

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, May 1, 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, Mary & Victor Williams, Jarom Healey, Debbie Lee, Shellie Howard, the La Verkin Police Department and their families, and the La Verkin Elementary Cub Choir and families.

A. Called to Order –The Invocation and Pledge of Allegiance were given by Mayor Richard Hirschi at 6:00pm.

B. Presentation:

1. La Verkin Elementary Cub Choir

The Choir preformed two musical numbers.

2. The Police Department was sworn in by the City Recorder.

Chief Lee introduced his Department.

He also thanked their families for the support given to our officers.

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: April 3, 2019 regular meeting and April 17, 2019 work and regular meeting minutes
3. Review Invoices and Checks: \$74,219.73

Motion was made by Councilwoman Patricia Wise to approve the consent agenda as written including the minutes of the April 3, 2019 regular meeting and April 17, 2019 work and regular meeting and invoices and checks in the amount of \$74,219.73, second by Councilman Kelly Wilson. Roll Call Vote: Reeve-yes, Gubler-yes, Justice-yes, Wise-yes, Wilson-yes. Motion carried unanimously.

D. Committee Reports:

1. Fire District- No meeting. Mayor Hirschi reported the La Verkin Fire Station remodel is doing the finish work. There is not a completion date set yet, but it should be getting close.
2. Sewer Board-Blair reported the Board approved several new subdivisions in the Hurricane area. They are close to beginning construction on the bench lake area sewer project. The first cutting of hay will be this week. The District bid out a project to repair sewer line in Hurricane. Interstate Rock Products received the bid.
3. Planning Commission-Councilwoman Wise reported the final plat for Apricot Acres was approved.
4. Water Board-No meeting.

E. Citizen Comment & Request for Future Agenda Items:

Mike Tisdale-He lives in Zion View Estates. He began by thanking the Mayor and Councilmembers for their service. He then asked the Council members why they ran for City Council.

Mayor Hirschi said this is not a discussion. He will answer, but this time is for citizens to present issues for Council consideration.

He ran because he has been a La Verkin resident for 35 years. He likes the City and wants to see it progress and improve.

Councilman Wilson said he ran because he wanted to serve the community.

Mike continued, who enforces the ordinances? We have people that buy a house in a single-family development and then move into a trailer turning the property into an apartment complex. Is that okay?

We have weeds. He has lived in his house for 23 years and has invested a lot of money into it. The house across the street is a drug house. They are arrested all the time; they don't do anything with their yard and have issues paying their water bill. Who enforces anything?

Does he have to write a complaint letter every month? He has already written 4-6. It's ridiculous. There are widows that keep up with their property, but young families don't?

He is a truck driver and it's hard for him to get to this meeting. His truck is setting in Hurricane right now waiting for him to get back to it to finish working but this is important to him. We have got to do something. The City asks church members to clean State Street because we want it to look nice but what about our neighborhoods? Do you not care, is Main Street as far as it goes? He is tired of the fox tail and neighbors not keeping up on their yard. It gives people that do work on their yard more to do when a neighbor doesn't.

Who enforces the ordinances?

Mayor Hirschi thanked Mr. Tisdale for his comments. The City will do the best we can. We just recently hired a code enforcement officer.

Mr. Tisdale stated something needs to be done.

F. Business:

1. Discussion and possible action to approve Resolution No. R-2019-13; A resolution restricting the use of fireworks.

Kevin explained the Fire Chief has requested we implement a fire restriction every year. If it is a dry winter, we have a risk of fire and if it is a wet winter, we have a risk of fire by July.

The State Fire Marshall has requested cities pass their fire restriction ordinance in April.

The proposed resolution is the same as the last two years. It confines fireworks to public streets that are at least 150 feet away from the outskirts of the City and to Wanlass Park and Vintage Park.

Councilwoman Wise asked if Chinese New Year has always been included in the resolution.

Kevin replied that yes, per State Law it has been included.

The State decreased the period fireworks can be discharged for each holiday by several days last year.

Councilman Gubler suggested the City make this item an ordinance so a resolution doesn't need to be passed every year. The Fire Chief has requested restrictions whether it is a dry or wet winter so instead of doing this every year, let's just pass it once. People are already used to firework restrictions.

Kevin answered the Council could do that but in the past this item has had years that it was very controversial, even at the State level. It may be good to give it another couple of years and then if things haven't changed, pass an ordinance.

The City already has 4 stages of firework discharge regulations in our Code. A resolution gives the Council a say and implements what we already have listed.

There have been a couple of years the City didn't pass a restriction even though the fire department always recommends restrictions.

He feels restricting fireworks to the parks only is not safe.

Councilman Wilson stated the restrictions need to be posted so our citizens know them.

Councilman Justice mentioned the fire work stands post the different communities' restrictions and it's posted at the two office buildings.

Kyle will post it to the website and the Facebook page.

Motion was made by Councilman Ray Justice to approve Resolution No. R-2019-13; A resolution restricting the use of fireworks, 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 Resolution No. R-2019-14; A resolution adopting an Interlocal Cooperation Agreement regarding election services with Washington County.

Kyle reported this resolution will authorize the County to handle the City's upcoming Vote-by-Mail election.

The Council agreed that Vote-by-Mail increases voter participation.

Kyle explained there was a slight increase in the cost but that has been figured into the budget already.

Motion was made by Councilman Kelly Wilson to approve Resolution No. R-2019-14; A resolution adopting an Interlocal Cooperation Agreement regarding election services with Washington County, second by Councilman Ray Justice. Roll Call Vote: Wilson-yes, Wise-yes, Justice-yes, Gubler-yes, Reeve-yes. Motion carried unanimously.

3. Discussion and possible action to approve the amended subdivision final plat of Apricot Acres providing for a flag lot of property with the Tax ID # LV-APA-3 and located west of 420 West Center Street.

Kevin explained the Council approved the preliminary plat; this is the final plat. The property owner had several things that needed to be done before final approval could be issued. Those have all been completed.

Motion was made by Councilman Kelly Wilson to approve the amended subdivision final plat of Apricot Acres providing for a flag lot of property with the Tax ID # LV-APA-3 and located west of 420 West Center Street, second by Councilman Randy Reeve. Wilson-yes, Wise-yes, Justice-yes, Gubler-yes, Reeve-yes. Motion carried unanimously.

4. Discussion and direction on amending section 7-5A-1 of the La Verkin City Code regarding Parks and Municipal Land Use rules, regulations and requirements.

Mayor Hirschi explained there was a group of people interested in having a dog show at Wanlass Park. Kevin reviewed the current City Code and found it would not be allowed.

There were several things the Mayor realized were not allowed. He wants to make sure a person can have a concealed carry weapon at the Park, if possible.

Kevin said the proposed language would allow concealed carry weapons because State Law allows it.

The Code lists regulations for all municipal land so we are violating our own ordinance with the animal shelter and when the City had a dog show event. This needs to be addressed.

The proposed language would also give the City some flexibility to what we allow on our property and in our Parks.

Kyle explained amending this would give the City some flexibility to allow different events on City property if they meet the proper requirements. It would also allow the City to host events like the dog show.

Staff is looking for direction.

Councilman Reeve stated La Verkin needs to have some flexibility. He feels it would be a positive thing to have those types of events come to La Verkin.

Kevin explained if the Council likes the proposed language, he will create an ordinance putting that language at the beginning, giving the City a safety valve for everything listed after.

Councilman Justice suggested requiring events to post what is going on, so citizens know it is an exception.

Kevin said the ordinance would allow the Council to set conditions they feel are necessary for specific events. The conditions can be set by resolution or by permit and can include a deposit.

The Councilmembers agreed this would be a positive change.

Kyle suggested the information be reviewed by staff before it comes back to the City Council.

G. Mayor & Council Reports:

Mayor-He turned his time over to Derek.

Derek explained there were issues brought up during the last Dumpster Days, especially on the La Verkin Community page on Facebook, that he wanted to clarify to the Council. First, the City has no control when the dumpsters are delivered on Friday. Sometimes Derek gets to work, and some dumpsters are already there. Other times, like this last event, they didn't start showing up until 9-10am. We also have no control over which dumpsters get delivered first. The City orders two green-waste dumpsters and if they are delivered first people must wait to dump other debris. Dumpster Days have gone from an open space to a fenced off area with signage, cameras and barricades. It can get hostile, so he tries to schedule his crew accordingly. There were a couple of altercations over what can and cannot be put into the dumpsters that almost got physical.

The Solid Waste District gives the City 4 dumpsters, 4 times a year, for free. The crew uses a backhoe to smash down the contents to get as much in each dumpster as possible. We used to fill the dumpsters 3-4 feet above the top of the dumpster, but the County has asked us not to do that because it makes it difficult for the driver to get it to the landfill without losing any of the waste along the way.

The citizens need to be aware that the dumpsters show up when they show up and once they are full it's over. He will try to communicate better with Chief Lee to have the police department present to try and alleviate some of the issues. He will also redesign the signs to be clearer on the time.

Councilwoman Wise said she will make sure this information is put on the City website for future Dumpster Days.

Kyle mentioned the City has discussed with the Fire District renting a chipper for the limbs to give more room in the green-waste dumpsters.

Wilson- Mosquito's are out so be careful.

Wise- Nothing to report.

Justice-Nothing to report.

Gubler-Nothing to report.

Reeve- Nothing to report.

H. Adjourn:

Motion was made by Councilman Ray Justice to adjourn, second by Councilman Kelly Wilson. Motion carried unanimously at 7:09pm.

Minutes where done by Christy Ballard.

June 19, 2019
Date Approved

Richard M. Hirschi
Mayor Richard M. Hirschi

ATTEST:

Christy Ballard
Christy Ballard
City Recorder