

**TOQUERVILLE CITY COUNCIL**  
**City Council Regular Work Meeting Minutes**  
**January 3, 2019 at 6:00 p.m.**  
**Held at 212 N. Toquerville Blvd, Toquerville Utah**



Present: Mayor Lynn Chamberlain; Councilmembers: Ty Bringhurst, Keen Ellsworth, Justin Sip, Alex Chamberlain, Paul Heideman; Staff: Public Works Director Lance Gubler, Treasurer June Jeffery, Recorder Dana McKim, Planning Chair Manning Butterworth, Ash Creek Special Service District Representative Mike Chandler, Hurricane Valley Fire Department Representative Merlin Spendlove; Public: Greg Turner, Wendi Merritt, Gregg Leiby, Carol Christensen, Wayne Olsen, Anita Eaton.

**A. CALL TO ORDER:**

Mayor Lynn Chamberlain called the work meeting to order at 6:00 p.m. The Pledge of Allegiance was led by Councilmember Justin Sip and an invocation offered by Councilmember Paul Heideman. There were no councilmember disclosures or declaration of conflicts. There were no voiced statements of belief.

**B. STAFF REPORTS AND UPDATES:**

1. Ash Creek Special Services District Representative-Mike Chandler:  
He has met with Toquerville officials and staff members regarding the future Bypass road and the Wall subdivision. These projects are starting to take shape and the district will need to plan for future infrastructure for the development, which may include the possible installation of a lift station. It was suggested the preferred placement of the station would be located near the Center Street City Park area.  
Chandler heard there was some interest in starting a trail near the horseshoe pits that follow the river and end near the Westfield Road Ask Creek Bridge. The district may not be able to participate with the trail development until next year, as it was not in their budget. The Confluence Park planning effort is near complete and the district projects groundwork should start this upcoming spring.
2. Hurricane Valley Fire District Representative, Merlin Spendlove:  
Mayor Chamberlain would like to express gratitude to the EMS response to the Terry Watson ambulance call. He believed without a doubt, the ambulance crew saved Mr. Watson's life. Councilmember Chamberlain also gave kudos to the Fire Crew for responding to a structure fire earlier this month as well. Spendlove stated the fire response is still under investigation. The month of December presented some call responses to the Toquerville area. The calls volumes continue to rise each year.
3. Planning Commission Chair, Manning Butterworth:  
At the last Planning Commission meeting, they discussed the light industrial zone conditional use to include RV, boat and self-storage facilities. As the commission perused through the uses there was a common consensus to remove automobile wrecking yard and junk or salvage yard from conditional uses. The Preliminary Plat application for the Fry subdivision for the development of a three-lot subdivision is also on the agenda. The two items will be on the agenda as public hearing and business items.
4. Public Works Director, Lance Gubler:



The Ashcreek Overlook subdivision is moving along. They are going to asphalt the entry into the subdivision with curb, gutter, and sidewalk. Bringhurst asked about the recently installed cross-cutter installed suggested it should be tapered down more. He thought the drop off was approximately two and a half feet.

The State of Utah now requires someone from the city to be cross-connection/backflow certified. Gubler plans on attending the classes to obtain the certification.

The crew will start working on removing the unsafe sidewalks alongside Toquerville Boulevard. The process will involve taking the concrete out, cutting roots, and installing root barrier so new sidewalks can be poured. The old concrete will be transported the Hurricane's yard for recycling purposes, as long as there isn't rebar inside the sidewalk, which there shouldn't be. The city is waiting on obtaining a permit from UDOT (Utah Department of Transportation) to start the project. They also collected and sent off a soil sample from the Boulevard to determine what type of trees would best thrive in the specified area. The results came in today and forwarded to the councilmembers. Gubler consulted with a local tree expert, where he gave some suggestions of which trees would be ideal from the list provided by the Utah State University Extension office. Heideman would like to see a list the trees planted on St. George Boulevard. Gubler will try and get a list for the council by next week.

There was a water leak near the rehab center on Kane Circle in the Cholla Subdivision.

Crewmembers shut the water line down for a short period of time to replace the line.

The construction of the Center Street City Park wall project is complete. They will now need to plant some trees.

Gubler suggested they should seriously consider in next year's budget to plan for a monument or mausoleum. He spoke with a funeral director and 70% of their burials are now cremations.

The safe sidewalk reflectors on the Westfield Road Bridge continue to be removed or vandalized.

New reflectors are ordered and will be installed. He would like to redesign the walkway on the bridge through the trails committee.

Mayor Chamberlain closed the report portion of the meeting and entered into the public forum.

#### **D. PUBLIC FORUM:**

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

Wendi Merritt from Peachtree Drive:

She apologized for not attending a council meeting prior to this evening. She came into the city office before Christmas to report the city streetlight was emitting some light trespass onto her home and the problem was remedied by the next day. She wanted to speak with the lighting administrator about some light trespass on the backside of her home. She does night photography and the light trespass interferes with taking photos.

She wanted to discuss the rerouting of traffic from the Self-Help Home construction project. She would like some sort of notification in the future when traffic is re-routed. There were a couple of incidents involving property damage and a motor vehicle accident involving a school bus.

Wayne Olsen from Old Church Road:

Wanted to publicly thank councilmember Ty Bringhurst driving all the way out to Dammeron Valley to visit with him about city business.

Anita Eaton from Ash Creek Drive:

She inquired if the city will be scheduling another street sweep of Ash Creek Drive. There is quite a bit of excess rock from the chip seal project. She was mostly concerned the excess aggregate will



plug up storm drains when it rains. Councilmember Bringhurst advised the city will not be sweeping the street and if the drains plug up the city crew will clean the drains out.

**E. BUSINESS:**

1. Discussion of Planning Commissioner Reappointment-Chuck Williams:  
Chuck Williams, a current Planning Commissioner is up for reappointment because his term expired December 31, 2018. Williams would like to continue to serve on the Planning Commission. The reappointment will occur at the next city council meeting.
2. Discussion of Toquerville City Policy and Procedures:  
Councilmember Keen Ellsworth had a few comments and questions regarding the draft. He asked if a public hearing would require a motion or if the mayor would direct the action. Attorney Snow drafted the policy and procedure to require a motion to make a more formal action. Paul Heideman thought it the motion would be a good idea and would foster a cleaner record. Ellsworth also wanted to ask if a motion to enter and exit an executive/closed session is required. A motion to enter into an executive session is required with the purpose for the meeting stated. To exit out of the meeting would not require a motion. Discussion on how a vote cannot be taken during a closed session and would constitute voting in a closed session, which is not allowed. Council adjourns the closed session, but not by vote. There was a discussion of what an executive session and closed session was. Ellsworth wanted to make sure the document wouldn't replace the requirements in Title 1 of the Toquerville City Code. The council would like to keep the sequential order of staff reports to stay at the beginning of the meeting and not to be included with the council report, which are located towards the end of the meeting. Mike Chandler offered his opinion that to require a motion to enter into a public hearing would be a preferred practice because it provides clarity and authority to keep a public hearing under control. The draft will apply to city councilmembers and not the Planning Commission.
3. Discussion of Almond Heights Park Drainage Project:  
Councilmember Ty Bringhurst provided the council with paper copies of the Almond Heights Park Drainage Project for bid and will disseminate the project out to different contractors. He guesstimated the project should not exceed \$100,000.00 based on engineer estimates.
4. Discussion of Approved Trees for Tree City Project:  
Gubler should have a list of trees for the council by next week.
5. Discussion of Resolution 2018.XX ~ Authorization to file eminent domain action to acquire real property for the purpose of building a bypass road for Highway 17:  
Councilmember Bringhurst and Ellsworth met with Lorin Lowe on New Years' Eve and all three individuals walked the preferred Lowe route. Ellsworth prepared a rough draft of an MOU (memorandum of understanding) where Lowe reviewed and added the City's requirements to the document. Lowe will get with Bringhurst and Vercimak to discuss expectations of the development agreement and the master plan of that development. Some design changes may need to occur. Ellsworth thanked the efforts made by Mr. Lowe and would like a signed MOU agreement to provide clear expectations for both parties.

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



1. Justin Sip-Solid Waste/Mosquito Abatement/Tree Board/Trails Committee/Parks:  
No report was given.
2. Keen Ellsworth-Economic Development/Fire Department Liaison:  
No report was given.
3. Ty Bringhurst-Water Department/Streets/MPO/TSWS/DTAC:  
Has some RFP (Request for Proposals) out for speed pillows. Bringhurst wanted some feedback from the council to install two more stop signs at the intersection of Ash Creek Drive and Center Street. A long stretch of road going north and south would be an ideal location to add two stop signs to help slow down traffic. The stop signs would also aid in safer foot traffic, especially during the 4th of July and Pioneer Day festivities held at the park.  
Bringhurst went to the Almond Heights Park "The Ranches" subdivision and looked a future build site of a residential home. The site is next to the Coleman residence. The parcel may have some drainage concerns and Gubler was advised to not sign the permit.  
Bringhurst would like Jeffery to put out a notice to the public that the city is looking to name the Bypass Road.  
Carol Christensen suggested the area where the Bypass Road will be located was called the Sand Hills and suggested the road should reference it.
4. Alex Chamberlain- Planning Commission Liaison/Beautification Committee/Cemetery/Risk Management/City Hall Maintenance:  
He was contacted by a few citizens where they reported to him they have noticed the weeds at the cemetery are under control and they appreciate the efforts made by the public works crew. He would like to pursue a new sidewalk design standard that would include a 6-foot wide walkway. He wondered what the process would include in adopting a design. He would like the design standard to be attached to Ash Creek Drive since there is an increase in pedestrian traffic to the area. Bringhurst notified Alpha Engineering of such a design request and should be included in the updated Toquerville Specifications and Standards document. Chamberlain would like to be involved in the development of the standard.
5. Paul Heideman-Sewer District/Culture and Recreation/Confluence Park:  
No report was given.
6. Mayor Chamberlain-TSWS/DTEC  
No report was given.

There was not a need to enter into a closed session.

**F. POSSIBLE CLOSED SESSION:**

**G. ADJOURN:**

Mayor Chamberlain adjourned the meeting at 6:50 p.m.

  
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Mayor - Lynn Chamberlain

  
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Attest: City Recorder - Dana M. McKim

