

City of La Verkin

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**La Verkin City Council Meeting Minutes
Wednesday, February 18, 2015 6:00 p.m.
Council Chambers, 111 S. Main, LaVerkin, Utah**

Present: Mayor Kerry Gubler; Council-Members: Richard Hirschi, Ken Hooten, Randy Reeve, and Chantelle Browning; Staff: Kyle Gubler, Derek Imlay, Kevin Bennett, Chief Ben Lee, and Christy Ballard; Public: John Valenti, Neil Schwendiman, Owen Sanders, Grayden Dutton, Corbin Jessop, Luke Wright, Alisha Wiser, Miles Wiser, Travis Sanders, Hunter Evans, Russell Evans, Lincoln Gubler, Joel Leitner, Cooper Andra, Ethan Evans, Ray Justice, and Kim Sanders.

Councilman Brandon Stephenson, Troylinn Benson and Chief Tom Kuhlmann have been excused.

A. Called to Order – Invocation and the Pledge of Allegiance was given by Ken Hooten at 6:00 pm.

B. Presentation:

1. Neil Schwendiman –Washington County Solid Waste

Neil was asked to be here tonight to answer questions concerning curbside recycling.

Solid Waste has been in discussion of offering a curbside recycling program. They sent out a request for proposal and received two back. This has given them a better idea of the cost. In the request they asked for four different rates; mandatory County wide (\$2.65 per month per house), County opt-out (\$3.85 per month per house), urban area mandatory (Ivins, Santa Clara, St. George, Washington, Hurricane, La Verkin, and Toquerville), and urban area opt-out.

Solid Waste currently takes \$.50 from each bill to fund the binne program. There has been discussion on Solid Waste paying for the binnes and putting that \$.50 toward lowering the cost of curbside program.

The opt-out program could be handled in several different ways. There could be a period given for people to opt-out (60-90 days) and all new connections after that being included in the program, which would eventually lead to everyone being mandatory.

Another other idea is starting with an opt-out period and then each new connection or new move-in could decide at that time. The concern with this option is if addresses were constantly changing participation in the program, Solid Waste would constantly have to pick up, clean and deliver recycling cans.

They also discussed having the opt-out/in period every year or two. Again, that would make a lot of extra work for the Solid Waste District and the city itself. It will be the cities responsibility to make sure people are being charged correctly.

The benefit of curbside recycling is adding additional years to the landfill. If we had to close the landfill, where in the County would a new one go and how much will that cost.

This is just one way Solid Waste is trying to extend the life of the landfill.

With the mandatory program, the initial decrease to the landfill will be 7%. In residential waste going to the landfill, the decrease would be about 16%. These numbers will decrease over time when more people start to realize what is appropriate to recycle.

The mandatory plan would extend the life of the landfill 1 year for every 15 years and would save Solid Waste about \$200,000 per year of paying for the waste being buried.

With the binne program, the cities get money back for their tree fund. Solid Waste wants to continue with that so they left the processing of the materials out of the RFP. They will put out a different RFP for companies willing to process the material. Part of that would be how much the company would pay Solid Waste for the material and that money would be given back to the cities.

Councilman Hooten asked if there is a local company the material could be sent to or if it would have to be trucked to Las Vegas.

Mr. Schwendiman replied there are several local companies that could bid on processing of the materials.

Mayor Gubler asked the period of implementing the program.

Mr. Schwendiman said if all of the cities could agree, he feels it could start this year. He feels the mandatory program would be the most beneficial, it is the cheapest and the easiest for the cities to administrate the program and easier on the Solid Waste District to just order and deliver the cans one time.

He listed all the current benefits residents of Washington County receive; this would add curbside recycling to that list all for under \$15 per month. That is one of the cheapest in the State.

Councilman Hirschi asked if the program would add another garbage can and if it would be picked up on the same day as the other waste.

Neil answered it would be a different can, picked up on the same day but by a different truck. He would still like to leave some binnes for colored glass so if people wanted to sort out their glass they could take it to the binnes.

Councilwoman Browning asked how many cities need to agree to mandatory for it to be implemented?

Neil replied once a contractor has been chosen that question can be answered. If not everyone decides to participate in the program the cost will go up and that amount depends on who wins the contract.

Kyle mentioned the City collects the fee for Solid Waste and if this program increases the work for City staff will the amount Solid Waste pays the City be increased?

Neil said the agreement Solid Waste has with every city is that the city can add their administration fees onto the bill sent out.

March 2nd is the next Solid Waste meeting. He is hoping they are able to choose a contractor so the cost of the program can be more specific.

Mayor Gubler recognized the three different Boy Scout Troops present.

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. Amended Agenda
3. Minutes: February 4, 2015 regular meeting minutes
4. Review Invoices and Checks: \$66,806.29

Motion was made by Councilman Ken Hooten to approve the consent agenda as written including the February 4, 2015 regular meeting minutes and the checks and invoices in the amount of \$66,806.29 second by Councilman Richard Hirschi. Roll Call Vote: Reeve-yes, Hooten-yes, Hirschi-yes, Browning-yes. Motion carried unanimously.

D. Committee Reports:

1. Planning Commission-Councilman Hirschi reported they discussed an ordinance dealing with vacation rentals and bed and breakfasts. It was given approval as written. Kevin is putting

together the regulations for operations of those facilities so it can run concurrently with the proposed ordinance. The rules don't need to go before the Planning Commission. They also discussed owner/operator apartments attached to businesses in the commercial zones.

2. Community Garden-Councilman Hirschi reported he is trying to find a place to relocate the garden.

Mayor Gubler told the audience La Verkin will have a community garden again this year and is looking for volunteers.

3. Water Board-The next meeting February 25th. Irrigation water will be coming in the first of March.
4. Sewer Board-Blair was not at the meeting to report.
5. Fire District-Councilman Hooten reported they had a joint meeting with the Springdale/Rockville Fire Department to discuss a possible merger.
There was also a discussion about the non-emergency vehicle. Chief Kuhlmann will be operating the vehicle for 90 days to get a base line on what type of market is out there and what the area for consideration should be.

E. Citizen Comment & Request for Future Agenda Items:

Ray Justice-the recycling program would be beneficial. His household has gone from two garbage cans on the street every week to half of one since the binne program started. It is simple; they have separate containers to divide the different recyclable products. It would be easy to convert that to an extra bin. He is in support of the program especially if it would lengthen the lifespan of the landfill. It is the responsible thing for us to do.

Russell Evans-Ray is a perfect example of someone who implemented a plan in his own family by choice but to be mandated to pay the fee and receive a bin, there should be an option to opt-out. One thing that needs to be investigated is the fee for opting out, is it a one-time fee or a reoccurring one. A possible agenda item would be, and he is new to this city so there may already be one, is an emergency water plan. If there is not one in place he would encourage it being a future agenda item.

Councilman Reeve explained there is not an opt-out fee but with the opt-out fee option, the rate for the program will increase.

Alisha Wisner-avid recycler for the last year following the example of her school Hurricane Valley. She is all for the mandatory. She realizes \$2.65 a month may be a lot for some people but what is the cost in the end for the future. Mandatory we are all in it together.

F. Public Hearing:

1. FY 2014-2015 budget amendment

Kyle explained this is a standard procedure when we get the exact certified tax rate amount. While the budget is open, we make the slight adjustments for the revenue that has come in and the expenses that need to be adjusted. The original budget is always conservative so it usually means we are increasing our fees when we open the budget. This time there are some increases and some decreases.

The budget is usually open two times a year, this is the first and then again, right before June to fine-tune it before the end of the fiscal year.

The budget is in good shape.

The biggest item is for the police who need to secure a new vehicle.

Mayor Gubler opened the public hearing at 6:33pm

No comments were made.

The public hearing was closed at 6:33pm

2. To declare certain property surplus property and to sell and /or exchange said property.
The public hearing was opened at 6:34pm.

No comments were made.

The public hearing closed at 6:35pm

G. Business:

1. Discussion and possible action to approve Resolution No. R-2015-02; A resolution opening and amending the Fiscal Year 2014-2015 budget
Councilwoman Browning feels that with the gas prices being so low she would like to see more money put into the roads. The condition of some of our streets is really bad. While the budget is open we should move more money into the roads.

Kyle explained staff was hoping the lower cost for fuel would help the cost of the road project be lower but that wasn't the case. The contractors did not receive a decrease in their product like originally thought.

Councilman Reeve agrees with Councilwoman Browning that the roads do need more money put into them but he has looked over the budget and doesn't see where there is any available to move.

Mayor Gubler mentioned the budget is quite tight and he doesn't feel anyone disagrees with needing more money put into the roads, he is anticipating with next year's budget in putting more money into them. Once the two loans are combined that should free up some money for the budget.

Councilman Reeve pointed out under the expenditures; the areas money had to be moved to, the money had already been spent and wondered if that was common.

Kyle replied it is common. The line items being discussed are not critical; it's the bottom line that can't be changed.

Motion was made by Councilman Ken Hooten to accept Resolution No. R-2015-02; a resolution opening and amending the FY 2014-2015 budget, second by Councilman Richard Hirschi. Roll Call Vote: Reeve-yes, Hooten-yes, Hirschi-yes, Browning-no. Motion passes.

2. Discussion and possible action to approve Resolution No. R-2015-03; A resolution declaring certain property to be surplus property and providing for disposition by public sale.
Councilman Reeve asked how staff planned to dispose of the surplus.

Kyle replied we will probably allow people to come and look at what they want. A lot of the office equipment is not good and will probably go to the DI, if they take electronics. We left ourselves a lot of flexibility on how we can dispose of surplus property. We will try to optimize the best way possible to get the most dollar for what we have. The department heads will decide.

The police radios are not the type being used by the department now and the battery life is long past.

Councilwoman Browning pointed out a grammatical error on page 3.

Mayor Gubler explained the backhoe being surplus is the newer one that is paid off. This one is being sold and we are keeping the older one because of the new backhoe that is being leased. That will be the main one used with the old one as the backup. Selling this will give the department some extra money.

Kevin explained there is no mandatory minimum for surplus items but if there are no offers made that staff feels covers the value of the item we do have the option of not selling the item.

Motion was made by Councilman Richard Hirschi to approve Resolution No. R-2015-03; a resolution declaring certain property to be surplus property and providing for disposition by public sale as corrected, second by Councilwoman Chantelle Browning. Motion carried unanimously.

3. Discussion and possible action to approve Resolution No. R-2015-04; A resolution revising the amount of certain animal control fees, as provided in the La Verkin City Code, and providing for an effective date.

Councilwoman Browning asked if the shelter euthanizes and if so how long does an animal have before that happens.

Chief Lee replied La Verkin is considered a no kill shelter. The only time an animal is euthanized is if they are sick, injured or vicious.

Councilman Hirschi pointed out this change puts La Verkin more in line with what other cities charge and is in favor of it.

Chief Lee mentioned the partnership with the County has been good for us in accessing resources but this is also beneficial to us for fees and fines.

Councilwoman Browning doesn't like increasing the fee for adoption. That isn't going to help with encouraging people to adopt our animals.

Chief Lee explained this increase is to cover the cost of the vaccinations that we give to the animals.

Councilman Reeve asked if there is a time limit for the daily boarding charge. After 5 days, the animal becomes the shelters even if it came from the County. He is not okay with that. He feels if the dog came from the County, after the 5 days the County needs to be billed at the same rate. It shouldn't become the tax payers burden. He has stated this before but wanted to reiterate it.

Motion was made by Councilman Ken Hooten to approve Resolution No. R-2015-04; a resolution revising the amount of certain animal control fees as provided in the La Verkin City Code and providing an effective date, second by Councilman Richard Hirschi. Roll Call Vote: Browning-no, Hirschi-yes, Hooten-yes, Reeve-no, Mayor Gubler-yes. Motion passes.

4. Discussion and possible action to approve Ordinance No. 2015-02; An ordinance amending Ordinance No. 2007-32 and the La Verkin City Code by correcting a typographical error in Section 3-6A-1, regarding the applicable law governing residential solicitors and solicitations; and providing an effective date.

Kevin explained the current Code references the wrong chapter and this ordinance will fix that.

Motion by Councilman Randy Reeve to approve Ordinance No. 2015-04; an ordinance amending Ordinance No. 2007-32 and the La Verkin City Code by correcting a typographical error in Section 3-6A-1, regarding the applicable law governing residential solicitors and solicitations and providing an effective date, second by Councilman Ken Hooten. Motion carried unanimously.

5. Discussion and possible action in support of Mayor Gubler's Proclamation regarding La Verkin Founders Day.

There is a copy of the tentative schedule in the packet.

Mayor Gubler explained La Verkin is planning an annual Founders Day. It is going to be held on the third Saturday in March, with the exception of this year when it will be April 25th.

Councilman Hooten suggested a time set aside for people who have been here awhile to tell stories.

Chief Lee mentioned the Safety Fair is also on April 25, 2015.

Mayor Gubler felt Founders Day and the Safety Fair could both be held on the same day with no issues.

Motion was made by Councilman Ken Hooten to support Mayor Gubler's Proclamation regarding La Verkin Founders Day to be held on April 25, 2015 with subsequent years being on the third Saturday in March, second by Councilman Richard Hirschi. Motion carried unanimously.

6. Discussion, Council action of support, and signing of Mayor's Proclamation in support of the week of May 17-23, 2015, as National Public Works Week in La Verkin.

Mayor Gubler explained this is showing our support with the Nation in declaring May 17-23rd as National Public Works week.

Motion was made by Councilman Richard Hirschi to approve Mayor Gubler's Proclamation regarding May 17-23, 2015 being National Public Works Week in La Verkin, second by Councilwoman Chantelle Browning. Motion carried unanimously.

7. Discussion and possible action to :

- a. Award the bid for the 2015 Road Pavement Preservation Project.
- b. Award the contract for the 2015 Road Pavement Preservation Project.

Councilman Reeve received an email from an individual stating they had a lower bid and did not receive the contract.

Derek explained when the high density mineral specifications first came out there was only one company that could provide that along with a five-year warrantee. This is the first year another company has offered that same five-year warranty and that is the company the email was from. The issue is our design specs require the company have at least two jobs in Southern Utah with a four-year application time down that staff can look at to see how the product has held up through our hot summers. These two items are what the company could not meet.

Three years ago the City started to hear some concerns from other contractors that the high density mineral emulsion system was targeted to just the one contractor. We did start to loosen up the specifications to try to get more bidders to come in. This is the third year that we have allowed other mixes to be considered in the high density mineral emulsion and they did not meet that specification. Staff is going to try to come up with another similar alternative now that the warranty time has caught up with everyone else so that we can get more contractors to bid.

Kevin mentioned years ago UDOT replaced the roads up north with syncrete, a synthetic concrete that was supposed to hold up under the weather better than concrete. A couple years later UDOT had to re-do the roads they had used syncrete on.

That was the thinking behind this requirement. We wanted something that actually did what the company claimed. At the same time, we don't want to, or appear to be, zeroing in on one particular company. One other issue to think about is while we are being financially prudent we are making the jobs almost too small for larger companies to bid on.

Councilman Reeve would like staff to look into the product from the company that sent the email because their bid was a lot lower than the company receiving the contract was.

Derek replied the company has submitted their product information to our engineer for review for next year. We do want to get as much done for our dollar as we can. Ideally, after 5 years you should be starting over with the roads but we are coming up on 7 years and are not even close to starting back at point one.

Kevin suggested expanding our circle of where we are willing to travel to in order to view the material or project.

Motion was made by Councilman Richard Hirschi to award the bid to Holbrook for the 2015 Road Pavement Preservation Project, second by Councilman Ken Hooten. Roll Call Vote: Hooten-yes, Reeve-yes, Browning-yes, Hirschi-yes. Motion carried unanimously.

Motion was made by Councilman Ken Hooten to award the contract to Holbrook for the 2015 Road Pavement Preservation Project, second by Councilman Randy Reeve. Roll Call Vote: Hirschi-yes, Browning-yes, Hooten-yes, Reeve-yes. Motion carried unanimously.

H. Staff, Mayor & Council Reports:

City Administrator- Kyle Gubler

Kyle emailed his report to the Councilmembers.

Rich Murset will be the Chairman for the Founders Day Celebration.

The Easter Egg Hunt will be Saturday, April 4th.

The Stage Coach Grill is moving forward. There is not a complete date yet.

This past weekend the hotel was completely booked and is booked for the next couple of weekends.

Included in his email is a hand out from the Transportation Expo. It lists the upcoming projects for the County.

There is also a Capital Improvements list updated from the last meeting.

Councilman Hirschi said George Rodinos is looking for old barn wood for the Stagecoach Grill.

Public Safety- Chief Ben Lee

There were no dogs in the shelter over the weekend. There is currently one puppy there.

February 28th Dr. Wittwer will conduct the final vaccination clinic from 9am-12pm at the shelter.

Rita Bice is offering a CERT class this month, information on that is available on the Facebook page.

There was a vehicle stolen from La Verkin, it was recovered a few days later. He reminded citizens to keep their belongings out of their cars, including their keys.

A letter was sent to the surrounding elementary schools reminding them to discuss safety with the children.

Boyd Van Dam has turned in his resignation so the department will be hiring a new code enforcement officer. His last day will be May 5, 2015.

Director of Operations-Derek Imlay

The State Street Project will go from the bridge to 500 North and will begin the end of March. Interstate Rock Products was awarded the bid.

The 2015 Road Pavement Preservation Project will take care of Riverwood Phases 1 and 2 along with a good portion of Spanish Gardens. That will complete all of the newer roads since 2000 with the new product. Next year we may be able to go with a different application like a double-coated fog seal coat which is a quarter of the cost.

The irrigation water will be going in March 1st. It has been cleared with WCWCD.

There is a Joint Utility meeting on Feb. 26th for the Main Street Extension Project. The District gave permission for the new elementary school to tap into their line. Sunset View Estates could possibly be starting in the next few weeks.

Mayor Gubler

Thanked the Councilmembers for their support of Founders Day. He would like to build more comradery within our community. He is also hoping the community garden has more involvement this year.

Browning

Mosquito Abatement met this week and approved a new vehicle purchase. The new foggers are working good but they are still going to purchase a hand held unit which will include getting a geo-probe system and some iPads to update the system. This will make it so they don't have to manually enter the information.

The new adulticide used last year worked great but there were limited days it could be used so they are going to try two new chemicals this year.

They also have a new public notice website that can email notices.

Hirschi

A man called to request the burn time for the limbs be extended (Dumpster Days); he didn't have enough time to get there.

Derek replied the dumpsters are there from Friday morning to Monday morning with the dates for the entire year set at the first of the year.

Hooten

Thanked Chief for the police presence at the crossing guard. He has noticed a difference. He has also noticed there are many people who text while driving and commented on the hazards of it.

Reeve

Suggested a work meeting to discuss goals for the next 5-10 years since the next fiscal year is coming up.

I. Adjourn:

Motion was made by Councilman Ken Hooten to adjourn, second by Councilwoman Chantelle Browning. Motion carried unanimously at 7:25pm.

Minutes were taken on behalf of the City Recorder by Christy Ballard.

March 18, 2015
Date Approved


Mayor Kerry T. Gubler

ATTEST: 
Kyle Gubler
City Recorder