

City of La Verkin

435 North Main St., LaVerkin Utah, 84745

(435) 635-2581 Fax (435) 635-2104

www.laverkin.org

La Verkin City Council Meeting Minutes

Wednesday, April 3, 2019 6:00 p.m.

Council Chambers, 111 S. Main, La Verkin, Utah

Present: Mayor Richard Hirschi, Council Members: Patricia Wise, Kelly Wilson, Ray Justice, Micah Gubler and Randy Reeve; Staff: Kyle Gubler, Derek Imlay, Kevin Bennett, Chief Ben Lee and Christy Ballard; Public: Brian Stewart, Blair Gubler and Reed & Deon Martin.

A. Called to Order – Invocation and the Pledge of Allegiance were given by Derek Imlay at 6:00pm.

B. Appointments:

Mayor Hirschi reported Laura Justice has agreed to serve on the Board of Adjustment for a 4-year term.

The Councilmembers voted unanimously to accept Laura Justice as a member of the Board of Adjustment.

C. Consent Agenda: (Items on the consent agenda may not require discussion. These items will be a single motion unless removed at the request of the Mayor or City Council.)

1. Declarations of conflict of interest
2. Minutes: March 6, 2019 regular meeting minutes
3. Review Invoices and Checks: \$197,431.63

Motion was made by Councilwoman Patricia Wise to approve the consent agenda as written including the minutes of the March 6, 2019 regular meeting and invoices and checks in the amount of \$197,431.63, second by Councilman Randy Reeve. Roll Call Vote: Reeve-yes, Gubler-yes, Justice-yes, Wise-yes, Wilson-yes. Motion carried unanimously.

D. Committee Reports:

1. Fire District- No meeting.
2. Sewer Board-Blair reported the last meeting was a field trip to the Bench Lake area project. Hurricane will use the cut as a future road and has agreed to pay Ash Creek SSD a portion of the impact fees, as they come in, from the area. The Bench Lake area project is moving forward slowly, they are waiting on the engineering firm. The next stop on the field trip was to Confluence Park. They visited the site of the future treatment facility and drove through the areas of the Park that the District will be delivering water to from the facility. Ash Creek SSD is hopeful the engineer can have information ready for them to go out to bid on the Bench Lake project within the next 30 days.

Mayor Hirschi asked about the Southern Parkway.

Blair replied Ash Creek SSD has already identified valleys and draws for casings for the Southern Parkway and the Bench Lake line should be completed before the Parkway goes in.

3. Planning Commission-Councilwoman Wise reported on the March 27th meeting. A public hearing was held for the La Verkin Master Trails Plan and for a zone change request for Ash Creek Special Service District. Both items are on this agenda.
4. Water Board-No meeting.

E. Citizen Comment & Request for Future Agenda Items:

Reed Martin-He is a resident of La Verkin City. He would like to ask the City Council to change the current percentage of vacation rentals in residential zones from 7.5% to ZERO. In his opinion, we have destroyed our neighborhoods and town with all these vacation rentals. We have no control over who rents these homes. They could be sex offenders, drug addicts or criminals. Right now, on either side of him are rental facilities with another one two houses up from him. There are also a couple more 4-5 homes up from him.

Do we have to wait for a child to be raped or kidnapped or a home broken into and property stolen before we do anything about this plight to our community? True, not everyone is going to come into those homes and be a problem but there is a greater chance of that happening because we don't know who our neighbors are anymore. Before we do anything to stop this plague, we must stop the business licenses from being issued to anymore vacation rentals. He has heard of families not allowing their children to go out and play in the front yard anymore because they are concerned with their safety. They have two rentals across the street and who knows who can be in them. His wife is also afraid to stay alone in her own home for fear someone could come over from one of the rentals and break into their house. They had an incident 9 days ago where someone pounded on their door at 12:30am. It was a 10-year old boy, half naked, lost and not knowing where his family was staying. He hopes the Council will please do something to help save what is left of our town and neighborhoods. They love it here, but it has deteriorated because of the vacation homes. Something needs to be done to stop the plague.

F. Business:

1. Discussion and possible action to approve the La Verkin Master Trails Plan.

Councilwoman Wise explained the Master Trails Plan was put together by a committee of 5 people with different persuasions of recreation to make sure all our recreation opportunities were identified, with help from Jones & DeMille Engineering. The Plan includes maps and a priority list of projects. Existing trails and proposed trails are included in the Plan. If the proposed trails are not located on city property, the City will try to obtain an easement. Developing these trails will take time and money but there is a fair amount of grant money available through the State and other organizations to help with that. None of those grants are available without a Master Trails Plan which is an addendum to the Master Transportation Plan. She went over each of the four priorities listed in the Plan; the 210 South Trailhead Park, Virgin River Trail Extension, the Old Cattle Trail and the Topside Trail. The Committee felt that with the small amount of geography La Verkin has and the availability to expert mountain biking trails in surrounding areas the trails here need to be family oriented.

Mayor Hirschi thanked Councilwoman Wise for all the time and effort she put into creating the Master Trails Plan. **Motion was made by Councilman Kelly Wilson to approve the La Verkin City Master Trails Plan, second by Councilman Micah Gubler. Wilson-yes, Wise-yes, Justice-yes, Gubler-yes, Reeve-yes. Motion carried unanimously.**

2. Discussion and possible action to approve Ordinance No. 2019-04; An ordinance amending the City Zoning Map of and for the City of La Verkin, rezoning from Residential Agriculture (R-1-A) to Public Facility Zone (PFZ) parcel LV-91-D, a 4-acre parcel located north of the La Verkin Creek Trailhead at Confluence Park. Kyle explained this zone change will allow Ash Creek SSD to build the treatment facility on their property.

Councilman Reeve said he will bring this concern up also to the Sewer Board, Rob Vigoren lives next to the property that the treatment facility will be built on and that needs to be taken into consideration as this project moves forward. Even if there is no smell or noise, having your house up hill from a sewer plant will degrade the value of your property.

Kyle reported Mr. Vigoren was at the public hearing and mentioned he had some concerns. He spoke with Mike Chandler from Ash Creek SSD after that meeting.

Councilman Wilson mentioned he was on the Sewer Board several years ago and they visited treatment facilities in Arizona that were right in the middle of a subdivision and there were no issues.

Kevin stated there is a provision regarding sewer easements. They must be 50-feet from the property line and if the building will be less than 200-feet from neighboring properties, the District must get an easement from the property owner. Mike is aware of those provisions.

Blair pointed out two members of the Council also set on the Sewer Board and that Board has the control to make sure the scrubbers are enclosed inside the building for the smell and that the exterior of the building and yard are attractive.

Motion was made by Councilwoman Patricia Wise to approve Ordinance No. 2019-04, an ordinance amending the City Zoning Map of and for the City of La Verkin, rezoning from Residential Agriculture (R-1-A) to Public Facility Zone (PFZ) parcel LV-91-D, a 4-acre parcel located north of the La Verkin Creek Trailhead at Confluence Park, second by Councilman Kelly Wilson. Wilson-yes, Wise-yes, Justice-yes, Gubler-yes, Reeve-no. Motion passes.

G. Mayor & Council Reports:

Wilson- Nothing to report.

Kyle reported SB52 did pass but with “no real teeth to it”. There was a training scheduled for this bill on the assumption it would pass as presented, when the contents changed the training had to as well. Kyle did attend the training and introduced himself to Senator Andregg who stated in that meeting that things needed to change with the legislation, that there should be some exemptions and specifically called out La Verkin City as one of the cities that should be exempt.

Kelly reported the City has purchased two meters from different manufactures to test out on our system. Both manufactures denied issuing a warranty.

Wise- She attended the Southern Utah Tourism Summit in Cedar City. It was very good and well attended. A lot of emphasis on helping cities market their plans. There were a lot of state organizations represented that are willing to help with the funding.

Justice-Nothing to report.

Gubler-Nothing to report but asked Kyle for information on the Dwellings.

Kyle replied Janet Mika has purchased the property and is going to begin construction of a short-term rental development. There were some issues between Janet and the County on access to Confluence Park. The County thought she was closing the access permanently but, on the advice from her contractor and engineer, she just wanted it closed during construction. The compromise was a temporary access that is fenced off from the construction. The County does have an easement through the property so once the development is complete the original access will be open again. There was also an issue with sewer but that was worked out.

Reeve-The Councilmembers have been asked to serve breakfast for the July 24th celebration again this year.

H. Adjourn:

Motion was made by Councilman Ray Justice to adjourn, second by Councilman Kelly Wilson. Motion carried unanimously at 6:41pm.

Minutes were done by Christy Ballard.

May 1, 2019
Date Approved

Richard M. Hirschi
Mayor Richard M. Hirschi

ATTEST:

Christy Ballard
Christy Ballard
City Recorder

