

City of La Verkin

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www.laverkin.org

La Verkin City Council Meeting Minutes Wednesday, June 1, 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: Phyllis Terrana and Amy Curtis.

- A. Called to Order** – Invocation and the Pledge of Allegiance was given by Richard Hirschi at 6:00pm.
- 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. Minutes: May 18, 2016 regular meeting minutes
 4. Review Invoices and Checks: \$16,850.18

Motion was made by Councilman Ken Hooten to approve the consent agenda as written, including the May 18, 2016 regular meeting minutes, and checks and invoices for \$16,850.18, second by Councilman Richard Hirschi. Roll Call Vote: Hooten-yes, Hirschi-yes, Browning-yes, Gubler-yes, Reeve-yes. Motion carried unanimously.

C. Committee Reports:

1. Planning Commission-Councilman Hirschi reported a public hearing was set for June 8, 2016 for a proposed lot split for the property located directly south of Davis Farmers Market.
2. Water Board-Mayor Gubler reported the Water Board would meet June 22. The City would still like to be water conscious and is continuing to encourage everyone to water their yard/fields between the hours of 6pm-10am.
3. Sewer Board-Councilman Hooten reported the interviews for the job opening have been completed. Mike Chandler will make the final decision. They also discussed the feasibility of installing an observation platform for bird watching at the settling ponds. Ash Creek has planned for a processing plant in La Verkin. They will begin that process now, which is much earlier than planned. Ash Creek is working with Confluence Park on the handling of the processed water.
4. Fire District-Councilman Hirschi reported the Fire District hired a new Deputy Fire Chief. He is doing well. The La Verkin firehouse improvements are still moving forward. Coral Canyon is getting a fire station.

D. Citizen Comment & Request for Future Agenda Items:

Amy Curtis-She wondered about plans for 300 West. Many school kids walk on that road and there is no sidewalk. There is a ledge on one side with a big drop off that is full of trash and the kids don't want to get close to it. It is also scary to drive that road. The road is already narrow and the kids will not walk close to the ledge putting them in the road. She would like the road widened and a sidewalk installed. She does not like to drive the road when school is getting out because she has almost hit a child. She is very concerned for their safety. The school has asked the children to use this road instead of the highway.

Mayor Gubler explained improving 300 West is the number one priority. The City is in the process of securing funding for improving that road. The application for a grant has been submitted and the City should know by August or September.

Phyliss Terrana-She lives at 266 N 100 E. She has been here before but she thought she would show the Councilmembers how pretty her property was before the developers came in. It was pristine, no marks or anything.

She passed out the pictures of her property dating from 1991-1993 to the Councilmembers. There are also pictures showing the vandalism that was done to her roof.

Phyliss stated she purchased 40 feet of property behind her house so the development wouldn't be at her back door. She paid for the property and developed it. She put in 17 years of work. She doesn't think Mr. Gubler, who she purchased the property from, expected the City to give the developers permission to steal it from her and destroy 17 years of work. She is so frustrated.

Her career was a Special Ed teacher working with troubled teens. The kids that vandalized her home were kids from her classroom. It wasn't considered a light offense to tear a roof off in Salt Lake. The kids also built ramps so they could drive through her property. If they would have gotten hurt, the child's parents would have come after her. The only thing she could have done was to put up no trespassing signs. The police came; however, they didn't protect and serve her and they didn't protect and serve the youth. How will the kids learn anything if they are told it's no big deal? Ignoring it over and over again.

E. Public Hearing:

1. FY 2015-2016 Budget Amendment

The public hearing was opened at 6:14pm

No comments were made.

The public hearing closed at 6:15pm

2. FY 2016-2017 Tentative Budget

The public hearing opened at 6:15pm

No comments were made.

The public hearing closed at 6:16pm

F. Business:

1. Discussion and possible action to approve Resolution No. R-2016-09; A resolution opening and amending the Fiscal Year 2015-2016 budget.

Kyle explained the main two items in the budget amendment are the purchase of a new police vehicle and an issue with how depreciation has been handled. Money was moved to resolve that issue by recommendation of the accountant. Everything else is year-end clean up.

The money for the new police vehicle came from an increase in revenue.

Councilman Reeve asked what the Appropriation of Fund balance was for the end of the year.

Kyle replied the number won't be final until the end of June. The number will be positive. The end of June is when he will know the final revenue number also.

Motion was made by Councilman Ken Hooten to approve Resolution R-2016-09, a resolution opening and amending the Fiscal Year 2015-2016 budget, second by Councilman Richard Hirschi. Reeve-yes, Gubler-yes, Hooten-yes, Hirschi-yes, Browning-yes. Motion passes unanimously.

2. Discussion and possible action to approve Resolution No. R-2016-10; A resolution adopting the FY 2016-2017 Budget.

Kyle mentioned nothing in the proposed budget has changed from the last meeting.

Mayor Gubler feels that the City will be better off if we pay cash for things instead of making payments. Some money can roll over instead of going into the Appropriation of Funds to help purchase the crack seal machine. The accountant is advising in the proper channeling of those funds. It will not change the

budget that is proposed, but the money will be there for the machine, which is going to cost more than anticipated.

There is already money in this budget for the new machine but more will be needed.

Kyle explained the money will be there but it won't be moved until we do the first budget amendment for the new year.

Motion was made by Councilman Richard Hirschi to approve Resolution No. R-2016-10, a resolution adopting the FY 2016-2017 budget, second by Councilman Micah Gubler. Roll Call Vote: Hooten-yes, Gubler-yes, Reeve-yes, Browning-no, Hirschi-yes. Motion passes.

3. Discussion and possible action to approve Resolution No. R-2016-11; A resolution regulating the use of fireworks within the city limits of La Verkin.

Mayor Gubler reminded the Councilmembers this will allow fireworks in streets farther than 100 feet from a hillside and in the City parks.

Motion was made by Councilman Ken Hooten to approve Resolution No. R-2016-11, a resolution regulating the use of fireworks within the city limits of La Verkin, second by Councilman Micah Gubler. Reeve-yes, Gubler-yes, Hooten-yes, Hirschi-yes, Browning-yes. Motion passes unanimously.

4. Discussion and possible action to approve the Motor Vehicle Contract of Sale with Bradshaw Chevrolet and Buick for the purchase of a police vehicle.

The truck is a white, 2016 Chevy Silverado half-ton crew cab pickup truck. The Tahoe and Explorer were used as a trade in. This truck will be Chief Lee's truck and Officer Gardiner will get his old truck.

Motion was made by Councilman Richard Hirschi to approve the motor vehicle contract of sale with Bradshaw Chevrolet and Buick for the purchase of a police vehicle, second by Councilwoman Chantelle Browning. Roll Call Vote: Reeve-yes, Gubler-yes, Hooten-yes, Browning-yes, Hirschi-yes. Motion passes unanimously.

5. Consideration, discussion and possible action to approve the proposed Rock Fall Berm and Utility Easement Agreement with La Verkin Hotel Development LLC and Sunset View Estates Development and to authorize the Mayor's signature thereon.

Kevin explained this deals with the Sunset View Estates development. Specifically, the berm on the east end for falling rocks and drainage water. The area directly behind the development already has an easement. This is extending that easement an additional 40 feet to the north to extend the protection for the homes as well as get the drainage water where it needs to go.

Derek explained the drainage water from the development will go north under SR9, down the channel next to Zion View Estates, on to the cemetery and out into the City's system.

Kevin said once the property gets conveyed to the City we will have access to the cleanouts and make sure it is protected.

Motion was made by Councilman Richard Hirschi to approve the Rock Fall Berm and Utility Easement Agreement with La Verkin Hotel Development LLC and Sunset View Estates Development and authorizing the Mayor's signature thereon, second by Councilman Ken Hooten. Browning-yes, Hirschi-yes, Hooten-yes, Gubler-yes, Reeve-yes. Motion passes unanimously.

G. Staff, Mayor & Council Reports:

City Administrator-Kyle Gubler

Kyle will email his report to the Councilmembers.

- The July 4th parade will begin at 9am. There will be a float for the Councilmembers.
- Vintage Park playground has been completed. Kyle suggested having the next City Council meeting begins at the Park for a Ribbon Cutting Ceremony.

- The movie in the Park will be July 15, Friday at 9pm and will be at Wanlass Park.
- The WCWCD held a public hearing for a potential water rate increase. Kyle and one other person attended. The increase will change the rate from \$.84 per 1,000 gallons to \$.94 per 1,000 gallons of wholesale water. The increase did pass. It will take effect on July 1, 2016. The City contracted with WCWCD to pay for 4.5 million gallons of water per year. The rate increase will raise the amount paid by \$450 per month. This was not included in the budget just approved so there will need to be an amendment done to cover that additional cost. Kyle will review the contract to verify the dollar amount before that amendment.
- A survey company has put together a sample survey that was sent out to the Councilmembers and will be available to the public via Facebook. Kyle encouraged everyone to participate; he will present the results later.
- Derek and Kyle met with Rocky Mountain Power Company concerning the rebate program for purchasing streetlights. The rebate has changed since the presentation from Siemens. There will be an audit completed to let the Councilmembers know what the new numbers will be.
- The Beautification Committee would like to host a City Water Day at Wanlass Park. If the Councilmembers are in support of it, Kyle will contact the Fire Department to see if they could bring a fire truck.

Councilman Hooten is in favor of the water day.

The Councilmembers agreed to meet at Vintage Park for the next City Council meeting.

Councilman Reeve asked how many man-hours have been put into possibly purchasing the streetlights.

Kyle replied Derek has spent more time on it than he has but combined it really hasn't been much.

Public Safety-Chief Ben Lee

- Chief Lee said he is grateful to be able to move forward with the Department's fleet issues. It will be good to change some of them out.
- Officer Gardiner's field training should be complete in three weeks.
- Now that he has a full staff, he will be working on scheduling.
- There has been an influx of stray animals, animal bites and vicious animals. He reminded people to take care of their animals and put them on a leash. Patti has been doing a great job at moving the animals out of the shelter. We were also able to help Ivins animal shelter by housing some of their animals.

Director of Operations-Derek Imlay

The 2016 Road Maintenance Project is finished. He is pleased with how it turned out. In the next year, we should be able to start comparing this product with the HA5 application previously used.

Derek passed out a packet. The top page is the irrigation report. The system cycled more than normal in the month of May. He was at the Diversion Dam today and the sand bank is against the dam again which means we are dealing with the same issue as the beginning of the season. The crew still has to go down to the filter station 3 times a day, including the weekend.

The Conservancy District thinks once the runoff is done and the River slows down things should get back to normal.

Councilman Hooten suggested putting a video of the issue at the Diversion Dam on the City website. It may help the citizens understand what the City is dealing with.

Kyle will place something on the Facebook page.

The packet also includes the bid document and specifications for the crack seal machine for future discussion. He also included a history of what has been spent on crack sealing the roads from 2005-2106. Purchasing this machine would enable us to finish the City so we could start at the beginning in 2019.

There was a large break over the weekend that caused the crew to come in on Sunday. The break was fixed without shutting the water off, which is a dangerous way to fix water breaks. This was done to try to alleviate all of the complaints the City has been getting because of the situation with our water. It is always an inconvenience when the water is shut off but when it's an emergency adequate notification is not possible.

The Mayor and Councilmembers agreed that complaints are not worth endangering people's lives. Mayor Gubler told Derek to notify him and the Councilmembers and then start referring those people with complaints to them.

They thanked Derek and his crew for the work they do.

Treasurer-Troylinn Benson

Nothing to report.

Mayor Gubler- Nothing to report.

Browning-She would like to revisit flex hours for the employees. With all of the issues the irrigation and culinary water is having, Derek and his crew are working all the time.

Hirschi-Car dealerships have to pay for a business license but the people who just park their vehicles with for sales signs in them don't. He wondered if there was an ordinance against vehicles parked along State Street for sale.

Kevin explained State Law allows a person to sell up to 4 cars a year without a business license. We can regulate what is on the highway.

Hooten-Nothing to report.

Gubler-Nothing to report.

Reeve-Nothing to report.

H. Executive Session:

There is no need for an executive session.

I. 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 7:04pm.

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

June 15, 2016
Date Approved

ATTEST:

Kyle Gubler
Kyle Gubler
City Recorder

Kerry T. Gubler
Mayor Kerry T. Gubler

