

TOQUERVILLE CITY COUNCIL
City Council Work Meeting
August 4, 2016 - 6:00 p.m.
Held at 212 N. Toquerville Blvd, Toquerville Utah



Please Mute Cell Phones

Public comments will be taken during the public forum portion of the meeting.

Present: Mayor and council: Mayor Darrin LeFevre, Paul Heideman, Ty Bringhurst, Keen Ellsworth, Mark Fahrenkamp; Staff: Mike Ruesch – Planning Commission Chair, June Jeffery – Treasurer, JaDee Adams- Public Works, Ash Creek Sewer District - Mike Chandler, Building Inspector – John Postert, City Engineer – Karl Rasmussen, City Recorder – Dana McKim; Public: Doug Stewart, Kaden Jenkins, Debra Capson, Jaron Cordova, Lynn Olds, Yolanta Heger, Kalleen Campbell, Roger Campbell

A. CALL TO ORDER:

1. Call to Order – Mayor Darrin LeFevre at 6:01 p.m.
2. Requests for Statements of Belief from Anyone Present - None

B. STAFF REPORT:

1. Mike Chandler – Ash Creek Sewer District

There is a large storage shed that was erected over a manhole at 311 N Toquerville Blvd. The Sewer District had safety concerns with the manhole being enclosed. This site is geographically located below Anderson Junction. When Anderson Junction expands in population so will the volume of material coming down from that area. There are added concerns involving this manhole due to the angle the pipe ties into the manhole from the Anderson Junction area. This pipeline will be creating more turbulence and will release more gas. This manhole has also been modified by the property owner. It was raised up and concrete was set surrounding the hole. The cost to reroute this manhole is not in the budget at this time. The Sewer District does have an easement agreement on the property but due to the placement of the shed and the added front porch decking area they won't be able to maneuver a vac truck to the hole if problems arise.

2. Lance Gubler (Represented by JaDee Adams) – Water / Maintenance

Tree City Project: The Tree City/Shangri-La Project is going to cost approximately \$16,000.00 for the purchase of additional wall blocking material. The plan is to use the existing block and have the maintenance crew provide the labor of the redesign of this project. This grant has to be used up by December. We currently lease a John Deere backhoe for approximately \$800-900, but the new lease agreement will be quite a bit more. The crew would like to drop the lease agreement and get a mini-ex. This equipment would be essential for this project.

6:09 Councilmember Fahrenkamp enters meeting

Westfield Road: The City of LaVerkin has agreed to lease their road crack sealer and provide training to our employees to start crack sealing Westfield Road. The town hasn't received a quote from LaVerkin-whether they will charge us a rental fee. The Mayor LeFevre advised that we request a rental agreement.

Cemetery: Gubler would like to purchase cemetery plaques for all the unmarked graves in the cemetery. The city crew has done their best to keep the weeds down and trimmed up the cypress trees that were brought to their attention by Councilmember Langston. Lance Gubler found a solid cedar 12'x 12' pavilion from Costco for \$1399.00. This pavilion was discussed in earlier meetings to serve as an area for the public to get out of the heat while at the cemetery. Maintenance crew would need to pour a concrete pad and affix a legend inside the pavilion so that visitors could see where the deceased are located. Councilmember Langston is not at the meeting and will need to be given this information.

Frontage Road Project: The Frontage Road Project quotes were given to the council. The length of the road improvement will be approximately 4,000 feet. This road will be oiled and chip sealed.

The expenses for this project are more than originally budgeted for, but since the City is saving money on the Westfield Road sealing, the budget will still be balanced.

No Parking: Hillside and Old Church road will be getting some no parking signs to designate no parking areas. Parking has been an ongoing issue with this area due to the narrow roadway. A citation will be issued to a resident who continually illegally parks in the no parking zone.

3. Mike Vercimak – Zoning Administrator – Not Present

4. Mike Ruesch – Planning Commission Chairman

Chairman Ruesch did not attend the meeting last month. The proposed non-conforming use has not been discussed as of this time but it will be on next month's meeting.

5. John Postert – Building Official – Nothing to Report

6. Karl Rasmussen – City Engineer

The Hillside/Cotton Gin project is on the last leg of completion with storm drains being put in. They are getting the curbs ready, removing asphalt and prepping driveways for concrete. Commissioner Bringhurst was concerned about the cleanup of this project. Rasmussen knows they have some additional clean up that will be complete. Bringhurst inquired about the corner island with the electrical guidewire they decided not to do. Rocky Mt Power is going to put another pole across the street, but it is unknown of a definite date when this will happen. Rasmussen will inquire about that part of the project. Bringhurst was impressed by the drainage part of the project and noted on the improvement.

C. PRESENTATIONS:

D. BUSINESS:

1. Discussion of Eagle Scout Project ~ Kaden Jenkins to Paint Fire Hydrants in Toquerville: Jenkins proposed to the council to paint approximately 20 fire hydrants and the surrounding sidewalk area of Westfield Road. His estimate is for 3 gallons of OSHEA Fire Safe paint is \$168.65. Councilmember Bringhurst requesting that Kaden pick a specific area and complete the 20 all in the same general area due to the fact there are more than 20 hydrants on Westfield Road. Mayor asked that Scout Jenkins meet with the Hurricane Valley Fire Department and make sure hydrants are painted the correct color, that the specifications of the area to be painted on the sidewalk area are correct, and if there are any other requirements from the Fire Department.
2. Discussion of Eagle Scout Project Expenditures~ City Basketball Court Modification into Pickleball Courts: Quotes of the paint prices were presented to the council. This donation from the city is not to exceed \$250.00. Eagle Scout will meet with Councilmember Fahrenkamp to make sure the project is painted to the correct spacing requirements of an official pickleball court.
3. Requested Discussion of Short Term Rentals / Vacation Rentals in Toquerville
Doug Stewart would like to speak with the council in regards to vacation rentals in the City of Toquerville. He is currently a resident of LaVerkin and is negotiating a lot purchase in the Cholla Creek subdivision. He owns a vacation rental in Payson, UT. He realizes that City Code requires the resident to reside in Toquerville but is requesting an exception. Mayor LeFevre had a concern for Mr. Stewart that Cholla Subdivision doesn't allow vacation rentals by the Home Owners' Association, but encouraged him to apply and go thru the process of applying for a conditional use permit. Stewart said that he spoken with the president of the HOA and they said if the City Council

were to approve his vacation rental they would allow it. Stewart recently spoke with the LaVerkin Police and they have never responded to any vacation rental complaints they are aware of, but has responded to many long term rental calls. Stewart lives in LaVerkin right across the river separating Toquerville and LaVerkin. His response time to the vacation rental in Cholla would be expedited due to the physical location of his residence and the proposed rental. This vacation rental would facilitate an extra income, as he is retired. Councilmember Ellsworth encouraged Stewart to fill out an application and don't challenge the regulations, but to put in a request for a conditional use permit. Councilmember Bringhurst said the regulations that are in Toquerville City Code were created to try and keep Toquerville from being a transient community.

4. Discussion with Bill Jackson about the Toquerville Parks Master Plan
Bill Jackson presented three park plans to the council. Pros and cons were assessed in each park. A couple of concepts were done over time and these are the final plans. All maps can be viewed at the City Town Hall. Councilmember Heideman asked about maintenance fees of these park plans and the upkeep of the grounds including trees, plants, and grassy areas. Jackson stated he had never been asked and will look into those figures. Lynn Olds asked that they could consider more parking area allocated to the Center City Street Park in their plans due to the celebrations held there. Jackson advised there are some grants available to fund these park projects, encourages the city to take advantage of them, and would assist the city in that process.
5. Discussion on Res.2016.14 Fund Transfer Within the General Fund
A fund transfer of \$962.37 from the fund 10-52 – Education and Promotion needs to be transferred to Fund 10-59, the Building Inspection fund to cover the increased Building Inspection costs. The request of the total transfer will be \$1000.00 to cover the short fall of this fund.
6. Discussion on Res.2016.15 Amending Budget for Fiscal Year 2016/2017
This resolution came about due to the Cotton Gin / Hillside Project not being completed in the 2016 Fiscal Year. This fund transfer is from the 2016 Fiscal Year to the 2017 Fiscal year to cover expenditures on this project.
7. Discussion on Non-Conforming Building Proposal
No discussion was need on this item, as the City is waiting for the Planning Commission to review this proposal.
8. Discussion of Updated Cemetery Code / Policy
June Jeffery discussed the financing availability to purchase cemetery plots. Bringhurst recalled Attorney Snow's advice for the City not to be a financial institution and offer a payment plan. Mayor LeFevre requested the remaining payments to be settled up and to no longer provide monthly installments for the purchase of cemetery plots.
9. Discussion of the Expenditures for the Improvements on Frontage Road
This items was covered in staff reports
10. Discussion of Utah Retirement System for City Employees
June Jeffery found the Articles of Incorporation from the State Archives Department, which is an application requirement to be considered for the Utah State Retirement System. At this time this discussion is only consideration of applying for this benefit to the employees. It would take time to actually be entered into the system. Mayor LeFevre said there are available funds to provide this benefit to the employees. As of this time the city is training employees to receive knowledge and training that is only obtained in a government environment, and if there isn't some type of incentive in place for these

trained employees to stay at the City of Toquerville but to gain knowledge and move on to other employment where benefits can be obtained. Councilmember Mark Fahrenkamp stated he is in favor of providing this benefit. Paul Heideman stated that average 401K program companies contribute 3%. He doesn't think that we should be providing more to the employees of Toquerville than already obtained. It is his thought that city employees are already getting more than the national average. Jeffery stated that this comparison is not a straight comparison with Government employment versus the private sector with the restrictions of state and federal codes. Mayor LeFevre had concerns that the City of Toquerville is creating a training ground for government workers to be trained and then move on to entities that will pay retirement and benefits, as was the case with a recent employee that left. Heideman has a concern that once the city enters into the program it is a commitment and believes that other investments can be made by the employee that would better benefit the employee's later years.

11. Discussion of Tree City Project and New Grant Money Available
Brad Langston was absent.

12. Discussion of City Road Code 10-21-7-10

Mark Fahrenkamp discussed this code and asked it be looked at for a possible revision. This code talks about the installation of curbs, gutters, sidewalk and improvements of streets. If the town doesn't have plans to reconstruct certain areas they should be exempt from this code. There have been property sales in the Heights discouraged by this code. The Council may want to revise this code for some exemptions. Bringhurst brought up a point to make a list of the roads that needed exemptions to be reclassified as a rural road.

13. Discussion of Water Conservancy Security Cost Fee ~ inflation fee

Mayor stated the Water District has started to implement what water prices need to be in a progressive manner. The City of Toquerville should be proactive and start to implement what the expected rates need to be to cover inflation. The Water Study will need to be looked at for further information.

14. Discussion on a Conditional Use Permit for a Bed & Breakfast ~ 350 S Ash Creek Drive / Kalleen and Roger Campbell

Mayor LeFevre let the Campbells know that this is a work meeting only. In the Planning Commission there was a recommended approval for their Conditional Use Permit. Kalleen Campbell was concerned about the 9th condition added by the council regarding the compliancy of CC&Rs. Mayor advised Campbell that the city doesn't enforce CC&Rs and the Council could omit that condition when this item is voted upon. Ashcreek only has CC&Rs and doesn't have an active HOA. Bringhurst has a concern that there are several neighbors that are not in favor of this bed and breakfast. Kalleen Campbell has pictures showing that there are violations of several neighbors in the area. Roger Campbell stated that one of the neighbors approached him after the meeting and wanted to recant her statement as she was misinformed and didn't realize what their request really was. June Jeffery stated that when people call asking about HOAs or CC&Rs in the purchase of a home we tell them that they should follow the guidelines to avoid problems since they have been put in place and it is attached to the property. If a group of people in the neighborhood wish to become an active body they can enforce them, but the City does not enforce those rules.

15. Discussion of Simple Subdivision ~ 1179 Cholla Drive / Daren Cottam

Councilmember Ellsworth is requesting why they thought this should be approved. The Planning Commission recommended denial of this flag lot because of the geological features caveat. Lynn Olds, the representative for this property believes it would be a benefit to the home of the landowner and doesn't have issues with the creation of flag lots. It is a way to clean up these larger lots. There have

been flag lot approvals in the town that don't have natural features existing on them. Councilmember Ellsworth looked up code and found that it may not meet frontage requirements of an R-1-20. There are conflicting terms in the Flag Lot Definition and the Lot and Parcel Design of a Flag Lot. Mayor LeFevre advised the council to study the Planning Commission's decision and review the Developmental Staff recommendation. They will need to come to a decision next week. Attorney Snow will be given this information to review for the regular meeting.

16. Discussion on a Conditional Use Permit of a Wind Energy Project~ Area bordering Grand Circle Ranch Property on the West side of I-15 / Jerry Eves
Planning Commission has recommended approval with a condition for UDOT to be consulted in this process. This location is near the Browse Exit area.
17. Discussion of a Conditional Use Permit of a Solar Energy Project~ Area bordering Grand Circle Ranch Property on the West side of I-15 / Jerry Eves
Planning Commission has recommended approval with a condition for UDOT to be consulted in this process. This location is near the Browse Exit area.

E. COUNCIL REPORTS AND CITY DEPARTMENTS:

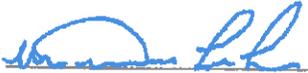
1. Ty Bringhurst – Water Department/Streets/MPO/Emergency Preparedness/Safety Committee:
Council discussed future projects and how the bids for those jobs will be accepted with contract services.
2. Keen Ellsworth - Economic Development/Subdivisions/Planning Commission Oversight/Mosquito Abatement:
Nothing to report.
3. Mark Fahrenkamp - Park Maintenance/Park Committee/Risk Management/Trails Committee:
Councilmember Fahrenkamp and Councilmember Bringhurst spoke briefly about the construction quote for the bathrooms located at Cholla Park.
4. Paul Heideman - Sewer District/Culture and Recreation/Confluence Park:
The Washington County Fair seed display is moving along nicely. Next year's display may require more help as this is a large project that requires a lot of time.
5. Brad Langston – Solid Waste/Tree Board/Cemetery/City Hall Maintenance/Beautification Committee:
Absent

F. REQUEST FOR AGENDA ITEMS for Future Meetings

Conditional Use Permit Applications
Approval of resolutions
Enrollment of Utah State Retirement Eligibility
Eagle Scout Projects and Expenditures
Lease of Mini-ex and Backhoe
Expenditures of Improvements on Frontage Rd
Water Tank Drainage Project and Expenditures

G. ADJOURN

Meeting adjourned by Mayor LeFevre at 9:10



Toquerville Mayor – Darrin LeFevre

9-8-2016

Date



Attest: City of Toquerville Recorder – Dana McKim

