

# City of La Verkin

435 North Main St., LaVerkin Utah, 84745  
(435) 635-2581 Fax (435) 635-2104  
www.laverkin.org

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## La Verkin City Council Meeting Minutes Wednesday, September 21, 2016 6:00 p.m. Council Chambers, 111 S. Main, LaVerkin, Utah

**Present:** Mayor Kerry Gubler; Council Members: Randy Reeve, Micah Gubler, Richard Hirschi, Ken Hooten and Chantelle Browning; Staff: Kyle Gubler, Derek Imlay, Troylinn Benson, Kevin Bennett, Chief Ben Lee and Christy Ballard; Public: Joanne Lyman, Paul Stevens, Reuben Wadsworth, Jeff Bradybaugh, Jack Burns, Max Stevens, Justin Reeve, Seth Armstrong, Gage Johnson, and Earl Cox.

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

**B. Presentations:**

1. Joanne Lyman works for the Five County Association of Governments as the Senior Corp Program Coordinator. The two programs she handles are the Senior Companion program and the Foster Grandparents program. These programs are for volunteers ages 55 and over. They do receive a small stipend for their meals, time and travel expenses.

Foster Grandparents go to the elementary schools and read with specific children. Senior Companion volunteers go to the homes of other seniors to take them shopping, to doctor appointments or to just spend some time with them.

La Verkin has had volunteers in the past but there are not any currently. However, there is a Foster Grandparent volunteer from Hurricane that has provided 1,584 service hours per year and a Senior Companion volunteer from Hurricane that has provided 588 per year in La Verkin.

The programs are run by a Federal Grant, however the grant does not cover all of the expenses, so she is asking cities that receive services for a small donation of \$500. This money will be divided up between the two programs.

2. Jeff Bradybaugh is the Zion National Park Superintendent and Jack Burns is the Chief of Commercial Services and Partnerships Office. They are here to discuss visitor use management at Zion National Park. Visitation has been increasing over the years, last year alone it increased over 450,000. This increase is making it hard to manage and provide for the services those visitors are seeking.

In the past, the Park has accepted visitors as they come and then figured out what programs would need to be used for the management of it but now they have decided to be more proactive. To help the visitors plan their trip and also helping the staff know what facilities will be needed to manage the crowds. They are working on a Visitor Management Plan to help with issues such as parking and traffic congestion both in the Park and in Springdale. Issues that affect the type of experience visitors have at Zion.

Jeff read the mission of the Park and pointed out the resources need to be preserved for the future.

Jack gave a power point presentation discussing the concern of unsustainable visitation growth.

On July 4, 2016 there was a 40% increase from July 4, 2015 and Labor Day weekend 2016 Zion National Park had 80,000 people go through the entrance station. There were hour long waits for the shuttles on top of the hour long wait just to get into the Park and the trails were crowded. These conditions make it hard to keep up with the maintenance of the facilities

especially the garbage and recycling cans. There has been an increase of emergency services to the Park. Human waste management is also a huge issue for the Park.

Mr. Burns explained the reason for this presentation is for the Council to understand the concerns and magnitude of the issues the Park is experiencing.

There was a collaboration clinic held with varying attendees some of which were representatives from other Parks throughout the State to find ways to work together on addressing the issues they are all facing. They also track the visitor comments from social media.

Managing the visitors is not a new concept but now we need to decide what management strategies are the most appropriate to give a high quality visitor experience. Zion National Park does have a planning team with members from the Denver Service Center and Washington Office of the National Park Service.

Jack explained how they count the number of visitors to the Park.

Councilman Hirschi asked what the process would be to limit the number of visitors.

Jeff said they are trying to determine what the capacity is for visitors in the most used areas of the Park and explained some of the ways they do that. Once that has been determined they will look at visitor capacity relative to resource impacts. The changes made in those heavily used areas will change the pattern of use for other areas.

They also try to notify people ahead of time about the current conditions in the Park via UDOT signs or social media.

Ultimately they will need to manage more closely the peak periods. There have been multiple ideas discussed, such as reservations, but that will be decided after the capacity has been established.

They are trying to get all the information before the plan is finalized, which he thinks may be in approximately one year.

Mayor Gubler asked Mr. Bradybaugh to consider the businesses that are here and the ones being built to accommodate the visitors when making those decisions.

Councilwoman Browning mentioned she has noticed more reports of graffiti and vandalism in the Park and wondered if that was from the increase in visitors.

Jeff explained that the Park is seeing more emergency services and that does include law enforcement calls. They have also noticed different behavior from people than they have previously seen.

Councilman Gubler asked if Jeff had an opinion on what was driving the increase on visitation.

Jeff answered the economy has improved and gas prices have been low. There has been some reluctance from US citizens to travel outside of the Country. There has also been a lot of tourism promotion. These could all play into the increase.

Kyle mentioned he attended a meeting where they discussed the St. George to Springdale transit system and the help it may be with the parking issue.

**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: September 7, 2016 regular meeting minutes
4. Review Invoices and Checks: \$113,057.94

**Motion was made by Councilman Richard Hirschi to approve the consent agenda as written, including the September 7, 2016 regular meeting minutes, and checks and invoices for \$113,057.94, second by Councilman Ken Hooten. Roll Call Vote: Reeve-yes, Gubler-yes, Hooten-yes, Browning-yes, Hirschi-yes. Motion carried unanimously.**

**F. Committee Reports:**

1. Planning Commission-Derek Imlay reported a work meeting was set for September 28, 2016 to begin discussing a potential zone allowing RV Resorts.
  2. Water Board-No meeting.
  3. Sewer Board-Councilman Hooten reported there has not been a meeting. Ash Creek SSD is working with the Confluence Park Board in getting irrigation water and possibly culinary water to the Park. Ash Creek SSD will be putting in a processing plant by the Park.
- Councilman Gubler asked if Confluence Park has a plan in place to remove the invasive plants.

Councilman Hooten explained the County is working to remove the nonnative plants. Confluence Park met today and the main topic of discussion was creating a camping policy for the Park.

4. Fire District-There has not been a meeting.

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

No comments were made.

**H. Business:**

1. Discussion and possible action to approve the revision of the preliminary and final plats for a lot split of property with the Tax ID # LV-132, located directly south of Davis Farmers Market on SR9.

Kyle explained this item has already been to the Council but the access easement for the back parcel was moved to the center of the property from the south side.

The owner of the back parcel owns the strip mall behind Davis Market and can access the parcel from there as well as this easement off of SR9.

**Motion was made by Councilman Ken Hooten to approve the revision of the preliminary and final plats for a lot split of property with the Tax ID # LV-132, located directly south of Davis Farmers Market on SR9, second by Councilman Richard Hirschi. Roll Call Vote: Browning-yes, Hirschi-yes, Hooten-yes, Gubler-yes, Reeve-yes. Motion carried unanimously.**

2. Consideration, discussion and possible action to authorize the City Administrator to negotiate conditions for the CIB funding of the 300 West Road project.

Kyle passed out a copy of proposals he could take to the CIB Board and reported on his meeting with the two Board members.

Page 1 is a proposal of \$282,000 loan, \$165,000 grant for 20 years with a 2.5% interest rate making the annual payment \$18,089.49. This is the top of our budget.

Page 2 is a proposal suggested by Mr. Matsen, one of the Board members. It is the original offer with the length of time extended from 20 to 30 years. That would make our annual payment \$18,298.00. The original offer was a \$100,000 grant, \$383,000 loan for 20 years at 2.5% making the annual payment \$24,500.

Kyle would like to counter offer with the first proposal.

The Councilmembers agreed to have Kyle counteroffer the proposal on page 1 and then the 30-year extended option with the idea of making the 20-year annual payment whenever possible. If they don't agree with either of those proposals Kyle will accept the original offer.

**Motion was made by Councilwoman Chantelle Browning to allow the City Administrator to negotiate conditions for the CIB funding of the 300 West Road project, second by Councilman Randy Reeve. Roll Call Vote: Reeve-yes, Gubler-yes, Hooten-yes, Browning-yes, Hirschi-yes. Motion carried unanimously.**

**I. Staff, Mayor & Council Reports:**

*City Administrator-Kyle Gubler*

Kyle emailed his report to the Councilmembers.

- Friday, September 23<sup>th</sup> will be the second Movie in the Park.
- DTEC meeting discussed the transit system and the Local Option Sales Tax which will be on the ballot in November.
- The last page is an email Kyle received listing the top 10 keys for making an awesome government.
- Staff is working on a budget amendment to be ready for the Council in December.

*Public Safety-Chief Ben Lee*

- The officers have been dealing with an increase in parking issues.
- Chief Lee was able to attend the annual Sheriffs Conference and Chiefs Conference. Some of the topics discussed was the fact the Legislation is pushing to legalize marijuana which is something that concerns the Chief and something he does not support from a law enforcement standpoint. The lack of respect and war on policemen was also discussed.
- Officer Crouse was almost hit by a drunk driver on her way back to La Verkin from Purgatory. Hurricane would not respond so Officer Bulkley assisted her. The Department has been given more DUI overtime shifts than ever before.

*Director of Operations-Derek Imlay*

- There was a main line break on 300 South. He is waiting on parts to get it fixed.

*Treasurer-Troylinn Benson*

Nothing to report.

*Browning*-Mosquito Abatement seasonal employees are done working for the year. The remaining employees are larvae siding, the more they can get done in the fall the better spring we will have. There have been six positive pools for the West Nile Virus in Washington County but none of them have been human cases.

*Hirschi*-Nothing to report.

*Hooten*-Acknowledged the Boy Scouts in the audience and had them introduce themselves and state the troop they were with. He thanked them for coming to the City Council meeting.

*Gubler*-Nothing to report.

*Reeve*-Asked Councilman Hooten about a \$9,500 increase he heard was given to the City Administrator. He would like to see the study that was done justifying that increase.

Councilman Hooten replied the study was done by contacting the Councilmembers. All of the Councilmembers, with the exception of Councilman Reeve, agreed to the increase. La Verkin's City Administrator position is the lowest paid in the State of Utah for city administrators. This increase will put the City Administrator in a position where he is fairly compensated.

Councilman Reeve would like a true study comparable to other cities to determine the dollar amount of an increase.

Councilwoman Browning commented she thought it was the Mayor's job to handle salaries. If it was something the Council was going to do, then it should be done in an open meeting. Which is what she thought Councilman Hooten meant when he talked to her about the increase. In fact, she called the Mayor to see if the topic could be discussed in a closed session instead of an open meeting and discuss all of the staff's performance. She feels that everyone is underpaid and needs a raise.

Councilman Reeve stated this was a position only discussion, not a performance issue. He would like a study done for all of the employees.

He also asked if the increase was included in the budget.

Councilman Hooten said he talked to the City Attorney regarding the procedure for this increase. Kevin told him that there are two different positions involved, the city administrator and the city recorder. To increase a city recorder position would require an ordinance, the city administrator would not. Nothing was mentioned about discussing it in a council meeting.

He also told Kevin, because of the nepotism rule, he would be initiating the increase as Mayor Pro Tem.

Kevin responded he informed Councilman Hooten that the increase would need to be done by either the Mayor or the Council. If the Council was going to do it then it would need to be done in an open meeting.

Councilman Hooten feels like he did the right thing by canvassing the Councilmembers because, based on Kevin's advice, the increase did not require action by the Council.

Councilman Gubler explained he felt Councilman Hooten was acting in the capacity as Mayor Pro Tem when he was contacted and that the increase did not need Council approval but he was being courteous and asking for their opinion, not permission.

Councilman Hirschi said he felt Councilman Hooten was acting as Mayor Pro Tem and asked the Councilmembers for permission before he did anything.

Mayor Gubler said there will be a study done with other similar cities and this item will be on a future agenda.

Kevin explained the discussion cannot be in a closed session, only performance issues can be. He also said pay increases are not necessarily a council job but are usually included in the budget by the Mayor. However, because of the nepotism issue it should be done by the Council. It can be one councilmember presenting the idea but ultimately the entire council will decide.

Councilman Gubler mentioned if the entire staff's salary is not Council business he would like to leave that to the department heads.

Councilman Reeve agreed that while it's not council business, such a large increase for one person should be justified by position only and stated everyone is underpaid in the City. He would like this item for discussion and action at the next City Council meeting.

Councilman Hooten pointed out the salary increase is still within the approved salary range. If the range was being changed that may require Council approval.

Councilwoman Browning would like clarification on the responsibilities of a Mayor Pro Tem before the issue moves forward.

Kevin replied the only items he has seen a Mayor Pro Tem do is conduct meetings and sign documents in the absence of the Mayor. He will check and see if he can find a description of duties for a Mayor Pro Tem.

The Council will need to put this on the agenda to have it ratified and/or a budget amendment done.

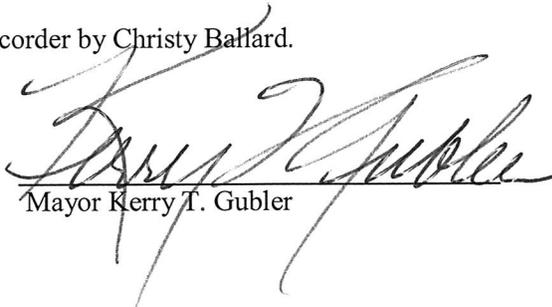
Mayor Gubler said this issue will be on the next agenda for ratification.

**J. Adjourn:**

**Motion was made by Councilman Ken Hooten to adjourn, second by Councilman Richard Hirschi. Hirschi-yes, Hooten-yes, Browning-yes, Gubler-yes, Reeve-yes. Motion carried unanimously at 7:30pm.**

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

October 5, 2016  
Date Approved

  
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Mayor Kerry T. Gubler

ATTEST:   
\_\_\_\_\_  
Kyle Gubler  
City Recorder