

TOQUERVILLE CITY COUNCIL
Regular Work Meeting Minutes
December 5, 2019, at 6:00 pm
212 N. Toquer Blvd, Toquerville Utah



Present: Mayor Lynn Chamberlain; Councilmembers: Alex Chamberlain, Keen Ellsworth, Paul Heideman, Ty Bringhurst, Justin Sip; Staff: Attorney Heath Snow, Zoning Official Mike Vercimak, 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 Blair Gubler; Public: Nathan Elison, Joseph Elison, Wendi Merritt, Greg Turner, Mary Ann Bate, Jeanie McQuivey, Ray McQuivey, Gary Chaves, Chuck Williams. Absent: Hurricane Valley Fire District Representative Merlin Spendlove.

A. CALL TO ORDER:

Mayor Lynn Chamberlain called the meeting to order at 6:00 p.m. The Pledge of Allegiance was led by Councilman Justin Sip. The invocation was offered by Councilman Paul Heideman. There were no opening comments. There were no statements of belief voiced.

B. APPROVAL OF AGENDA

1. The Council reviewed the agenda.

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

2. Councilmen Keen Ellsworth and Ty Bringhurst disclosed a conflict regarding the zone change application fee discussion. Both Councilmen have or will be submitting an application for a simple subdivision and could be affected by action the Council takes.

C. PRESENTATION:

Nathan Elison from the Boy Scouts of America gave a presentation on a project he would like to complete to earn his Eagle Scout Award. The proposed project is putting up fencing around the pickleball court. The fence will be six feet tall. The materials for this project will be paid out from the City's Parks and Trails budget. Funds were previously allocated for this project. Mr. Elison will be managing the project. One bid of \$3,750.00 has been received, with more bids to come. The timeline is to have it completed by the end of 2019.

Councilman Keen Ellsworth introduced Heath Hansen from Senator Mike Lee's office. Mr. Hansen is the Southern Utah Director for Senator Lee's office and works with public land issues. He wants to make himself available to the City to be of service or answer any questions involving federal land. His office is located in St. George.

D. CITY DEPARTMENT REPORTS:

1. Ash Creek Special Service District Representative Blair Gubler wished to thank Paul Heideman for sitting on the Ash Creek Special Service District Board for approximately ten years. Mr. Heideman has done an outstanding job representing Toquerville. The next board meeting is on December 10th at 5 p.m. to approve the annual budget. The center line project on Bench Lake has been started. There is a pre-construction meeting next Thursday at 5 p.m.



2. Planning Commission Chair Manning Butterworth reported the Planning Commission meeting format and agenda item order will be changing for next year to better accommodate residents. There is an ordinance spreadsheet that keeps track of all the ordinances the Commission is working on. It shows the status and progress of each ordinance and will be distributed to the Council. There will be five public hearing items at the next meeting on December 18th. The Commission is seeking input from other cities regarding commercial design standards and will be discussing them at the next meeting.
3. Public Works Director Lance Gubler reported on two deferral agreements for curb and gutter installation that will be coming before the Council at next week's Business Meeting. Cross-connection backflow prevention requirements are coming to Toquerville. Currently, the dual check valve can't be tested which puts the City at risk for contaminating its culinary water with chlorine or other chemicals. The double check valve is a better option for homeowners and can be tested accurately. These valves need to be inspected and tested yearly at the homeowner's expense. These backflow tests are required by the State and Federal government. There was additional discussion regarding if the City should require all new homeowners to install the double check valve, how to help existing homeowners install valves, community education about backflow valves and potential issues, and getting this requirement into the City's Standards and Specifications. Toquerville City Reservoir meeting response window has closed. There were only three comments given. The Reservoir is moving forward. Six amber light filters have been installed at four locations around the City. Positive feedback has been received. The purchase of more filters for the rest of the City's streetlights needs to be put on the next meeting's agenda so the Council can approve these expenditures. The Cholla and Trail Ridge Estates bridge has been constructed and welded together, it still needs handrails. There was an error in the design of the bridge, it needs more of an incline to be above the waterline. New plans and bids on the abutments are being gathered. The Town Hall roof needs to be reattached, but it is going to be very difficult to reattach it to the sandstone walls. The recommendations that have been given so far all say to reroof the Town Hall. Special engineers from the National Historical Society have looked at the roof and have given ideas to put supports on and try to anchor the roof down.

E. PUBLIC FORUM:

Resident Mary Ann Bate would like to have the City purchase American flags and have Toquer Boulevard lined with the flags for each holiday.

Resident Wendi Merritt stated the flags down the Boulevard are a priority, but not back in the residential zones. She has struggled to get one in front of her home. She attended the BLM open house and the public repeatedly asked where the reservoir is going. It would be a good idea to get a large map of Toquerville and have every project printed on a clear overlay sheet to put over the map so the residents know where new developments will be located. Regarding recycling, the City Council should have City mugs or bottles instead of using plastic bottles and throwing the plastic away. The light filter on the streetlight outside her home has helped tremendously.

F. WORKING AGENDA:

1. Discussion on increasing culinary water rates.

The Council discussed moving this item to February's meeting to give more time to the incoming Councilmen to become familiar with the information.



2. Discussion on a Preliminary Plat Application submitted by Aspen Funding LLP for a 4-lot commercial subdivision located near Highway 17 and the I-15 interchange. Tax ID # T-3-0-22-3211. *(Planning Commission recommended approval 4-1)*

Mr. Eves was not in attendance but will be at next week's meeting to address any questions from the Council. The Council discussed the location of the subdivision, street improvements and staff recommendations.

3. Discussion on zone change application fee.

The Council discussed the current zone change application fee of \$1000, that it is higher than it should be. The Council discussed reducing this fee to \$500.

4. Discussion on subdivision application fee.

The Council discussed the current subdivision application fee of \$750, that it is appropriately priced and does not need to be changed.

5. Discussion on Personnel Policies and Procedures, Section XIX Holiday Leave.

The Council discussed the current paid holiday schedule for employees. Councilman Ellsworth would like to see the City follow the State holiday schedule. The Council asked the employees to come up with their recommendation of which holidays they prefer to have.

6. Discussion on appointment of Alternate Planning Commissioner.
7. Discussion on reappointment of 2019 Planning Commission seat.
8. Discussion on Planning Commission seat vacancy.

The Council discussed there are currently two alternate Planning Commissioners, Dan Catlin and David Browning. One of these alternates will need to be a full time Commissioner, and then one additional alternate will be needed. Planning Commissioner Joey Campbell's term expires at the end of 2019 and he will need to be reappointed for four years.

9. Discussion on updating Toquerville War Memorial.

There have been requests for the City to update the War Memorial that is located outside the City Office building. Some residents are veterans but do not have their names listed on the memorial. The Council discussed moving the memorial or updating the existing memorial. The Council discussed putting together an application with criteria for citizens to apply to have their names listed on the memorial. This project will need to be planned in the annual budget and should be revisited before the next budget year.

Resident Greg Turner is a veteran and would like his name on the memorial. The criteria for adding names should be specific, possibly only to veterans who served in combat. The memorial should stay at the City Offices. Veterans could pay to have their names etched in stone, relieving the City of any additional cost.

The Council discussed having a veteran's park with the memorial located there. The Council assigned Councilman Justin Sip take to take on this project.



10. Discussion on flashing speed limit signs.

The Council discussed placing permanent flashing speed limit signs at each end of Toquer Boulevard. The cost is approximately \$2000 each. UDOT will pay for and install the signs. The Council discussed making sure these flashing signs are not near residents' homes and do not disturb them. The Council also discussed flashing deer crossing signs, mobile flashing speed limit signs, and the cost of speed pillows on Westfield Road. It was mentioned that with the bypass road coming, the speed on Toquer Boulevard will most likely be reduced and perhaps the flashing speed limit signs can wait.

11. Discussion on naming a lighting administrator.

Councilman Alex Chamberlain would like to see one of the Public Works employees named as lighting administrator. Whoever is named, they need to be trained and have a list of duties. Treasurer June Jeffrey will put that list together. The Council also discussed liability and authority of the lighting administrator.

12. Discussion on Res.2019.XX City Council & Planning Commission Annual Meeting Schedule.

The Council discussed how the City meetings are all on different days of the week and possibly having the meetings moved to the same day of the week. The Council discussed moving the meeting day to Wednesday, simplifying the meeting schedules for staff and residents.

13. Discussion on res.2019.XX Ash Creek Special Services District Mayoral Representation to the Administrative Council.

This is a yearly resolution that will appoint the Mayor to the Administrative Council for Ash Creek Special Service District.

14. Discussion on 2020 Elected Officials Essentials Training.

The Elected Officials Training will be on January 4th in St. George and is put on by the Utah League of Cities and Towns. The City will pay for the training for newly elected and re-elected officials.

15. Discussion on naming the bypass road.

Some members of the Council thought the official name was already Toquer Parkway. The official name has not been decided yet. A list of names will be published for residents to vote on. The Council discussed restoring the name of the Boulevard to Toquer Boulevard, not Toquerville Boulevard as it has been referred to. Treasurer June Jeffrey will contact the county to have them change the name.

Resident Wendi Merritt believes that Toquer Parkway and Toquer Boulevard will be too confusing and suggested using a completely different name for the bypass road.



16. Discussion on Mountain Charm Water Line project.

Public Works Director Lance Gubler reported that at the end of Mountain Charm there is a dead-end water line that needs to tie into the water line on Peachtree. One bid has been received. There is a home being built in the area, so it would be to everyone's advantage to do the work on the water line at the same time. Treasurer June Jeffrey will do a review on the budget and have the funds available.

17. Discussion on bid for portable stage.

The Council discussed the bid that was received and agree it is a reasonable price.

G. COUNCIL REPORTS AND CITY DEPARTMENTS:

1. Justin Sip reported a \$700,000 projected loss on Blucan and the District will cover this amount. New contracts for curbside pickup and recycling are being negotiated. The new proposal for recycling will do away with Blucan, and all trash will be recycled and sorted at an indoor plant. Contact was made with the BLM regarding constructing a mountain bike trail named Black Rock Trail. The abutments for the Cholla Creek and Trail Ridge Estates bridge need to be reengineered.
2. Keen Ellsworth reported that Attorney Randall Larsen will be coming to next week's meeting to discuss the new law that allows for the creation of a public infrastructure district. He will explain all the details in his presentation. Horrocks Engineers are updating a traffic study showing the benefit the bypass road will have. The bypass road will alleviate traffic friction through Hurricane and reduce Toquer Boulevard traffic by approximately 80%. Dixie MPO will pay for the updated study. There is a transportation expo in the spring that will only be open to cities. Toquerville should have a booth there to keep UDOT's attention on Toquerville. UDOT will be having a board meeting where the head of UDOT will be attendance. Toquerville should have a presentation available about the vision of the bypass road for this meeting.
3. Ty Bringhurst reported on an impact fee study being done by Alpha Engineering for the commercial buildings near Anderson Junction. This will give the City a formula to calculate the impact a commercial building will have on the City and to calculate appropriate impact fees. Next Thursday at 3:00 p.m. will be a meeting with UDOT regarding the design and layout of Anderson Junction. More money is needed for the turning lanes for Cholla Creek. Approximately \$300,000 more is needed for the project. The Council discussed funding options such as UDOT paying half of the costs and possibly obtaining loans.
4. Alex Chamberlain did not have anything to report.
5. Mayor Chamberlain did not have anything to report.
6. Paul Heideman reported the Annual Lighting Program went well, but some lights at the City Office aren't on. Weather could be a factor; the lights may need to be waterproofed. The home lighting contest is underway, the judges have been notified. Judging will be on December 10th. The Royalty have their calendars for sale for their fundraiser.

H. ADJOURN REGULAR SESSION:

The Council discussed moving into a closed session for the purpose of discussing the purchase, exchange, or lease of real property.



Councilman Keen Ellsworth moved to enter into a closed session for the purpose of discussing the purchase, exchange, or lease of real property. Councilman Ty Bringhurst seconded the motion. Motion unanimously carried, 5-0. Alex Chamberlain – aye, Ty Bringhurst – aye, Keen Ellsworth – aye, Justin Sip – aye, Paul Heideman – aye.

Mayor Chamberlain adjourned the regular session at 8:20 p.m.

I. CLOSED SESSION:

The Closed Session to discuss the purchase, exchange, or lease of real property was called to order at 8:24 p.m.

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

The Closed Session adjourned at 8:30 p.m.

K. ADJOURN:

Mayor Chamberlain called the meeting back into open session at 8:30 p.m.

Mayor Chamberlain adjourned the regular business meeting at 8:31 p.m.



Mayor – Lynn Chamberlain



Attest: City Recorder – Ruth Evans

