

TOQUERVILLE CITY COUNCIL
Regular Work Meeting Minutes
November 7, 2019, at 6:00 pm
212 N. Toquerville Blvd, Toquerville Utah



Present: Mayor Lynn Chamberlain; Councilmembers: Alex Chamberlain, Keen Ellsworth, Justin Sip, Ty Bringhurst, Paul Heideman; Staff: Treasurer June Jeffrey, Public Works Director Lance Gubler, Recorder Dana McKim, Deputy Recorder Ruth Evans; Support Staff: Planning Chairman Manning Butterworth, Ash Creek Special Services District Representative Logan Murphy; Public: Kent Sundberg, Max Stokes, Jon Cheney, Wendi Merritt, Barry Thompson, Greg Turner, Wayne Olsen, Troy Wall.

A. CALL TO ORDER:

1. Mayor Lynn Chamberlain called the meeting to order at 6:00 p.m. Councilman Keen Ellsworth led the Pledge of Allegiance. Councilman Paul Heideman gave the invocation. There were no opening comments from Council Members or residents. There were no statements of belief voiced.

B. APPROVAL OF AGENDA:

1. The Council has reviewed the agenda. There were no disclosures, nor conflict declarations from Council Members.

Councilman Keen Ellsworth moved to approve the Regular Business Meeting Agenda. Councilman Paul Heideman seconded the motion. Motion unanimously carried, 5-0. Ty Bringhurst – aye, Keen Ellsworth – aye, Justin Sip – aye, Alex Chamberlain – aye, Paul Heideman – aye.

C. CITY DEPARTMENT REPORTS:

1. Ash Creek Special Services District Representative Logan Murphy reported that Interstate was awarded the bid for the Bench Lake pump station project. There is a potential for 20,000 new homes in the Hurricane area. Their other large project will be finishing the concrete lines and repairing collapsed sewer lines. Councilman Ty Bringhurst asked about the timeline for the Center Street project. The District will find out and report back.
2. Hurricane Valley Fire District Representative Merlin Spendlove reported during the month of October call volumes slowed down from the previous month. There were 13 total calls from Toquerville. There were 6 fire calls and 7 medical calls, 5 of which were transported. Fire danger is still high in our area, please continue to be careful. The fire near Confluence Park was started when a company was cleaning out dead trees and debris. It could have been started from a chipper or a chainsaw.
3. Planning Commission Chair Manning Butterworth reported the next Planning Commission meeting will be on November 20th. The Commission is considering some ordinance changes to the building permit process, simple subdivisions and reducing the number of public hearings for land use applications.



4. Public Works Director Lance Gubler shared a short video from the Utah Outdoor Summit that highlights outdoor recreation. The Governor is worried this generation is not getting outdoors enough. Toquerville received a \$50,000 grant for the Trail Ridge Estate/Cholla bridge by the Utah Outdoor Recreation group. Three more grants will become available to help promote outdoor recreation for children. The State wants to promote trails and outdoor activities in our city. Crack sealing will begin in about a month and a half. The abutments for the TRE/Cholla pedestrian bridge are in progress and will hopefully be finished by the end of November. Last year Toquerville did not have any ball tournaments at the fields because the rental prices were raised. This year the tournaments have returned so there will be an increase in traffic. Trail Ridge Estates CC&R's explain lease terms that allow secondary dwellings or outbuildings to be constructed. These structures allow for all living spaces, excluding a kitchen area. Gubler is concerned about the potential of these buildings being turned into nightly rentals or short term rentals. There was a question on how the City would regulate secondary buildings that are not allowed to be modified into dwellings. The City should not stand in the way of citizens building structures that the Code allows. Interstate Rock has plans to re-vegetate on Mesa Views. The re-alignment of Anderson Junction road is in the process so the State can begin their project of the underpass and off-ramp. Dennis Tolman from Cholla helped with pruning trees and would like to be on the tree board if it is operating. Councilman Alex Chamberlain would like the Public Works department to try out some of the orange light filters that have been previously discussed.

D. PUBLIC FORUM:

There were no comments from the public.

E. Working Agenda:

1. Discussion on a final plat application submitted by Wall Family Rentals LLC for 12 lots located at Center Street and Parkside Drive. Tax ID #s T-91-A-1-A-1 and T-91-A-1-A-2. Properties are zoned R-1-20. *(PC recommended approval 5-0)*

There was no further discussion from the Council.

2. Discussion and possible action on a preliminary site plan review submitted by CSB/Forte Land Company for a development located at the Anderson Junction area. Tax ID # T-3-0-27-3410. Property is zoned Highway Commercial. *(PC recommended approval 4-1)*

The state interchange adjacent to these properties is going in as planned. The connection off of the State road will be done by UDOT. Councilman Keen Ellsworth commented that the City has no objection to immediately changing the frontage road on the west side of SR-17. The Water District will not change the route on the east side of SR-17 until after it builds the dam. Once built, it has no objection to rerouting the east side to match the west side. The City would like the frontage road to be re-routed as soon as possible. Four stipulations need to be met in order to get approval for the preliminary site plan. Further details will be considered in subsequent stages of the process. The dissenting vote from the Planning Commission was given by Chuck Williams. Mr. Williams spoke regarding his vote and concerns. The applicant did not present the Planning Commission with any visuals or plans for their site. The City does not have a vision or any plans for this part of town. There should be a board started to determine the needs and wants of the City and to implement its design and vision. The City needs to determine an overall vision for where the Bypass road connects to Toquer Boulevard before proceeding with commercial properties.



3. Discussion on amending the Historic Overlay Zone District conditional and permitted uses.

Councilman Keen Ellsworth commented that the City adopted a Historic Overlay District Zone. This deals primarily with exterior standards. There was a question if the City wanted to have an Overlay Zone that would change the zoning of Toquer Boulevard to include residential commercial. The prior City Council wanted to see small commercial, boutiques, eateries, etc. The Council needs to protect the current residents and their current zoning. Mayor Chamberlain has concerns about parking if businesses were to be on the Boulevard. Another concern is that the Bypass road is coming and does the City want to re-route the traffic back down to Toquer Boulevard when the purpose of the Bypass road is to divert traffic off of it. If there is a decrease in traffic, would any small boutique or eatery survive as a business? Some types of businesses do not fit the feel of downtown Toquerville or in a neighborhood commercial zone. If a resident does want to change to a commercial zone, there is already a process in place to accommodate that request. There is nothing in Toquerville code to prevent them from going through the process. They may need to be specific limitations on what kinds of businesses are allowed in a commercial zone, to be in harmony with the surroundings. Councilman Chamberlain suggested waiting and having this conversation again after the Bypass road comes, to reassess and see how the traffic patterns will change and if commercial zoning on Toquer Boulevard is what the citizens still want.

4. Discussion on zone change application fee.

The Council discussed the current fee for a zone change is \$1000. The City's attorney review and the staff's input is that the average cost to the City is between \$300-500 for a zone change. There could be a lower base price, and if an application did cost more, the excess would be billed to the individual applicant. The Council agreed that \$500 would be a reasonable fee for a zone change. The Subdivision application fee also needs to be reassessed.

5. Discussion on increasing culinary water rates.

Councilman Ty Bringhurst commented that the Council is still gathering information and would like to discuss this again in December.

6. Discussion on Title 10, Chapter 24 – Exterior Lighting (Night Sky)

Councilman Alex Chamberlain commented that he has put a lot of time and effort into this ordinance and it is very important to him. Night lighting is a health issue as much as it is an environmental issue. With improper lighting comes increased risk for diseases and sleep disorders. Councilman Chamberlain urged the current and new Councilmembers to keep this ordinance and take it seriously. The primary purpose of this ordinance is to protect and promote public health.

F. COUNCIL REPORTS:

1. Justin Sip reported there is a load station for recycling at the landfill that gets sent to Las Vegas. A letter was received from Leslie Campbell from the Trail Ridge Estates HOA Corporate



regarding their trail and the HOA is interested in deeding the property to the City as a gift. The property extends down the main road into Trail Ridge. Some concerns would include the cost of maintaining the trail and if there is enough staff to maintain the additional property.

2. Keen Ellsworth reported on a meeting with the Hurricane Valley Fire District, that the call volume is incredibly high for our area and that they are underfunded. The Fire District should be commended for the work they do for us. Regarding the joint mailer Councilman Bringham and Councilman Ellsworth sent out before the election date, an address box was inadvertently omitted and the Councilmen extended their apologies to the citizens. Residential and commercial design standards need to be reviewed and marked and sent to Chairman Butterworth within a month. Growth is coming to Toquerville, and it needs to be managed responsibly and purposefully.
3. Ty Bringham reported there is a meeting with Alpha Engineers on Monday the 11th at 9:00 a.m. regarding Standards and Specs. There was a musical event on Halloween night at the city park. Positive and negative feedback was discussed. This could be an annual event, with the city promoting or expanding the event. Additional items need to be discussed in a closed session. Cholla Creek turning lanes are being designed and have gone through multiple changes. The cost estimate is currently at \$473,071.50. The original agreement was that the City would pay half the cost and the other half paid for by UDOT. Additional funding options are being explored.
4. Alex Chamberlain did not have anything to report.
5. Paul Heideman reported on the Confluence Park fire, the upcoming Christmas lighting and decorating contest, the Miss Toquerville pageant next spring and a revised version of the Hillside Ordinance that will be distributed to the Council next week.
6. Mayor Lynn Chamberlain did not have anything to report.

G. CALENDAR OF EVENTS:

1. There will be an open house at Toquerville City Hall for Toquer Reservoir on November 18, 2019 at 6:00 p.m. All were invited to attend.

Mayor Chamberlain adjourned the regular meeting at 7:45 p.m. and informed the public the Council would enter a Closed Session.

H. CLOSED SESSION:

The Closed Session to discuss the purchase, exchange, sale or lease of real property and to discuss the character, professional competence, or physical or mental health of an individual was called to order at 7:55 p.m.

Minutes of the Closed Session were recorded and are now on file as a Protected Record.

Councilman Justin Sip moved to exit the closed session portion of the meeting. Councilman Paul Heideman seconded the motion. Motion unanimously carried, 5-0. Ty Bringham – aye, Keen Ellsworth – aye, Paul Heideman – aye, Justin Sip – aye, Alex Chamberlain – aye.

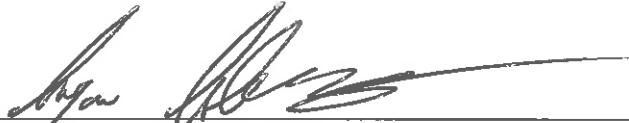
The closed session adjourned at 8:54 p.m.



Mayor Chamberlain called the meeting back into open session at 8:58 p.m.

I. ADJOURN:

Mayor Chamberlain adjourned the regular business meeting at 8:58 p.m.



Mayor - Lynn Chamberlain

12-12-2020

Date



Attest: City Recorder - Dana M. McKim

