

**TOQUERVILLE CITY COUNCIL**  
**City Council Regular Work Meeting Minutes**  
**June 7, 2018 at 6:00 p.m.**  
**Held at 212 N. Toquerville Blvd, Toquerville Utah**

Present: Mayor Pro Tem Keen Ellsworth; Councilmembers: Paul Heideman, Justin Sip;  
Staff: Public Works Director Lance Gubler, Treasurer June Jeffery, Recorder Dana McKim;  
Others: Hurricane Valley Fire Department Representative Merlin Spendlove, Planning  
Commission Chair Alex Chamberlain, Ash Creek Special Service District Representative  
Mike Chandler; Public: Carol Christensen, Ralph Christensen, Dean Cox, Annette  
Kleinman, Caleen Olsen, Alcyone Turnblom, Ruth Powers, Rebecca Hansen, Cameron  
Rognan-HCP, Dan James, Gregg Leiby; Absent: Mayor Lynn Chamberlain,  
Councilmembers Mike Ruesch, Ty Bringhurst

**REGULAR WORK MEETING - 6:00 PM**

**A. CALL TO ORDER:**

Mayor Pro Tem Keen Ellsworth called the meeting to order at 6:00 p.m. The Pledge of  
Allegiance was led by Councilmember Paul Heideman. Invocation offered by  
Councilmember Justin Sip. There were no conflicts, nor statements of belief.

**C. PRESENTATION:**

Farmers Market Proposal at Center Street Park-Alcyone Turnblom:

Alcyone Turnblom posted on a community Facebook page for interested parties to start a  
farmers market. Since the farmers market was shut down in Springdale she searched for  
a prime location. She would like to run the market from April to October

Annette Kleinman suggested the city office may be a better location due to the high  
profile location for traffic. Turnblom did consider the city office but wondered about  
enough parking. The farmers market in Springdale stopped due to parking availability.  
The applicant would like possibly a city sponsorship without charging a rental, or maybe  
the rental fee could be charged to the vendors to cover the reservation fee.

Chandler spoke about how Ben Scowl at the Extension office has partnered with the FFA  
(Future Farmers of America) program to start a farmers market. He told her she should  
maybe contact the County Extension Office.

Commission Dean Cox and Cameron Roglou gave a brief presentation on the  
Washington County Desert Tortoise Habitat Expansion Bill. They gave a brief history of  
the habitat and how it was established.

In the early 2000's it was ordered by the Department of Interior designated wilderness  
study areas. The county wanted some finality and resolution on a definition of what was  
a wilderness area. In 2009 a land bill directed the BLM to designate corridors in its travel  
management plan. The plan is still incomplete but the resource management plan is  
complete. The management plan did not allow for the northern corridor. Washington  
County is growing at a rapid rate and the prediction is 20,000 people by 2060. Due to the  
unique geography, the features dictate where road development may occur.

A route further to the south was proposed to include the habitat preserve. Game and Fish  
had a concern it would disturb 145 acres of the HCP. Another obstacle is the surrounding  
SITLA land, and its development difficulties. The state would prefer a land trade, as it  
would assist SITLA and the tortoise population. Roglou spoke about BLM land and the  
areas of critical environmental concern (ACEA). The area is crisscrossed with walking



and bike trails with an asset for the HCP. They would like the proposed land trade to be a satellite location of the HCP. The proposed zone measured at just shy of six acres. They would like to renew the HCP plan and bring the new area, (zone 6) to open the path for the northern corridor. NEPA and other provisions will need to be satisfied.

To approve the plan would assist with traffic flows, help the preserve, and help SITLA obtain land which would be more desirable for the state. This plan strikes a responsible balance between human needs and wildlife safety.

Sip asked if the land trade will be acre for acre. The Game and Fish land trade exchange is approximately 5 or 6 to one acre traded, plus there is the obstacle of property fragmentation. The plan will have to mitigate 2500 acres of land.

The expansion bill's goal is to protect the area that is highly recreated. There are approximately 40 acres privately owned with the plan. There was a question of how the area will be developed. Roglou replied there will be no development in the area, except a bike trail. The bill will not enlarge the federal estate either.

The councilmembers requested a drafted resolution to support the bill to be heard at the next regular business meeting for adoption in July.

## **B. STAFF REPORTS AND UPDATES:**

Ash Creek Special Services District Representative, Mike Chandler

On June 20, 2019, at 3:00 there will be the next technical advisory conference meeting at LaVerkin City office. An architectural turrett of the future plant may be scheduled from July 12th from possibly 8-12 p.m. Chandler briefly discussed the future Dixie Springs Project and their coordination project with UDOT to run down to 3000 S and tie onto the new SR7. The district is looking at installing a gravity line to 1100 west.

He explained the cost of an SAA or SID would be too much of a burden, but rather a CIB project to service the south end of the service area.

The district is selling some hay if anyone needs any.

Hurricane Valley Fire District Representative: Merlin Spendlove

He suggested people should buy up Ash Creek's hay before it catches on fire.

The fire watch has been active through the end of Monday. There were two un-prescribed burns found today. Due to dry conditions and low humidity, the fire watch was high. Thankfully local vegetation is not tall due to the lack of spring rains, but the hazard will increase at the summer months carry on.

Planning Commission Representative, Alex Chamberlain:

Chamberlain briefly spoke about the final plat of the Ash Creek Overlook subdivision. The final plat needs to be modified before recording the document at the county, specifically two lots that need their lot lines adjusted.

The commission is working on the nightly short-term rental code. Gary Chaves sent the commission an email about a suggested requirement for the applicant to approach all property owners within a 300-foot radius and obtain a signature, either for or against the proposed use. He suggested the requirement may create some awkward encounters. He suggested a mail notification may be the best option.

The commission discussed how conditional use permits could be expanded. The city does not have an application for an expansion. Ellsworth would believe the enlargement of a permit should not be done, but rather a new application should be submitted.



Public Works Director, Lance Gubler:

Gubler presented a slide show presentation with photos.

The city had some existing PVC pipe and decided to install it in the Trail Ridge Estate (TRE) park. The piped area is approximately 12000 square feet. The field will be sprayed with grass seed this upcoming fall.

Councilmember Bringhurst spoke with a property owner who owns some property in the southwest region of Toquerville. The owner wants to construct a single-family home on the property. They discussed the road and infrastructure standards. The roadway will need to meet all city standards, and the access will go through Westbook's property. They have plans to grade the road, but the infrastructure will be done to city standards without curb, gutter, and sidewalks. A water line will need to be installed with engineer standards.

The mailboxes were moved in the area of Rim View Drive and Chaparrel Drive. An information kiosk will be constructed by a group of local boys from Toquerville. They discussed whether to install curb, gutter, and sidewalk in front of the mailboxes.

Lot #7 in Toquerville Terrace borders Shangri-La. The 2 to 1 slope was mitigated with a 6-foot cinder block retaining wall. The owner is willing to vacate the street in lieu of financial obligation for the future installation of curb, gutter, and sidewalk improvement. Ron Thompson has agreed to modify the Toquerville Reservoir recreation plan to include more campsites to be built.

A tour of Sand Hollow was given by the Ash Creek Special Service District. On Memorial Day, they accounted for approximately 8000 people in attendance and there are only 5 porta potties. Gubler would like these types of facilities to be constructed as close as they can to the site. He described out future group sites to the pavilions may be reserved. A primitive campsite has water, but no other facilities in the immediate area. RV dump stations would need to be constructed.

Gubler provided a sidewalk presentation. He showed where a brand new sidewalk, installed 3 years ago was starting to lift due to tree roots. If the tree is cut, it was unknown if the tree would survive. They discussed the UDOT state right of way. Councilmember Heideman thought the trees endangering safety should be replaced first. An upcoming tree city grant will be submitted in July and should be awarded in September.

In front of Than Naegle's property, which fronts Toquerville Boulevard, a metal grate was installed. Naegle financially paid for fifty percent of the grate.

A property owner on South Ash Creek asked the City to remove a tree which has split and is a hazard. They would like the tree removed since it is on city property. The property is currently a rental property.

He would like the owner of the old mercantile to replace a rotten wood brace that is installed in the city sidewalk.

**D. BUSINESS: *Council Discussion followed by public input after each item.  
Please limit 90 seconds per person and two minutes per organization.***

Discussion of Special Event Permit:

A brief discussion and explanation of a special business permit was discussed. The ordinance was drafted by Attorney Snow and will allow applicants to apply for a special permit business license.

Discussion of RES.2018 XX Firework Restrictions



The State of Utah changed the dates and times of fireworks to be discharged. Spendlove would prefer “all paved surfaces” to be removed from last year’s restriction. The local parks were scoped out, and there are some concern areas for aerial fireworks but suggested it was the best solution.

Discussion on a Conditional Use Permit Application submitted by Sheree Olsen for a Bed and Breakfast Establishment located at 1065 South Westfield Road in Toquerville, UT 84774. Property Tax ID # T-AHP-A-44-A. Zoning is R-1-20. *(PC recommended approval 5-0)*.

Heideman inquired about why the applicant would be required to remove the kitchen facility when the guestroom is not a part of the kitchen. The item will probably be discussed at the regular business item. Heideman was against the removal of cooking facilities with the current layout.

Discussion of Property Purchase Proposal by Scott Fuller and Kenneth Bentley to Purchase Municipal Property Tax ID# T-3-1-2-1-342 – (City Water Tank/Shop):

Staff suggested until the city knows what the future holds, the building should stay in possession of the property and tank until the city can replace the facilities.

Discussion of Slurry Seal Project Expenditures:

When the Slurry Seal project was done, the expenditure amount was approved for \$63,000.00. The project ended up costing \$76,000.00 due to extending the slurry down Westfield Road. Jeffery spoke with the city accountant, Hinton and Burdock and they suggested the council could approve the expenses in a motion due to the expansion of the project.

Discussion of Building Permit Drainage and Slope Requirements:

The council discussed the two to one slope requirement and how a lot on Pioneer Road would be mitigated for the construction of a home. The contractor for the build told Bringhurst, even if the lot is built up there will be drainage concerns. The lot should be constructed with a large S driveway. All the drainage will need to handle a 100-year storm. The water overflow should be directed to run over to Berry Lane. There was a discussion about changing the standard and specifications in Toquerville and when that should occur.

Discussion on City Code 7-6-9 Existing Trees Exemption:

Gubler suggested amending the code to get rid of the exemption. Attorney Snow will be conferred with the possible amendment. They also discussed whether or not UDOT’s right of way will come into the decision making process.

Discussion of Possible Property Disposal-Nativity Scene:



Toquerville purchased a new nativity scene. The council discussed whether or not to donate it to another smaller city in the area or put it up for public auction. Sip suggested the scene should be donated to either Virgin or Leeds if they are interested in it.

**Discussion of Tree Removal at Cemetery:**

Gubler explained there was a blue spruce infringing on headstone up the cemetery. The tree needs to be either removed or transplanted to another location in the cemetery.

**Discussion of Post Office Box, Kiosk, Clean-Up Dumpster location in the Toquerville Heights Area:**

Gubler had the mailboxes and the kiosk property surveyed. The mailboxes were erected on city property. He believed the dumpster for future clean up days will be able to be seen from the mailbox location and encourage citizens to use the dumpster.

**Discussion and Recommendation of Future UDOT's SR17 Striping Project:**

UDOT had a traffic safety council to look at the striping project. The council takes approximately 6-8 months to process projects and the striping decisions were already made. Gubler stated they believe implementing a turning lane lowers the occurrences of rear-end accidents. Many public members were supportive of the turn lane. It was suggested the curbs in front of the church could be painted as "no parking" red zones.

Annette Kleinman would like flags or a flashing sign at Old Church Road and Center Street for safe crossing. She showed a diagram of wide striping across the roadway.

**Discussion of RES.2018.XX PTIF Designation:**

The resolution would provide two signatures to access a PTIF account and will be sent to the state treasurer's office. The two designated people will be Treasurer June Jeffery and accountant Candus Tibbets.

**Discussion of RES.2018.XX FY 2017-2018 Budget Amendment:**

Jeffery explained the budget amendment to the council. There was an amendment of \$6,000.00 for building inspections and \$13,000.00 to the parks fund.

**Discussion of RES.2018.XX FY2018-2019 Final Budget and Levy:**

Jeffery provided a copy of the final budget and levy amount to the councilmembers.

**E. COUNCIL REPORTS AND CITY DEPARTMENTS:**

**Justin Sip-Solid Waste/Mosquito/Risk Management/City Hall Maintenance/Bypass Road Alignment:**

There was a meeting with Lorin Lowe, Mayor Chamberlain, Councilmember Sip, and Attorney Snow to discuss the route of the bypass road. There will be a field trip on August 4, 2018, at 6:30 a.m. to walk the proposed routes Lowe suggested. Jones and DeMille were present since they created the Master Transportation Plan. Lowe suggested an alternate route of the road placement. Ellsworth was not in favor of spending extra money from the city to change the route. Annette Kleinman suggested the route should not take out the sand bumps by the water tank. Sip believed the sand bumps were located on private property.



Keen Ellsworth-Economic Development/Hurricane Valley Fire Department:  
No report was given.

Ty Bringhurst-Water Department/Streets/MPO/TSWS/DTAC:  
Absent

Paul Heideman-Sewer District/Culture and Recreation/Confluence Park/Miss Toquerville  
The Confluence Park will hopefully start construction on a new treatment plant next year. Ellsworth asked if the old power plant will be restored. Heideman thought the park committee was optimistic to improve the structure in the future. The 4<sup>th</sup> of July city celebration was approaching and the council's plan is to serve the city breakfast. He reminded the council to plan on being there at 6:00 a.m. The Miss Toquerville Royalty will help with the event.

Lance Gubler wanted to let the council know that a gentleman by the name of Bryce at Hurricane Recreation would like to organize a run from Toquerville City Park, through the Westfield area, down through Lichfield's property, thru Confluence Park and end at the Pioneer Park in Hurricane. The approval of said event would go thru quite a bit of private property. It would be a tri-city run. Ellsworth was supportive of the event. Heideman suggested the proposal should be presented to the Confluence Park Board. Gubler heard a news article about an area in California where only 55 gallons a day is allotted per residence.

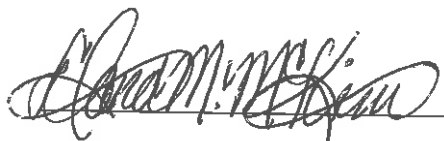
Mike Ruesch-PC Liaison/Beautification Committee/Cemetery/Tree Board/Trails:  
Absent

**F. ADJOURN**

Mayor Pro Tem Keen Ellsworth adjourned meeting at 7:49 p.m.

  
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Mayor - Lynn Chamberlain

  
\_\_\_\_\_  
Date

  
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Attest: City Recorder - Dana M. McKim

