

TOQUERVILLE CITY COUNCIL MINUTES

6:00pm Work Meeting, 7:00pm Regular Meeting

Thursday January 8, 2015

Held at 212 N. Toquerville Blvd, Toquerville Utah

ATTENDING: Mayor M. Darrin LeFevre, Council (CC) members: Mark Fahrenkamp, Daren Cottam, Paul Heideman, and Brad Langston (he arrived at 7:00 pm); Planning Commission (PC) Chair Keen Ellsworth, Recorder Renee Garner, Treasurer June Jeffery, Public Works/ Maintenance Lance Gubler, City Engineer Karl Rasmussen (he arrived at 8:00 pm), ACSSD (Sewer) Representative Blair Gubler, Others: Manning Butterworth, Greg Graff (he arrived at 7:33 pm).

6:02 PM – MAYOR M. DARRIN LEFEVRE CONVENED THE WORK MEETING: Mayor announced Brad would come for the Regular meeting only, and he expected Ty to come, (though Ty didn't make it).

1. Water/Maintenance Update by Lance Gubler:

A) Reported meeting with a couple wanting to build on Shangri-La Drive in Toquer Hts. Their lot is across from Ash Creek Drive and is a drainage area. They were asking for solutions to the drainage and necessary improvements to the lot. Their lot was not given stubbing during the water and sewer project. The owner at that time refused the utilities. Lance recommended a drop box and a drainage easement through the property and advised the couple to have an engineer plan the best drainage through the property. Mayor remarked we would need an estimate on cost for curb, gutter, and sidewalk, and a survey to know where their property starts and where the road should be. Council discussed the need to dig in the road to put in utility stubbing and what might be the best method with the least damage to the new road. All agreed that the City should talk to City Attorney Heath Snow to work up the best solution.

B) The street crack-seal was almost done and it looked like a good job.

C) Recounting history: Richardson Construction had cracked the sidewalk at Cholla Cir X Cholla Drive and refused to fix it. They are now asking for their deposit back. After review it was discovered that they had now cracked another sidewalk that was not in front of their construction. Council agreed they should not have the deposit returned and they should be asked to repair the new damage.

D) Cemetery column and row markers are missing and need to be replaced. Discussion included having the surveyor assist to get better accuracy. The Maintenance crew is also checking the Cemetery for missing graves from a list provided by Renee.

E) A resident on Spring Drive had reported a leak. Actually the resident had hit a City pipe while repairing his fence line. He hadn't called for Blue Stakes. Council agreed that the resident should be charged for the damages and Lance should keep track of the cost.

F) Road damage on Spring Drive past the Chlorinator was noted. Mayor asked Lance to talk to Interstate Rock Construction Company. Mayor thought the road was not the 3" inch depth it was supposed to be and mentioned that Interstate Rock did an apron to try to control erosion, but water undercut the road.

G) Rust on the Westfield tank needs repair. Recently we replaced China top for Candy Cane top according to State recommendation. A bid was done and the cost had been under \$1,000.00.

H) Lichfield private water system had a major leak of 100,000 gallons per month. Lichfield has repaired that and also a water pressure problem in Hare's line at his own expense. Discussion included getting all the residents on that system to sign an agreement that it is a private system. Council agreed this needs to be resolved.

I) Power to maintenance shed will cost \$2,200.00. The agreement is ready for Mayor to sign.

J) City created a cement dip to divert drainage from Delos Elison's home.

K) Rocks in water line on Staghorn cannot be removed, recommend placing a fire hydrant at the end of the cul-de-sac to clean lines.

L) Maintenance report on 2006 CNG truck and 2005 gas truck compared repair costs to a service contract that would buy new and sell at the end of the year. Sewer District is using this plan. Vehicle maintenance costs have been high this year.

M) Cost comparison of current vehicle and equipment rental of CAT Mini-Ex and Track Skidsteer to a plan slightly more that includes an equipment trailer free with contract.

N) Fire District is ready to place vehicles in our Town Hall shed. They've asked how fast we can clear it. Discussion included new Tank shed capacity and purchase of a Tuff shed to place at Town Hall for storage.

O) Loss Prevention/Safety training and the ULGT's TAP program explained. Council can be the safety committee. Lance will make sure safety issues are mentioned in his report.

P) Anderson Junction tank losing 75,000 gallons per month in the distribution section. Discussion on need to keep it full, repair costs, and future hopes for development of that area.

Q) Alarm alerted to Trail Ridge tank overflow, water down to 3' foot level. Work brought it back to 13' feet but needs a different valve.

1-08-15 CC Minutes Continued

2. Sewer Update by Blair Gubler: A) No board meeting in December. B) Saint George pump house was pulled down; work was done "in-house".
3. and 4. Staff Administrator Mike Vercimak was not in attendance. Planning Commission Update by Chair Keen Ellsworth said nothing on the Planning Commission agenda merited a report at this time.
5. City Engineer update: Karl Rasmussen gave his report during the Department reports sections E.

Mayor closed the work meeting.

7:05 PM - MAYOR M. DARRIN LEFEVRE CONVENED THE REGULAR MEETING: 1. Pledge was led by Mayor M. Darrin LeFevre. Invocation was given by Council Daren Cottam. 2. Mayor asked for statements of belief, none given. 3. Mayor called on Council for disclosures or declarations of conflict from agenda, none given.

A. CONSENT AGENDA: 1. and 2. Mayor LeFevre reviewed Consent Agenda and led discussion including the CC meeting minutes of December 11, 2014, and the December Expenditures. Questions included engineering expenses, impact and capital facility charges, and CIB loan interest charges. Mayor called for a Motion.

3. **Motion** by Paul Heideman to approve the Consent Agenda was second by Brad Langston. Mayor asked for comment. None given, he asked for roll call: Brad Langston, Paul Heideman, Daren Cottam, and Mark Fahrenkamp, all Ayes. Consent Agenda approved.

PRESENTATION: Greg Graff to discuss his Special Improvement District (SID) payment. Greg was not present so Mayor summarized. In 2005, Anderson Junction residents petitioned for this SID in hopes to make their property more valuable. When a person defaults from their SID, the City is left responsible for payment even though this SID gives little benefit to the City. Greg had not paid his SID payment for two years which lead the City to involve the City attorney. The City could not find Gregg in order to serve him. Notice was placed on the property. Last summer Greg gave a partial payment to Heath. Heath said he would keep it for Greg and his parents but that it was not a complete payment. In the last two weeks almost all of the payment was made except for about \$550.00 which is owed to Lewis, Young, and Robertson.

Greg did not make it to Council until 7:33 pm, by which time Council had moved to C-3. But Mayor allowed Greg to speak to Council at that time. His remarks included his personal difficulties, his belief that Heath and the City had treated him unfairly, his belief that the City had no right to charge him late fees, and attorney's fees. He objected that he was not informed in a timely manner of the City's need for these payments, and our threat to foreclose on his properties.

Mayor remarked that he wished Heath were present to explain everything more fully to Greg. He invited him to set up a meeting with Heath and Mayor LeFevre and anyone else he would like to have in attendance in order to discuss his concerns. Mayor strongly stated that Greg would be responsible for setting up the meeting, as the City had found it almost impossible to reach him in the past.

Mayor wanted to go on record that he hoped the City would never do an SID again.

B. PUBLIC FORUM: Mayor asked for any further remarks on any subject by the public, but none given

C. NEW BUSINESS

1. Item: Ratification of new members of the Tree Board. Brad Langston listed the volunteers he would like to add to the Tree Board: Bruce & Christie Jones as one seat, Tami Young, Lori Rankle, and Kent Husted. Mayor mentioned that the City does not own any property on Toquerville Blvd. Brad agreed and added that these new members would add diversity of opinion and he felt encouraged by citizens' involvement. Mayor called for a motion.

Motion by Brad Langston to ratify the appointment of new members to the Tree Board as those named was second by Paul Heideman. Mayor asked for comments. Hearing none, called for vote: Mark Fahrenkamp, Daren Cottam, Paul Heideman, and Brad Langston, all Ayes. Motion to ratify the appointment of new members to the Tree Board carried unanimously.

2. Item: Possible motion regarding Greg Graff SID payment. This item was skipped.

3. Item: Resolution RES#2015.01 to support reclamation grant for Hillside Drive. June explained that we are applying for the same grant from the Bureau of Reclamations that we tried for last year, replacing and improving water lines on Cotton Gin Avenue and Hillside Drive. June will be meeting with Karl to make sure all the information submitted for this grant is accurate. This resolution shows Council's willingness to meet matching funds. Two other grants that will help with this work are also in process of submittal: one for engineering costs and one for storm water drainage. Those have no time line for submittal. Mayor called for a motion.

Motion by Daren Cottam to approve Resolution RES#2015.01 to support reclamation grant for Hillside Drive was second by Mark Fahrenkamp. Mayor asked for comments. Hearing none, called for a vote: Mark Fahrenkamp, Daren Cottam, Paul Heideman, and Brad Langston, all Ayes. Motion to approve Resolution RES#2015.01 to support reclamation grant for Hillside Drive carried unanimously.

D. REQUEST FOR AGENDA ITEMS: February, 2015, Council Meeting. 1) Review and possible amendment to Ordinance ORD.2014.02.

E. CITY DEPARTMENTS AND COUNCIL REPORT TO THE CITY:

- 1. Economic Development/ Emergency Preparedness/ Water Dept. Asst: Ty Bringhurst not present.
- 2. City Hall Maintenance/ Cemetery/ Solid Waste/ Fire District/ Tree Board: A) Brad Langston reported the Solid Waste department had passed their new budget. They'll be experimenting with methane reclamation. B) Hurricane City and others are working towards joining the Fire District.
- 3. Subdivisions/ Water Dept./ Park Maintenance: Mark Fahrenkamp had nothing further to report.
- 4. Culture & Recreation/ Sewer District: A) Paul Heideman had no comment at this time.
- 5. Streets/ MPO/ Risk Management/ Confluence Park: Daren Cottam volunteered to take the Mosquito abatement seat. Meetings are every other month on the second Thursday at 4:00 pm right before Council meetings.
- 6. Attorney's Report: Heath Snow not present.
- 7. Mayor M. Darrin LeFevre turned his time over to Karl Rasmussen. **Work meeting #5.** City Engineer update: A) Karl Rasmussen gave the City a cash payment he received from Richard Hirschi for work done on the City's behalf on a simple subdivision request. This was noted and Karl was advised not to take cash from people in the future. B) Karl reported on his progress on the Capital Facilities Plan. He mapped 23 miles of unimproved trails which would hook into LaVerkin and Leeds, with 11 miles of improved trails adjacent or using current roadways. Lance mentioned there will be a trail around the reservoir. Karl estimated the cost at \$1,900.00 per lot for improvements, and \$170,000.00 for right of way/ land acquisition costs. He stated that Parks and Trails are separate. Mark questioned him on land acquisitions for parks. We have undeveloped land for parks now. Karl answered that he was thinking of future acquisitions. Karl remarked that the water and streets sections of the plan would be based on previous work he's done. The discussion next week would be on parks and trails. Daren C mentioned that UDOT is interested in a trails system. C) Lance asked about using the billboards. We haven't used our free month for a couple of years. He wondered if we could sell our month and make revenue from it. Mayor estimated it costs \$2,500.00 to \$3,500.00 to make the sign. We can send them a letter and tell them we want our sign back up this year.

F. EXECUTIVE SESSION: for Potential Litigation.

Mayor asked for a motion to go into Executive Session.

Motion by Paul Heideman to go into Executive Session for the purpose of discussing City Water issues was second by Brad Langston. Mayor asked for a vote: Paul Heideman, Brad Langston, Daren Cottam, and Mark Fahrenkamp, All agreed.

Mayor stated motion passed and public was excused.

Attending: Mayor Darrin LeFevre, Council Members: Daren Cottam, Mark Fahrenkamp, Brad Langston, Paul Heideman, City Recorder: Renee Garner, and Lance Gubler.

Mayor called for a motion to end Executive Session.

Motion by Paul Heideman to leave the Executive Session was second by Brad Langston. Mayor asked for a vote: Paul Heideman, Brad Langston, Daren Cottam, and Mark Fahrenkamp, all agreed. Mayor stated the motion to leave the Executive Session passed unanimously.

ADJOURNMENT: Mayor called for a Motion to Adjourn.

Motion by Paul Heideman to adjourn the Public Meeting was second by Brad Langston. Mayor asked for a vote: Mark Fahrenkamp, Paul Heideman, Brad Langston, and Daren Cottam, all Ayes. Mayor stated the motion passed unanimously. Mayor adjourned the Toquerville City Council Meeting.

Minutes of the 1-08-15 Toquerville City Council Meeting will be presented for review and approval at the February 12, 2015 City Council Mtg.

Approved: 
M. Darrin LeFevre, Mayor

Date: 2-12-15

Attested: 
Renee S. Garner, City Recorder

