

TOQUERVILLE CITY COUNCIL
Work Meeting Minutes
June 6, 2019 at 6:00 p.m.
212 N. Toquerville Blvd, Toquerville Utah



Present: Mayor Lynn Chamberlain; Councilmembers: Alex Chamberlain, Keen Ellsworth, Justin Sip, Paul Heideman; Staff: Treasurer June, PWD JD Adams, Recorder Dana McKim, Planning Commissioner Pro Tempore Chuck Williams, Ash Creek Special Service District Representative Blair Gubler, Hurricane Valley Fire Department Representative Steve Harris; Public: Wendi Merritt, Steve Harris, Newell Matheson, Rebecca Hansen, Neil Cottam, Chris Isom, Ethan Jepsen, Nick Jespen; Absent: Councilmember Ty Bringhurst.

A. CALL TO ORDER:

1. 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. CITY DEPARTMENT REPORTS:

1. Planning Commission Representative, Chuck Williams:

The Planning Commission will discuss during the work meeting one of nightly rental requirements needs more clarification about the renter availability during a rental period. When modifications to the nightly rental code occurred it was imperative to the consensus of the group all nightly rentals would be owned and operated by a Toquerville Resident property owner. The city recorder has received a few questions from people wanting to buy homes in Toquerville but will be out of town at months at a time and asked if they could continue to conduct rentals in their absence. It was proposed the Planning Commission should clarify the requirement. Chair Butterworth came up with a proposed change and will present the change during the work meeting on June 19, 2019 at 6:30 p.m.

Williams asked what the city council's expectations were of the Planning Commission and if the commission would be allowed to be proactive with land management measures. He spoke briefly about the future development of the bypass road and asked if design or specifications were set. He asked if the commission would have the authority to look at Title 10 of the city code and propose changes without explicit direction from the city council. The council believed some proactive measures could be taken, but the Commission would need to coordinate those concerns with the zoning official. The Planning Commission is a recommending body and may be tasked to carry out certain legislative actions. Regarding the bypass road, Williams was advised the majority of the bypass road was acquired from the property owners through development agreements. The property owner will present their plans when the last section of road is acquired for right of way. The city office has received several proposed names for the future roadway. When the road is ready to be developed the council will vote on a name.

2. Ash Creek Special Service District Representative, Blair Gubler:

Gubler gave updates on the Sky Mountain project and various projects in the Hurricane Valley. Two miles of concrete pipe will be replaced in the Confluence Park area with PVC pipe. The pipeline will require the line to be dug up and replaced with the new pipe. They have assessed several manholes and they are looking at replacing them with poly pipe. He gave a brief update on the hay crop.

3. Hurricane Valley Fire Department, Merlin Spendlove:

Spendlove was absent from the meeting. Steve Harris from the fire department briefly discussed the interlocal agreement. Toquerville City signed a contract with the Hurricane Valley Fire Department to

track either in-kind or expenditures in the amount of \$8,000.00 each year for the prevention of wildfires. The three categories to prevent wildfires are prevention, mitigation, and preparedness. If the fire department purchases a brush truck those expenditures would be allocated to cover preventive measures. When the amount is expended, and if the community experiences a wildland fire the state of Utah will cover all suppression costs within the municipality.

The fire department explained the high fire hazard in Washington County. Due to the increase of rain this spring, the native grass and vegetation have flourished. The vegetation will dry out soon and will present a higher fire hazard. He suggested the fire department would like to partner with the City to host chipping and shredding days to encourage property owners to clear fire hazards as preventative measures. He also discussed the possibility of hosting a seminar open to the public to inform citizens on how to clear property and constructing piles for chipping or burning brush to limit the ignition zone on properties. An information flyer was given to the city recorder to put on the website.

4. Public Works, JD Adams:

There was a brief discussion concerning the Cholla Road project. The city would like to lay down a mastic material in the low spots before chip sealing the road. Mayor Chamberlain asked if the next chip seal project the city prepares to complete is more thorough during the sweeping process. There was excessive gravel on the last road project which caused problems for drainage concerns. He would like the quote to include a second sweeping. Sip suggested the rock product the county is using this year will last five years longer than the aggregate they used last year. The company that chip sealed Ash Creek swept the road once and the city staff used the vac machine to suck up the excess material.

C. PRESENTATION:

~~Historical presentation on 198 North Toquerville Boulevard - David Browning:~~
Presentation was canceled prior to the meeting.

D. PUBLIC FORUM:

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

Newell Matheson from Anderson Junction Road:

When he was on the Planning Commission years ago, a zone change application was \$10.00. The fee is now \$1,000.00. He owns property off of Mills Road on the West side of I-15. He described how the property was zoned highway commercial and wondered why the property was zoned when the traffic would not support this type of zone. He would like to get a feel for if the council would be agreeable to change the zone to either residential or a light industrial zone for the allowance of storage sheds. The council suggested Matheson submit a zone change application to the development staff and follow the process to obtain a zone change.

Chris Isom, a representative for Mr. Matheson explained the problem he had trying to sell the property and would like to change the zoning to a more appropriate use. The property discussed is surrounded by the Washington County Water Conservancy District.

D. BUSINESS: Items are discussion items only. No vote will be taken at this meeting.

1. Discussion of Eagle Scout Project for the Toquerville Cemetery ~ Ethan Jepsen:

Mr. Jepsen would like to continue the beautification efforts at the Toquerville Cemetery by purchasing and constructing a cemetery legend to include a legend of the cemetery plots and the deceased names on the map. He will provide the council with a detailed plan by next week. The map will make it easier for people to find the buried individuals in the cemetery. Many pioneers are buried in the cemetery and he would like these visitors to find their final burial places. He is asking for Toquerville to expend \$250.00 to cover the signage costs. The legend will be made out of a stainless steel material and the

names will be engraved with grid coordinates. The size of the sign will be 24" x 36" and will be made by the same company that created the existing sign at the cemetery.

2. Discussion of RES.2019.XX ~ Discharge of Fireworks:

Councilmember Ellsworth would like to add the words fireworks may only be discharged at the Center Street and Trail Ridge Estate parks and only during the specified time frames. The council would like the city recorder to create a flyer to inform the public of the resolution and disseminate it on the city website and post on the city kiosks.

3. Discussion of Culinary Water Rate Increase~Mayor Chamberlain:

The Washington County Water Conservancy district will increase the water rate to all water retailers. The city will need to raise the rates to allow for the district's increase. Heideman suggested the excess water agreement rate the district pays to the city should also be raised. The agreement covers all increases. Every resident gets their water from the Springs and not from the Cottam Well. Jeffery asked if the council create a second rate when water is purchased from the well. Sip suggested the city should raise all fees by a dollar per month to help pay for a new water tank. The council discussed the current water usage and the excess water agreement with wholesale rates. Heideman would like the engineered study should be done before any water rate increases are voted on. It was suggested the rate increase should mirror the district's increased rate.

4. Discussion of Participation Commitment of Authority Interlocal Agreement with Hurricane Valley Fire Special Services District:

The item was discussed during the Hurricane Valley Fire Department report.

5. Discussion on updated Toquerville Standards and Specifications:

The document will need to be reviewed by Councilmember Bringhurst, Zoning Official Mike Vercimak, and staff before adopting the plan.

6. Discussion on updating the Capital Facilities Plan:

Councilmember Bringhurst and Sip will need to revise the desired projects for streets, water, storm drain, trails, and parks. Impact fees are collected to expend these projects.

7. Discussion on City Code 10-24: Exterior Lighting:

Councilmember Ellsworth would like the Planning Commission to revisit the chapter and evaluate five items. 1. Brightness or Color Temperature light requirements -To change the Kelvin output. Ideally, a warmer light is a healthier lighting option. 2. Light Pollution - how it is defined, especially non-essential lighting and how it will be measured, and if the city has the resources to police and enforce it. 3. Permanent shielding – whether to keep shielding requirements or not. 4. Light curfew – to modify hours of illumination, to keep the hours listed, or do away with lighting shut-off times. 5. To require lighting to be LED or not.

Councilmember Heideman asked if the residential lighting should be restrictive when the majority of light pollution is derived from commercial and city street lights.

Wendi Merritt suggested the residential lights are lighting up the area creating bright and dark areas that are difficult for the eye to adjust. The misconception that bright lights equal security is not necessarily true. Bright lights create shadows which makes it hard for the eye to adjust to view all areas.

Some examples were discussed how light refracts and causes light trespass and pollution, and how the city should mitigate these concerns. Ellsworth suggested light trespass should be defined and included in the nuisance chapter. Councilmember Heideman spoke about his personal experience with LED lighting and how he thought the life span of the LED lights are not what they proclaim to be. He suggested educating the public would be the most effective way to let the citizens know about exterior lighting requirements.

8. Discussion on RES.2018.XX FY 2019-2020 Budget Amendment ~ June Jeffery:

The 2019-2020 budget will end in the next couple of weeks. The building inspection line item was increased due to the fact there were 12 new self-help home building permit reviews. Jeffery included an increase of \$10,000.00. Park lighting is over the projected budget because Rocky Mountain Power is charging the city for the rental of their power poles. The line item was increased in the amount of \$6,000.00. She described the increased budget amounts for Park and Cemetery projects. She explained the changes and asked if the council had any questions.

9. Discussion of RES.2018.XX FY 2019-2020 Final Budget and Levy ~ June Jeffery:

The levy rate will be determined by the county. The rate was .000980. The levy does not account for inflation and goes down each year if it's not increased. She explained the importance of increasing the levy to account for inflation. It is unknown when Toquerville adopted an increase. She will meet with the county official to discuss how the truth and taxation process is derived. She described the tentative budget. The cemetery outlay project was modified to account for a purchase of land to expand the cemetery.

10. Discussion 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:

There was no discussion on this item.

F. REPORTS:

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

The parks and trail meeting occurred last Monday. They are working on a list for the capital facility projects. They would like to rename the Almond Heights Park Park to Westfield Park. The Tree City project is being planned for trees to be planted at the Westfield Park project and near the south end Toquerville sign. Ellsworth suggested the Mosquito Abatement team should check out the park and get them to assess the area. There were several mosquitos in the area.

2. Keen Ellsworth-Economic Development/Fire:

Ellsworth had a contractor go to the site of the south end Toquerville sign area where soil samples were taken. Apparently, the soil is less than desirable and suggested to dig trenches where the trees will be planted and backfill the area with new soil. This will amend the soil condition and increase the chances for the trees to flourish in the area. The trenches will need to be dug at least five feet wide. Mayor Chamberlain advised he has plans to dig some large holes on his property and suggested the city could take that soil and relocate it to the tree planting site. He is willing to donate the dirt.

Councilmember Bringhurst relayed to Ellsworth that the drawings for the Cholla/SR17 turning lanes are near complete and will give more detail in the next 30 days. Jeffery suggested the project should be included in the Capital Facilities Plan. Bringhurst wanted the council to know the bypass property owners will more than likely present their plan for the right of way access at the June 2019 meeting.

3. Alex Chamberlain-PC Liaison/Beautification Committee/Cemetery/Risk Management/City Hall Maintenance:
No report was given.

4. Paul Heideman-Sewer District/Culture and Recreation/Confluence Park/Miss Toquerville:
A memorial day posting ceremony was performed on Memorial Day. It was a short ceremony and was enjoyed by all in attendance. The sewer district will be putting in a low flow crossing down at Confluence Park so people can cross across the creek. Dean Cox would like a recreational bridge to extend from the Hurricane area to LaVerkin across the Virgin River. It was suggested Toquerville may offer their RAP tax money to help pay for the bridge. The RAP tax money has already been planned to construct a pedestrian bridge from the Cholla Subdivision to the Trail Ridge Estate Subdivision.
He wanted to remind the public that the City Council work meeting will be canceled and combined with the regular business meeting held on July 11, 2019. The work meeting was scheduled for July 4th. The 4th of July breakfast will commence at 7:15 a.m. Councilmembers and the Toquerville Royalty will be serving a free breakfast for the celebration. Games and entertainment will commence at approximately 8:30 a.m.

5. Mayor Chamberlain-TSWS/EMC/DTEC:
No report was given.

G. POSSIBLE CLOSED SESSION:
A closed session was not declared at this meeting.

H. ADJOURN:
Mayor Chamberlain adjourned the meeting at 7:43 p.m.



Mayor - Lynn Chamberlain



Date



Attest/ City Recorder - Dana M. McKim

