

# City of La Verkin

435 North Main St., LaVerkin Utah, 84745

(435) 635-2581 Fax (435) 635-2104

www.laverkin.org

---

## La Verkin City Council Meeting Minutes

Wednesday, April 20, 2016 6:00 p.m.

Council Chambers, 111 S. Main, LaVerkin, Utah

**Present:** Mayor Kerry Gubler; Council Members: Chantelle Browning, Richard Hirschi, Ken Hooten, Micah Gubler and Randy Reeve; Staff: Kyle Gubler, Derek Imlay, Troylinn Benson, Kevin Bennett, Chief Ben Lee and Christy Ballard; Public: John Valenti, L. Daryl Talbot, Dennis Halter, Mildred Halter, Janice & Elizabeth Campbell, Alan Olsen, Anna Andregg, Patti Decker, Trista Miller, Ken Cox, and Karl Benson.

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

**B. Recognition:**

1. Outstanding Citizen Award

Dennis Halter was given the award for the time he volunteers at the crosswalk.

He was given a certificate and gift card.

**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. Minutes: April 6, 2016, regular meeting minutes.

4. Review Invoices and Checks: \$48,288.85

**Motion was made by Councilman Ken Hooten to approve the consent agenda as written, including the April 6, 2016 regular meeting minutes and checks and invoices in the amount of \$48,288.85, second by Councilman Richard Hirschi. Roll Call Vote: Browning-yes, Hirschi-yes, Hooten-yes, Gubler-yes, Reeve-yes. Motion carried unanimously.**

**D. Committee Reports:**

1. Planning Commission-Councilman Hirschi reported there has not been a meeting.

2. Water Board-Mayor Gubler reported there has not been a meeting. The Conservancy District is dredging at the diversion dam so the water is very sandy. There may be times we have to take it out of the system to clean or fix the City's filters.

3. Sewer Board-Councilman Hooten reported the next meeting is Thursday, April 28.

4. Fire District-Councilman Hirschi reported there has not been a meeting.

**E. Citizen Comment & Request for Future Agenda Items:**

No comments were made.

**F. Business:**

**Motion was made by Councilman Ken Hooten to change business item 4, the annual training, to the first item of business, second by Councilman Richard Hirschi. Reeve-yes, Gubler-yes, Hooten-yes, Hirschi-yes, Browning-yes. Motion carried.**

1. Annual training on the *Utah Open and Public Meetings Act and Government Records and Management Act.*

Kevin presented the GRAMA and OPMA training. See Exhibit A.

2. Discussion and possible action on Days of '47 Dixie donation.

Kyle spoke with Mr. Neilson; he would like La Verkin to sponsor an event for 2017. It would need to be on a day other than July 24<sup>th</sup>. Kyle suggested Saturday, July 22 for a soapbox derby.

Mr. Neilson would like it to be an official race for a Soapbox Derby and La Verkin would need to prepare and staff it. Days of '47 would help with the advertising and will try to offer the official winner an expense paid trip to Nationals.

Kyle was not sure the requirements for an official Soapbox Derby.

Councilman Reeve and Councilman Gubler stated they would like to postpone committing to anything until next year, to see how the celebration progresses.

Councilwoman Browning and Councilman Hirschi mentioned they would like to know how extensive becoming a qualifying Soapbox Derby is before committing to doing it.

The Council agreed to wait until next year before committing to anything.

3. Discussion and possible action on the City's cat policy for the Animal Control Shelter.

Councilman Reeve feels the Council is not ready to proceed with this issue. They need more information such as the requirements for housing cats, the cost of a new building, and operation and maintenance costs. However, it does need to continue to move forward.

Councilman Hooten agreed.

The Mayor suggested waiting to see what the County decides to do with their proposed animal control building.

Councilwoman Browning suggested budgeting money for this issue now so if the Council determines we do need to add on or purchase a new building the money is available. She does feel there needs to be a timeline attached to the issue if it is tabled.

Councilman Gubler said he agrees they do need to know the upstart cost and maintenance and then decide if the City wants to make that commitment. If the Council does, then at that point start putting money aside for the project.

Kyle mentioned if money was budgeted and the project was not completed in the budget year the money would need to be allotted again in the next budget.

If you don't make a line item for the project, it would build in the Appropriation of Fund balance and projects like this are what that fund is set up for.

Mayor Gubler mentioned the Appropriation of Fund balance has been improving and he would like to see that to continue.

**Motion was made by Councilman Ken Hooten to table the City's cat policy for the Animal Control Shelter pending further information, second by Councilman Richard Hirschi. Hooten-yes, Hirschi-yes, Reeve-nay, Gubler-nay, Browning-nay. Motion does not pass.**

**Motion was made by Councilman Micah Gubler to table the City's cat policy for the Animal Control Shelter and set a timeline for no longer than six months, second by Councilman Ken Hooten. Reeve-yes, Gubler-yes, Hooten-yes, Hirschi-nay, Browning-nay. Motion passes.**

4. Presentation and discussion of the 2016-2017 Tentative Budget.

Kyle presented the tentative budget.

The first section is the Revenue. The Property Tax amount is a guess until the County gives us the actual number.

Line 3150 is the Transient Room Tax and is based on the one hotel we now have so that number will increase once the second hotel is complete.

The Class C Road has increased due to the Gas Tax.

The State Liquor line is an average of what has been collected, we won't know the exact amount until they give it to us.

Line 3695 is Adopt a Tree program. It is a requirement to budget this amount to participate in the program; the City spends less than \$500.

The Appropriation of Fund balance has been trending downward, which is a good thing. The less we take out of this fund the more we have in the "rainy day fund", or the money the City has in reserve.

The total revenue is \$1,657,350.00

Expenditures:

General Government includes the council, wages & benefits, equipment operating supplies, administrative, buildings, and grounds and has a combined total of \$458,000.00.

The Public Safety salaries & wages and employee benefits are figured different from the other employees because of their retirement.

4410.745-The Street Improvement budget is listed as \$74,000, last year's budgeted amount was \$75,000. With the budget amendment, the final amount for the current fiscal year will be approximately \$105,000.

Line 4510.480-The RAP Tax is a new line item and he hopes was figured conservatively.

Total Expenditures is \$1,657,350.00

That is a balanced General Fund budget.

Debt Service Fund is next. Money is transferred into this account to pay bonds.

The Water Account has a total Operating Revenue of \$664,000 and a total Operating Expense of \$620,000. The totals are similar to the FY2015-2016 budget.

This Fund also has a Non-Operating Income of \$30,000 and Non-Operating Expense of \$74,000.

This is balanced fund.

The Sewer Fund is a pass through account. We collect money for Ash Creek Sewer District they in turn give the City 5% of all that is collected.

The Irrigation Fund has changed due to the increase in irrigation rates. The increase was figured conservatively until we know how much to expect. The Fund should start to carry its own weight in salaries & wages with the increase.

The Total Operating Income is \$94,400 and the Total Operating Expense is \$103,600. Non-Operating Income is \$9,200.

This is a balanced Fund.

The Garbage Fund is a pass through account. The Revenue has increased due to the BluCan Program. It too has been budgeted conservatively until we know how much the actual increase will be.

Drainage Fund has helped the Irrigation Fund in the past so with the increase of salaries & wages in the Irrigation Fund it has decreased salaries & wages in the Drainage Fund.

The Cemetery Fund is an estimate. In the past several years, the Council has been able to transfer \$5,000 surplus to the General Fund.

Kyle asked if there were any questions on the tentative budget and asked if the Council does accept the tentative budget to set the public hearing for the final budget for June 1, 2016.

The budget needs to be adopted by June 15, 2016.

Councilwoman Browning said while she understands the need for money in the Appropriation of Funds she feels it would be better used on the streets. The streets will cost the City more money in the long run if they are not adequately maintained. She would like to see more money in the streets.

Councilwoman Browning asked Derek how many years it would take to get back on track of getting to each subdivision.

Derek replied the original plan was a seven-year cycle. We are three years behind.

Councilwoman Browning feels the gap is widening, she would like to get back to the seven-year cycle.

Councilman Reeve agreed but didn't see where the additional funds could come from. He asked if this budget included a new vehicle for the police department.

Kyle reported they are trying to include a new police vehicle in the budget amendment. If it can't happen this year, they will try to address it in January, with that budget amendment.

This budget is removing \$50,000 from the Appropriation of Fund balance, which is less than last year. The balance is building, but we do still have to take money out of the fund to balance. There is money in the Appropriation of Fund if the Councilmembers would like to put more into the streets.

Mayor Gubler said if the 300 West Project funding gets approved that will make the amount spent on streets substantially more.

Councilman Hooten mentioned he feels it makes sense to save money for a rainy day. If there is a legitimate need to spend money then do it but if we have the opportunity to save money, we should because you don't know what the future holds.

Kyle pointed out the budget can be amended at any time.

Derek reported La Verkin has approximately \$2 million dollars in infrastructure.

Councilwoman Browning stated she does not want to deplete the savings. She would just like to get back on the seven-year cycle.

Councilman Gubler said he likes the way the Road Maintenance was handled this year. The budget was for \$70,000 but the City spent \$105,000. That keeps the money in the Appropriation of Fund in case it is needed and if nothing happens it can be put into the roads. He feels that accomplishes both keeping the security blanket as well as appropriate more funds to the streets when the time comes.

Councilwoman Browning pointed out the increase was to fix a problem, she wants the money at the beginning of the budget year to preserve the roads.

Derek explained he is gathering information to bring before the City Council on purchasing a crack seal machine along with enough material to do a citywide crack seal project.

Cracks are the cause for the road deterioration.

Derek thinks the City will be able to purchase the machine and a truckload of material for the proposed budgeted amount. One load of material should almost cover the entire city. The plan is to crack seal the entire City next year and combine the amount saved with the following year's budget to purchase the surfacing material and get back on track.

**Motion was made by Councilman Ken Hooten to accept the 2016-2017 Tentative Budget and set the public hearing for June 1, 2016, second by Councilman Richard Hirschi. Roll Call Vote: Reeve-yes, Gubler-yes, Hooten-yes, Hirschi-yes, Browning-nay. Motion carries.**

## **G. Staff, Mayor & Council Reports:**

### *City Administrator-Kyle Gubler*

Kyle emailed his report to the Councilmembers.

- The American Legion Riders Post 100 donated \$240, Zion Harley Davidson donated 8 t-shirts valued at \$200 and the La Verkin Family Dollar collected \$140 used for bags of candy to the City's annual Easter Egg Hunt.
- The Beautification Committee is sponsoring the white washing of the "L" on May 6.
- The new hotel is moving forward and so is Sunset View Estates.
- Kyle and Derek met with Joe Philips from Sunrise Engineering about the 300 West Street Project. There will be an application presented to the City Council for approval to move forward with securing the funding for the project.
- The Beautification Committee will host a hike on April 29 to try to find a route to connect the trails.
- Kyle attached the Capital Improvements List.
- DTEC meeting was today. They discussed the Local Options Sales Tax. The County Commission would like this item back on the agenda for citizens to vote on the item. It is a quarter percent sales tax increase, which will be specific for roads. The Commission is looking for a vote of support in putting this item on the ballot.

Councilwoman Browning would like the Capital Improvements List on the next agenda to discuss making changes.

### *Public Safety-Chief Ben Lee*

- Officer Gardiner is continuing his field training and is doing a great job.
- He is closing out a couple of grants before the cycle ends.
- Chief reported on a fraud report that was made by an elderly woman and encouraged everyone to look out for their elderly family and friends.
- Sherwin Williams donated a 5-gallon bucket of paint to the department. It will be used to paint the evidence room.

### *Director of Operations-Derek Imlay*

Derek reported the irrigation is back in the system, for now. He explained the issue the City is having with the amount of sand in the River from the dredging the Conservancy District is doing and the damage it is causing to the City's filter system. There has been a lot of equipment destroyed, including an industrial size motor. The damages so far total \$5,500.

There is low irrigation water pressure throughout the City.

The Washington County Water Conservancy District is reporting 4-6 more weeks of dredging.

The Councilmembers discussed and agreed to approve an order to replace equipment for the irrigation system now and ratify the transaction in the next budget amendment.

### *Treasurer-Troylinn Benson*

Utility shut-off for nonpayment was done yesterday. There were 11 total with 3 still off today.

Troylinn passed out the Financials completed through March.

*Mayor Gubler*- Operation Underground Railroad has asked to be on a future agenda. He also reported on their upcoming event in May.

*Browning*-Nothing to report.

*Hirschi*-Nothing to report.

Hooten- Nothing to report.

Gubler-Nothing to report.

Reeve- Nothing to report.

**H. Executive Session:**

Motion was made by Councilman Micah Gubler to adjourn to an Executive Session at the location of 111 South Main Street La Verkin Utah for the purpose of discussing pending or reasonably imminent litigation, second by Councilman Randy Reeve. Reeve-yes, Gubler-yes, Hooten-yes, Hirschi-yes, Browning-yes. Motion carried unanimously at 7:45pm.

**I. Reconvene from Executive Session:**

Motion was made by Councilman Richard Hirschi to reconvene from the Executive Session and return to the regular meeting, second by Councilman Ken Hooten. Browning-yes, Hirschi-yes, Hooten-yes, Gubler-yes, Reeve-yes. Motion carried unanimously at 7:55pm.

**J. Adjourn:**

Motion was made by Councilwoman Chantelle Browning to adjourn, second by Councilman Richard Hirschi. Browning-yes, Hirschi-yes, Hooten-yes, Gubler-yes, Reeve-yes. Motion carried unanimously at 7:56pm.

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

May 18, 2016  
Date Approved

ATTEST: Kyle Gubler  
Kyle Gubler  
City Recorder

Kerry T. Gubler  
Mayor Kerry T. Gubler