

TOQUERVILLE CITY COUNCIL
Regular Business Meeting
AMENDED AGENDA
July 12, 2018 at 6:00 pm
212 N. Toquerville Blvd, Toquerville Utah



A. CALL TO ORDER:

1. Call to Order-Mayor Chamberlain; Pledge of Allegiance-Councilmember Heideman; Invocation-Mayor Chamberlain
2. Disclosures and Declarations of Conflict from Council Members
3. Requests for Statements of Belief

B. CONSENT AGENDA:

1. Review and possible approval of City Council Work Meeting Minutes from June 7, 2018, City Council Regular Business Meeting Minutes from June 14, 2018, and City Council Special Meeting Minutes from June 27, 2018.
2. Review and possible approval of City Expenditures from June 2018.

C. CITY DEPARTMENT REPORTS:

1. Zoning Administrator, Mike Vercimak
2. Planning Commission Chairperson, Alex Chamberlain
3. Public Works Director, Lance Gubler
4. City Attorney, Heath Snow

D. PUBLIC FORUM:

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

E. BUSINESS:

1. Discussion and Possible Action of Councilmember Vacancy Appointment
2. Discussion and Possible Action on Property Disposal/Donation of Toquerville Nativity Scene to the Town of Virgin
3. Discussion and Possible Action on Ordinance 2018.05 - Special Event Business License
4. Discussion and Possible Action on Resolution 2018.12 - Washington County Desert Tortoise Habitat Conservation Plan Expansion Bill
5. Discussion and Vote Ratification on a Deed of Dedication Agreement for a Portion of Property Parcel-Tax ID# T-TOTE-7, Applicant Jonathan W. and Claudia G. Zundel
6. Discussion and Possible Action of Bypass Road Alignment Evaluation/Master Transportation Amendment Expenditure

F. REPORTS:

1. Keen Ellsworth-Economic Development/Fire
2. Ty Bringhurst-Water Department/Streets/MPO/TSWS/DTAC
3. Paul Heideman-Sewer District/Culture and Recreation/Confluence Park
4. Justin Sip-Solid Waste/Mosquito/Risk Management/City Hall Maintenance
5. Mayor Chamberlain-TSWS/EMC/DTEC/Council Assignments

G. POSSIBLE CLOSED SESSION:

H. ADJOURN:

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify City Recorder, Dana McKim at the City Office 435.635.1094, at least 48 hours in advance. This Agenda will be posted on the State website at <http://mn.utah.gov>, posted on the Toquerville City website at www.toquerville.org, sent to the Spectrum Newspaper, and posted in four places at least 24 hours in advance of this meeting. The four places are: (1) City Office Board; (2) Toquerville Post Office Kiosk; (3) Cholla Park Kiosk; (4) Westfield Road Kiosk. Agenda posted this 11th day of July, 2018 by Toquerville City Recorder, Dana M. McKim.



TOQUERVILLE CITY COUNCIL
Regular Business Meeting Minutes
June 14, 2018 at 6:00 pm
212 N. Toquerville Blvd, Toquerville Utah

Present: Mayor Pro Tem Keen Ellsworth; Councilmembers: Ty Bringhurst, Justin Sip; Staff: Treasurer June Jeffery, Public Works Director Lance Gubler, Recorder Dana McKim, Zoning Official Mike Vercimak, Planning Commission Representative Jake Peart, Hurricane Valley Fire Department Representative Merlin Spendlove; Public: Tyler Olsen, Darrin LeFevre, Jessica Hansen, Sheree Olsen, Dan James, Dave Williams
Absent: Attorney Heath Snow, Councilmember Paul Heideman, Mayor Lynn Chamberlain

Please Mute Cell Phones

Council and Staff Officials Discussion Only

A. CALL TO ORDER:

1. Meeting called to order at 6:00 p.m. by Mayor Pro Tem Keen Ellsworth. The Pledge of Allegiance was led by Councilmember Ty Bringhurst and invocation by Councilmember Justin Sip. There were no disclosures, conflict declarations, or belief statements.

B. CONSENT AGENDA

1. Review and possible approval of City Council Special Meeting and Regular Work Meeting from May 3, 2018, and City Council Special Meeting and Regular Meeting Minutes from May 10, 2018.
2. Review and possible approval of City Expenditures from May 2018.

Councilmember Justin Sip made a motion to approve the consent agenda. The motion was seconded by Councilmember Ty Bringhurst. Motion unanimously approved 3-0. Roll Call: Sip-aye, Bringhurst-aye, Ellsworth-aye.

C. PRESENTATION:

1. Water Updates and Future Projects-Washington County Water Conservancy District General Manager, Ron Thompson:

The district is a wholesale water provider which provides water to regional water systems and fulfills water needs of all the communities in Washington County. He explained the district's two infrastructure systems.

A new diversion dam was built at the wet sandy area. This provides pressurized water for Anderson junction. The system is hooked up to a computer water monitoring and alarm system called a SKATA system. As of that afternoon the system was 79% full. The beauty of the technology provides personnel to monitor the pumps and tanks to see where the water levels are. This system is connected to other two wells at Anderson junction.

When water was first sold to cities it was done by a contractual needed basis. In the 2000's Sand Hollow was created. A large regional water line was installed all the way to Snow Canyon. During the beginning stages of the pipeline, Toquerville had the availability of 500 connections. When expanded development started to occur, a pooling agreement was created. Cities take what they need, instead of a block of water. The agreement created water boards for each community where appointed members of the community serve on the board, as well as the Washington County Water Conservancy District personnel.

Thompson spoke about the last snowpack received and the projected stream flows. He believed the springs don't seem to be affected at this time, but the projection may change.

There are several plans in place the district uses to maximize efficiency. One practice is water conservation. Field trips are taken around the county and see what the district is doing to conserve water. Land developed by way of localscapes or dry scaping conserves water. The District projects the Sand Hollow Regional Pipeline will be built next winter and is an eighteen million dollar project. Water will be taken out of sand hollow to provide water for the City of Washington and St. George. The water will be treated to remove traces of arsenic and magnesium. Thompson briefly spoke about well development. An MOU was signed by the Bureau of Reclamation with the Federal Energy Regulatory Commission (FERC) for the Powell Pipeline.

He spoke about the importance of water systems and the major benefits to both the residents and the large tourism the area presents. He discussed how water fees were collected by water rates, property taxes, and impact fees.

Ellsworth asked Thomason about the future Toquerville reservoir. Toquerville City commissioned SUU to provide a cost analysis of the reservoir. The district was hoping to see final document this fall and recognized some alignment concerns need to be ironed out.

Thompson discussed why there was a need for the Toquerville reservoir and attributed one of the reasons was because the reservoir at Black Ridge has never been able to hold a large amount of water. He believed once construction begins on the dam, it should be completed in an 18-month time frame.

D. CITY DEPARTMENT REPORTS:

1. Zoning Administrator, Mike Vercimak:

Vercimak was approached by a Toquerville property owner inquiring about the development of his 60-acre parcel. A map of the property was provided for councilmembers. The property owner requested to build a single home on the property and asked how the city would like to proceed with infrastructure and road design standards. Vercimak and councilmember discussed the road placement and how the city would require the roadway to conform to city standards. Public Works Director, Lance Gubler had a water line concern. The length of the line to the home and its dead end would create stagnant water. He suggested the line could be looped into Lichfield's property. Vercimak suggested a water study should be done to see what type of line will need to be installed.

2. Planning Commission Representative, Jake Peart:

Peart believed the commission was making good headway on the nightly rental ordinance. Councilmember Sip asked about the status of the Ash Creek Overlook subdivision final plat. A brief description was given by recorder McKim. Email correspondence between Attorney Snow, the applicant, and the Planning Chair Alex Chamberlain will hopefully resolve a solution for the adjustment of two lots of the future subdivision design.

3. Hurricane Valley Fire Department Representative Merlin Spendlove:

Weather conditions are hot and dry and the fire department has been busy. Spendlove stated due to the wind conditions it makes it harder to put these fires out. Of the 444 incidents in the district, Toquerville accounts for 14 of those call outs. He recommended the council adopt the proposed fireworks resolution. The firework discharge times and dates are noted in the resolution, including the two approved locations in the city, one being the Center Street Parking Lot, and the other the Trail Ridge Estate parking lot.

4. Public Works Director, Lance Gubler

Gubler explained the Toquerville Heights area mailboxes were moved on the north side of the subdivision and a kiosk will be constructed by the local scouts led by Tyler Olsen. The mailboxes on Westfield road will be moved to the area of Peachtree and Lake Lane. The information kiosk will be moved to the mailbox area located near the intersection of Westfield Road and Peachtree Drive.

5. City Attorney, Heath Snow
No report was given, Attorney Snow was absent.

E. PUBLIC HEARING:

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

Public hearing was opened by Mayor Pro Tem, Keen Ellsworth.

1. Public Discussion of FINAL AMENDED BUDGET, Resolution #RES.2018.XX - Fiscal Year July, 2017 thru June, 2018.

No comments were made.

2. Public Discussion of FINAL PROPOSED BUDGET, Resolution #RES.2018.XX - Fiscal Year July, 2018 thru June, 2019.

No comments were made.

Public hearing was closed by Mayor Pro Tem, Keen Ellsworth.

F. PUBLIC FORUM:

Comments from public and public requests for future agenda items.

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

No public comments were taken during the public forum.

G. BUSINESS:

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

Councilmember Justin Sip made a motion to approve the Bed and Breakfast Conditional Use Permit for Sheree Olsen located at 1065 South Westfield Road with staff recommendations. Motion was seconded by Councilmember Ty Bringhurst. Motion unanimously carried 3-0.

2. Discussion and Possible Action on ORD.2018.XX - Special Event:

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

3. Discussion and Possible Action on a Special Event Permit Request submitted by Alcyone Turnblom for a Farmers Market at the Center Street City Park:

Item was withdrawn by the applicant. She will contact the city when she is ready to apply for a special business permit.

4. Discussion and Possible Recommendation of City Code 7-6-9 Existing Tree Exemption:

Sip sees the potential liability where the limbs are a hazard to public safety. The city ordinance exemption should not trump safety. There was a question of if the exemption was removed, will the trees will be removed. Jeffery suggested the code could be amended to add an exemption to the code regarding safety hazards.

5. Discussion and Possible Action on RES.2018.XX - Firework Restrictions:

Councilmember Ty Bringham made a motion to approve the resolution. Motion was seconded by Councilmember Justin Sip. Motion unanimously carried 3-0. Ellsworth-aye, Bringham-aye, Sip-aye.

6. Discussion and Possible Action on RES.2018.XX - PTIF Designation:

The resolution named Treasurer June Jeffery and Accountant Candus Tibbitts as authorized users to access and make necessary transactions with Toquerville Public Treasurers' Investment Funds (PTIF) accounts.

Councilmember Justin Sip made a motion to approve the PTIF designation resolution. Motion was seconded by Councilmember Ty Bringham. Motion unanimously carried 3-0. Sip-aye, Ellsworth-aye, Bringham-aye.

7. Discussion and Possible Action on RES.2018.XX - FY2017-2018 Budget Amendment.

Councilmember Justin Sip made a motion to approve the FY2017-2018 Budget Amendment resolution. Motion was seconded by Councilmember Ty Bringham. Motion unanimously carried 3-0. Roll call: Sip-aye, Bringham-aye, Ellsworth-aye.

8. Discussion and Possible Action on Slurry Seal Project Expenditures.

The slurry seal project expenditure item on the February 8, 2018, City Council meeting was approved in the amount of \$63,400.00. The project was extended to slurry seal the rest of Westfield road and the city will need to pay an additional \$13,267.28 for the extension of the project.

Councilmember Ty Bringham made a motion to approve the extended slurry seal expenditures in the amount stated. Motion was seconded by Councilmember Justin Sip. Motion unanimously carried 3-0. Roll Call: Justin Sip-aye, Ty Bringham-aye, Keen Ellsworth-aye.

9. Discussion and Possible Action on RES.2018.XX - FY 2018.2019 Final Budget and Tax Levy.

Councilmember Ty Bringham Motion to approve Resolution 2018.11, the Fiscal Year 2018-2019 budget and certify the property tax levy .00980 certified by the city recorder. Motion was seconded by Councilmember Justin Sip. Roll Call: Ty Bringham-aye, Justin Sip-aye, Keen Ellsworth-aye.

H. REPORTS:

1. **Keen Ellsworth-Economic Development/Fire:**

The welcome sign to be placed on the south end of town will need to be surveyed. The sign agreement was signed with the property owner.

City Councilmember Mike Ruesch recently moved to Washington City, which immediately created a vacancy on the city council. The vacancy will need to be filled by next month and the term will expire at the next upcoming election. The city recorder will advertise a notification for members who are interested should submit a resume or letter of interest.

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

In Terrace Circle, on lot #7 a home was built on the parcel and almost complete. The city water line runs down the southwest side and the property goes out into Shangri-La Drive. The property owner has agreed to deed a portion of the land to the city in lieu of the financial responsibility of curb, gutter, and sidewalk improvements in the future. Essentially an SAA exemption will be attached to the quick claim deed and recorded with the property.

At the last TSWS meeting, the board discussed impact fees. Several property owners in the Ash Creek Point subdivision received letters they owed impact or "hook up" fees. The property owners had access to secondary water, but the district was unable to find in the past where those hook-up fees were collected. The district proposed a reasonable solution to the property owners and believed resolve would occur. The district did speak about watering schedules. No modifications were voted upon, but the watering time may be held back in the near future due to weather conditions and the lack of available water.

3. **Justin Sip-Solid Waste/Mosquito/Risk Management/City Hall Maintenance:**
No report was given.

I. POSSIBLE CLOSED SESSION:

None

J. ADJOURN:

The meeting adjourned at 7:25 p.m.

Mayor - Lynn Chamberlain

Date

Attest: City Recorder - Dana M. McKim

TOQUERVILLE CITY COUNCIL
Special Public Meeting Minutes
June 27th, 2018 at 6:00 pm
Held at 212 N. Toquerville Blvd, Toquerville Utah



Present: LeGrand Bitter, June Jeffery, Dana McKim, Manning Butterworth, Alex Chamberlain

A. CALL TO ORDER:

The meeting was called to order by Treasurer June Jeffery at 6:12 p.m.

B. BUSINESS:

1. Public Training Opportunity for members of the City Council, the Planning Commission, the Board of Adjustment, and members of the public interest. LeGrand Bitter, the Executive Director from the Utah Association of Special Districts will be holding an Open Meetings Training Seminar:

LeGrand Bitter, the Executive Director from the Utah Association of Special Districts provided an Open Meetings Training Seminar. Topics included Electronic Policies, Agenda requirements, Notification Policies, Minutes, Closed Meetings, and Open Meetings.

C. ADJOURN

The meeting was adjourned by Treasurer June Jeffery at 7:27 p.m.

Mayor - Lynn Chamberlain

Date

Attest: City Recorder - Dana M. McKim

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 Bringham

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 turret 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 Chaparral 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 4th 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.

Mayor - Lynn Chamberlain

Date

Attest: City Recorder - Dana M. McKim

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Bingham & Snow, LLC							
417 Bingham & Snow, LLC		35488-2	Legal Representation	05/31/2018	1,901.88	1,901.88	06/25/2018
Bingham & Snow, LLC							
417 Bingham & Snow, LLC		35490-2	Legal Representation	05/31/2018	1,932.00	1,932.00	06/25/2018
10-45-610 Administration							
Davis Farmers Market							
663 Davis Farmers Market		031662891	cc/cc special mtg veggie tray and	05/03/2018	33.28	33.28	06/07/2018
De Lage Landen Financial Inc							
658 De Lage Landen Financial Inc		59592682	assess property tax per contract	06/18/2018	9.77	9.77	06/27/2018
De Lage Landen Financial Inc							
658 De Lage Landen Financial Inc		59596614	COPIER LEASE	06/18/2018	53.58	53.58	06/27/2018
Steamroller Copies							
206 Steamroller Copies		57527	Copier contract	06/08/2018	76.57	76.57	06/12/2018
Zions Credit Card							
276 Zions Credit Card		APR/MAY 18 L	pc/cc meeting special mtg dell	05/10/2018	81.19	81.19	06/07/2018
Zions Credit Card							
276 Zions Credit Card		APR/MAY 18 L	Costco-council snacks	05/23/2018	76.21	76.21	06/07/2018
10-45-700 Dumpsters							
Republic Services							
174 Republic Services		023300061878	Dumpsters	05/01/2018	163.48	163.48	06/07/2018
10-45-920 Eagle Scout Project							
Manx Inc							
962 Manx Inc		01022018	Eagle Scout Project Reimburse	06/19/2018	107.97	107.97	06/25/2018
Total Administration:					8,224.66	8,224.66	
Education and Promotion							
10-52-636 Community Planning							
Five Cnty AOG							
541 Five Cnty AOG		0362018	MPO Vote Share Annual paymt	06/11/2018	1,666.67	1,666.67	06/14/2018
Total Education and Promotion:					1,666.67	1,666.67	
Public Safety							
10-54-285 Streetlights							
Rocky Mountain Power							
235 Rocky Mountain Power		MAY/JUNE 18-	686070360025 - streetlights	06/11/2018	933.90	933.90	06/25/2018
10-54-376 Police							
WC Sheriff							
428 WC Sheriff		176	Patrol Service	06/06/2018	712.50	712.50	06/12/2018
10-54-610 Public Safety							
Utah Fire Equipment							
505 Utah Fire Equipment		749166	Fire Safety	06/12/2018	130.00	130.00	06/14/2018
10-54-680 Animal Control							
La Verkin City							
122 La Verkin City		JULY 2018	Animal Control-Dog Pound Agrmt	06/18/2018	500.00	500.00	06/25/2018
Total Public Safety:					2,276.40	2,276.40	
Building Inspections							
10-59-610 Contract Services							
Michael Verdimak							
367 Michael Verdimak		MAY 2018	Planning and Zoning	06/04/2018	770.00	770.00	06/07/2018
Total Building Inspections:					770.00	770.00	
Streets Department							

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
10-60-200 Sidewalks Repair/Maintenance							
Rolling Rock Concrete							
737	Rolling Rock Concrete	10024	1/2 yard concrete-Westfield and P	08/14/2018	121.00	121.00	06/25/2018
Zions Credit Card							
276	Zions Credit Card	APR/MAY 18 L	HD-sidewalk repair supplies	05/22/2018	177.77	177.77	06/07/2018
10-60-610 Streets Vehicles & Fuel							
Fuelman							
79	Fuelman	MAY 2018	fuel-gubler-other streets	06/01/2018	119.95	119.95	06/12/2018
79	Fuelman	MAY 2018	fuel-pwd-other streets	06/01/2018	195.70	195.70	06/12/2018
L30 Auto Value Hurricane							
837	L30 Auto Value Hurricane	30156023	headlight replacement-jd's vehicle	05/25/2018	1.23	1.23	06/07/2018
Wheeler Machinery							
285	Wheeler Machinery	SS0000188178	international dump tk seal kit hydr	05/31/2018	33.48	33.48	06/12/2018
Zions Credit Card							
276	Zions Credit Card	APR/MAY 18 L	2008 chevy silverado 2500 tie rod/	05/15/2018	81.10	81.10	06/07/2018
10-60-810 Tools							
Zions Credit Card							
276	Zions Credit Card	APR/MAY 18 L	blm map of Toquerville	05/01/2018	10.63	10.63	06/07/2018
Total Streets Department:					740.66	740.66	
Utility Collections							
10-62-360 Sewer Fees							
Ash Creek Special Service Dist							
13	Ash Creek Special Service Dist	05312018	Sewer Fees	06/01/2018	13,253.06	13,253.06	06/01/2018
10-62-360 Garbage collection							
WC Solid Waste							
255	WC Solid Waste	61658	garbage collection	05/31/2018	7,157.74	7,157.74	06/12/2018
Total Utility Collections:					20,410.80	20,410.80	
Parks							
10-64-140 Park Maintenance Supplies							
Scholzen Products							
186	Scholzen Products	630304100	2 80 pvc	06/07/2018	3.24	3.24	06/27/2018
Southern Utah Distributing							
624	Southern Utah Distributing	126889	Park toilet paper dispenser	06/18/2018	359.10	359.10	06/25/2018
Zions Credit Card							
276	Zions Credit Card	APR/MAY 18 L	parts	04/28/2018	129.49	129.49	06/07/2018
10-64-160 Park Lighting							
Rocky Mountain Power							
235	Rocky Mountain Power	MAY/JUNE 18-	886070360074-250 W Center	06/08/2018	43.61	43.61	06/25/2018
Rocky Mountain Power							
235	Rocky Mountain Power	MAY/JUNE 18-	886070360090-ball field lights	06/15/2018	6.67	6.67	06/25/2018
Rocky Mountain Power							
235	Rocky Mountain Power	MAY/JUNE 18-	886070360173-1250 S Arches St	06/05/2018	16.21	16.21	06/12/2018
10-64-610 Parks Vehicles & Fuel							
Fuelman							
79	Fuelman	MAY 2018	fuel-gubler-park	06/01/2018	119.95	119.95	06/12/2018
79	Fuelman	MAY 2018	fuel-pwd-park	06/01/2018	195.71	195.71	06/12/2018
L30 Auto Value Hurricane							
837	L30 Auto Value Hurricane	30156023	headlight replacement-jd's vehicle	05/25/2018	1.22	1.22	06/07/2018
Wheeler Machinery							
265	Wheeler Machinery	SS0000188178	international dump tk seal kit hydr	06/31/2018	33.47	33.47	06/12/2018
Zions Credit Card							
276	Zions Credit Card	APR/MAY 18 L	2008 Chevy Silverado 2500 HD ti	05/15/2018	81.09	81.09	06/07/2018

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total Parks:					989.76	989.76	
Cemetery							
10-65-125 Cemetery Supplies & Maintenance							
Scholzen Products							
188 Scholzen Products		630301200	2" pvc ball valve ass	06/07/2018	18.33	19.33	06/27/2018
Scholzen Products							
188 Scholzen Products		630326400	1 x 3/4 threaded bush pvc	06/08/2018	9.98	9.98	06/27/2018
Scholzen Products							
188 Scholzen Products		630335200	1 x 3/4 threaded bush pvc	06/08/2018	19.92	19.92	06/27/2018
Stotz Equipment							
730 Stotz Equipment		P22263	fires-lawn mower	05/31/2018	377.75	377.75	06/07/2018
Zions Credit Card							
278 Zions Credit Card		APR/MAY 18 L	TS-gopher repellent and poison	05/10/2018	17.97	17.97	06/07/2018
10-65-140 Cemetery Power Bills							
Rocky Mountain Power							
235 Rocky Mountain Power		MAY/JUNE 18-	688070360116 - 1423 S Cemetery	06/08/2018	30.10	30.10	06/25/2018
10-65-160 Tools							
Scholzen Products							
188 Scholzen Products		630273500	2.5 coupling pvc	06/08/2018	2.14	2.14	06/27/2018
Zions Credit Card							
278 Zions Credit Card		APR/MAY 18 L	amazon-drinking water sign	05/23/2018	16.18	16.18	06/07/2018
10-65-610 Cemetery Vehicles & Fuel							
L30 Auto Value Hurricane							
837 L30 Auto Value Hurricane		30158023	headlight replacement-jd's vehicle	05/25/2018	1.23	1.23	06/07/2018
Scholzen Products							
188 Scholzen Products		630273500	2.5 x 2 bushing ss pvc	06/06/2018	1.48	1.48	06/27/2018
Wheeler Machinery							
265 Wheeler Machinery		SS0000188178	International dump tk seal kit hydr	05/31/2018	33.48	33.48	06/12/2018
Zions Credit Card							
278 Zions Credit Card		APR/MAY 18 L	2008 chevy silverado 2500 tie rod/	05/16/2018	81.09	81.09	06/07/2018
Total Cemetery:					610.61	610.61	
Town Hall							
10-66-135 Town Hall Maintenance supplies							
Dust to Dawn							
836 Dust to Dawn		MAY 2018	Office Cleaning	06/01/2018	165.00	165.00	06/07/2018
10-66-140 Town Hall Electric & Gas Bills							
Dominion Energy							
905 Dominion Energy		MAY/JUNE 18	Gas Service	06/19/2018	7.16	7.16	06/25/2018
Rocky Mountain Power							
235 Rocky Mountain Power		MAY/JUN 18-0	686070360017 - 212 N Toquer Bl	06/05/2018	178.32	178.32	06/12/2018
Total Town Hall:					350.48	350.48	
Total General Fund:					41,040.24	41,040.24	
Enterprise Fund							
51-20210 Hydrant Rental DEPOSIT ONLY							
Ash Excavating							
867 Hydrant Meter Refund		06082018.HYD	Hydrant / Meter Refund	06/12/2018	1,211.40	1,211.40	06/14/2018
David Blair							
867 Hydrant Meter Refund		06142018.HYD	Hydrant / Meter Refund	06/14/2018	1,076.40	1,076.40	06/14/2018
Christine Strand							
867 Hydrant Meter Refund		06252018.HYD	Hydrant / Meter Refund	06/26/2018	1,144.20	1,144.20	06/27/2018

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total :					3,432.00	3,432.00	
Water Department							
51-40-105 Employee Benefits							
Humana Dental Insurance Co.							
809	Humana Dental Insurance Co.	08012018	Steglich-Insurance	06/01/2018	56.85	56.85	06/01/2018
Humana Dental Insurance Co.							
809	Humana Dental Insurance Co.	360394813	Steglich-Insurance	06/01/2018	222.41	222.41	06/01/2018
51-40-200 Material & Supplies - WATER							
Hurricane Ready Mix							
94	Hurricane Ready Mix	28489	Cement rock and road base-Mt. C	05/03/2018	194.25	194.25	06/07/2018
Hurricane Ready Mix							
94	Hurricane Ready Mix	26512	Road Base-Mt Charm Leak	05/08/2018	18.25	18.25	06/07/2018
Scholzen Products							
188	Scholzen Products	630498200	2" x 35 yard roll gorilla duct tape	06/14/2018	33.56	33.56	06/27/2018
Zions Credit Card							
276	Zions Credit Card	APR/MAY 18 L	home depot cooler pad and evapo	05/14/2018	51.27	51.27	06/07/2018
Zions Credit Card							
276	Zions Credit Card	APR/MAY 18 L	TS- scale eliminator and distributo	05/22/2018	37.96	37.96	06/07/2018
51-40-390 Contractual Services - WATER							
Hinton Burdick CPAs and Advisors							
348	Hinton Burdick CPAs and Advisor	186526	Professional Service	05/31/2018	600.00	600.00	06/14/2018
WCWCD							
259	WCWCD	11485-2	Water Fees	05/31/2018	1,032.50	1,032.50	06/14/2018
WCWCD							
258	WCWCD	11492	Anderson Junction water fees	05/31/2018	166.42	166.42	06/14/2018
51-40-800 Water Vehicles & Fuel							
Fuelman							
79	Fuelman	MAY 2018	fuel-gubler-water	06/01/2018	239.90	239.90	06/12/2018
79	Fuelman	MAY 2018	fuel-pwd-water	06/01/2018	391.41	391.41	06/12/2018
L30 Auto Value Hurricane							
837	L30 Auto Value Hurricane	30158023	headlight replacement-jd's vehicle	05/25/2018	1.23	1.23	06/07/2018
Wheeler Machinery							
285	Wheeler Machinery	SS0000188178	International dump tk seal kit hydr	05/31/2018	33.48	33.48	06/12/2018
Zions Credit Card							
276	Zions Credit Card	APR/MAY 18 L	2006 chevy silverado 2500 tie rod/	05/16/2018	81.09	81.09	06/07/2018
51-40-610 Other Expense - WATER							
D Blake Electric & Refrigerati							
877	D Blake Electric & Refrigerati	16557	pump station	06/18/2018	150.00	150.00	06/27/2018
De Lage Landen Financial Inc							
658	De Lage Landen Financial Inc	56592682	assess property tax per contract	06/18/2018	9.76	9.76	06/27/2018
De Lage Landen Financial Inc							
658	De Lage Landen Financial Inc	56596614	COPIER LEASE	06/18/2018	53.56	53.56	06/27/2018
Rocky Mountain Power							
235	Rocky Mountain Power	MAY/JUNE 18-	666070380033 - 800 N Spring Dr	06/08/2018	429.48	429.48	06/25/2018
Rocky Mountain Power							
235	Rocky Mountain Power	MAY/JUNE 18-	666070360082-242 N Hillside Driv	06/05/2018	51.35	51.35	06/12/2018
RWAU							
183	RWAU	1880	Dues	05/01/2018	770.00	770.00	06/12/2018
Scholzen Products							
188	Scholzen Products	630466900	5/8" x 3/4" 3G Meters	06/13/2018	1,137.66	1,137.66	06/27/2018
Scholzen Products							
188	Scholzen Products	630619200	18" HD Flag Green Lids, fits 18" A	06/18/2018	30.85	30.85	06/27/2018
Southwest Utah Public Health Department							
937	Southwest Utah Public Health De	265921	water lab analysis	06/01/2018	15.00	15.00	06/12/2018
Steamroller Copies							
206	Steamroller Copies	S7527	Copier contract	06/06/2018	76.57	76.57	06/12/2018

Toquerville City

Payroll Register - Single-line Summary - by Department
Pay Period Dates: 6/1/2018 to 6/30/2018Page: 5
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Date	Payee	Employee Number	Reference Number	Check Number	M	Gross	Expense	FICA	FWT	SWT	Deduct	Net	D	Info	F/T
Treasurer															
06/15/2018	Jeffery, June	32	2	18810		1,524.75	.00	116.84	120.64	67.07	50.00	1,170.50		.00	
07/02/2018	Jeffery, June	32	4	18837		1,391.75	.00	108.47	100.59	58.75	50.00	1,076.94		.00	
Total Treasurer:		64	2	2		2,916.50	.00	223.11	221.13	125.82	100.00	2,246.44		.00	

Treasurer Hours/Units/Types Summary

PC	Title	Hours	Units	Net Type	Amount	D	Info Type	Amount
1-00	Regular Pay	117.75	.00	Direct Deposit Net	.00	D	Informational	.00
2-01	Overtime - Regular Employ	.50	.00	Net	2,246.44		Info Tips Reported	.00
3-01	Personal Time	35.00	.00				Fringe Benefit	.00
Grand Totals:		153.25	.00		2,246.44			.00

Grand Totals:

654	18	18	23,882.16	.00	1,825.40	1,778.40	928.34	100.32	18,231.70	.00
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Grand Totals Hours/Units/Types Summary

PC	Title	Hours	Units	Net Type	Amount	D	Info Type	Amount
1-00	Regular Pay	647.50	.00	Direct Deposit Net	.00	D	Informational	.00
2-01	Overtime - Regular Employ	6.50	.00	Net	18,231.70		Info Tips Reported	.00
3-01	Personal Time	68.00	.00				Fringe Benefit	.00
Grand Totals:		1,022.00	.00		18,231.70			.00

M=Manual Check D=Direct Deposit Net *Includes EIC T=Type Reported F=Fringe Benefits

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
US Post Service - Post Master							
230 US Post Service - Post Master		000356	Postage Charges	06/04/2018	500.00	500.00	06/07/2018
Zions Credit Card							
276 Zions Credit Card		APR/MAY 18 L	steamroller copies of water tests	04/30/2018	33.23	33.23	06/07/2018
Total Water Department:					6,408.04	6,408.04	
Total Enterprise Fund:					9,840.04	9,840.04	
Grand Totals:					50,880.28	50,880.28	

+23,862.11e

\$ 74,742.44

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Report Criteria:

Invoices with totals above \$0.00 included.

Only paid Invoices included.

[Report].Amount Paid = {<>} 0

TOQUERVILLE CITY
ORDINANCE 2018.05



AN ORDINANCE TO ADD CHAPTER 5 TO TITLE 3 (BUSINESS AND LICENSE REGULATIONS) OF THE TOQUERVILLE CITY CODE TO PROVIDE FOR THE ISSUANCE AND REGULATION OF SPECIAL EVENTS OCCURRING WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY BY LICENSE.

RECITALS

WHEREAS, Toquerville City ("City") is an incorporated municipality duly organized under the laws of the State of Utah.

WHEREAS, the City is authorized pursuant to Utah Code Annotated, Title 10, Chapter 9A, to enact ordinances necessary or appropriate for the use of land within the City's municipal boundaries.

WHEREAS, the City is further authorized pursuant to Utah Code Annotated, Title 10, Chapter 8 (Section (1)(a)) to fix the amount, terms, and manner of issuing licenses.

WHEREAS, pursuant to Utah Code Annotated, Title 10, Chapter 3b, Section 301, the Toquerville City Council ("City Council") is designated as the governing body of the City.

WHEREAS, the City has seen an increase of persons and groups wanting to organize and conduct special events both on private property and City property and desires to create a method and procedure for processing said requests and regulating the same through the issuance of a Special Event License that clearly sets forth the conditions of issuance and the financial obligations of the applicants and organizers.

ORDINANCE

NOW THEREFORE, BE IT HEREBY ORDAINED by the City Council of Toquerville City, State of Utah, as follows:

1. ADDITION OF CHAPTER 5 OF TITLE 3 REGARDING THE LICENSING OF SPECIAL EVENTS. Title 3 of the of the Toquerville City Code (Business and License Regulations) is hereby augmented by adding Chapter 5 which defines and regulates the conducting of special events within the City's municipal boundaries as follows:

3-5-1: DEFINITIONS:

SPECIAL EVENT ORGANIZER; the individual, business entity, or organization who is in charge of planning, organizing and directing the Special Event.

SPECIAL EVENT: Any event, march, parade, ceremony, show, exhibition, pageant, race, festival, circus, carnival, outdoor dance, community fair, concert, or activity of any kind, or any similar display, in or upon any street, park, parking lot, or any other public place in the city where more than fifty (50) persons are expected to be involved and/or the event is likely to increase the need for City personnel.

3-5-2: LICENSE REQUIRED; EXCEPTIONS:

No person shall engage in, participate in, aid, form or start any Special Event, unless a Special Event License shall have been obtained from the City Clerk. This Chapter shall not apply to the following or any other event exempted by the City Council at a regular meeting of the City Council at which a quorum is present:

- A. A funeral procession;*
- B. Students going to and from school classes. Also school-sponsored activities, providing such conduct is under the immediate direction and supervision of the proper school authorities;*
- C. A governmental agency event related to the agency acting within the scope of its functions such as informational meetings, public meetings, and open houses;*
- D. City-sponsored celebrations or Fourth of July celebrations;*
- E. Church-sponsored activities if held on church-owned property;*
- F. Family reunions or other private events at a city park (provided they do not require additional city personnel); and*
- G. Pioneer Day celebrations.*

3-5-3: APPLICATION FOR SPECIAL EVENT LICENSE; FEE

- A. Filing Period: An application for a Special Event License shall be filed with the City Clerk not less than thirty (30) days nor more than one hundred twenty (120) days prior to the date on which it is proposed to conduct the Special Event.*
- B. Information Required: The application for the Special Event License shall be made upon a form provided by the City Clerk and shall include at a minimum the following information:*
 - 1. The name, mailing address and telephone number of the person or organization seeking to organize and conduct the Special Event;*

2. *If the Special Event is proposed to be conducted for, on behalf of or by an organization, the name, address and telephone number of the headquarters of the organization, and of the authorized and responsible heads of such organization;*
3. *The name, address and telephone number of the person who will be the Special Event Chairperson or Director and who will be responsible for its conduct;*
4. *The date(s) when the Special Event is to be conducted;*
5. *The hours the Special Event will start and terminate;*
6. *The location of the Special Event and a notarized statement of ownership or authorization from the owner of the property on which the Special Event is proposed to be located. If the Special Event is located on City-owned property no notarized statement shall be required.*
7. *If the Special Event is a race or parade:*
 - a. *The route to be traveled, including the starting point and the termination point; and if the route includes any state routes requiring the applicant to obtain a UDOT parade permit in addition to the City's Special Event License;*
 - b. *The approximate number and type of entries expected to participate in the Special Event;*
 - c. *The interval of space to be maintained between units of a parade;*
 - d. *A statement as to whether the Special Event will occupy all or only a portion of the width of any street proposed to be traversed; and*
 - e. *The location by street or any other location of any assembly areas for such Special Event;*
8. *If the Special Event is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for the Special Event License shall file with the City Clerk a communication in writing from the beneficiary, authorizing the applicant to apply for the Special Event License on his/her/its behalf;*
9. *The person signing the Special Event License shall be responsible for reading and knowing the contents of, and agreeing to follow the requirements of, this Chapter and any applicable provisions of the*

Toquerville Code, the Utah Code and the Utah State Tax Code; and shall provide evidence of compliance with Utah State Tax Commission sales tax collection requirements to include providing the City with the Special Event tax number issued for the event;

10. Special Events that include food items will provide a list of exhibitors or vendors along with evidence of compliance with State and County laws and ordinances regulated by the Washington County Health Department and International Fire Code.

11. A plan addressing the following:

- a. Access: Specific areas shall be designated for ingress and egress of emergency vehicles, including appropriate barriers to regulate vehicular and pedestrian traffic.*
- b. Control Plan: A plan establishing adequate provisions for traffic control, crowd control, patron control, and enforcement of city ordinances, state and federal laws and any other applicable regulations, including, but not limited to, traffic, fire, health, security, and Americans with Disabilities Act regulations.*
- c. Emergency Services: First aid supplies and equipment, and emergency medical services shall be made available to meet public health and safety concerns or legal requirements.*
- d. Parking: Temporary off-street parking shall be provided at the rate of one vehicle for every four (4) persons reasonably expected to attend the Special Event use unless exempted by the City's Zoning Administrator. Such parking need not be hard surfaced but dust control will be required. If parking spaces are not marked, parking personnel shall be present to ensure orderly and safe ingress and egress from the parking area.*
- e. Sanitation Facilities: Adequate sanitation facilities shall be provided based on the duration of the Special Event and on the number of persons reasonably expected to participate.*
- f. Security: A plan shall be approved establishing the number and type of law enforcement and security personnel that will be present at the Special Event to monitor and facilitate the use and provide spectator or participant control and direction. Security personnel must be licensed or certified. Proof must be provided.*
- g. Existing Zoning: a designation of existing zoning of the site and contiguous properties.*

- h. *Description of Other Uses: Written description of other uses and/or structures on the property and on contiguous properties.*
 - i. *Site Plan: Site plan, drawn to scale, showing proposed locations and uses of all temporary structures.*
- C. *Late Applications: The City Clerk, where good cause is shown therefor, shall have the authority to consider any application hereunder which is filed less than thirty (30) days before the date such Special Event is proposed to be conducted. A late fee of fifty dollars (\$50.00) will be imposed for a late application.*
- D. *License Fee: There shall be paid at the time of filing the application for a Special Event License a fee in the amount designated by the City Council time to time and set forth in the City's Uniform Fee Schedule.*

3-5-4: DEPOSIT AND INSURANCE

- A. *If it is reasonably expected that the Special Event will result in the necessity of street cleaning, has the potential for unusual noise, or other disruption of commercial activity in the City, or will otherwise pose a hazard to public health and safety of the City, the City may require the applicant to post a deposit (as determined by the City Clerk) to assure compliance with the standards and conditions required in the Special Event License.*
- B. *All applicants may be required, if deemed necessary, for public health and safety to provide the City with a valid certificate of liability insurance written through carriers acceptable to the City and Utah Local Governments Trust. Said liability insurance shall:*
1. *Provide bodily injury and property damage liability protection in the amount of one million dollars (\$1,000,000.00) per occurrence or such additional amount as may be determined from time to time by City.*
 2. *The applicant must be specified as the insured. The certificate shall name the Toquerville City, its officers and agents, as an "additional insured" and must specify that the applicant's insurance shall be primary to any insurance carried by the City.*
 3. *A certificate of insurance shall be properly executed with the original signature of the authorizing insurance agent. A copy of the insurance certificate is required prior to the Special Event License being issued and shall not be canceled prior to giving the City at least ten (10) days' written notice of such cancellation.*

4. *If alcohol is to be consumed, liquor liability coverage is also required. Special Events open to the general public or private events that charge for alcohol served must adhere to Utah State Division of Alcoholic Beverage Control ("DABC") and provide a copy of the single event permit issued by DABC prior to the Special Event.*
- C. *In every case the Special Event location shall be restored to its condition prior to the event. This is to include, but not be limited to, cleaning of streets, sidewalks and gutters, repair damaged streets, sidewalks, utilities, street signs, etc. If the City is required to correct problems or clean up after a Special Event, the responsible party will be billed for the cost of correction and/or cleanup if the Deposit made per subsection A of this section is not sufficient to cover the cost of correction and/or cleanup. If no correction and/or cleanup is required, the deposit made per subsection A of this section will be refunded within 30 days after the Special Event.*

3-5-5: NOTICE TO OFFICIALS

Immediately upon receipt of a completed Special Event License application, the City Clerk shall send a copy hereof to the following requesting their feedback and input on the application:

- A. *Washington County Sheriff's Dept. (or applicable law enforcement authority);*
- B. *Toquerville City Manager (if applicable) or Mayor;*
- C. *Hurricane Valley Fire District (or applicable fire protection authority);*
- D. *Toquerville City Public Works Director; and*
- E. *Toquerville City Zoning Administrator.*

3-5-6: STANDARDS FOR ISSUANCE

The City Clerk shall issue a Special Event License as provided for hereunder when, from consideration of the application and from such other information as may otherwise be obtained, he or she finds that:

- A. *Conducting the proposed Special Event will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route;*
- B. *Conducting the proposed Special Event will not require the diversion of so great a number of law enforcement or city personnel to properly police the event as to prevent normal police protection and provision of City services to the residents of City;*

- C. Conducting the proposed Special Event will not require the diversion of so great a number of emergency response service personnel from the Hurricane Valley Fire District so as to prevent normal emergency response service to other portions of the City;*
- D. The concentration of persons, animals and/or vehicles at any assembly points of the proposed Special Event will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such event areas;*
- E. Conducting the proposed Special Event is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct or create a disturbance;*
- F. The proposed Special Event is scheduled in such a manner as to not conflict with other events or things which may require law enforcement, fire, ambulance, or other personnel at the same time as the event;*
- G. The proposed Special Event is not to be held for the sole purpose of advertising any product, goods or commercial activity;*
- H. If the sole purpose of the Special Event is to advertise any product, goods or commercial activity or for private profit, the person or party responsible will be required to pay for all costs and/or services.*

3-5-7: NOTICE OF REJECTION

The City Clerk shall act upon the application for a Special Event License within ten (10) business days after the filing thereof. If the City Clerk disapproves the application, notice shall be mailed to the applicant within ten (10) business days after the date upon which the application was filed, stating the reasons for denial of the application.

3-5-8: MODIFIED SPECIAL EVENT LICENSE

The City Clerk, in denying an application for a Special Event License, shall be empowered to authorize to issue a modified Special Event License allowing the applicant to conduct the Special Event on a date, at a time, at a location or over a route different from that named by the applicant. An applicant desiring to accept the modified Special Event License shall, within ten (10) business days after notice of the action of the City Clerk, file a written notice of acceptance with the City Clerk. A modified Special Event License shall conform to the requirements of, and shall have the effect of, a normal Special Event License issued under this Chapter.

3-5-9: CONTENTS OF SPECIAL EVENT LICENSE:

A. Each Special Event License shall state the following information:

- 1. Special Event sponsor and applicant;*
- 2. Special Event date or dates and times of operation;*
- 3. Special Event location;*
- 4. The number and location of any City personnel required and the rate of pay applicable;*
- 5. The portions of any street to be traversed that may be occupied by the Special Event;*
- 6. The list of any other tax, Utah Department of Transportation ("UDOT"), or other permits required in addition to the City issued Special Event License to be provided to the City prior to the Special Event; and*
- 7. Such other information and conditions as the City Clerk shall find necessary and desirable for the enforcement of this Chapter and the Toquerville Code;*

B. A completed application must be approved and Special Event License issued at least thirty (30) days prior to the Special Event.

3-5-10: RULES, REGULATIONS AND REQUIREMENTS

A. Duties of Event Organizer: The Special Event Organizer shall ensure compliance with all Special Event License directions and conditions and with all applicable laws and ordinances.

B. Public Conduct During Special Event:

- 1. Interference: No person shall unreasonably hamper, obstruct, impede or interfere with any event or event assembly, or with any person, vehicle or animal participating or used in a Special Event.*
- 2. Driving Through Events: No driver of a vehicle shall drive between the vehicles or persons comprising an event when such vehicles or persons are in motion and are conspicuously designated as an event, unless specifically directed to do so by a law enforcement officer.*
- 3. Parking on Parade or Race Route: The City Zoning Administrator and law enforcement officials shall have the authority, when reasonably*

necessary, to prohibit or restrict the parking of vehicles along a public street or part thereof constituting a part of the route of a Special Event. The City or Special Event Organizer may post signs to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. However, no person shall be liable for parking on the street that is not posted in a manner provided herein, or who is not otherwise advised not to park thereon by a law enforcement officer or City personnel working the Special Event.

3-5-11: APPEAL PROCEDURE:

Any person aggrieved shall have the right to appeal the denial of a Special Event License to the City Council. The appeal shall be submitted within ten (10) days after notice of denial. The City Council shall act upon the appeal within ten (10) days after its receipt.

3-5-12: REVOCATION OF LICENSE

The City Clerk shall have the authority to revoke a Special Event license issued hereunder upon failure of the applicant or participants in the Special Event to meet the standards and conditions provided herein and on the Special Event License.

3-5-13: PENALTY

Violation of any of the provisions of this Chapter shall be a class B misdemeanor, subject to penalty as provided in Section 1-4-1 of the Toquerville Code, or such lesser offense as the City Attorney in his/her discretion shall choose.

2. REPEALER. This Ordinance shall repeal and supersede all prior ordinances and resolutions governing the same.

3. SAVINGS CLAUSE: If any provision or clause in this Ordinance or the application thereof to any person or entity or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses, or applications hereof which can be implemented without the invalid provision, clause, or application hereof, and to this end the provisions and clauses of this Ordinance are declared to be severable.

4. EFFECTIVE DATE. This Ordinance shall take effect immediately upon approved by the City Council.

(Voting Tally and Signatures on Following Page)

PASSED AND APPROVED THIS ____ DAY OF JUNE, 2018.

Paul Heideman	Aye ____	Nay ____	Absent ____
Keen Ellsworth	Aye ____	Nay ____	Absent ____
Justin Sip	Aye ____	Nay ____	Absent ____
Mike Ruesch	Aye ____	Nay ____	Absent ____
Ty Bringhurst	Aye ____	Nay ____	Absent ____

CITY OF TOQUERVILLE
a Utah Municipal Corporation

Keen Ellsworth, Mayor Pro Tem

Date _____

Attest: Dana McKim, City Clerk



TOQUERVILLE CITY
RESOLUTION #RES.2018.12
WASHINGTON COUNTY HCP EXPANSION BILL

**A RESOLUTION SUPPORTING THE WASHINGTON COUNTY DESERT TORTOISE
HABITAT CONSERVATION PLAN EXPANSION BILL**

WHEREAS, the Washington County Desert Tortoise Habitat Conservation Plan ("the HCP") has expired and needs to be renewed; and

WHEREAS, Toquerville City ("the City"), a municipality within Washington County, Utah, has benefited from the HCP since 2006 by having open recreation space in the tortoise reserve and the ability to work easily with the County for tortoise recovery; and

WHEREAS, the City would like the HCP to be renewed so that the residents can continue to benefit from the HCP; and

WHEREAS, the utility development protocols ("the UDPs") are essential to the continued growth and vitality of the municipalities in Washington County; and

WHEREAS, the northern corridor is an important part of the infrastructure plan for future growth in the County; and

WHEREAS, the creation of Zone 6 of the HCP ensures more open recreation space, mitigates for impacts from the northern corridor, and assists in tortoise recovery; and

WHEREAS, the Washington County Desert Tortoise Habitat Conservation Plan Expansion Bill ("the Bill"), currently proposed to be introduced in Congress later this year;

- Expands the Red Cliffs Desert Reserve and orders the renewal of the HCP; and
- Addresses the route for and construction of the northern corridor in Washington County; and
- Re-implements the UDP's; and
- Clarifies and/or otherwise cleans up the Bureau of Land Management ("the BLM") Resource Management Plans ("the RMPs")

WHEREAS, passed of the Bill by Congress is the best interest of the citizens of the city.

BE IT HEREBY RESOLVED by the City Council of Toquerville, Utah:

1. That the City Council hereby declares and publishes its support for the Washington County Desert Tortoise Habitat Conservation Plan Expansion Bill proposed to be introduced in Congress, for consideration and possible action; and
2. That this Resolution shall be effective upon adoption; and
3. That the City hereby declares that (a) if any part of this resolution shall be declared invalid, such declaration shall not affect the validity of the remainder of the resolution; (b) all resolutions or policies in conflict herewith are hereby repealed; and (c) this resolution shall take immediately upon passage.

ADOPTED BY THE TOQUERVILLE CITY COUNCIL, STATE OF UTAH, ON THIS ____ DAY OF JULY, 2018
ON THE FOLLOWING VOTE:

Councilperson:	Keen Ellsworth	AYE__	NAE__	ABSTAIN__	ABSENT__
	Ty Bringhurst	AYE__	NAE__	ABSTAIN__	ABSENT__
	Paul Heideman	AYE__	NAE__	ABSTAIN__	ABSENT__
	Justin Sip	AYE__	NAE__	ABSTAIN__	ABSENT__
	Vacant Councilmember Seat	AYE__	NAE__	ABSTAIN__	ABSENT__

Approved By: _____
Lynn Chamberlain, Mayor

Attested By: _____
Dana M. McKim, City Recorder

WHEN RECORDED MAIL DOCUMENT
AND TAX NOTICE TO:

Toquerville City.
P.O. BOX 27
TOQUERVILLE UT. 84774

DEED OF DEDICATION

That JONATHAN W. ZUNDEL AND CLAUDIA G. ZUNDEL grantor's herein, in consideration of the sum of Ten Dollars and other good and valuable consideration paid to Grantor by TOQUERVILLE CITY, A Utah Municipal Corporation, Grantee herein, receipt of which is hereby acknowledged, does hereby grant, release, convey and warrant to Grantee, its successors and assigns forever, free and clear of all encumbrances, all its rights, title and interest in and to the properties as described in Exhibit "A", located in Washington County, State of Utah.

Tax I.D. # part of T-TOTE-7

SEE EXHIBIT "A" ATTACHED HERETO

WITNESS, the hand of said grantors, this
Signed in the presence of

day of June, 2018


JONATHAN W. ZUNDEL


CLAUDIA G. ZUNDEL

STATE OF Utah

)ss.

County of Washington

On the 21st day of June, 2018 personally appeared before me JONATHAN W. ZUNDEL AND CLAUDIA G. ZUNDEL, the signers of the foregoing instrument, who duly acknowledged to me that they executed the same.




Notary Public
My commission expires:
Residing at:



EXHIBIT "A" LEGAL DESCRIPTION

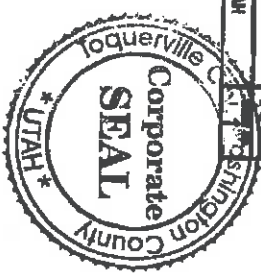
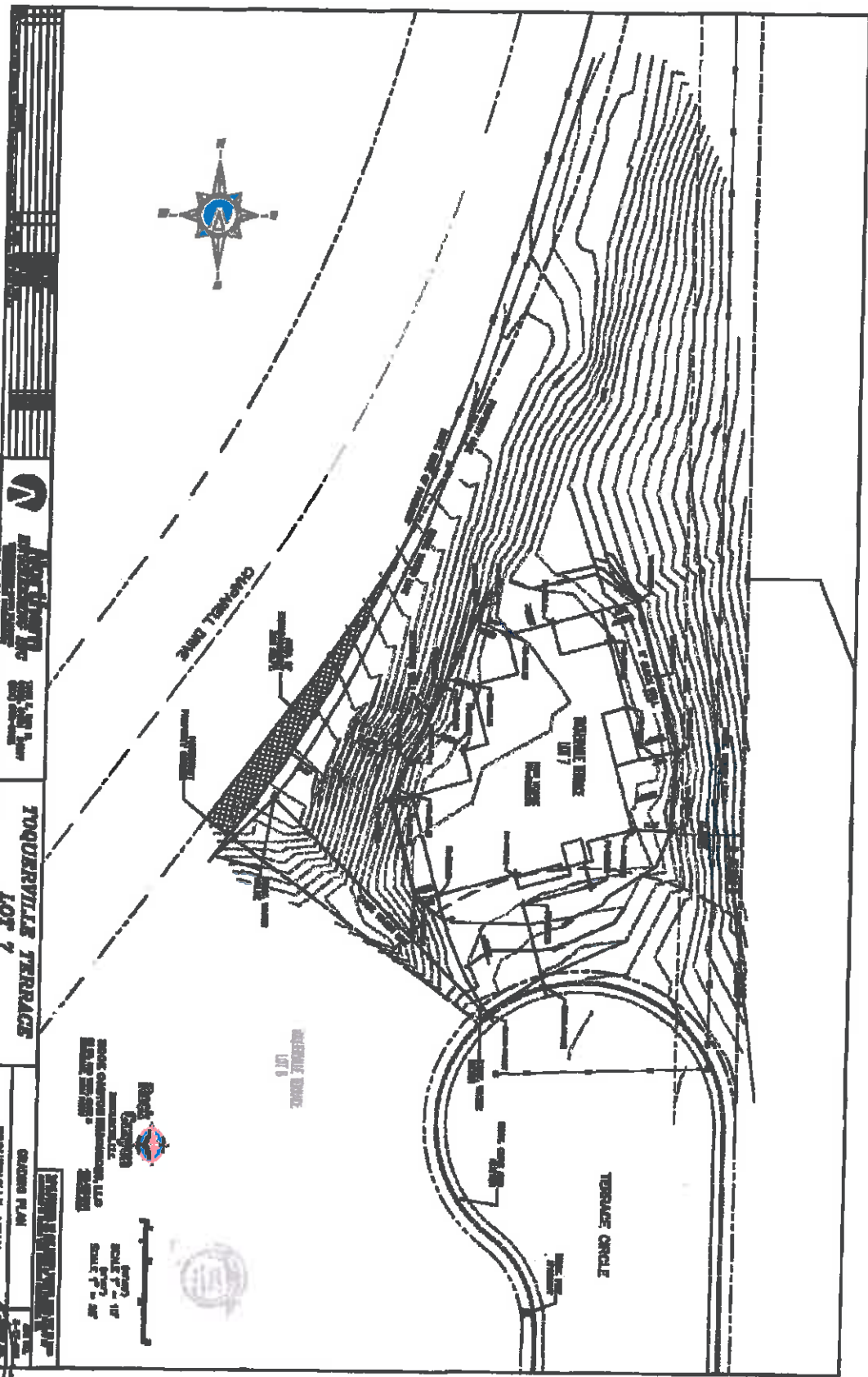
Beginning at the Northwest Corner of Lot 8, TOQUERVILLE TERRACE SUBDIVISION, and running thence S.53°57'19"E, along the Lot Line, 7.00 feet; thence N.36°02'41"E. 20.00 feet; thence N.32°11'04"E. 22.28 feet; thence N.24°51'03"E. 35.64 feet to a point on Easterly Right of Way Line of Chaparell Drive, (a Public Street), said point being on the arc of a 431.24 foot radius curve, with radius line bearing, S.58°36'20"E; thence Southerly, to the right, along the arc of said curve, and said Easterly Right of Way Line, 35.00 feet, through a central angle of 4°38'51"; thence S.36°02'41"W., along the street Right of way line, 42.23 feet to the point of beginning.

Containing 366.80 square feet.

Prepared By: Ferrel L. Campbell
April 6, 2018



Jim. CZ



ACKNOWLEDGMENT

By executing this acknowledgment, Toquerville City, a Utah municipal corporation ("City"), hereby acknowledges and agrees that this Deed of Dedication is granted in favor of the City by Jonathon W. Zundel and Claudia G. Zundel (collectively "Grantors") in exchange for the City's covenant to forever waive and discharge Grantors and all successor owners of Lot 108 of the Toquerville Terrace Subdivision according to the Official Plat thereof on file in the Office of the Recorder of Washington County, State of Utah, from and against any obligation to participate financially in any Special Assessment Area (formerly known as Special Improvement Districts) that the City may create for the purposes of expanding and improving the Shangri-La (Chaparell Drive) roadway, including the installation of curb, gutter and sidewalk.

Dated this 22nd day of June, 2018

TOQUERVILLE CITY
a Utah municipal corporation



Lynn Chamberlain, Mayor



Attest:



Dana McKim, Toquerville City Recorder