



TOQUERVILLE CITY COUNCIL
City Council Regular Work and Special Business Meeting
September 6, 2018 at 6:00 p.m.
Held at 212 N. Toquerville Blvd, Toquerville Utah

Present: Mayor Lynn Chamberlain; Councilmembers: Justin Sip, Ty Bringhurst, Keen Ellsworth; Staff: Treasurer June Jeffery, Recorder Dana McKim, Public Works Director Lance Gubler; Others: Ash Creek Special Service District Representative Mike Chandler, Hurricane Valley Fire Department Representative Merlin Spendlove, Planning Chairperson Manning Butterworth; Public: Greg Turner. Excused Absence: Councilmember Paul Heideman, Councilmember Alex Chamberlain, and Attorney Heath Snow.

BUSINESS MEETING

A. CALL TO ORDER:

The meeting was called to order by Mayor Chamberlain at 6:00 p.m. The Pledge of Allegiance was led by Councilmember Keen Ellsworth, and an invocation was offered by Councilmember Justin Sip. There were no disclosures or declarations of conflict, nor requests of belief statements.

B. CONSENT AGENDA:

1. Review and Possible Approval of CC Work Meeting Minutes from August 2, 2018 and CC Regular Meeting Minutes from August 9, 2018.
2. Review and Possible Approval of City Expenditures from August 2018.

Councilmember Keen Ellsworth made a motion to approve the consent agenda items. Motion was seconded by Councilmember Ty Bringhurst. Motion unanimously carried 3-0. Roll call vote: Justin Sip-aye, Ty Bringhurst-aye, Keen Ellsworth-aye.

C. STAFF REPORTS AND UPDATES:

1. Ash Creek Sewer District Representative - Mike Chandler

At the last Confluence Park meeting Commissioner Iverson, the Division of Wildlife Resources, the Division of Natural Resources, and the Virgin River group discussed the final draft report for future projects. Recommendations were given to the district regarding future land development, including the future treatment facility and the improvements the county intends to do.

The district's system has grown exponentially this year. A group requested to build a vacation community on the south end of Leeds. They just received a \$4.2 million loan from CIB for extending infrastructure into the Dixie Springs Drive area. They plan to start construction during the same time the future reconstruction of SR7 is planned. He discussed Hurricane's request to install infrastructure in the Pecan Ridge area. They are looking forward to the future bypass road construction, which will enhance the sewer system into Confluence Park. The sewer district just approved their new impact fees, which will go into effect by October 25th. The rate changed from \$22.20 to \$26.00.

2. Hurricane Valley Fire District Representative - Merlin Spendlove

The FD received a couple of medical alarms and a couple of fire alarms at Lion's Gate Recovery Center. The fire alarms are due to the fact the smoke alarm sensor is too close to the kitchen.

There was a fire up near Kolob, which was caused by a lightning strike. The fire will be contained and shouldn't go anywhere. Fire resources will be on scene at the fire for the next couple of days.

3. Planning Commission Representative: Manning Butterworth

The Planning Commission selected Butterworth as the Planning Chair and Chuck Williams as the Chair Pro tem. Nightly rentals were discussed in length at the meeting. Attorney Snow suggested in an earlier meeting to require a 75% neighborhood approval was legally indefensible and removed.



Ellsworth asked if there were any factors to limit saturation. Butterworth replied by pointing out saturation would be controlled by requiring the permit holder reside in Toquerville as their primary residence. Also, no owner may own more than two rentals. The commission added a revision to the parking requirement. It was suggested that no overnight parking of short-term rentals would be allowed overnight by resident or guest at a short-term rental due to the fact it is a business in a residential neighborhood.

4. Public Works Director, Lance Gubler:

Staff reviewed the Douglas and Huntsman deferral applications and does not foresee any problems. The Huntsman family is no longer pursuing additional parking across the street from the business. They will provide parking on-site.

Gubler read in the St. George News St. George that Hurricane is on UDOT's radar for future projects. Toquerville reservoir does not seem to be on the list. Gubler contacted Kayde DeMille from the local UDOT office and he assured him the reservoir is on the MPO list, but is not on UDOT's list. The city needs to attend DTEC and DTAC meetings to keep the pressure on for the need for the bypass road. Gubler gave a brief update on the progress of the Ashcreek Overlook subdivision construction. They are installing the sewer system and water will be added soon. Bringhurst would like Gubler to have them soak the construction site before they leave at night to mitigate dust problems.

The chip seal project was completed. He was grateful the county partnered with the city to help cover the road and how much money was saved by contracting with the county. Gubler showed the council an example of the chip seal was shown and how it will extend the wearability of the road.

D. BUSINESS: Council Discussion followed by public input after each item.

Please limit 90 seconds per person and two minutes per organization.

1. Discussion, Appointment, and Consenting Vote of Two Vacant Alternate Planning Commissioner Positions:

Mayor Chamberlain appointed Emily Lowe as first alternate commissioner and Joey Campbell as the second alternate commissioner.

Councilmember Justin Sip made a motion to approve the mayor's recommendation to appoint Emily Lowe as the first Alternate Planning Commissioner and Joey Campbell as the second Alternate Planning Commissioner. Motion was seconded by Councilmember Ty Bringhurst. Motion unanimously carried 3-0. Vote: Justin Sip-aye, Ty Bringhurst-aye, Keen Ellsworth-aye.

2. Discussion and Possible Action on a Street Improvement Deferral Agreement Application for Property Parcel T-ACM-2-A; Applicants Justin and Tiffany Douglas.

The applicant submitted a building permit to construct a home on Old Church Road. There are not any grades, nor standards for the curb, gutter, and sidewalk design for the street. The property owner has agreed to sign a deferral agreement with the city that they will pay for the improvements when the city decides to install those improvements on Old Church Road.

Councilmember Ty Bringhurst made a motion to approve the deferral agreement. Motion was seconded by Councilmember Justin Sip. Motion unanimously carried 3-0. Vote: Ty Bringhurst-aye, Keen Ellsworth-aye, Justin Sip-aye.

3. Discussion and Possible Action on a Street Improvement Deferral Agreement Application for Property Parcel T-SDE-1; Applicants Shaun and Teila Huntsman:



The applicant submitted a building permit to construct a pavilion on the property, which they will use in conjunction with the conditional use permit for a wedding and event center.

Councilmember Ty Bringhurst made a motion to approve the deferral agreement. Councilmember Justin Sip seconded the motion. Motion unanimously carried 3-0. Vote: Justin Sip-aye, Ty Bringhurst-aye, Keen Ellsworth-aye.

4. Discussion and Possible Action of Rocky Mountain Power Street Lighting Facilities Purchase and Sale Agreement:

There was a discussion about the lighting agreement with Rocky Mountain Power Company for the city to purchase light poles where only streets lights are attached to the poles. The city has yet to receive an updated agreement. Jeffery stated the city would receive a monetary savings if the city decided to purchase the poles from the power company.

Councilmember Ty Bringhurst made a motion table the item until next month. Motion was seconded by Councilmember Justin Sip. Motion unanimously carried 3-0. Vote: Ty Bringhurst-aye, Justin Sip-aye, Keen Ellsworth-aye.

5. Discussion and Possible Action of Ordinance 2018.XX - Special Event Business License.

There was a brief discussion about the item. No consensus was derived. Present councilmembers were unsure if a special event license was needed for the city at this point in time. Councilmember Bringhurst would like to table it until next month when Commissioner Chamberlain is present.

Councilmember Keen Ellsworth made a motion to table the item for 30 days. Councilmember Ty Bringhurst seconded the motion. Motion unanimously carried 3-0. Vote: Justin Sip-aye, Keen Ellsworth-aye, Ty Bringhurst-aye.

E. COUNCIL REPORTS AND CITY DEPARTMENTS:

1. Justin Sip-Solid Waste/Mosquito Abatement/Tree Board/Trails/Parks:

The Solid Waste group is headed to Germany to witness a new recycling system. Sip will not be attending the trip.

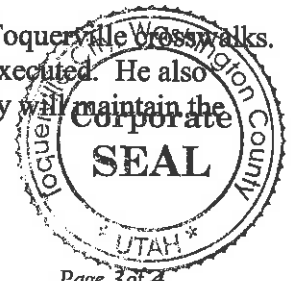
The Mosquito Abatement team did some mosquito control up near Kolob, the county dump, by the secondary water pond in Toquerville. The trees the public works department recently cut down improves the look of Toquerville and gave a kudos to the city crew for their efforts. Councilmember Bringhurst would like any trees impeding foot traffic on the Toquerville Boulevard, where concrete pops up to be taken care of. Sip vocalized his desire to change the almond heights park plan. The final design for AHP drainage will be complete and bid out.

2. Keen Ellsworth-Economic Development/Fire:

The first half of the sign expenditure for the welcome sign on the southern end of town needs to be sent out. McKim will contact the sign company to receive an invoice for payment. The city needs to obtain a legal description of the sign placement from Alpha Engineering so the sign agreement can be recorded.

3. Ty Bringhurst-Water Department/Streets/MPO/TSWS/DTAC:

Bringhurst met with UDOT representative, Robert Dowell to discuss the proposed Toquerville crosswalks. He suggested a crosswalk study will need to be done and explained how a study is executed. He also suggested the city should apply for a permit to implement safety flags, where the city will maintain the



flags. They also discussed the need for a reduction of the speed limit through town needed to occur. Bringhurst wanted to address installing a turning lane into the Cholla Creek. UDOT has shown interest in partnering with the city to make it happen. Property owner, Than Naegley was approached by Bringhurst and he is interested in donating the land as a contribution to UDOT. Bringhurst will write the letter to get the project started.

Butterworth inquired if the recent widening of the SR7 guardrail area was a preliminary step to widen the road. Bringhurst didn't believe that was the case. It was suggested if the road was widened again, UDOT or the city could also fix some drainage concerns in the area.

4. Paul Heideman-Sewer District/Culture and Recreation/Confluence Park: No report given-absent.

5. Alex Chamberlain-PC Liaison/Beautification Committee/Cemetery/Risk Mgt./City Hall Maintenance: No report given-absent.

6. Mayor Chamberlain-TSWS/EMC/DTEC:

Chamberlain inquired about the professional service relationship with Jones & Demille and Alpha Engineering. Alpha is the city engineer but Jones & Demille provided the Master Transportation study and offered to do some engineering work for the future bypass road. Councilmember Bringhurst suggested any future engineering should be performed by Alpha.

There was a short discussion of billing charges to the Westbrook group for the bypass land acquisition. It was suggested no further billing to Westbrook should occur.

Chamberlain received a phone call from a party inquiring if the city may be interested in purchasing a water right from the Virgin River. If the water right was purchased by the city, there may be a possibility the Washington County Water Conservancy District may trade the city for a water right from the reservoir.

F. ADJOURN:


Mayor Chamberlain adjourned the meeting at 7:32 p.m.



Mayor - Lynn Chamberlain

10.12.2018

Date



Attest: City Recorder - Dana M. McKim

