

# 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, October 5, 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: Derek Imlay, Troylinn Benson, Kevin Bennett, Chief Ben Lee and Christy Ballard; Public: John Valenti and Patty Wise.

*Kyle Gubler has been excused.*

**A. Called to Order** – Invocation and the Pledge of Allegiance was given by Micah Gubler 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: September 21, 2016 regular meeting minutes
4. Review Invoices and Checks: \$39,073.78

**Motion was made by Councilman Ken Hooten to approve the consent agenda as written, including the September 21, 2016 regular meeting minutes, and checks and invoices for \$39,073.78, second by Councilman Richard Hirschi. Roll Call Vote: Hooten-yes, Gubler-yes, Reeve-yes, Hirschi-yes, Browning-yes. Motion carried unanimously.**

**C. Committee Reports:**

1. Planning Commission-Councilman Hirschi reported there has not been a meeting.
2. Water Board-No meeting. The secondary water will be shut off for the season on November 15.
3. Sewer Board-Blair reported work at Confluence Park has begun.  
The brochure explaining to people they are responsible for the lateral from their home to the main was mailed out. This brochure will be mailed out once a year per a new State Law.  
There was a sewer conference some of the Ash Creek SSD employees and board members attended. Councilman Hooten was one of the board members that went and mentioned it was very informational.
4. Fire District-Councilman Hirschi reported the audit was presented at their last meeting. There will be a study done for Truth and Taxation, because the District would like to hire additional employees.

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

No comments were made.

**E. Business:**

1. Discussion and possible action to approve Proclamation No. 2016-03; A Proclamation regarding La Verkin City Founders Day.

Mayor Gubler explained the original Proclamation set Founders Day as the third Saturday in March. This will allow the Mayor to determine the date of the celebration each year.

**Motion was made by Councilman Richard Hirschi to approve Proclamation No. 2016-03; a Proclamation allowing the date of the annual celebration of Founders Day to be determined by the Mayor, second by Councilman Ken Hooten. Roll Call Vote: Browning-yes, Hirschi-yes, Hooten-yes, Gubler-yes, Reeve-yes. Motion carried unanimously.**

Mayor Gubler explained the City needs someone to chair the Founders Day celebration for 2017.

2. Discussion and possible action to approve Ordinance No. 2016-03; An ordinance updating La Verkin City criminal law procedure 2016.

Mayor Gubler explained there were changes made by the State of Utah and this ordinance will make La Verkin compliant with those changes.

**Motion was made by Councilman Ken Hooten to approve Ordinance No. 2016-03; an ordinance updating the La Verkin City criminal law procedure 2016, second by Councilman Randy Reeve. Roll Call Vote: Reeve-yes, Gubler-yes, Hooten-yes, Browning-yes, Hirschi-yes. Motion carried unanimously.**

*Chief Ben Lee arrived at 6:13pm*

Mayor Gubler explained Kyle Gubler wanted to attend this meeting but had to be in Salt Lake City for the CIB Grant meeting.

3. Discussion and possible action to ratify a wage increase for the City Administrator.

Councilman Reeve asked if the comparison study had been done that he requested.

Mayor Gubler replied a study cannot be done for this type of issue, it would be an analysis and that has been completed.

The only reason this item was brought to the City Council was because of the nepotism issue. Kyle is Mayor Gubler's cousin.

Councilman Reeve mentioned the budget does need to go to the City Council and this was not discussed as part of the budget.

He wondered if the wages of other City employees were looked at.

Mayor Gubler answered yes, but there would need to be a budget amendment done before any additional increases could be made.

**Motion was made by Councilman Richard Hirschi to ratify a wage increase for the City Administrator, second by Councilman Ken Hooten. Roll Call Vote: Hirschi-yes, Browning-no, Reeve-no, Gubler-yes, Hooten-yes. Motion passes.**

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

*Public Safety-Chief Ben Lee*

- The Department has made several significant drug and domestic violence arrests over the last couple of weeks. One of which was a drug distribution arrest with over 10 grams of marijuana. They also served several high dollar fugitive warrants to individuals in La Verkin.
- The evidence room has been moved to the new facility upstairs. The next project will be to organize and audit the inventory.
- Officer Darren Richmond has agreed to work part time for La Verkin City. We are still looking for a full-time employee.
- Chief would also like the Councilmembers to consider regulating long term rentals in the City of La Verkin, not just the short-term rentals. These types of rentals continue to be an issue for both ordinance violations and police calls.

Mayor Gubler reported the Planning Commission is considering the rental situation in La Verkin.

- There have been no clown incidences reported in La Verkin.

*Director of Operations-Derek Imlay*

- His crew is still dealing with an extreme number of culinary leaks.
- The main irrigation line break on 300 south & SR9 has cost \$3,500 and is not completely fixed yet. There has also been a main line break on 400 North & 100 East that is minor right now, he is hoping it will stay that way until the water has been taken out of the system. Sixty five percent of the budget has been spent so far.
- Derek has met with the new owner of Sunset View Estates and it should start moving again. There is a La Verkin employee on site to inspect the work being done there.
- Interstate Rock is going to start the Main Street extension in the next couple of weeks.
- The crew will be framing the "L" so it can be lit for Winterfest.
- There is a lot of patching around town that has not been done. The crew is short staffed so they have been concentrating on getting the breaks fixed and then will come back to do the patching.

*Treasurer-Troylinn Benson*

- The auditor was here last week. He will present the report in the next couple of months.
- Financials will be emailed to the Councilmembers.

*Browning*-State Street Clean Up with be October 22 and begins at 8am.

There has not been a Mosquito Abatement meeting, however, she did read that the human transmitted Zika Virus case in Utah appears to have been transmitted through tears.

Councilwoman Browning asked Kevin if he checked into a Mayor Pro-Tem's responsibilities.

Kevin replied he did check both Statewide and Nationwide and could not find an example that would resolve our Mayor Pro Tem concern. The State Code language states, when talking about city council meetings, the Mayor must be absent, unable or refuse to act. The City Code talks about the Mayor Pro Tem taking over a council meeting when the Mayor is absent, or because of his inability or refusal to act. Further down in the Code it states disability. The real issue, the one that has not been interpreted by a court, is does inability and/or disability mean only physical or does it include a legal disability/inability. It is arguable either way.

*Hirschi*-Nothing to report.

*Hooten*-Nothing to report.

*Gubler*-Nothing to report.

*Reeve*-Nothing to report.

**G. Adjourn:**

**Motion was made by Councilman Richard Hirschi to adjourn, second by Councilman Ken Hooten.**

**Hirschi-yes, Hooten-yes, Browning-yes, Gubler-yes, Reeve-yes. Motion carried unanimously at 6:31pm.**

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

November 2, 2016

Date Approved

ATTEST:

Kyle Gubler  
Kyle Gubler  
City Recorder

Kerry T. Gubler  
Mayor Kerry T. Gubler

