



TOQUERVILLE CITY COUNCIL
City Council Regular Work Meeting Minutes
August 2, 2018, at 6:00 p.m.
Held at 212 N. Toquerville Blvd, Toquerville Utah

Present: Mayor Lynn Chamberlain; Councilmembers: Justin Sip, Paul Heideman, Alex Chamberlain; Staff: Treasurer June Jeffery, Public Works Director Lance Gubler, Recorder Dana McKim; Others: Ash Creek Special Service District Representative-Darrel Humphries, Hurricane Valley Fire Department Representative-Merlin Spendlove; Public: Jeff Fry, Gregg Leiby, Dan James, Greg Turner, Manning Butterworth, Kay Chamberlain. Excused absences: Councilmember Keen Ellsworth and Ty Bringhurst.

A. CALL TO ORDER:

1. The meeting was called to order at 6:00 p.m. by Mayor Lynn Chamberlain; The Pledge of Allegiance was led by Councilmember Justin Sip, an invocation offered by Councilmember Alex Chamberlain. There were no disclosures, nor conflict declarations from Councilmembers. There were no pronounced statements of belief.

B. PRESENTATION:

1. Valerie King, from the Daughters of the American Revolution - Color Country Chapter gave a brief history of their organization and requested a resolution from the City Council to support and recognize Constitution Week. This year the week will be honored September 17-23rd. A copy of three different proposed resolutions was given to staff as examples. The resolution will be prepared and submitted to the council for possible approval at the next City Council regular business meeting.

C. STAFF REPORTS AND UPDATES:

1. Ash Creek Special Service District Representative-Darrel Humphries:
At the last board meeting, a new capital facilities plan was adopted and will be in effect October 25th. The district will begin working on some bigger projects in the bench lake area and are trying to anticipate the growth along the SR7 area.
2. Fire District Representative-Merlin Spendlove:
In the last few months, they responded to 14 medicals in July and 5 fire calls. Some of the calls were alarm based incidents. There was a vehicle fire on Westfield road with no injuries. Councilmember Sip inquired about the Springdale transition. Merlin believed once they receive the manpower needed for the change-over, things will be easier to cover. The district is in need of paramedics and EMT's. Each time a call out is paged out the fire department has to cover the valley. The transition has spread emergency services thin. The department is staying busy and each year their call volume is increased.
3. Planning Commission Representative Alex Chamberlain:
At the last meeting the commission discussed the appeal Authority changes from a 5 member board of adjustments to a single appeal authority. There was a lively discussion and the commission recommended approval but specifically wanted to inquire about the vetting process for the person chosen for the position, and who assumes liability for the decisions made. Is the city liable,



person, or if chosen from a law firm, does the firm assume liability. Attorney Snow will be asked to further describe the process at the next upcoming meeting. The regular August Planning Commission will be rescheduled for August 29th.

4. Public Works Director, Lance Gubler:

Gubler had a slide show presentation prepared but the power went out and was unable to show the council pictures of projects and work performed.

The crew took six trees out of the ground on Ash Creek Drive. Fortunately, Toquerville was able to borrow a chipper shredder from LaVerkin. They also pulled out some dead trees and deadfall from the Trail Ridge Estate area. Heideman asked how the bark was disposed of. Gubler said a lady approached the city and all the mulch was taken by one individual.

Alpha Engineering gave the city a quote for the reinforcement project of the Old Church Bridge in the amount of 33,000.00-36,000.00.

Gubler would like to discuss in the near future water rates of the Anderson Junction area.

Gubler gave a brief report of a possible new project located on the south end of Toquerville, which is all-encompassing of 60 acres near the Lichfield property. Their desire was to create a roadway to a single residence. They have staked the center line of the road. The developer stated there were future plans of connecting their road into the bypass road. The developer is willing to install all the curb, gutter, and sidewalk improvements. No official plans or application has been submitted to the city as of this date. They did discuss water lines and whether or not the line will need to be looped. Gubler stated the city budgeted \$6900.00 for a GIS system. The system will allow the public works department to find water meters and valves in a database format.

The City tender truck needs to be sandblasted and recoated on the inside of the tank due to rust buildup. The improvement will extend the life of the equipment by approximately thirty years.

Gubler spoke with Lynn Excel from Hurricane about obtaining a CERT Trailer. The trailer would help house and transport sandbags, pumps, and various emergency response equipment for natural and man-made disasters.

The crew mitigated a drainage concern on SR7, near the Mangum/Gilbert property. A 12" drainage line was installed to help with the reoccurring flooding problem.

Gubler gave a brief report about the future Toquerville Reservoir. He recently spoke with BLM.

There was a new design configuration for the campsites. The Bureau of Land Management (BLM) will keep the City of Toquerville in the loop regarding the future project. They now have some email contacts from city employees to update us on their progress. The districted gave the city a quote for a projected pump station and grinder to be installed for the restrooms at the reservoir. Toquerville will work with the district for the installation of a sewer line and pump station.

The Utah Trust came down for an inspection and suggested 20 changes should be done to reduce liability. A few suggestions were given about placing bark material underneath the playground equipment for fall zones. They found several sidewalk trip hazards. The standard of a trip hazard is a vertical separation of ¼ inch. They suggested all tree limbs over a sidewalk, which are under 7 feet should be removed.

New barn doors, otherwise known as lighting shields were purchased and installed on the north end welcome sign to direct lighting so it will conform to the city dark sky ordinance.

Gubler stated during his five-year career with the city he had only one main line breakage. In the past couple of weeks, he and his crew have had to fix three main water line breaks. He believed the breaks were a result of improper installation. The trench lines not properly bedded, over time large rocks will rub on the line and breach the integrity of the pipe causing leaks. The leaks occurred on Old Church Road, Staghorn Drive, and out near the chlorinator.



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

1. Oath of Office for Newly Appointed City Councilmember: Alex Chamberlain
Alex Chamberlain was sworn in as a Toquerville City Councilmember to serve on the board until December of 2020. He replaced the open seat originally held by Councilmember Mike Ruesch, who vacated his position in June of 2018.
2. Discussion of City Council Special Board Appointments and Responsibilities:
The council reassigned city council assignments due to the new appointment of Councilmember Alex Chamberlain. Councilmember Sip requested to be in charge of the Tree Board, the Trails Committee, and the City Parks. Alex Chamberlain agreed to be the new Planning Commission Liaison, direct the Beautification Committee, the Toquerville Cemetery, and take care of the needs regarding risk management and city hall needs. Commission Ellsworth will still be in charge of economic development and the fire district liaison. Councilmember Bringhurst will continue with the water department, streets, serve on the MPO, TSWs, and DTAC boards. Mayor Chamberlain will also serve the TSWs and DTEC boards, and serve as the Toquerville Emergency Management Coordinator (EMC).
3. Discussion of Planning Commissioner Appointment:
Mayor Chamberlain suggested the council email suggestions of viable applicants to fulfill the vacant Planning Commissioner seat. A closed session to discuss the character, professional competence, or physical or mental health of an individual will occur at the upcoming city council regular business meeting.
Mayor Chamberlain informed councilmembers the ULCT (Utah League of Cities and Town) conference will be held the second week of September. Since the second week is when the council holds their regular business meeting he suggested the work meeting and business meeting should be combined and business conducted on September 6th. Councilmember Chamberlain will be out of town and will be unable to attend. The council agreed to the recommendation.
4. Discussion of Rocky Mountain Power Street Lighting Facilities Purchase and Sale Agreement
Jeffery gave a report and explanation of the proposed sale agreement. The agreement will require the city to purchase street lights where only lights are present. The city will be responsible for the LED light and arm, and wiring attached to the pole. Rocky Mountain Power will give a price reduction for the lights owned by the city. Power poles the city currently owns are in the Zion view estates, a few on Peachtree and in the Trail Ridge Estate area. The city will be responsible for the maintenance of the newly purchased poles. Rocky Mountain Power submitted a purchase price for the poles in the amount of \$21,000.00. Mayor Chamberlain asked what the price would be per pole. Gubler offered to perform an inventory check prior to the purchase of the agreement. He would like someone from Hurricane's power company to evaluate the conditions of the lines and the poles to present it to Rocky Mountain Power.
5. Discussion of Ordinance 2018.XX - Appeal Authority Replacing the Board of Adjustment (PC recommended 5-0):
Mayor Chamberlain gave a brief description of the board of adjustment responsibilities. Due to the infrequent number of appeals and the hardship of training the members, an alternate approach was suggested. The alternate suggestion was to hire a single person that may or may not be a resident of Toquerville, and may or may not be a professional through an attorney's office. The mayor pointed



out the pros and cons of changing the process. Jeffery explained some of the ways an appeal process occurs.

Manning Butterworth asked if the appeal authority is a natural person or an entity. The appeal authority would be a named individual. The appointed person will serve a two-year term. At any point, the city may release or appoint a new individual.

6. Discussion of Ordinance 2018.XX - Special Event Business License:

Councilmember Chamberlain gave his opinion the ordinance forbids every event except a specific list of events. He suggested the list should include events that would require a permit. If abuse starts to occur he suggested an ordinance could be drafted to make changes. He believed the ordinance philosophically comes from the wrong direction. Mayor Chamberlain suggested councilmembers should email a list of events to the city recorder to submit to the city attorney. He asked if the city recorder could email the attorney to see if any revisions were done to include Chamberlain and Butterworth's suggestions from last month's meeting.

7. Discussion of Resolution 2018.XX Personnel Policy Amendment Toquerville Employee Medical Stipend:

Jeffery gave a report on the proposed resolution. A resolution would institute a \$300 stipend per month per employee in lieu of medical insurance. The total budget for the rest of the year would cost approximately \$15,000.00. The resolution was read by Jeffery during the meeting. Mayor Chamberlain suggested the water and sewer district provide full benefits for their employees and offering this benefit would be a way to keep city employees.

Gregg Leiby asked if the money obtained would be put into a health savings account and inquired about the stipend being pre-taxed. Jeffery stated the money would not be put into a specific account. He also didn't think the benefit would keep employees from seeking employment elsewhere.

8. Discussion of Resolution 2018.XX FY2018 Fund Transfer Within the General Fund:

The amendment would cover an overage of the building inspection wage. Around April or May, the budget is projected and isn't final until June. The building inspector went over budget by approximately \$300.00. Jeffery suggested to move \$1000.00 from the general fund to cover the building inspection professional service. Sip suggested if Toquerville should train a current full-time city employee as a building inspector to cover the building inspections. Staff suggested such a position could be created to cover a city manager position with building official inspections.

9. Discussion of South End Toquerville Welcome Sign Expenditure:

Councilmember Keen Ellsworth will present the item at the regular business meeting.

10. Discussion of Old Church Bridge Road Bridge Reinforcement Expenditure:

The state rated the bridge needs to be reinforced to bear the load of a cement or large truck. To modify the bridge will cost approximately \$36,000.00. Jeffery suggested when the motion is made to approve it in the amount of \$40,000.00 to help cover any overages.

11. Discussion of Toquerville Culinary Water Rates:

Gubler suggested the city should anticipate the future growth for Anderson Junction and create water rates since the water will come from a different water right and will be purchased directly from the district. The rates should make sure they cover the yearly operation and maintenance costs. Jeffery suggested a third tier could be created. The city currently charges \$36.21 for up to 10,000 gallons of culinary water. A \$4.00 charge per 1,000 gallons used over 10,000 gallons is the second tier. The third tier of \$6.00 per 1,000 gallons of usage over 30,000 gallons is charged to the customer.



water project the council may want to plan for was the replacement of the water tank on Spring Drive. It was suggested two rates for two different sources of water could be instituted.

12. Discussion of October 5th -8th / Fall City Cleanup Days:

Mayor Chamberlain would like to institute a community-based clean-up committee to tidy different areas of Toquerville for each subscribed cleanup day. The days set up will conflict with many individuals attending or turning into General Conference. He suggested a second cleanup day should be set up. The first project would focus on Toquerville Boulevard. Subsequent days would address the Heights area, Anderson Junction, and the Westfield area. The upcoming event will have dumpsters placed at various locations. The dumpsters will be placed at the following locations: one in Toquerville Heights near the newly placed post office boxes, one at the center street park, one at the trail ridge estate park, and two in the Westfield area-one on sunset and one on Grassy Lane. Manning Butterworth asked Gubler about the Toquerville pocket park project which runs alongside Shangri-La. The mini-park was created and showcases several beautiful trees, but unfortunately with the installed water line to the area has created a bit of a large sagebrush problem. He suggested if the citizens in the area could clean it up and chop out the weeds where would they transport the debris. There was a brief discussion about future clean up days and how to incentivize property owners to improve or clean up the frontage of their yards. It was suggested sometime in September or October the city could facilitate a service type project. The city would provide breakfast for patrons or volunteers who bring in filled bags of garbage collected from the designated cleanup project area. The group discussed the ownership and responsibility of the Toquerville Boulevard right of way.

E. COUNCIL REPORTS AND CITY DEPARTMENTS:

1. Justin Sip-Solid Waste/Mosquito/Risk Management/City Hall Maintenance
Sip commended the mosquito abatement in doing an awesome job this summer. He hasn't seen any in his area. If citizens do see mosquitos please contact him and they will get a team deployed to assess the area.
He recently attended a solid waste meeting and the district is losing money on the blu-can program. Every month more money is approved to subsidize the program and maintain the contract signed by the district.
2. Keen Ellsworth-Economic Development/Fire: Absent
3. Ty Bringhurst-Water Department/Streets/MPO/TSWS/DTAC: Absent
4. Paul Heideman-Sewer District/Culture and Recreation/Confluence Park:
Bed and Breakfast establishments and short-term rentals were put on commercial sewer rates. The district established their rates by the water used by the homeowners and did not take into account the homes where culinary water is used to water outdoor landscaping. In these instances, the usage would not be a true calculation of sewer usage. They are looking into giving a credit to homeowners where secondary water is not offered and they may receive a discount on their sewer rate.
5. Alex Chamberlain: No report given.
6. Mayor Chamberlain-TSWS/EMC/DTEC

F. ADJOURN:

The meeting was adjourned by Mayor Chamberlain at 7:37 p.m.

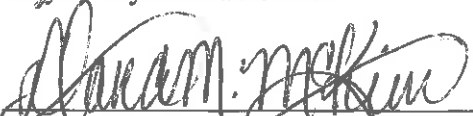




Mayor - Lynn Chamberlain

9.7.2018

Date



Attest: City Recorder - Dana M. McKim

