



TOQUERVILLE CITY COUNCIL
Regular Business Meeting Minutes
November 9, 2017 at 6:00 pm
212 N. Toquerville Blvd, Toquerville Utah

Present: Mayor M. Darrin LeFevre; Councilmembers: Mark Fahrenkamp, Keen Ellsworth, Paul Heideman, Brad Langston; Public Works Director Lance Gubler, Planning Commission Chairman Mike Ruesch, Planning and Zoning Official Mike Vercimak, Treasurer June Jeffery, Recorder Dana McKim; Public: Lynn Chamberlain, Manning Butterworth, Bob Porter, Lee Miller, Terri Draper, Annette Kleinman, Steve Caplin

A. CALL TO ORDER:

1. Call to Order at 6:00 p.m by Mayor Darrin LeFevre. The Pledge of Allegiance was led by Councilmember: Paul Heideman; invocation given by Councilmember Keen Ellsworth. There were no disclosures or declarations of conflict from councilmembers. There were no statements of belief. Councilmember Bringham was excused from the meeting, as he was at a business meeting.

B. CONSENT AGENDA:

1. Review and possible approval of CC Work Meeting Minutes from October 5, 2017 and of CC Regular Meeting Minutes from October 12, 2017.
2. Review and possible approval of City Expenditures from October 2017.

Councilmember Keen Ellsworth made a motion to approve the consent agenda items. Motion was seconded by Councilmember Brad Langston. Motion unanimously carried 4-0. Heideman-aye, Langston-aye, Ellsworth-aye, Fahrenkamp-aye.

C. PUBLIC FORUM:

1. Public Comments Welcome

Limit three (3) minutes per person; please address the microphone and state full name and address.

Manning Butterworth from 1643 S Rim View Drive:

As a citizen of Toquerville for the past six years he wanted to express his appreciation for the mayor and the city council for their service during their appointed time.



D. PRESENTATION:

Dixie Regional Medical Center Representatives - Steve Caplin and Terri Kane to discuss new services coming to the medical center and community benefits.

Mayor LeFevre thanked the Dixie Regional Medical for the programs available to the St. George area. Mr. Caplin and Terri Draper gave a brief report on the available services the Dixie Regional Medical Center provides to the area, the different boards and their respective directors. Their region provides some specialty services including cardiovascular surgery, neurosurgery, cranial surgery, and stroke intervention procedures. The center has a level 2 trauma center and a neonatal intensive care unit. Their center does not have a burn trauma or organ transplant center yet. They have partnered with the Primary Children's Hospital to expand their facility an additional 500,000 square feet. They have partnered with the Stanford University Medical Center for cancer research and a genoa based cancer treatment approach to identify the source of cancer tumors and a specific drug to reduce the side effects of chemotherapy. He spoke about the advancements of surgical procedures to do heart valve replacement surgery without open heart surgery intravenously.

Most hospitals face the rising cost of healthcare with the cost of reduction of reimbursements. Attorney Snow entered meeting at 6:17 p.m.

Their goal is provide affordable healthcare. A flyer was passed out to councilmembers to show their 2016 awards and recognitions, along with their center statistics. They have 312 credentialed staff members. He gave kudos to Terri Kane for her integral involvement at the center.

LeFevre asked if the new addition included parking areas. Caplin stated the parking was not funded in the current phase, but may be approved in the future. Draper stated the center decided to fund the available programs rather than parking. There will be free valet for patients.

Councilmember Heideman asked if Medicare reimburses at a lesser rate at the Dixie Regional Center than other places in Northern Utah. Draper stated that fact was true, but it has been adjusted. Draper will email Heideman further information

Councilmember Langston inquired about charitable care and how the process works. Draper explained the process to the council. Langston also asked about the Dixie Regional Medical Center turnover rate. Caplin explained there is a global nursing shortage and their center is one of the largest private employers in the region.

E. CITY DEPARTMENT REPORTS:

1. Zoning Administrator, Mike Vercimak:

The Almond Heights Park Subdivision, "The Ranches" is nearly complete. The Ashcreek Overlook Subdivision is getting ready to be recorded. There are a couple of home occupation permit and bed and breakfast permits submitted and are being reviewed.

LeFevre asked about Almond Heights Subdivision review. The title report showed there are multiple owners attached to the property. Those owners will need to sign on the official recorded Mylar. The title report was prepared back in 2005. If Labrie could provide an updated report to be reviewed by the Engineer, Alpha would appreciate it. Bob Porter assured Vericmak an updated report would be forthcoming.

2. Hurricane Valley Fire Department Representative-Merlin Spendlove:

The Fire Department has been busy. He thanked the council for their service.

LeFevre spoke with Attorney Snow regarding the emergency mitigation plan. The plan is still in draft form and has not been finalized. There will be fire resolution as well as an amendment to the mitigation plan. To obtain land agreements for a safe evacuation plan the property owners of the proposed area will need to sign an agreement and/or a possible easement with the plan. Chief Kulhmann suggested to Spendlove if Jones and Demille could calculate the area needed for the evacuation plan.

3. Attorney, Heath Snow:

Snow had one item to be discussed in an executive session.

4. Public Works Director, Lance Gubler:

Gubler gave maps for a possible de-annexation of the road leading to Toquerville falls. The area would include half of section 25 and half of 36. He would like a recommendation of the cost to de-annex the property. LeFevre thought a survey would be around \$5-7,000 for map prep. Attorney Snow thought a ball park figure for the petition process would be around \$3-4,000 plus publication costs, which would depend on the legal description. Councilmember Bringhurst asked LeFevre to ask the councilmembers if they would be interested in pursuing this action. Snow did want to advise councilmember that adjacent municipalities may start a negotiation process of whether the next jurisdiction wants to expand their area. LeFevre suggested the city may want to get on the County Commissioner's agenda and meet with LaVerkin City to discuss possible options. Gubler believe the road is getting worse and wanted to know if the city carries any liability with keeping the road in the current condition.



Snow stated it is not a dedicated roadway, but is used through a prescriptive easement. The road is rocky and needs to be ground down. Per Gubler, Bringhurst wanted to budget for the improvement of the road.

The crew has been crack sealing the roads in Toquerville and will be finished in the next couple of weeks. The City of LaVerkin allowed Toquerville the use of their crack sealer. Some of the cracks being filled are 2 inches wide and 3 inches deep. The city has saved a considerable amount of money by doing the job in-house rather than quote the job out. Gubler and the surrounding cities traveled up to the chlorinator. The state required a sanitary inspection. The community crews have been cleaning up the creek by recommendation of the state. Toquerville city provided the drinks for the crews and LaVerkin provided the lunches.

Gubler would like the council to review the baseball reservation fees for the weekend bookings. He didn't believe the fees covered the time and amount of work to prep the field and the on-call availability time for staff to administer those reservations.

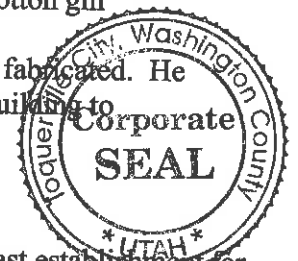
Gubler was hopeful for a final punch list for next week in Almond Heights Park subdivision. The Park Committee had a meeting and they are interested in doing the pickleball courts by using rap tax money above the basketball courts. They would also like to construct a retaining wall along the concession stand at the center city park.

About a month ago the Anderson Junction pump house experienced a power surge which caused the pumps to kick on and accrue a \$1500.00 bill. Gubler contacted Rocky Mountain Power and the cost was reimbursed. The Skata system wasn't working properly and the meters have been updated and purchased through the water district's cost.

There is a new fiber optic line being installed alongside Springs Drive. They are going around Arcia's property. Gubler was informed by the sewer district at the last staff meeting bed and breakfast businesses are charged a commercial rate for their sewer. He contacted Cedar City and surrounding cities and they charge a commercial water rate for these types of business. He suggested the council look at creating a water rate for commercial businesses. He wanted the council to know that Jerry Eves attended the last staff meeting and proposed a tiny home resort park to be developed on the west side of I-15 where the windmills were proposed to be. This plan has not been developed and was in the infancy stage. Vercimak stated that Eves is just bouncing around ideas and no plan was submitted.

Gubler advised the council the City of Hurricane was doing their annual bid for slurry seal. Hurricane has invited Toquerville to piggy back on the amount needed to the bid with their buying volume. He believed there is some left over money from the hillside/cotton gin project to purchase some slurry to cover the roads that were crack sealed.

The cemetery pavilion concrete slab has been poured and the pavilion is being fabricated. He reminded the council there is a need for a covered building at the water shop building to preserve equipment.



F. BUSINESS:

1. Discussion and Possible Action on a Conditional Use Permit for a Bed and Breakfast establishment for Lee Miller at 1225 S Westfield Road, Toquerville, UT 84774. Tax ID# T-AHP-A-48. Zoning is R-1-20. (PC recommended approval 4-0).

Councilmember Keen Ellsworth made a motion for approval of a Conditional Use Permit for a Bed and Breakfast establishment for Lee Miller at 1225 S Westfield Road, subject to the conditions set forth Planning Commission. Motion was seconded by Councilmember Mark Fahrenkamp. Motion carried unanimously 4-0. Councilmember Vote: Fahrenkamp-aye, Heideman-aye, Langston-aye, Ellsworth-aye.

2. Discussion and Possible Action on Extending Building Permits for Lots #63 and #64 in the Unfinished Phase of the Almond Heights Subdivision - Bob Porter and Steve Labrie.

One building permit on parcel 63 has exceeded the fifty day allowance, and the developer has asked to extend the time frame of the building permit attached to the subdivision finalization. Vercimak suggested the council to extend the permit. The subdivision is nearly complete.

Councilmember Keen Ellsworth made a motion to extend lot 63's building permit to run concurrent with the building permit submitted with lot 64. Motion was seconded by Councilmember Paul Heideman. Motion carried unanimously 4-0. Councilmember Vote: Heideman-aye, Langston-aye, Ellsworth-aye, Fahrenkamp-aye.

3. Discussion with Possible Direction on Obtaining Access to the City Water Shop.
Item will be discussed during executive session for the acquisition of property.

4. Discussion and Possible Action on the LED Installation Project and the Purchase of Additional LED Lights.

The original LED installation quote, obtained two years ago was modified due to installation inflation costs. The original price approved was in the amount of \$11,000.00. The city has ordered eight extra lights to have on hand or sell to future developers. The city is trying to purchase the lights in Cholla from Rocky Mountain Power. Rocky Mountain Power is currently doing a feasibility study for the purchase of those poles..

Councilmember Brad Langston made a motion to approve item F4 as stated on the agenda with an increase of \$5,000 for the installation bid and \$2920.00 for the extra lights. Motion was seconded by Councilmember Mark Fahrenkamp. Motion carried unanimously 4-0: Roll Call: Fahrenkamp-aye, Ellsworth-aye, Langston-aye, Heideman-aye.

5. Council to authorize mayor to sign the purchase of excess culinary water the city is unable to use or store with the Washington County Water Conservancy District.

The agreement is for the purchase of excess water that Toquerville is not able to store and the read is obtained from the master meter read. The agreement would purchase water retroactive from the date of January 1, 2017. The conservancy district invested in the upgrading of the water system and the Skata system. As long as the water amount is needed by Toquerville, the city will have access to the water share. There are no call back sections in the agreement. The upcoming Mayor, Lynn Chamberlain was in favor of this agreement.

Councilmember Mark Fahrenkamp made a motion to authorize the mayor to sign the purchase of excess culinary water agreement. Motion was seconded by Councilmember Keen Ellsworth. Motion carried unanimously 4-0. Fahrenkamp-aye, Ellsworth-aye, Langston-aye, Heideman-aye.

6. Discussion and Possible Action on the Final Draft Review of the Toquerville General Plan (PC recommended approval 4-0).

Councilmember Brad Langston made a motion to adopt the Final Draft of the Toquerville General Plan. Motion was seconded by Councilmember Keen Ellsworth. Motion carried unanimously 4-0. Ellsworth-aye, Fahrenkamp-aye, Heideman-aye, Langston-aye.

7. Discussion and Possible Action on Ordinance 2017.12 Large Parcel Property Divisions



Councilmember Keen Ellsworth made a motion to approve Ordinance 2017.12 Large Parcel Property Divisions. Motion was seconded by Councilmember Paul Heideman. Motion carried unanimously 4-0. Heideman-aye, Langston-aye, Fahrenkamp-aye, Ellsworth-aye.

8. Discussion and Possible Action on Ordinance 2017.14 Deferral Ordinance for Public Improvements (PC recommended approval 4-0).

Councilmember Keen Ellsworth made a motion to approve Ordinance 2017.14 Deferral Ordinance for Public Improvements. Motion seconded by Councilmember Mark Fahrenkamp. Motion carried 4-0. Ellsworth-aye, Langston-aye, Heideman-aye, Fahrenkamp-aye.

9. Discussion and Possible Action on Ordinance 2017.15 Home Occupation Permit Fees (PC recommended approval 4-0).

Councilmember Ellsworth was against this modification and believed the new state law micromanages local municipality authority.

Councilmember Mark Fahrenkamp made a motion to approve Ordinance 2017.15 Home Occupation Permit fees. Motion was seconded by Councilmember Paul Heideman. Motion carried 3-1. Fahrenkamp-aye, Ellsworth-ney, Heideman-aye, Langston-aye.

10. Discussion and Possible Action on Resolution 2017.16 Fee Schedule - Home Occupation Permit Fee.

Councilmember Brad Langston made a motion to approve Resolution 2017.16 to modify home occupation permit fees. Motion was seconded by Councilmember Mark Fahrenkamp. Motion carried 3-1. Fahrenkamp-aye, Ellsworth-ney, Heideman-aye, Langston-aye.

11. Discussion and Possible Action on Resolution 2017.22 Modification to Travel/Training Personnel Policy.

Councilmember Keen Ellsworth made a motion to approve Resolution 2017.22 modification to travel and training personnel policy. Motion was seconded by Mark Fahrenkamp. Motion unanimously carried 4-0. Fahrenkamp-aye, Ellsworth-aye, Heideman-aye, Langston-aye.

REPORTS:

1. Mark Fahrenkamp-Park Maintenance/Park Committee/Risk Management/Trails Committee:
The TRE restroom is moving along and the electrical is fully grounded. The trusses should be installed next week. The project should be done by the middle of December. The inside design of the building is yet to be decided upon.
2. Keen Ellsworth-Economic Development/Subdivision & PC Liaison/Mosquito Abatement:
The Mosquito Abatement and Control District reported that they collected 30,000 mosquitos for testing and last year they collected 17,000. They have created more collecting stations from last year. They found 10 insects carrying the West Nile Virus, which was the same statistic last year. The total mosquito count was down from last year. The district reported the number of mosquitos have gone down from last year. The district works alongside with the bee society to minimize the negative impact of mosquito abatement on the bee population. The dragonfly society has seen some negative effects from the abatement program, the district is working on those issues as well.
The "Welcome Sign" land lease agreement was just signed and an invoice will be forthcoming for the sign.



3. Paul Heideman-Sewer District/Culture and Recreation/Confluence Park:
The upcoming tree lighting ceremony will be on November 25th. The santa statue has arrived and will be unveiled at the end of the meeting.
The Christmas lighting competition has been advertised and the winner will be announced at the next regular business city council meeting.
4. Brad Langston-Cemetery Code and Policy Update/Solid Waste/Tree Board/Cemetery/City Hall Maintenance/Beautification Committee/ Emergency Preparedness-Safety Committee:
One tree stump needs ground down just around the corner from the city hall office. Langston will make further arrangements to get the stump removed. The Solid Waste land acquisition is almost complete and will double the life of the landfill life expectancy.
5. Mayor LeFevre-Fire District/Irrigation Board:
LeFevre went the last trails committee meeting and a plan was submitted with the county. Red Bull has donated some funds for mountain biking trails in the Toquerville area. An environmental study will need to be done before the trails are created. The study can be pursued through the mountain bike association. LeFevre has offered to create the trail system, unless the trail map can be found done by ProValue from years ago.

Councilmember Paul Heideman made a motion to move out of Business session and into a closed session of eminent litigation and land acquisition. Motion seconded by Councilmember Brad Langston. Motion unanimously carried 4-0. Langston-aye, Heideman-aye, Fahrenkamp-aye, Ellsworth-aye. Time of 8:13 p.m.

H. POSSIBLE CLOSED SESSION:

Councilmember Keen Ellsworth made a motion to enter back into the regular meeting. Motion seconded by Councilmember Paul Heideman. Motion carried unanimously 4-0. Langston-aye, Ellsworth-aye, Heideman-aye, Fahrenkamp-aye.

I. ADJOURN:

Meeting adjourned at 9:02 p.m.



Mayor - Darrin LeFevre

12-15-2017

Date



Attest: City Recorder - Dana M. McKim

