

TOQUERVILLE CITY COUNCIL
Regular Business Meeting Minutes
May 9, 2019, at 6:00 pm
212 N. Toquerville Blvd, Toquerville Utah



Present: Mayor Lynn Chamberlain; Councilmembers: Paul Heideman, Alex Chamberlain, Ty Bringhurst, Keen Ellsworth, Justin Sip; Staff: Public Works Director Lance Gubler, Treasurer June Jeffery, Recorder Dana McKim; Support Staff: Planning Chairman Manning Butterworth, Zoning Official Mike Vercimak; Public: Dale Rasmussen, Natalie Cheney, Jon Cheney, Jones Jones, Jessica Jones, Chuck Willams.

A. CALL TO ORDER:

Mayor Lynn Chamberlain called the meeting to order at 6:00 p.m. Councilmember Paul Heideman led the Pledge of Allegiance and an invocation was offered by Councilmember Alex Chamberlain. There were no disclosures or conflict declarations from councilmembers. There were no voiced statements of belief.

B. ANNOUNCEMENTS:

1. Introduction of the 2019-2020 Miss Toquerville Royalty:

Councilmember Paul Heideman introduced the 2019 Toquerville Royalty. Miss Toquerville, Bailee Little, then introduced 1st attendant Allysa Cox and Miss Congeniality Averie Pope. Second attendant Taylie Crockett was not present. Councilmember Ellsworth asked the girls what they did for the talent portion of the pageant. Ms. Little sang, Ms. Cox took pictures of people's hands in the community to represent all the small things that make up Toquerville, and Ms. Pope played the viola. The royalty will help out with the 4th of July celebration at Center Street Park. These fine young women will help serve breakfast and be included in the games and entertainment portion of the event.

C. CONSENT AGENDA:

1. Review and possible approval of meeting minutes from March 29, April 4 and April 11, 2019
2. Review and possible approval of City Expenditures from April 2019.

Councilmember Keen Ellsworth moved to approve the consent agenda items. The motion was seconded by Councilmember Justin Sip. Motion carried unanimously 5-0. Council roll call vote: Paul Heideman-aye, Alex Chamberlain-aye, Ty Bringhurst-aye, Keen Ellsworth-aye, Justin Sip-aye.

D. CITY DEPARTMENT REPORTS:

1. Zoning Administrator, Mike Vercimak:
No report was given
2. Planning Commission Representative, Manning Butterworth:
The Planning Commission will be meeting on the 15th of May. They will discuss with possible approval of a lot line adjustment application. If the home occupation ordinance is passed tonight, they may have a home occupation application to review.
3. Hurricane Valley Fire Department, Merlin Spendlove:
The representative was not present.
4. Public Works Director, Lance Gubler:
No report was given.
5. City Attorney, Heath Snow
Mr. Snow was not present at the meeting.

D. PUBLIC FORUM:

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



Jonathan Jones from Toquerville Boulevard spoke at the last month's city council meeting about requesting his property along with several other property owners located just southwest of Toquerville proper to be rezoned to Agriculture zone. He will have a petition from local landowners to pursue the zone change. He had a paralegal look into when the property was originally zoned as agriculture and they were unable to find when the land was zoned as residential. The property is being used in an agriculture nature. Mayor Chamberlain advised Mr. Jones that the property is zoned residential and he should submit an application for a zone change request.

E. BUSINESS:

1. Discussion and possible action on a Conditional Use Permit Application submitted by Natalie Cheney at 83 E Kolob Circle for a Dance/Workout studio. (*Planning Commission recommended approval 5-0*):

Councilmember Justin Sip moved to approve the conditional use permit. The motion was seconded by Councilmember Alex Chamberlain. Motion carried unanimously 5-0. Council vote: Justin Sip-aye, Keen Ellsworth-aye, Ty Bringhurst-aye, Alex Chamberlain-aye, Paul Heideman-aye.

2. Discussion and possible action on Ordinance 2019.XX Home Occupation Revisions (*Planning Commission recommended approval 5-0*):

Councilmember Alex Chamberlain moved to approve the ordinance. The motion was seconded by Justin Sip. Motion carried unanimously 5-0. Council vote: Justin Sip-aye, Ty Bringhurst-aye, Keen Ellsworth-aye, Alex Chamberlain-aye, Paul Heideman-aye.

3. Discussion and possible action on Fiscal Year 2020 tentative budget; set public hearing date for final budget approval:

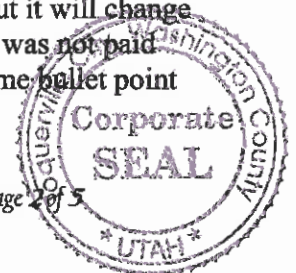
Jeffery stated there were no changes to the budget from last week, but the message was updated to include the expenditures of the fund balance. The new message was presented to the council. The city has a little more in the revenue due to the payments coming in. The budget is stabilizing and cautioned about any unnecessary spending. The final budget hearing will be held on June 13th at 212 North Toquerville Boulevard convening at 6:00 p.m.

Councilmember Paul Heideman moved to approve the FY2020 tentative budget and to set the public hearing date for June 13, 2019, at 6:00 p.m. located at 212 North Toquerville Boulevard. The motion was seconded by Councilmember Keen Ellsworth. The motion carried unanimously 5-0. Council roll call vote: Justin Sip-aye, Keen Ellsworth-aye, Ty Bringhurst-aye, Alex Chamberlain-aye, Paul Heideman-aye.

Mayor Chamberlain and Councilmember Bringhurst will not be in attendance at the meeting on June 13, 2019.

4. Discussion and possible action for Toquerville secondary water connections:

As the city gets closer to developing the bypass road and the wall subdivision the city requires for all new homes to require secondary water hooks up for those developments. He suggested the city should revisit the water ordinance and plan for water resources and the water availability for those hookups. He would like to gather information and share with the TSWS board. Sip suggested a second water rate should be derived for the new zone and pay for the fees to the WCWCD. The council discussed how illegal water connections have occurred in the past and want to discourage that from happening again. Bringhurst briefly explained how the WCWCD now signs off on building permits to ensure water fees are paid and correctly metered. TSWS doesn't have any way to provide water out of the service area, but it will change once the reservoir is built. The council discussed connections in the past where the impact was not paid but they have the availability to hook to the system in the future. Bringhurst would like some bullet point to bring to TSWS.



Ellsworth gave a brief overview of the culinary water system and how the secondary water system is administered. He asked if the Conservancy District will pay Toquerville for the secondary water rights or if the city will need to change the excess secondary water to culinary water rights. Bringhurst suggested the city should ask how many connections the district will be able to provide to the city. The money received for the excess water is rated at a wholesale price and the city resells the water at a retail price. Bringhurst explained the water storage options and there was a brief discussion about converting irrigation water to culinary water rates.

Gubler stated the existing water system the water district put in was for revenue purposes. Toquerville doesn't have control over their water. Water that drains into the reservoir may have some water rights further north the city may want to look if there are any for sale. He suggested a water infrastructure system could be installed in the new Mesa View secondary phase for future secondary water connectivity.

5. Discussion and possible action to obtain an engineered water study:

Gubler asked the council if a culinary water rate study could be conducted to study water rates. The conservancy district will implement a water rate increase and the city should plan to increase the flat rate as well. The study will cost the city between \$5,000-\$10,000.00. Pro Value Engineering may have added automatic inflation or increase rate in the last water study. Bringhurst will meet with Mr. Rasmussen and see if he can find the clause.

6. Discussion and possible action to adopt the new Toquerville Standards and Specifications:

The changes to the standards and specifications are not noted in the document. There were changes to the bedding for the water lines, the addition of speed pillows, and the new sidewalk design. Bringhurst would like more time to review the document and make sure the requirements are correct. Mike Vercimak would also like to review the document and provide input.

Councilmember Paul Heideman moved to table the item until further information can be obtained. Motion was seconded by Councilmember Alex Chamberlain. The motion carried unanimously 5-0. Council vote: Justin Sip-aye, Keen Ellsworth-aye, Alex Chamberlain-aye, Paul Heideman-aye, Ty Bringhurst-aye.

7. Discussion and possible action for north end Toquerville sign expenditures:

At the request of Annette Kleinman, she requested the motto "It's the People" should be added to the north end sign. After getting feedback from several citizens it was decided to drop the idea. Mayor Chamberlain thought the addition to the sign will detract from the sign.

Councilmember Keen Ellsworth made a motion to table the item for thirty days. The motion seconded by Councilmember Alex Chamberlain. Motion carried unanimously 5-0. Council vote: Justin Sip-aye, Keen Ellsworth-aye, Alex Chamberlain-aye, Ty Bringhurst-aye, Paul Heideman-aye.

8. Discussion and possible action on engineering expenditures for structural bridge plans:

Councilmember Sip would like to obtain structure bids for a bridge to be located at the Cholla and Trail Ridge estate area. A proposal was obtained and the expenditure was in the amount of \$3500.00. There was a discussion about a grant the city recently received to pay for the project and if the grant will cover the engineering costs. Sip would also like structural plans for the Westfield Road trail bridge. Jeffery suggested the bridge costs for the Westfield bridge could be expended once the Capital Facilities plan is amended.

Councilmember Justin Sip moved to approve expenditures in the amount of \$7,000.00 for the engineering costs for two bridges. The motion was seconded by Councilmember Ty Bringhurst. Motion carried unanimously 5-0. Council vote: Justin Sip-aye, Keen Ellsworth-aye, Alex Chamberlain-aye, Paul Heideman-aye, Ty Bringhurst-aye.



unanimously 5-0. Council roll call vote: Justin Sip-aye, Keen Ellsworth-aye, Ty Bringhurst-aye, Alex Chamberlain-aye, Paul Heideman-aye.

9. Discussion of possible land acquisition for expanding the Toquerville Cemetery:

Bringhurst needs the authority to negotiate a price with the adjacent landowner to the cemetery for the purchase of real property to expand the Toquerville Cemetery. He asked if the city could get a loan for the purchase of the land. The property is in the process of being appraised.

10. Discussion and possible action on Resolution 2019.XX ~ Authorization to file eminent domain action to acquire real property for the purpose of building a bypass road for Highway 17:

The process is moving forward and a meeting is scheduled in the near future with the property owners.

Councilmember Ty Bringhurst moved to table the item until next month. Motion seconded by Councilmember Paul Heideman. The motion carried unanimously 5-0. Council vote: Ty Bringhurst-aye, Justin Sip-aye, Keen Ellsworth-aye, Alex Chamberlain-aye, Paul Heideman-aye.

F. COUNCIL REPORTS:

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

Republic Services bought out Dixie Waste for the BluCan contract through 2020. Mosquitos are coming up due to the increased moisture. The tree board will apply for a tree city project. Trees could be planted on the south end sign and at the Almond Heights Park. Trails and Park committee is working on an application and impact study to create a trail on the black hill area, located on BLM land. It is planned to install pavilions and a small water park at the Almond Heights park. Jeffery suggested the tree city project should not expend more than \$16,000.00.

The property owners in Trail Ridge Estate and the Cholla Subdivision would like an open house to discuss the bridge design before approving the plan.

2. Keen Ellsworth-Economic Development/Fire:

The south end sign installation needs bigger equipment to dig holes for the trees. The trees will live if the area is backfilled with dirt. Proposed trees were either hybrid sycamore or elm trees. The plan requires detail plans of where and what type of trees will be planted. The tree city application will start in July.

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

Bringhurst gave an overview of the broken water line on Glen Canyon Road. The road was fixed. Gubler provided pictures at the work meeting.

There were nearly fifty homes in Toquerville that did not pay to connect into the TSWS system. The discussion item will be heard at the TSWS meeting on July 11, 2019, at 5:00 p.m.

Bringhurst gave a quick update of where a sewer station may be located for the Wall Subdivision to help future development of the area.

4. Alex Chamberlain-PC Liaison/Beautification Committee/Cemetery/Risk Management/City Hall Maintenance:

No report was given.

5. Paul Heideman-Sewer District/Culture and Recreation/Confluence Park

The sewer district is replacing quite a few concrete lines. Confluence Park is in the process of building a new trail into the park. A Memorial Day event will be held at 8:00 at the cemetery. Jeffery will provide a flyer to notify the public of the event.

6. Mayor Lynn Chamberlain:

No report was given.



Councilmember Justin Sip moved to go out of the business portion of the meeting and enter into an executive session to discuss potential land acquisition. The motion was seconded by Councilmember Ty Bringhurst.

Ending Time of 7:19 p.m.

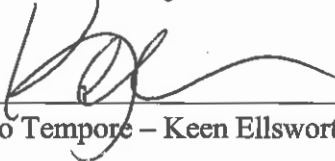
G. POSSIBLE CLOSED SESSION:

Attendees of the closed session were Mayor Lynn Chamberlain, Councilmember Paul Heideman, Councilmember Alex Chamberlain, Councilmember Keen Ellsworth, Councilmember Ty Bringhurst, Councilmember Justin Sip, Treasurer June Jeffery, Recorder Dana McKim, Public Works Director Lance Gubler.

The council came out of the closed session at 7:38 p.m.

H. ADJOURN:

Mayor Chamberlain adjourned the meeting at 7:38 p.m.



Mayor Pro Tempore – Keen Ellsworth

6.13.2019

Date



Attest: City Recorder - Dana M. McKim

