

City of La Verkin

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www.laverkin.org

La Verkin City Council Meeting Minutes

Wednesday, March 18, 2026, 6:00 pm.

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

Present: Mayor Kelly Wilson; Council Members: Darren Prince, Scot Pectol, Amanda Barr, John Valenti, Micah Gubler; Staff: Kyle Gubler, Derek Imlay, Fay Reber, and Nancy Cline. Public: *Toby Gutierrez, Patty Wise*

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

B. 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: March 4, 2026, work meetings.
4. Checks & Invoices: \$ 287,391.34

The motion was made by Councilman Pectol to approve the consent agenda as written. Meeting minutes for March 4, 2026, work meetings. Checks and invoices in the amount \$287,391.34, second by Councilman Prince. Roll Call Vote: Barr-yes, Valenti-yes, Price-yes, Pectol-yes, Gubler-yes. The motion carried unanimously.

C. Business:

1. Discussion regarding 20-foot access easement-Olsen's subdivision.

Mayor Wilson commented they have decided to put this on the next meeting's agenda.

Fay explained that for those in the audience who didn't attend the work meeting, Essentially, what's happened was we had a meeting to discuss various aspects of this matter, and what we decided was to do Mr. Snow represents Theresa Fish. He suggested that rather than have the city proceed to the point where they make a determination on this matter after he files the application for a plat amendment. That we just place that on hold, and then he would then file legal action in the district court. Naming both the city as a party and the Olsen's as a party to a judgment with some property. In that situation, the city really wouldn't be necessarily adversarial. Our position would be that the city would agree to let the court determine what the rights are of the respective parties, and we'd agree to be bound by that. So, we would put any application for consideration of amendment of the plat on hold. What we're doing here tonight on this item since we can't make a decision. There should be a motion to table the matter. He's filed the application. Table it until the next meeting and that would give him time to file whatever he wants to file with district court. And then once he does that, we'll just table it again.

The motion was made by Councilman Prince to table the decision on the 20-foot access easement until the April 1, 2026, meeting, seconded by Councilwoman Barr. Roll Call Vote: Barr-yes, Valenti-yes, Prince-yes, Pectol-yes, Gubler-yes. The motion carried unanimously.

2. Consideration and possible action to approve Proclamation No. 2026-01, a proclamation declaring April Child Abuse Prevention Month.

Kyle explained it was sent to the Mayor and Fay drew it up.

Fay added it's something they will do every year.

Councilwoman Barr added this is a topic near and dear to her heart. She worked for almost 10 years in child abuse and neglect, and CPS in Las Vegas. She has seen the gamut of everything when it comes to child abuse. She absolutely thinks we need more attention to it.

The motion was made by Councilwoman Barr to approval Proclamation No. 2026-01, a proclamation declaring April Child Abuse Prevention Month, seconded by Councilman Gubler. Roll Call Vote: Barr-yes, Valenti-yes, Prince-yes, Pectol-yes, Gubler-yes. The motion carried unanimously.

3. Consideration and possible action to approve Proclamation No. 2026-02, a proclamation declaring April 24, 2026, Arbor Day.

Kyle explained that this helps maintain our Tree City USA status. Fourth grade foresters, which we do a program every year. Fourth grade class planting that tree. I think we're planning on planting that out here in front of this building.

The motion was made by Councilman Valenti to approve Proclamation No. 2026-02, a proclamation declaring April 24, 2026, Arbor Day. seconded by Councilwoman Barr. Roll Call Vote: Barr-yes, Valenti-yes, Prince-yes, Pectol-yes, Gubler-yes. The motion carried unanimously.

4. Discussing regarding vacation of a portion of Judy Avenue-Mike Vanesky property.

Fay explained that several months ago, before the new council members came on this city council. Mr. Vanesky lives at three eighty-five North State Street. There is a 50-foot strip between his buildings and the SR9. The right away runs past all his property there and all those lots there along. He came to the city, and he claimed that he had had conversations with past city council members and past city employees who promised that they would sell that fifty-foot strip to him. He came to council, was adamant that we do so. We checked into it and never found any real record of anybody saying that they had promised to sell him anything. But in the spirit of compromise, what the city agreed to do was to sell him, not the fifty - foot strip but a twenty - foot strip. So, we went through the process of declaring that surplus property, passed a resolution to that effect, authorizing the city, then selling that to Mr. Vanesky for the sum of roughly ten thousand dollars. We drafted all the paperwork, prepared a quitclaim deed resolution, took it all down to the recorder's office where we were subsequently surprised to learn that the city did not own the property. It was actually part of a subdivision that was filed back in nineteen sixty something. When it was part of the Stoll's subdivision and that portion runs the fifty-foot portion that runs past his lot. That's something called Judy Avenue Street dedicated to the use and benefit of the public. We meet with Mr. Vanesky and we said to him, "Look, you know, we can't record this; the county recorder won't accept it. This is a public street; it's must go back." We're going to return the money to him. He kind of refused to accept it, and even more recently has become a little bit more insistent. He doesn't want the twenty foot anymore he is insisting on the whole fifty feet again, which would necessitate our going through the process of vacating a public street, just like we talked about earlier. Which would mean that he would have to file a petition, city would have to have a public hearing, we'd have to make a determination that good cause existed for vacating that city street. We would also have to make a finding that, that vacation, harmed neither the public or any individual before we could declare that to be vacated. Then we prepare an ordinance, filed it with the county recorder's office, and then by operation of law, that portion of Judy Avenue running past his lot would automatically vest in him without payment to the city, so we kind of informed him that's what we were going to do. That's when he kind of got a little excited with Derek and said he wanted the whole fifty feet. That's how it got on the council agenda tonight is to let you know that if we want to proceed with that, then we need to proceed with it as a street vacation. We need to get a petition. Set a public hearing, make those two findings, pass an ordinance, and then record that ordinance at the recorder's office. He suggested the city's recommendation would be just the twenty feet that we originally agreed to give.

Mayor Wilson added that the reason being is we wanted to keep it as an access street. That would eventually lead to Davis market. People coming from that subdivision and others, on the other side of the Stoll's subdivision could access it eventually when this other property develops. They could continue that street on so it would go into the market. Then people don't have to go onto SR 9 to get there. They wouldn't have the danger of making a left hand turn onto SR9.

Councilman Gubler asked if Judy Avenue ends right there.

Kyle explained it goes from the Mexican restaurant to the end of his property.

Derek added that the fifty feet goes right up to his front door.

Councilman Gubler asked if his interest in the land is for parking.

Derek replied it is. People called and they wanted to buy it and raised concern about parking. So, there is no parking. Doing this gives him an option to sell the property, provide the parking element to it. Still leaves the city thirty feet to keep that as a frontage road and that would be enough.

Mayor Wilson added he has access to the other side of his house.

Derek added yes on 330 North. We know what he wants. Do we still have to make him formally request it again?

Fay suggested we go through the whole process. Then he could say, "I don't want it". If we don't have him file a petition as an indication that he would like us to go through that process and would be willing to accept it, then we could go through the whole process, hold the public hearing, and do all of that.

Councilman Gubler asked if he understood it's a chance for him to get the twenty feet that he was willing to pay ten thousand for now he gets it for free.

Kyle suggested they still only give him the twenty feet. The city needs to maintain the rest for a street.

Fay recommended that we stay with the twenty feet that we originally agreed to. That we thought was surplus property, and we thought we owned it.

Kyle added if we have him come in and he is expecting the full fifty, we need to have him come in and say otherwise.

Fay added that it will be stated at the public hearing. He could come to the public hearing at that point and say, "Well, I am not going to take twenty feet. "And then if he does it we don't proceed with the ordinance.

Mayor Wilson asked if there were any expenses for him to pay.

Derek explained that they would still charge him administrative fees. The second survey was done by the city. They did the survey when they did the exhibit for the vacation. The city paid for that survey. He paid for one years ago. We wanted an updated one to get the right number. To charge the correct amount per square footage of the property.

Councilman Prince asked if they felt that they could run into issues down the road with only thirty feet for a road?

Derek explained that fifty feet is your average road. Thirty feet is going to be more than adequate for cars to pass each other. The state highway separation is between ten and twelve feet. The planners thought that wouldn't affect us. We have fifty feet all the way down going south. It would be that little reduction there. He didn't think it would affect us because thirty feet is more than enough for cars to pass on a frontage road. It's like Maverick and Dollar Store. They have that same shared access. We have property availability to give to him so he can sell, and we still maintain enough to get the traffic flow through as we want. His worry is trying to get him to fill out a petition. He was concerned that in his mind he wouldn't be getting to where he wanted to be. He might not want to do it.

Fay explained that his petition doesn't necessarily need to recite the fact that he is asking for twenty feet. He can say, "I request that you vacate that fifty feet," and then council after public hearing would discuss it and could then make the determination that we need thirty of that, so we're going to just give you twenty.

Mayor Wilson commented they would end up making the same determination we did before. We just have to go through the process to do the same thing we were going to do before.

Kyle asked if he could demand all fifty feet at that point.

Fay explained that he could say if you are not giving me fifty, I don't want any of it. If he says that, then we won't do it.

Councilman Gubler suggested if they could get it through to him that its twenty feet or nothing then the public hearing would go smoother. Otherwise, like what we saw tonight, he will amplified.

Derek suggested sending Chief Nuccitelli and Kyle Lovelady over to discuss it with him.

Councilman Gubler added we could get him to understand that the twenty is what we agreed to before, and he was willing to pay ten thousand for it. Now we're still agreeing to the twenty, but he doesn't have to pay the ten grand.

The council agreed to the plan to offer him the twenty and he doesn't have to pay for it. They will not allow more than twenty feet to be vacated to him.

F. Mayor & Council Reports:

Mayor Wilson: Nothing to report.

Kyle Gubler: I just wanted to bring up we had some vandalism that happened at the power plant park. The little sensors that we just put on the doors, a couple of juvenile kids went out and took some rocks and bashed them in. We were a little too quick to get them fixed, and the same kids went back out and got them again. It cost us the first time a thousand dollars. We haven't fixed them yet. We've identified the young kids, and the chief was wanted to know to what extent you want to pursue this because they are under twelve years old. It's going to cost the city about twenty-five hundred bucks. One of the concerns I have is one of the boys didn't show a whole lot of remorse when the chief was talking to him, and that's concerning. I understand that these boys are kind of in a little bit of a rough situation, but I think we'd be doing a disservice if there's not something done. Otherwise, it could turn into something more if they just get their hands slapped and sent away. I think, without saying too much, they're adopted by grandparents. In fact, one's a great-grandparent. I think that there needs to be something done. I mean it's two or three thousand dollars to the city. They've already been trespassed by not going to the parks. But what is the next step, Chief?

Chief Nuccitelli said that we had some other kids two years ago at the Walness Parks, we're fixing those bathrooms where they broke into the skylights and damaged the interiors. We worked with Derek and coordinated with Clay. Clay was kind of like their supervisor doing hard labor of sweeping gutters, weeds, those kinds of things. He gave a shout out to Maridee because when this all occurred, we can't post things with online. When I found out that they did it the second time, everybody was on spring break. I sent the picture to Maridee and she recognized one kid and then we went from there. It was a good effort getting them rounded up. I know that some kids have problems. But I was hoping that that's what we could do. Talk with our juvenile prosecutor and kind of work something out. But then that would be on kind of Clay and Derek's team to facilitate those hours.

Kyle added that anytime you get one of the staff members babysitting a kid they don't get a whole lot done because they're getting twelve-year-old work out of twelve-year-old.

Maridee Johnson commented that she knows both of them pretty well. I can take them and have them work. I just think it's a lot of money and maybe the guardians need to pay for it also. I think the kids should have to work, but they need to pay for it.

Kyle said making the kids work is not going to compensate for the twenty five hundred bucks or three thousand dollars. I don't know if there was even the ability of the parents to come up with that with the guardians.

Chief commented we could ask the court to seek restitution. And then have whoever is responsible for them, their guardians will then be responsible for that. Work out whatever payment plan long term, the city comes up with is what we're out of pocket on. The actually physical property that was broken. That'd probably be the bigger thing to go after. Maridee would supervise them for how ever many hours you decide. They would be part of our city in the capacity where they're doing something healthy and with their hands and not destroying things.

Kyle added I don't know to what extent you can when they're under twelve years old.

Mayor Wilson added they need to be held accountable. If they don't learn when they're young, they're going to be a lot worse when they get older.

Chief asked if they want to do like half and half kind of thing, or do you want to just do full criminal portion? Let the justice system deal with it on that side.

Amanda Barr liked the half and half suggestion. I know how the justice system works. Especially for juveniles, it's more often the parents do more because they're the ones transporting the kids to and from everywhere. And kids kind of get off a little easily sometimes. I like half and half with half a fine and doing hard labor.

Scot Pectol added they certainly should come in and have to tell the mayor that they are sorry. They might get a hand slap for the first time, but really, the second time within a couple weeks. That's the part as far as the money thing needs more punishment.

Chief clarified what took place is that our two suspects went to the park, and they picked up some rocks. And they damaged it. Maridee was cleaning; found the destruction. But on that day when that happened, neighbors came that were working on a house right there next to the park. Came over, kind of scared the kids away. The kids ran, and officer showed up on scene. We grabbed information. Let's say this happened on like a Thursday. Well then Friday comes, we haven't found them, and now school's out spring break. They came back on a Wednesday and the same thing happened. The same kids are there but only one kid does the destruction again. Another kid got in, looks and goes, "Ah, that wasn't cool the first time," and kind of scatters off. But the other kid stays there and does damage. So, I would say one kid is responsible for two-thirds of the damage that was done on these sensors.

Kyle added that was the kid that showed little to no remorse.

Chief commented that it was his opinion. I like doing half and half thing, because like last time, we worked with Clay, and we got to see those kids. Then in the future, we never had an issue with those kids, and then they ended up asking if they could go play in the park again. I don't want to deny children the ability to go play in a park for the rest of their adult life. And now with our cameras you can literally click on them and they have facial recognition, and every time they go there, it'll pop up on our screen. I like the working part of it, if you guys are okay with the half work half pay.

Kyle continued his report that I saw Southwest Mosquito newsletter, and they'll also be on social media about mosquito bites and all that stuff. Got the Easter egg hunt, then on April twenty third, we have fourth grade foresters.

Valenti Reported: The Southwest Mosquito Abatement Committee hasn't met recently. I think we have one coming up next month. The legislature has gone away for time. I may come up with a final report that I'll be willing to share with council about what happened and what didn't happen. There was one more issue on the Planning Commission. An item came up that was kind of out of place. It was something about a zoning change. The commission was kind of surprised that it came up and nobody knew about it. And then it was said that the council had requested it, and of course, I was unaware of it because I didn't know the council had requested them to look at that particular item. I did send something to the council about general rules for the conducting meetings and stuff. It's not the first time I have sent that of course. The agenda of issues still kind of concerns me how they're brought forward. So maybe at some point, we could discuss some of those items.

Prince Reported: I went to DTEC. They talked a lot about legislative issues about the transportation utility fee. They spent a lot of time on that. That would only be able to be used if the current methods of getting money for transportation issues in your city weren't met. They're looking to make a priority on their route from SR9, where it goes into Purgatory. They're going to redo that little turn right there that goes out to the jail. They're probably going to make that a roundabout then the priority is to take that road on past the dump all the way out, build a new bridge where they can access Highway Seven straight from that road. The poor subdivision in Washington, when you go south from the dump, is just getting hammered with trucks. Washington would love to see that road completed, but it's to the tune of about forty million. It's going to be fifteen to twenty years before they get all the clearances done with all that's involved. We also had America two hundred and fifty committee meeting this week. They wanted to point out that there are two hundred and fifty activities we're doing as a city in America. There is a county calendar that Washington County wants us to put out there and

add any of our activities. They really obviously want us to focus on the America two hundred and fifty in our city. If you want to see what's going on all around the county this year, you can get on that calendar.

Micah Gubler Reported: Chief hired a new officer on Monday he speaks Spanish. He was a reserve officer for us for nine months, and he spent the last two years up in Cedar City PD. He was happy to see that we had an opening. We have the fair coming up. April tenth, which is the ribbon cutting if you were going to attend as a council member, that would be great. They'll have some musical numbers, some performers and the grand marshals. It would be a good time to wear the shirts we have on if you are able to make it to that. And that's at 3:30 p m on April tenth. We had the youth city council come a couple of months ago and speak to us. It's that time of year coming up in May when they're going to get a new youth city council for the coming year. There is a flyer that I'll forward to you guys in case anyone's interested in that. But there is going to be a junior youth council as well, so sixth to eighth grade.

Pectol Reported: The Hurricane Fire District approved the purchase of two \$1,250,000 dollars engines to be bought. One of those is to replace the nearly twenty-year-old engine that is here in La Verkin. The fire district is committed to being able to have the right equipment for folks, keep them safe, and to be able to protect the citizens within the district. They have plans to be able to build several more fire stations to be able to have good coverage for the expanding area that they seem to be able to cover. They talked about a fifteen percent volume increase over last year, which was twelve percent over the year before, which was twenty-seven percent over the year before that. So, I mean, obviously we live in an area of a lot of growth. For issues and the call volumes seem to be going up, and these guys do a good job of taking care of them. They cover all the way up to Springdale, Virgin, down here in La Verkin out to Hurricane. Also, Leeds is exploding with growth. Having a way to cover all that is a big deal for them.

Barr Reported: The solid waste district meets next month, and that's about it. The county fair is coming up, which is pretty exciting since we're going to be the spotlight city. I'm excited to see what they have going on with that for the historical preservation.

Fay: We received a request from the emergency district that we approved. In fact, I think we've talked about it here before. Which is the ultra-water efficiency standards. The whole idea behind this is if we adopt this, it allows developers to come in and if they meet these ultra efficient standards, they can get a break on impact fees. To do that, we have to pass a resolution and some other things. So, they're encouraging each of the cities to do that strictly voluntary standard. The only reason why it wasn't on the agenda tonight for some sort of action is because the water district is looking at ways to implement that. But the resolution that's being considered to adopt doesn't include implementation. So, we're trying to figure that out so that we can include that as part of the resolution. And as soon as we get that, then we'll put it on the agenda. The other attorneys there said so far, none of the municipalities have adopted it yet for that very reason.

Kyle commented that part of the concern with some of the cities is there going to be some cities who adopt it and others not, and then the others get more water based on connections and it needs to be universal.

Mayor Wilson added that part of the discussion they had was they would really like to see it where it's like a particular subdivision that would adopt it, not just individual homes. That makes it kind of a nightmare to administer as a city because some are going to be under certain restrictions, which others are not.

Kyle added that the policing of it is going to be on the city. That's going to be difficult. The advantage to the home builder is they get that reduction on their impact fee from the water conservancy district. And then concern is five years later, someone buys the house and tears up all the desert landscaping in the backyard and puts in grass. I guess we can police it by their water usage for one thing, and that's how you police it as the burden does get shifted to the city staff. It's easy to figure out who's got grass in the backyard when their water bill gets bigger. Especially if it happens up on top of the hill because there's not going to be access to secondary water.

G. Citizen Comment & Request for Future Agenda Items:

Toby Gutierrez: I bought my property in 2019. And over that time, I've noticed basically a lot of sinking. The gutters, sidewalks. I had a visit with Derek about certain things just to see, you know, what appropriate actions would be addressed. And I realize the city's growing, and there are a lot of other areas that need more attention than some of these. 120 west, I guess the street itself is sinking. I was just wondering if somebody could kind of come and maybe evaluate my property, I'm finding that there's some sinkholes. My house is making some popping sounds. I don't know if it had anything to do with the last rainstorms that we just had. A lot of rain came down, and it puddled up in one of these big holes in the gutter. So, it's going somewhere and anyway, I'm sure other neighbors are concerned

Derek commented that it was the project Kyle brought up that we wanted to do with the irrigation project. It's on that upper road.

Mayor Wilson added just for your information that there will be a new irrigation line coming down that street. And that is on an item that we want to replace the curb and gutter along through there. So, we are looking at it. It probably won't happen until November, at least November. But it is an item the city's been looking at.

Patty Wise: I attended the Planning Commission last week, and there was a public hearing to remove duplexes from the R-1-10 zone on sixteen-thousand-acre foot lots. There have been, to my knowledge, have been no prior discussion about it and I thought well, I guess I wasn't staying up on planning commission things. I just gave my opinion during the public hearing. And then as it turned out, the planning commission had never discussed it. They said ultimately, we never discussed this. We don't know why it's on our agenda, and they were told that the council put it on the agenda. So, this is something that I think needs to be remedied Mayor. You of course, in your position, have full right to put items on the planning commission agenda. But for the general public and public hearing to be told that the council recommended that this be discussed. The council, one, two, three, four, five, six need to have discussed it and requested it. If it's not all six of you or the quorum, then it needs to be The mayor and one council member. And then I question whether it should be on the planning commission at this point at all. The reason why is you know that when I was on council for eight years, I went to all of the planning commission meetings to report for city council. So, I'm very well aware of the amount of work they do on zoning issues, the depth that they have to go to, the what-ifs. They're endless, but they do a good job. So, to have this random item that is seemingly like, "Why is this having a public hearing without any discussion whatsoever by the planning commission or the city council?" "Everybody in that room and there were six people in the audience. It rubbed everybody the wrong way. It's like, "Well, what's going on here?" Including myself. Why would this be here? So, one request real quick: if this does come back on this Public hearing cannot count as a public hearing because the planning commission had no clue. They'd never studied it before. Why take duplexes out. If we are trying to get affordable housing? Why take them out of the zoning? It was like, where did this fall from? And mayor, I guess I am kind of pointing this question to you, not that I need an answer now or anything. I'd like it if the council is going to put things on for Planning Commission agenda: let it be the council legally, the council or let it be the mayor. But don't and I know that when I covered it, things would come through instead of city council. Patty's three minutes were up but Debbie Groves was at the meeting and conceded her three minutes to Patty. So just let's tighten things up with that happening and the amount of work that the planning commission does, and we have a good planning commission. The people in the place right now are really good. So rather than shortchange them the quality of their work by putting things like this on. Let them do their work. Maybe you work with them as you see fit for your reasons, etc. But don't say the council recommend this. Don't put a resolution in front of them. And saying the council put it on the agenda. When I was covering it and things would come through and it's like I did not speak to this. So, I think we need to clear up our language. I think with all of the building that we have coming on the top side and everything else, we need to make so much more effort to be transparent. We owe it to our citizens and I'm one of them. Thank you.

H. Adjourn:

The mayor closed the meeting at 6:55 p.m.

April 1, 2026
Date Approved

ATTEST: Nancy Cline
Nancy Cline
City Recorder

Kelly B. Wilson
Mayor Kelly B. Wilson