Micah Gubler wanted to know what the staff's opinion was. Is it more of a priority than the main water line on SR-17?

Derek replied he doesn't know what the ramifications are, and that's what he needs to check. A financial penalty coming from the federal government, a fine that's assessed to us. Are there going to be funding issues that we may have later down the road? He needs to find out what would happen if there were a deadline and what the penalties could be.

Mayor Wilson asked if he could have that information by their next meeting in Mid-October.

Derek agreed.

Kyle suggested they prep them a little if they are going to ask for different terms.

Mayor Wilson added if we put it on this priority list, we probably want to put it as SR-17 would be priority number one and maybe put it as priority number two Irrigation system, if we do that, there shouldn't be any money we'll have to come up with as far as the community.

Councilman Micah Gubler asked if they wait until the reservoir, the chief Toquer completed?

Mayor Wilson responded that it's right away. We're really close to having the agreement done with the water district, which we'll bring to maybe be able to get it to the council by next month and get that approved. We work really closely with our water attorney, Jeff Gittons. And he's really gone to bat for us as far as working with the district and they've been very good as far as accepting his comments on how we need to do it and how we need to do it right so that we protect our water rights and the district is able to get water that we actually don't really give up anything. We just have the opportunity to change the irrigation water to culinary water which we'll maintain rights to and they'll assure us that we will have up to depending on what how much lower the requirement for each ERU which would be they go to the ultra-conservative which we would most likely do especially for the Top development up to 3,400 connections which they'll guarantee for us through by using their water. It's just a win-win especially for us. It's a lot bigger win for us, he thought and they're willing to put up 13 million dollars to the system.

Derek added that first phase goes from reuse plant to the pond. Then that work is done on Main Street, about 80% done with the plant. They want to be able to bid and have a contract by the first of the year on that phase one and we want to be fairly close behind doing our phase. So, we would imagine that would also be going sometime next year.

Kyle asked if they wanted to change anything else on the priority list.

Mayor Wilson added that as far as the drainage goes, there's four different phases, three different phases on that. The engineers have met with us on the drainage possibility that phase one could be done with the money we have coming in on the drainage fund. That's one we've got to watch a little bit closer to make sure that we'll have the money to be able to pay that off, pay that back anyway. Because that would, again, require us to go get funding from a funding agency, and they won't give it to us unless we have to be able to pay it back, and that's through a different fund.

Councilwoman Wise asked if Phases 1, 2 and 3 were specific.

Mayor Wilson replied they are. Phase 1 would be the main trunk line that would go across the highway, by River Rock, and go up 300 south to 100, and that would be Phase 1. The other two phases, I don't see those happening right away.

Councilman Micah Gubler thought it would be nice if they could get to the wall at the cemetery.

Kyle said that bid was a few years old.

Councilman Micah Gubler thinking that the longer we wait, the price goes up. For the people who visit their loved ones there and the people who live by the cemetery for them all to have privacy.

Councilwoman Wise added that she didn't realize how close those homes are to the fence line, but most of them our setback's probably 10 feet, but some of them feel even closer. It would be nice for the residents. She agreed with Micah, they have talked about this for a long time.

Kyle commented if that's something that if you want it bad enough, we can take money out of savings to get something done. We could get some bids on it.

Councilman Prince added that Hurricane city did a memorial wall at the cemetery and maybe they could get donations from citizens where it would be a memorial wall.

Councilwoman Wise suggested they get a bid on the wall itself and get a fill for that cost and then decide do we proceed with just the wall or do we try to do it all together.

Kyle suggested doing a flagpole or something like that a bit smaller. They could expand on it later.

Councilwoman Wise suggested Richard Howard would be good to get input from because he always there for the wreaths across America. He's a very proud veteran. Allen Bice, maybe get their input on what they would like to see as far as the memorial. And Darren Prince. Another thing that's not on the list, and we've talked about this a lot, but we haven't had anything materialized but is a downtown redevelopment study that actually maybe has some teeth to it. We had the downtown development study, but we had UDOT do that one on the traffic transportation and then we've had a second UDOT study on transportation. She felt that if we're ever going to have a downtown, that now is when we need to get a consultant on board who will help us with the information. We've already gathered from the two UDOT studies, help us to find what it is, what kind of money we might need, what kind of right ways we might need, all of that information. But if we don't do it now, she didn't think it was going to happen. She thought properties were going to be bought up and Kyle said that there is an increase in interest in properties in La Verkin. Commercial properties have increased quite a bit since the Hot Springs. She didn't know how the rest of the council felt about it, but she would love to see some kind of a downtown there at 500 North and State Street.

Councilman Prince added that we have the hotels now starting to fill in there. It would make so much sense that we would get a great place for walking where we can come over and spend money.

Councilman Micah Gubler asked if they had a bid for the wall.

Councilwoman wise replied that there's a number of good companies who could help us so we would just have to put it out there see what comes back out, but it would definitely be an investment in the future that kind of has to be acted on soon.

Mayor Wilson suggested they make the changes to the priority list.

Kyle replied he has been updating it throughout the discussion. He would send it out by email. It was last updated in January.

Councilwoman Wise asked that he put the revision date on it for clarity.

Kyle replied it is on the bottom.

7. Discussion regarding an ordinance establishing a Live/Work zone.

Fay explained that after the last meeting he took the council's suggestions and planned on getting together with Derek and Brad Robins to draft the final version. He was unable to meet with them yet. He did meet with Councilwoman Wise and took her suggestions and concerned and drafted what they are looking at. It was meant to clarify some of the points that we raised two weeks ago. Those changes that we did make are highlighted in yellow, and we meant to go back into one particular section and sort of condense it down more succinctly and clarify what the words are. But the bottom line is we only sent this out to you folks yesterday afternoon, and we didn't feel like maybe that would give you enough time to now really look at it, really give us some thought, and be ready to approve it tonight. So, it's not on the agenda for approval tonight. It's just on the agenda for discussion, if there's any additional. And then we'll place it on the agenda for October fifteenth.

Mayor Wilson asked if anyone got the chance to read through it.

Councilwoman wise answered she had and thought it was pretty good.

Mayor Wilson added he read through it and felt like it was also pretty good.

Fay explained there were any questions or concerns that the council should email him or drop by the office. He would make any changes and meet with Derek and Brad Robbins and come up with a final version that would get sent out with plenty of time for the council to read over it.

Kyle asked Blair Gardner how big his property was.

Blair responded it was just under five acres.

Kyle suggested if they wanted to limit the number of properties who qualify by definition for live-work they could change the 3.5 acre requirement to 4.5 acres. That would limit how many could ask for the zone.

Councilman Micah Gubler asked how many units will be on Blairs land.

Derek responded there will be 38. They changed the qualifications from General Commercial to Retail Commercial. That changed five properties from doing live-work. If they changed it to 4.5 acres that would eliminate a few properties leaving 2 or 3.

Kyle added when he was involved in this plan before the vision was Mixed-Use not Live-Work. The original discussion was that we could maintain that level of commercial and still be able to get a commercial tax base off of that and then above the apartments above the ground floor. That was what the intent was. He wasn't saying that would be what you'd want to do, but if you're concerned about having too many of these pop up around town, because you've got to take into consideration any change you make won't affect only this property but others.

Councilman Micah Gubler agreed and asked if there was any other way to limit the properties that could ask for the zone change.

Fay explained this is a new zone. What has to happen, people within the retail commercial zone, if they want to be able to establish this kind of development, they've got to come in and ask for a zone change. We don't necessarily have to change it although, if they meet all the requirements we would have to.

Kyle asked what if they denied them when they qualify. They could potentially sue the city.

Fay replied yes, they could we'd have to look at everything. Part of that consideration on the zone change is what's going to be in the best interest of residents and businesses. So, if we ultimately concluded that fewer of these are in the best interest of the city we don't necessarily have to approve a zone change.

Kyle asked if creating this zone, we're not going to necessarily change the zone for the property. They've got to come in. The owner would have to come and make applications.

Fay replied they would have to make an application for a zone change. And then we look at the four factors that we always look at. Is it compatible with the general plan? Is it harmonious with surrounding properties? Does it promote the general health and welfare and so forth of the city? What's the likely effect on surroundings? So, we take a look at all of that stuff. It's a balancing act. There is a decision that the council can make based on the standard of its reasonably debatable. So, if our decision is reasonably debatable either way, then courts aren't going to touch it. He asked if they were concerned it would open up too many properties to this zone.

Kyle replied that it is what he is worried about.

Derek added he would have to go back and re-look at the size again and see how big it could be. They did take the general commercial out of it. It took it down to, I think, 7 or 8 properties, 5, which included the layers. But maybe we can look at if layers are really at 4.87 or within 4.5, we can move up the size of the property and see how many more properties are affected.

Kyle asked if this was part of the retail commercial or is its general commercial.

Derek replied that It was when we first put it through. It was both. This new revision, we took out the general commercial and just made it retail. And then hoping to minimize the properties that qualified for it. He will need to go back and look at the properties after applying the 4.5 acre minimum and maybe get down to have that ability. Because the mixed use, when we go forward with that one, for the areas we want to qualify, would have smaller property size than the 4.5 acres. He will meet with Fay about it. They tried to minimize the number of properties by taking out the general commercial.

Councilwoman Wise commented several years ago when they talked about live-work and mixed-use we were also talking about having a downtown. There was a sentiment that there would be small business owners who could live above their unit, and it would be kind of an overall mixed use, maybe this little section would be considered work-live, but then mixed-use straight retail and restaurants and it could be throughout the city. It would kind of be supporting the larger commercial properties and hopefully would be larger companies coming in as straight commercial use. She felt this was completely different. She felt like Blair's got a great, beautiful project but if he hadn't wanted to do the living quarters on the third floor we probably would not be discussing this zoning the way we're discussing it at the current time she felt that he has a beautiful property but he's got 38 units on just shy of 5,000 square feet acres. So, if we had even two more of those that were slightly larger, this could be potentially over 100 work-live units in La Verkin. La Verkin does not have a big enough commercial zone. Because when economies go south, unfortunately, it's the little guys who feel the pain first. She felt like it's not right to, if we grant this and Blair benefits from it, his property benefits, it's not right or proper as a city to only allow him to have it. I think that's wrong. We need to decide how we're going to manage the others and what the criteria would be. The reasonably debatable, we just went through this with the CIMPA, with Interstate Rock. We went with the development agreement because we didn't want to contend with a frivolous lawsuit. We won't want to contend with frivolous or legitimate lawsuits should we deny somebody else the opportunity to have it. We need to come up with a solution that will take care of all of this. If we can't, she didn't see how they could approve Blair's property to be Live-work. He has helped the Planning Commission so much. It's a beautiful property it's just a whole lot of units when we have to consider there can be more in town.

Councilman Micah Gubler added he is not in any hurry to approve this. As they have built more properties more citizens have come to him with questions. He hasn't had very many positive comments. He is concerned about getting the information to the citizens so they can understand what live-work is. His concern is opening the door to other properties because the business model of it looks great. I can see why you would do it. He thought it would be lucrative to do on other properties. But is this what we want. More of these types of businesses.

Derek explained we've been working on this for six months. We've been talking about it for five years, and nobody's had to come to any planning commission meeting to make any concerns notable. We've gone down this path, putting a lot of time into it to try to do something that would fit both the city and the developers. We've gone with Darren Prince and Scot Messel around St. George looking at buildings. And we can see how it is moving in other cities around us. He is frustrated

they have used so much time and energy to get to this point, and it keeps getting kicked down the road. He didn't know what they wanted. They can make the minimum requirements for land, so fewer properties qualify or just stop it now and not create the zone.

Councilwoman Wise asked if they changed it to 4.5 acres how many properties would qualify.

Derek replied there would be two.

Kyle added they would have to come apply for the zone change and he doesn't have a problem saying no. And it would have to come to the ALUA.

Councilwoman Wise commented they would have to have legal grounds to deny them.

Kyle replied that one criteria was being a good fit for La Verkin city. And the council determined that criteria. Currently. It could change with the new election.

Councilman Micah Gubler asked if they have been working on a live-work zone for five year or mixed-use.

Derek replied with a live-work. He gave a couple of examples. Jim Soria came in, and he wanted to live where his business is now, because a lot of people don't have the ability to pay a mortgage and a lease, and where you can combine them into one, that would help the business move forward and potentially maybe get big enough. They would be forced to move into a new home. They would be forced to move into another location, which would hopefully be here, and we would benefit. Not to throwing Roadrunner the bus, but they have lived in a facility above where they work and spent time as they grew their business. So, we have been always talking about it as live work to where you could live there and grow your business. The lady that has Aminio's place, that used to be the old post office down State Street. She is not getting a very good deal with the people she's renting from. They keep increasing it, so now she's making a decision, then if she can pay her house payment. These are the kinds of businesses that, as long as you're producing a business or have a licensed business actively going, then you can live in it. We provide a lot of guidelines in this ordinance to cover generally everything that you think about. Ordinances that we create, I guarantee you, somebody's going to find a loophole. believe this is something we need to realistically look at. I think it's something that's coming. It's something that's needed, especially with pricing. Residential right now is \$370, \$80 a square foot. You know, things are continuing to go up and up. It gives somebody an opportunity to grow a business with only one rent payment.

Mayor Wilson added he could see an advantage to it. He didn't think people could pay that much for business building and make a mortgage payment too. He talked with a citizen that said this would work for him.

Councilman Micah Gubler agreed with the idea of it. Since they're a single business on a single lot where someone can live above it. He heard people saying we're jumping immediately to 38 units on 4.5 acres on State. He felt that was the issue. It's a huge jump. From one building to 38 units. He thought if it was a single building people wouldn't notice. Like River Rock. But when we say 38, on four and a half acres right on State Street, that's what's happening. If we had two more of those in town, he thought that's what La Verkin city turns into.

Derek added that he thought there were a lot of misconceptions on what these buildings are. We're still fighting that battle today. We also, just one more point we did restrict it to 35 feet so it can only be two stories. Main floor will be 100% commercial, 70/30 on second floor. If we take Blair out of this situation, we have had a ton of work meetings and meetings about live-work and mixed-use. Mixed-Use is almost the same thing. You have commercial down below and residential on upper floors. The residential building is not tied to the business. Hopefully we are helping people grow their business.

Kyle asked how big the piece of property is by the grocery store.

Derek replied it is just under 3.5 acres.

Kyle added he would make that cut off. He planned for a hotel but could end up doing live-work and not the hotel.

Derek replied at first the live-work and mixed-use had the same acreage, but they are different now. He would need to rezone to the mixed-use.

Councilman Prince commented he has only seen one building do live-work not an entire piece of land. He understands both sides of it.

Councilwoman Wise advised since they aren't going to take action tonight, they need to take time to decide where they want the live-work zones to be. Derek has worked really hard with her to come up with an idea. She wanted to know what the impact to the city would be. Having a hundred of these visible. Will it draw big business or stop them from coming in. Blairs is right on State Street and very visible. The ordinance says they have to face the street, and he doesn't. Unless the city signs off.

Derek replied if you want a walkable city then you want to bring them closer to SR 9.

Councilwoman Wise added but the lived-work won't bring the general public in. The parking's designed so the general public doesn't go in. The mixed use, that would be true

Derek responded that, you would want that feel of a walkable community regardless of what you're doing there. Look at St. George, go down Bluff Street, and your sidewalk is five or six feet from the business front. It makes it a walkable community. You want to bring business up front with wide sidewalks.

Fay encouraged the council to send feedback to him or come in and have a discussion. He would rather have multiple discussions and write something that works for them rather than limited discussions and adopting something that's not great.

8. Discussion and possible action to set a public hearing for October 15, 2025, regarding the Joint agency regional water conservation plan.

Mayor Wilson explained we've already agreed, in part to have the water district do a regional water conservation plan for us. They would like to have that approved by the end of October, which we'll have one meeting in October the 15th. We need to advertise that public hearing for 14 days prior to that. The council will need to set that public hearing. That way it can get it advertised in time and get it approved for the water district to adopt it. Now, if we don't do this, then we'll have to come up with our own plan, and we'll have that responsibility to the state. We all agreed in the beginning, when they first proposed this to us, that we would approve that plan and have them just do it for all of these in Washington County.

Councilman Hirschi asked if that came from the water district.

Mayor Wilson replied that this is the plan which you have in your packet. So, I'd encourage you to read through it. We'll set a public hearing for October. Unless you don't want to do that.

Councilwoman Wise commented she read through it and didn't see any changes from last time they approved it. She asked if it was the same.

Mayor Wilson responded that he didn't go through it completely but seemed the same.

Kyle added there were some clerical corrections but didn't change the meat of the agreement.

The motion was made by Councilwoman Patricia Wise to set a public hearing for October 15, 2025, regarding the Joint agency regional water conservation plan, second by Councilman Richard Hirschi. Roll Call Vote: Hirschi-yes, Wise-yes, Prince-yes, Micah Gubler-yes. The motion carried unanimously.

Mayor & Council Reports:

Mayor Wilson- Asked who could come to the dinner at Stagecoach.

Kyle Gubler- reported that the Leagues of cities and towns is in October. UDOT will have the fencing done by the end of the year, hopefully around the bridge. America First Credit Union will put the property up on top of the hill for sale probably by the end of next week at the longest. We got a \$3,275 refund from the trust for an improved safety record, workers' compensation, and overall liability. And Tuesday, October 14th from 4 to 7 p.m. is our general plan update open house.

Blair Gubler- Nothing to report.

Wise- Reported there were no planning commission or DTECH meetings. The open house on October 14th is to get citizens input on a new updated general plan. We have three candidates for City Council in the audience it would be really great if they could be here. She thought we had talked about if we had time previous to that, open house that we could have kind of a short informal meeting about what's going to be presented so you're informed and potentially answer questions but it would be wonderful if you could be there.

Micah Gubler : Nothing to report.

Hirschi .- Nothing to report.

Prince- Nothing to report.

Fay Reber- Nothing to report.

Citizen Comment & Request for Future Agenda Items:

Jerry Porter The reason for my appearance today is I appreciate all of what you're doing, but the main reason is because I'm behind on my water bill. I owe like \$700 on it, and this plan that you guys have proposed for it literally puts me behind. I have three jobs. I work as a dog groomer every day from 8 a.m. to 7 p.m. usually, and then I work Oscars on the weekend, and then I do search and rescue, and then I do a little side gig for Mad Moose to get a few tips. So, on top of that, I have a mortgage, I have loans, school loans, I have debt, a power bill that's humongously outraging, and then I now have a water bill that's \$800. You know, and I believe my wife emailed you guys and didn't get a response back to it at all. So, it's a little aggravating. In my mind and in my conscience, it's a little aggravating because, golly, I literally, you know, went from a reasonable, decent price water bill to now an outrageous \$700 water bill. And it's kind of really hard to groom a dog without bathing your dog first and making it look pretty and, you know, cutting his hair and all. So, for me, a \$700 bill is pretty outrageous. I think for this is, you know, to improve that we've talked about here tonight, the water lines and all that. But seeing your list of other items on the agenda for financial improvements in the city probably aren't in my mind they're probably not the biggest priorities that would be appropriate for the city as you've listed. I struggle with that bill. I'm behind on this of your guys' proposed plan that we have ten dollars in additional every thousand gallons we use. I literally can't use irrigation water. I turn it on the water in the backyard and there's no pressure to it. I can't run it very long at all if I do because it's dirty and I clean the filters out, cleaning all my sprinklers out. And essentially, I think and I don't know how many people are affected by this plan that we proposed or talked about or proposed. Blair this gentleman that owns this other property up here if you want to do a live-in how are we supposed to build a business? I actually considered moving, doing that. Building my business to move into there but I can't do that if my water bill is high. I can't live in there because I can't pay the water bill to do that. I can't buy property anywhere because it's too expensive to buy and essentially there's no way for me to build my business here in La Verkin, let alone live in La Verkin if I can't even pay my water bill. That's cutting the water usage immensely and then even doing so it's maybe lowered it by a hundred dollars. I don't know how many people are affected by the water bill, but I'm going to guess the older population doesn't use as much water as I do and my family. We shower, we do all our laundry at night, we do the dishwasher at night, you know. I feed my chickens, you know, feed them food and water and all that but if that all comes at a price. So ultimately, this plan, I feel like as we propose to build this water line and to improve it, when does the price go away? When does this increase in pricing go away? Is it after 25 years? Or am I paying it for 25 years? Because I can't sustain a \$700, \$800 water bill, let alone my mortgage debt. This has really, really impacted my living ability to be here in LaVerkin. I had been here for 20 years. And now you do this, all of a sudden, it's like, guys, you should have thought about this a long time ago. Proportion it over in the entire city instead of all in one shot. You guys might have talked about this and proposed this against the city and against the council and all that, but instead of doing that and saying we're going to, do

this now, like, that's a hard call for me. That's a very hard call for you guys, I think, and for the citizens here. I don't know how much you guys use water, but when someone replies and says, buck your pants up and tighten your belt and just pay your water bill, I can't even pay my mortgage, because I can't pay the water bill because I'm working four different, three different jobs on the side to do this. So ultimately for me, I hope you guys really, really, really counsel with each other and figure out a different way because I don't know who else is gonna speak up, but I know that it frustrates me, it probably frustrates other people who can't pay that water bill, or maybe their bill goes up \$50, great. Maybe you don't have a job that you work with water. Maybe you go somewhere else, I don't know, but I think ultimately if people don't speak up about this plan that we have proposed. you guys have proposed, I don't think city of La Verkin is going to grow. I don't think it's going to grow like we've talked about here with this little well. people coming here. I don't even think that was a very purposeful, building lot to sell and building it next to the school. I don't think it does anything for our community. I think building a community that has businesses can actually grow like Patricia has mentioned is beneficial than building these buildings like that to say that we're going to live in. Then you can build your business. You're not going to build a business by doing that per say. If you can't pay your water bill, you're not going to do that. You're going to lose people. Our city is small enough to to be able to have the, the growth, yes, but if we can't pay our water bills, we're gonna move. And where do we move to? Some other state. You're gonna lose people. And unfortunately, this proposed plan that we have, or you've mentioned, talked about, but never said, hey guys, we can do this. We have increased by one or one and a half percent amongst the community instead of 3%, and you say, that doesn't affect me, and it's not that much, it really is. That's a huge drop, that's a huge, that's more than I can afford it, really. And unfortunately, I'm literally behind on my water. And so I really hope that you guys can really re-evaluate this plan and say, you know what, guys, maybe we need to redistribute the funds, and really think about this and proportion out to the citizens better than what we have proposed. I don't know how, I'll have to look for another profession or go somewhere else and live because this is beyond what I can afford. I can't do this for another 25 years. And if you decide to say, well, I'm sorry, that's it. Well, I honestly think you'll lose people because I know, and apologies, but in no disrespect, but I figured that you folks right here do not use as much water as I do. So, your \$50 doesn't do anything, but a family that's growing, families that want to move in and have pools or luxury things that use water or grow their grass. I've been told I have an amazing yard, but now I don't because I turn off my sprinklers. I limit the water use and now my front door looks like, well, it's dry. It's not as green as it used to be. And I didn't even water weekly or three times a week now where it used to be 15 minutes. every day. I turn it on and there's low pressure no pressure at all I can turn on a sprinkler and it just and I literally have to move every 20 minutes to get in and that's running all day long as I'm working. Then I bathe the dog and then I'm like okay I've got to wait how much I've got to consciously look at how much water I'm using so please re-evaluate this water plan. Because it's not going to just affect me it's going to affect other people that are growing the community that's coming in that you want the businesses. It's going to affect restaurants you know whoever it is wants to move in it's going to affect tremendously. Before that, it was like \$300, and now it's gone up to \$700, \$800, and I'm behind on that. I haven't changed anything other than maybe cutting the water use for my sprinklers down. And now I water by irrigation when it's on, when it's not turned off, and it's not dirty. And I've gone down maybe five, six, seven points, whatever they say it is. That's \$100 maybe, if that. So, I don't have a leak. There's nothing running other than the dishwasher. I can watch the meter and say there's nothing strolling on those meters, you know, I can sit at 12 o'clock at night, I can sit at 2 o'clock in the morning, or 10 a.m. in the morning when I'm dog grooming, you know, I don't have a leak, so if I had a leak, I'm pretty conscious of the things that I run water on, because we live in a desert, it's not like I just go run water.

F. Adjourn:

The mayor closed the meeting at 7:55 p.m.

Oct 15, 2025
Date Approved

ATTEST: Nancy Cline
Nancy Cline
City Recorder

Kelly B. Wilson
Mayor Kelly B. Wilson

