



TOQUERVILLE CITY COUNCIL
City Council Regular Work Meeting 6:00 p.m.
January 4, 2018

Held at 212 N. Toquerville Blvd, Toquerville Utah

Present: Mayor Lynn Chamberlain; Councilmembers: Paul Heideman, Mike Ruesch, Ty Bringhurst, Keen Ellsworth, Justin Sip; Others: Public Works Director Lance Gubler, Building Official John Postert, Hurricane Valley Fire Department Representative Merlin Spendlove, Ash Creek Special Services District Mike Chandler, Treasurer June Jeffery, Recorder Dana McKim; Public: Chuck Williams, Jeff Richards, Kay Chamberlain, Nic Chamberlain, Jodi Turner, Greg Turner, Manning Butterworth, Rebecca Hansen, Gary Chaves.

Meeting called to order at 6:00 p.m. by Mayor Lynn Chamberlain.

A. STAFF REPORTS AND UPDATES:

1. Ash Creek Sewer District Representative-Mike Chandler

The district recently adopted the amended 2017 budget and the 2018 budget. The upcoming budget has planned expenditures for the planning of the Confluence Treatment Plant. He guesstimated an engineering firm will be selected by mid-March. Construction is slated to being late 2019 or early 2020.

The district will be adding two industrial vac trucks to their fleet. Their old vac trucks will be sold to the City of Hurricane and the City of LaVerkin. Chandler spoke briefly about the increased development near the Lighthouse Foods off of old Hwy 91, in the areas south of Hurricane, the bench lake area, and continual growth in all the other cities.

Chamberlain asked Chandler if he could explain the farming plan in Confluence Park. The district and the county are working together to take the reuse water from the treatment plant to irrigate the trail areas and small farming operation in the park. The district met with the confluence board and they walked the park to identify small heritage sites, special species sites, and they intend to work with an architectural plan. They will discuss the different themes they would like to provide in the park as well the addition of amenities. Chandler spoke about the projected treatment plans and how the district would like to see the plant evolve into a 1MGD treatment facility with the future growth projected. He spoke about reuse standards and the different high treatment removal requirements associated with different land uses. Chamberlain asked Chandler to describe the district's farming operations and how it influences their operating costs. Chandler described the lagoon and how the water is reused to irrigate forage for livestock, how goats cut down on the need to purchase pesticides near the lagoon and the yearlings are sold off for added income. The district recently entered a new business venture of farming pistachios. The district has approximately 300 acres of farm land. The district chose to bale hay in smaller bales as to not compete with local farmers.

6:09 p.m. Councilmember Ellsworth entered room.

Heideman asked about the transferring of water shares. Chandler gave a brief explanation of the newly acquired property and the water shares gained with the land, and how the district will use the water until the plant is constructed.

2. Fire District Representative, Merlin Spendlove:

The fire department has received 46 calls since the first of the year. The fire department responded to a fire on January 1st up on Kolob. The fire was approximately 40 acres and was on the east side of the girls' camp. The fire danger is high at this time. He has reviewed the building permits for lot 64, 63, and 61 and didn't see any issue with approving the requests.

3. Planning Commission Chairman, Mike Ruesch:



The master transportation plan will be reviewed in February. Jones and Demille requested to present the plan directly to the commission.

4. Public Works Director, Lance Gubler:

Gubler spoke briefly about obtaining a road design that accesses the water tank shop. He briefed the new councilmembers how the road has a prescriptive easement and cuts a couple of different properties in half. The property owners requested to negotiate with the city how the road could be relocated, whether or not the city would require a deed, and how the road would be designed.

Gubler and Bringhurst evaluated the city park and the future projects they would like to complete. They spoke about a retaining wall near the concession stand, future bids to extend the pickleball courts, and a bid to install a half-court basketball area. Gubler would like to take out the rock in front of the concession stand and replace it with a retaining wall and bench area. The main irrigation line at the ball park had been vandalized by gophers. The ball field soil varies throughout the field requiring different watering levels. He spoke with the WCWCD (Washington County Water Conservancy District) and asked if there were any special funds the city could take advantage of for the purchase of a new watering system for the ball field. The district was willing to assist the city with the project by purchasing the items at wholesale and the city will reimburse the district.

The TRE (Trail Ridge Estate) restroom is near complete and should be done by the end of January.

The cemetery pavilion has been constructed minus the tin roof. A water line will need to be installed for a drinking fountain.

The north-end Toquerville Welcome sign has been set and would like to discuss possible solar lighting options of the sign. He would like to try some alternative options to see what would look best with the sign, and how they will obtain compliance with the dark sky ordinance.

The crew has exercised valves and fire hydrants out in the Anderson Junction area. They have been trying to troubleshoot the area because they know there is a leak in the area. The Gilbert extraction permit was briefly spoken about and how they were using water in the area. Bringhurst and Gubler will be trying to track down the water plans from the Anderson Junction area. It would be helpful to find the design plans. Darrin LeFevre thought Alpha may have the plans.

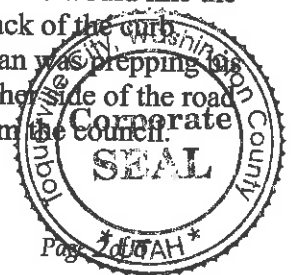
Gubler will obtain bids for the purchase of LED lights in the Cholla Subdivision for the next meeting. The poles will need to be purchased from Rocky Mountain Power. HD Supply gave him a quote, but he found a company by the name of Pac Lighting for \$165.00 per light.

Gubler had a concern for the construction of Lot 61 in the Almond Heights Park subdivision. The lot is below the curb which causes future drainage issues. He thought the building required to be one foot above the back of curb. He suggested a change the specification and standards book to include the requirement. The footings were put in prior to the approval of the building permit and will need to be modified. He would like the council to consider all rights of ways and easements to be granted to the city prior to the acceptance of building permit application. Heideman would like to also add a requirement for contractors to install roads at the same grade they are replaced. He gave an example of the roadway in front of his parent's home that caused drainage issues because the road was never roto-milled down to the proper level and created a thicker, elevated street.

Council and staff discussed different drainage concerns at various locations in TRE (Trail Ridge Estate) and throughout Toquerville, specifically when a home or garage is constructed below the curb grade.

Gubler asked who was responsible for checking building grades when permits are signed. He spoke about the drainage patterns of Pecan, the Boulevard, Ashcreek Drive, and some areas in the heights. Bringhurst had concern about the building grades of lots 61, 62, and the lots to the north of them. He would like the requirements to include clarification to require the slab to be set one foot above the back of the curb.

Gubler wanted to notify the council of an area on Spring Drive where Shawn Huntsman was prepping his property for his wedding event center, has moved dirt across the street and near the other side of the road near the river. Huntsman does not have a grading permit and would like direction from the council.



Bringhurst suggested Gubler speak with Huntsman and ask him to apply for a grading permit. The dirt has been stockpiled and spread out approximately 60 feet.

B. BUSINESS:

1. Discussion of Agenda Structure:

Mayor Chamberlain thought the purpose of a public meeting was to inform and gain information from the public concerning city matters. He would like to involve more public discussion after each business agenda item was discussed by the council. He believed only items on the agenda should be discussed at public meetings. Councilmember Ellsworth suggested Attorney Snow should recommend what would be the best practice. Ellsworth would like clarification between what constitutes a public hearing and a public meeting. Jeffery explained to the council input can be taken from the public during a public meeting. Bringhurst would prefer the proposed practice occur during the work meeting and not at both meetings. Ellsworth would like a time limit for public discussion. He would rather the council take consideration of the comments but not actively discuss with the citizens directly. In doing so, it could create a situation to spiral quickly out of control. Chamberlain suggested individuals could speak for 90 seconds and organizations could talk for two minutes.

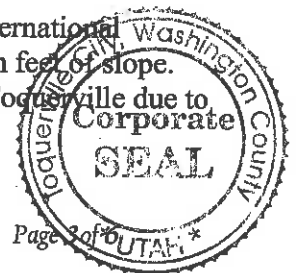
Manning Butterworth often uses the public forum to let councilmembers know about possible questions or concerns he may have during the meeting. He would like to keep the public forum on the agenda. Chamberlain cautioned the council about discussion items that are not on the agenda. Bringhurst stated the public forum is a preferred mode of communication to learn about public concerns. Jeffery suggested the ordinance could be revised to make the agenda more generalized.

2. Discussion of Building Permit Extensions for Lot 63 and Lot 64 in the Unfinished Phase of the Almond Heights Park Subdivision-Bob Porter and Steve Labrie:

Bringhurst brought the councilmembers up to speed on the item. The plat has not been recorded for Phase 7 of the Almond Heights Park Subdivision. There are drainage issues on the park parcel. The developer, Mr. Labrie was given a drainage proposal that would cost around \$31,000.00. The design was created by Pratt Engineering and included rip-rapping the park area. Bringhurst did not agree with the design and suggested an alternative design which would cost around \$13,000.00 and the work to be done by city staff. The developer came to the city council and asked if two building permits could be allowed prior to the completion of the subdivision. The council agreed to grant the acceptance of the two building permits with the contingency the subdivision would be completed within 50 days. The subdivision was not complete and an addition 50-day extension was granted. The time frame had expired and the developer would like another extension. Bringhurst would rather hire out for labor costs since the plan was revised and believed it would cost around \$8,000.00. Bringhurst briefly explained the drainage plan changes. The council was in agreement to the drainage concerns and believed the extension should be granted. Gubler had a concern with the drainage pipe location and didn't think the sewer district would approve of their line on top of the sewer line. Bringhurst didn't believe the line would be directly above the sewer line. Bringhurst spoke with the developer and would like the basalt rock and concrete rip rap clean off the park parcel and asked Gubler's opinion. Gubler was in agreement for the material to be removed. Bringhurst suggested the acceptance of the park drainage money needed to be an item of discussion and possible approval on the next agenda.

3. Discussion of Vote Ratification to Approve Building Permit Application for Lot 61 in the Unfinished Phase of the Almond Heights Park Subdivision-Bob Porter and Steve Labrie:

John Postert spoke about the one-foot standard building height requirement from the International Building Code. The requirement provides for drainage, which is six inches for every ten feet of slope. The code allows for some exceptions to the rule. There have been some exceptions in Tooele County.



the lay of the land. Bringhurst spoke about a drainage problem in Cholla where the city had to fix the drainage problem because when the homes were built drainage was not evaluated. He believed there are certain situations where exceptions may be made, but as the majority, the city should stick upholding the building code to require the slab be above the curb by one foot. Postert stated the application requires the builder to build above the curb. Bringhurst asked if the requirement needed to be in code. Ruesch and Postert spoke about certain lots in subdivisions and suggested build-ready lots established and how the city would require those standards. Bringhurst suggested a site plan or grading plan with elevations should be required for drainage concerns. Postert thought Gubler would be the best person to identify drainage problems and concerns. Bringhurst would like those problems caught before construction is allowed. Postert agreed to work with Gubler to identify the elevation requirements. Gubler suggested easements and right of ways are settled with the city prior to building. The council and Darrin LeFevre briefly talked about the utility easement on a property in Terrace Circle. Ruesch agreed with Bringhurst to add these requirements prior to issuance of the building permit.

Jeffery stated the item listed would be a vote ratification for the approval of the building permit of lot 61 in the Almond Heights Park Subdivision. Three councilmembers voted in the affirmative to allow the building permit prior to the final subdivision. The item will be discussed and possible action at the next city council meeting.

4. Discussion on Appointment and Recommendation of Planning Commissioners:
Mayor Chamberlain would like to appoint Manning Butterworth from the alternate position to a permanent position. Two spots were vacant and he would like to recommend Rebecca Hansen and Gary Chaves. He has two other people in mind for the alternate positions. McKim suggested when the appointment is done to clarify which new commissioner is replacing the old commissioner. Bringhurst would like the commissioners reside from different areas of the city for different representation. He suggested Steve Roah, who resides in the Trail Ridge Estates Subdivision. Joey Campbell was also interested in serving on the board and lives off of South Westfield Road. Bringhurst believed the recommendation would over-represent the Westfield and Almond Heights area.
5. Discussion of Resolution 2018.01-Washington County Solid Waste District Representative Appointment:
Justin Sip volunteered to serve on the board.
6. Discussion of Resolution 2018.02-Hurricane Valley Fire Department Representative Appointment:
Keen Ellsworth volunteered to serve on the fire board. He was indifferent either way to serve on the Mosquito Abatement and Control board if someone else wanted to take the position. Bringhurst would like to see Ellsworth serve on the board.
7. Discussion of Resolution 2018.03-Southwest Mosquito Abatement & Control Representative Appointment:
Justin Sip volunteered to serve on the board.
8. Discussion of Resolution 2018.04-Ash Creek Sewer Special District Representative Appointment:
The resolution would appoint the mayor and one councilmember. Councilmember Heideman would like to continue to serve on the board.

There were other items that council spoke about since new councilmembers were voted on the city council. Ellsworth suggested he would prefer to continue to be in charge of Economic Development. Chamberlain would like some proactive movement with the future development of Toquerville. Ellsworth spoke about the importance of the by-pass road and the reservoir to be constructed and how development could occur in those areas. Sip volunteered to take the solid waste and mosquito abatement appointment.



He also agreed to manage risk management and city hall maintenance. Ruesch volunteered to be the Planning Commission Liaison, take charge of the beautification committee, the cemetery, the tree board, trails, and parks. Heideman will continue with his sewer district appointment, manage the culture and recreation department and continue to serve on the Confluence Park Committee. Bringhurst will continue with TSWS, Dixie MPO-DTEC, streets and water department management. Mayor Chamberlain will serve on the TSWS board and volunteered to serve as Toquerville's EMC (Emergency Management Coordinator).

9. Discussion of Resolution 2018.05-Budget Amendment for the Fiscal Year July, 2017 thru June 2018: Jeffery explained the budget amendment. The welcome sign had gone over the budget and was a great addition to the city. The amendment was derived from the sign's final cost and permanent installation going over the original projected cost. Bringhurst would like to add lighting costs to the sign. Jeffery suggested an added \$10,000.00 in the amendment for the lighting request. \$10,000.00 will be taken out of the appropriation of funds account and transferred to economic development. Bringhurst talked about the Viega settlement and how those funds could be placed to slurry some of the roads that were cut in the replacement of the defective pipe.

C. COUNCIL REPORTS AND CITY DEPARTMENTS:

1. Ty Bringhurst-Water Department/Streets/MPO/TSWS:
All meters for the TSWS system should be installed prior to the upcoming watering cycle. The water pressure at Anderson Junction is being evaluated and researched.
2. Keen Ellsworth-Economic Development/Subdivision & Planning Commission Liaison/Mosquito Abatement:
The Welcome sign for the southern side of the city was described and will be sent out to all councilmembers. He suggested discussion and possible approval of the south sign should be discussed at the next council meeting. He would like to discuss possible lighting options for the signs. Chamberlain asked if it was a good idea for the southern sign to represent Toquerville Falls since the road is not in the best of conditions, and the falls are not located in the city's jurisdiction. Ellsworth was open to any suggestions and was open to any discussion. Ellsworth researched city signs and thought it would be a benefit to have different sign designs. The council also discussed whether or not the sign would need to be double sided due to the possible location placement. Ellsworth met with an HOA regarding the placement and obtaining an easement, or land dedication agreement.
3. Paul Heideman-Sewer District/Culture and Recreation/Confluence Park:
The Miss Toquerville Pageant will be forthcoming. He encouraged all members to purchase a Toquerville Calendar to support the royalty fundraiser.
4. Justin Sip:
No report was given.
5. Mike Ruesch:
No report was given.
6. Mayor Lynn Chamberlain-TSWS:
No report was given.

Mayor Chamberlain closed the business portion of the meeting and called a closed session for the listed agenda reason at 7:43 p.m.

D. POSSIBLE CLOSED SESSION:

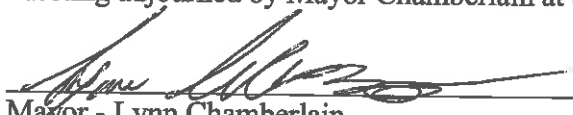
Discussion of the character, professional competence, or physical or mental health of an individual.



The closed session adjourned at 8:33 p.m.


E. ADJOURN:

Meeting adjourned by Mayor Chamberlain at 8:34 p.m.



Mayor - Lynn Chamberlain

Date 2/8/2018



Attest: City Recorder - Dana M. McKim

