

TOQUERVILLE CITY COUNCIL
Regular Business Meeting Minutes
December 12, 2019, at 6:00 pm
212 N. Toquer Blvd, Toquerville Utah



Present: Mayor Lynn Chamberlain; Councilmembers: Alex Chamberlain, Keen Ellsworth, Justin Sip, Ty Bringhurst, Paul Heideman; Staff: Attorney Heath Snow, Zoning Official Mike Vercimak, Treasurer June Jeffrey, Recorder Dana McKim, Deputy Recorder Ruth Evans; Support Staff: Planning Chairman Manning Butterworth; Public: Scott McCall, Dave Wittwer, Ralph Christensen, Carol Christensen, Joey Campbell, Jason Williams, Gary Chaves, Darin Heaton, Deletha Heaton, Joseph Elison, Devin Snow, Wendi Merritt, Jane Scott, Randy Larsen; Absent: Public Works Director Lance Gubler, Hurricane Valley Fire District Representative Merlin Spendlove.

A. CALL TO ORDER:

1. Mayor Lynn Chamberlain called the meeting to order at 6:02 p.m. Councilman Heideman led the Pledge of Allegiance. Councilman Sip gave the invocation.

Councilman Heideman presented the prizes to the winners from the home lighting contest; 3rd place went to Ralph and Carol Christensen, 2nd place went to Randy and Jane Scott, and 1st place to Darin and Deletha Heaton.

Mayor Chamberlain presented plaques and gifts to outgoing Councilmen Paul Heideman and Alex Chamberlain. He expressed gratitude for all the work they have done and service they have given to the City.

There were no statements of belief voiced.

B. APPROVAL OF AGENDA:

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

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

C. CONSENT AGENDA:

1. Review and possible approval of meeting minutes from November 7 Work Meeting and November 14 Business Meeting.

The Council reviewed the meeting minutes.

Councilman Keen Ellsworth moved to approve the meeting minutes from November 7, 2019 and November 14, 2019. Councilman Justin Sip seconded the motion. Motion unanimously carried, 5-0. Alex Chamberlain – aye, Ty Bringhurst – aye, Keen Ellsworth – aye, Paul Heideman – aye, Justin Sip – aye.



2. Review and possible approval of City Expenditures from November 2019.

The Council reviewed the City Expenditures.

Councilman Keen Ellsworth moved to approve the City Expenditures from November 2019. Councilman Ty Bringhurst seconded the motion. Motion unanimously carried, 5-0. Alex Chamberlain – aye, Ty Bringhurst – aye, Keen Ellsworth – aye, Paul Heideman – aye, Justin Sip – aye.

D. CITY DEPARTMENT REPORTS:

1. Zoning Administrator Mike Vercimak did not have anything to report.
2. Planning Commission Chair Manning Butterworth reported on the ordinance spreadsheet that has been put in Dropbox for the Council to review. The next Planning Commission meeting will be next week and there are five ordinance changes up for discussion.
3. City Attorney Heath Snow did not have anything to report.

E. PRESENTATIONS:

Attorney Randall Larsen presented Utah Senate Bill 228 Public Infrastructure District Act. Mr. Larsen explained how the City could benefit and the pros and cons of using this finance option.

David Wittwer from Hinton Burdick CPA's and Advisors reported on Fiscal Year 2019 Audit and handed out a copy of the Audit and Financial Statements for Toquerville City. The findings overall were positive.

F. PUBLIC FORUM:

Resident Manning Butterworth wished to thank the City staff for providing gravel on Rim View Dr.

G. PUBLIC HEARING:

1. Public input is sought 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.

There were no comments from the public.

Councilman Paul Heideman moved to close the Public Hearing portion of the meeting. Councilman Ty Bringhurst seconded the motion. Motion unanimously carried, 5-0. Alex Chamberlain – aye, Ty Bringhurst – aye, Keen Ellsworth – aye, Paul Heideman – aye, Justin Sip – aye.

H. BUSINESS:

1. Discussion and possible action on Eagle Scout Project Presentation by Nathan Ellison – Fencing project around the Center Street Pickle Ball Court.



Nathan Elison has received 3 total bids; for \$3750, \$4145, and \$6500. Nathan will be overseeing the project. The Council discussed the money has already been set aside for this project and will come from the Trails budget.

Councilman Justin Sip moved to approve the Eagle Scout Project by Nathan Elison and approve expenditures not to exceed \$3750.00. Councilman Ty Bringhurst seconded the motion. Motion unanimously carried, 5-0. Alex Chamberlain – aye, Ty Bringhurst – aye, Keen Ellsworth – aye, Paul Heideman – aye, Justin Sip – aye.

2. Discussion and possible action 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)*

Councilman Bringhurst would like to move forward with approving this application, however there are changes coming from UDOT realigning the intersection and moving the frontage road. These modifications need to be added to the staff comments. The applicant, Jerry Eves is willing to accept these modifications from UDOT and from the City.

Councilman Ty Bringhurst moved to approve the Preliminary Plat Application subject to staff comments and modifications. Councilman Paul Heideman seconded the motion. Motion unanimously carried, 5-0. Alex Chamberlain – aye, Ty Bringhurst – aye, Keen Ellsworth – aye, Paul Heideman – aye, Justin Sip – aye.

3. Discussion and possible action on a street improvement deferral application and agreement for Jason Williams at 1537 South Rim View Drive, Parcel # T-TEA-A-3.

The applicant, Jason Williams, requested an explanation of the agreement from the Council. Councilman Bringhurst explained the deferral agreement will allow a building permit to be issued but defer the installation of the curb, gutter, and sidewalk to when the city is ready to make the street improvements.

Councilman Ty Bringhurst moved to approve the street improvement deferral agreement for Jason Williams. Councilman Alex Chamberlain seconded the motion. Motion unanimously carried, 5-0. Alex Chamberlain – aye, Ty Bringhurst – aye, Keen Ellsworth – aye, Paul Heideman – aye, Justin Sip – aye.

4. Discussion and possible action on a street improvement deferral application and agreement for Joel Timo at 217 West Terrace Circle, Parcel # T-TOTE-1.

Councilman Bringhurst has concerns about drainage issues that could affect the property and would like to see the curb and gutter installed right away. Attorney Snow commented that the City will design the curb and gutter and the applicant needs to pay for and build it to City standards.

Councilman Ty Bringhurst moved to deny the street improvement deferral agreement for Joel Timo. Councilman Justin Sip seconded the motion. Motion carried, 4-1. Alex Chamberlain – aye, Ty Bringhurst – aye, Keen Ellsworth – nay, Paul Heideman – aye, Justin Sip – aye.



5. Discussion and possible action on Res.2019.XX-Zone Amendment Application fee.

The Council discussed the fee should be reduced to \$500, from \$1000.

Councilman Keen Ellsworth moved to approve Res.2019.XX Zone Amendment Application fee. Councilman Alex Chamberlain seconded the motion. Motion unanimously carried, 5-0. Alex Chamberlain – aye, Ty Bringham – aye, Keen Ellsworth – aye, Paul Heideman – aye, Justin Sip – aye.

6. Discussion and possible action on Res.2019.XX Personnel Policies and Procedures, Section XIX Holiday Leave.

The Council discussed the staff's request of having the day after Thanksgiving as a paid holiday, instead of Columbus Day. This resolution will designate part time employees be given these same holidays off, with part time pay.

Councilman Ty Bringham moved to approve Res.2019.XX Personnel Policies and Procedures. Councilman Paul Heideman seconded the motion. Motion unanimously carried, 5-0. Alex Chamberlain – aye, Ty Bringham – aye, Keen Ellsworth – aye, Paul Heideman – aye, Justin Sip – aye.

7. Discussion and possible appointment of an Alternate Planning Commissioner.

Mayor Chamberlain has chosen to appoint Jason Grygla as an Alternate Planning Commissioner. There was no additional discussion from the Council.

Councilman Paul Heideman moved to approve the Mayor's appointment of Jason Grygla as an Alternate Planning Commissioner. Councilman Keen Ellsworth seconded the motion. Motion unanimously carried, 5-0. Alex Chamberlain – aye, Ty Bringham – aye, Keen Ellsworth – aye, Paul Heideman – aye, Justin Sip – aye.

8. Discussion and possible action on reappointment of 2019 Planning Commission seat – Joey Campbell.

The Mayor and the Council Members were in favor of reappointing Joey Campbell as a Planning Commissioner with a term of 4 years.

Councilman Paul Heideman moved to approve the Mayor's appointment of Joey Campbell as a Planning Commissioner. Councilman Ty Bringham seconded the motion. Motion unanimously carried, 5-0. Alex Chamberlain – aye, Ty Bringham – aye, Keen Ellsworth – aye, Paul Heideman – aye, Justin Sip – aye.

9. Discussion and possible action on Planning Commission seat vacancy.

The Mayor recommended Dan Catlin, who currently serves as an Alternate Planning Commissioner, to serve as a full time Planning Commissioner.



Councilman Justin Sip moved to approve the Mayor's appointment of Dan Catlin as a Planning Commissioner. Councilman Paul Heideman seconded the motion. Motion unanimously carried, 5-0. Alex Chamberlain – aye, Ty Bringhurst – aye, Keen Ellsworth – aye, Paul Heideman – aye, Justin Sip – aye.

10. Discussion and possible action on designation of Toquerville's Lighting Administrator.

The Council discussed who should serve as Lighting Administrator, their duties, and training that is needed for this position. The Council decided to have the Mayor appoint a Lighting Administrator.

11. Discussion and possible action on Res.2019.XX City Council & Planning Commission Annual Meeting Schedule.

The Council discussed moving all meetings to the same day of the week to simplify schedules for Council Members and staff members. Support staff reported scheduling conflicts, so the Council decided to keep the schedule as submitted.

Councilman Keen Ellsworth moved to approve Res.2019.XX City Council and Planning commission Annual Meeting Schedule. Councilman Paul Heideman seconded the motion. Motion unanimously carried, 5-0. Alex Chamberlain – aye, Ty Bringhurst – aye, Keen Ellsworth – aye, Paul Heideman – aye, Justin Sip – aye.

12. Discussion and possible action on Res.2019.XX Ash Creek Special Services District Mayoral Representation to the Administrative Council.

Councilman Keen Ellsworth moved to approve Res.2019.XX Mayor's appointment to the Administrative Council for Ash Creek Special Service District. Councilman Ty Bringhurst seconded the motion. Motion unanimously carried, 5-0. Alex Chamberlain – aye, Ty Bringhurst – aye, Keen Ellsworth – aye, Paul Heideman – aye, Justin Sip – aye.

13. Discussion and possible action on naming the bypass road.

Resident Carol Christensen commented that historically the pioneers referred to this area of the bypass road as the Sand Hill, her recommendation would be Sand Hill Parkway. Councilman Chamberlain read the list of proposed names. The Council discussed having each Council Member pick their favorite name and then putting these options on the website and letting the residents vote for their favorite one.

14. Discussion and possible expenditure approval for the Mountain Charm Water Line Project.

The Council discussed the bid that was received and the project of connecting the water line from Mountain Charm to Peachtree.

Councilman Ty Bringhurst moved to approve the Mountain charm Water Line project with expenditures not to exceed \$35,000.00. Councilman Justin Sip seconded the motion. Motion unanimously carried, 5-0. Alex Chamberlain – aye, Ty Bringhurst – aye, Keen Ellsworth – aye, Paul Heideman – aye, Justin Sip – aye.



15. Discussion and possible action on portable stage bid.

Councilman Ty Bringhurst moved to approve the bid and sale of the portable stage. Councilman Justin Sip seconded the motion. Motion unanimously carried, 5-0. Alex Chamberlain – aye, Ty Bringhurst – aye, Keen Ellsworth – aye, Paul Heideman – aye, Justin Sip – aye.

16. Discussion and possible expenditure approval for street light filters.

Councilman Chamberlain reported on the bid of approximately \$1500 to install light filters to the 75 remaining street lights. 6 street lights around the city have already received these light filters. The installation of light filters needs to be added to the Standards and Specifications and the lighting section of City code.

Councilman Justin sip moved to approve the expenditures for street light filters not to exceed \$2,000.00. Councilman Ty Bringhurst seconded the motion. Motion unanimously carried, 5-0. Alex Chamberlain – aye, Ty Bringhurst – aye, Keen Ellsworth – aye, Paul Heideman – aye, Justin Sip – aye.

17. Discussion and possible action to designate SR17/Toquerville Boulevard as Toquer Boulevard.

Councilman Bringhurst reported that about five years ago, the signs on the Boulevard were changed to Toquerville Boulevard. The name has always been Toquer Boulevard; the proposed action is to revert back to the original name. Treasurer Jeffrey will contact the County and make them aware of the updated name of Toquer Boulevard.

Councilman Paul Heideman moved to approve the designation of SR17 Toquerville Boulevard to Toquer Boulevard. Councilman Justin Sip seconded the motion. Motion unanimously carried, 5-0. Alex Chamberlain – aye, Ty Bringhurst – aye, Keen Ellsworth – aye, Paul Heideman – aye, Justin Sip – aye.

18. Discussion and possible appointment of Toquerville City Recorder – Ruth Evans.

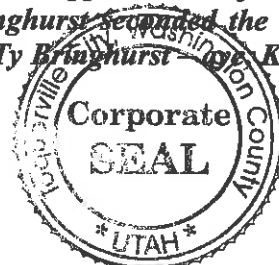
The Council discussed the appointment will be effective January 1st, 2020.

Councilman Keen Ellsworth moved to approve the Mayor's appointment of Ruth Evans as Toquerville City Recorder. Councilman Paul Heideman seconded the motion. Motion unanimously carried, 5-0. Alex Chamberlain – aye, Ty Bringhurst – aye, Keen Ellsworth – aye, Paul Heideman – aye, Justin Sip – aye.

19. Discussion and possible appointment of Toquerville Deputy Treasurer – Dana McKim.

The Council discussed the appointment will be effective January 1st, 2020.

Councilman Justin Sip moved to approve the Mayor's appointment of Dana McKim as Toquerville Deputy Treasurer. Councilman Ty Bringhurst seconded the motion. Motion unanimously carried, 5-0. Alex Chamberlain – aye, Ty Bringhurst – aye, Keen Ellsworth – aye, Paul Heideman – aye, Justin Sip – aye.



I. COUNCIL REPORTS:

1. Justin Sip reported on the Black Hill mountain bike trail and the work required from the BLM to move forward with this project. The Trails Committee is discussing a trail from Toquerville to Confluence Park. The new recycling program was explained to the Council and should be up and running in about 3 years. The bridge in Cholla is waiting for new abutments to be engineered.
2. Keen Ellsworth reported the statistics from the Fire Department. There were five medical calls and four fire calls during November. One call was for a rollover ATV accident, but no injuries were reported because seatbelts were worn.
3. Ty Bringhurst reported on the Cholla Creek turning lanes. UDOT requires a letter from the City stating the Council is behind this project.
4. Alex Chamberlain wanted to thank the Council Members for allowing him to serve alongside them and to thank the Council for all the work they do.
5. Paul Heideman reported the Sewer District has replaced some concrete sewer lines and is almost finished with that project. Confluence Park will be getting a bridge from La Verkin to Hurricane. Miss Toquerville Royalty has been selling calendars for their fundraiser.
6. Mayor Lynn Chamberlain did not have anything to report.

J. ADJOURN:

Mayor Chamberlain adjourned the meeting at 8:29 p.m.



Mayor – Lynn Chamberlain



Attest: City Recorder – Ruth Evans

1/9/2020
Date

