

TOQUERVILLE CITY COUNCIL
Regular Work Meeting Minutes
January 2, 2020, at 6:00 pm
212 N. Toquer Blvd, Toquerville Utah



Present: Mayor Lynn Chamberlain; Councilmembers: Ty Bringhurst, Justin Sip, Gary Chaves, Chuck Williams; Staff: Treasurer June Jeffrey, Deputy Treasurer Dana McKim, Public Works Director Lance Gubler, Zoning Official Mike Vercimak, Recorder Ruth Evans; Support Staff: Planning Chairman Manning Butterworth, Hurricane Valley Fire District Representative Merlin Spendlove, Ash Creek Special Services District Representative Blair Gubler; Public: L. Campbell, Randy Durda, Greg Turner, Jodi Turner, Wendi Merritt, James Grygla, Anita Eaton; Absent: Councilman Keen Ellsworth.

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 Bringhurst. The invocation was offered by Councilman Sip. The Oath of Office was administered to Councilmen Bringhurst, Chaves and Williams. There were no statements of belief voiced.

B. APPROVAL OF AGENDA

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

Councilman Ty Bringhurst moved to approve the Regular Work Meeting Agenda. Councilman Justin Sip seconded the motion. Motion unanimously carried, 4-0. Ty Bringhurst – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye.

C. CITY DEPARTMENT REPORTS:

Ash Creek Special Service District Representative Blair Gubler reported their budget was approved at the December meeting. Interstate rock is working on the bench lake sewer project. They will be starting work soon on subdivisions in Hurricane and La Verkin. The pipeline project on the south side of Center Street that goes to the bridge for the new subdivision will be started Monday or Tuesday.

Hurricane Valley Fire Department Representative Merlin Spendlove reported there were 3,619 total calls from Toquerville in 2019, compared to 450 total calls back in 1994. Call statistics for December 2019 were 23 total calls; 5 transports, 17 refusals, and 1 fire call.

Planning Commission Chair Manning Butterworth reported the Planning Commission has finished revising several ordinances, which are before the City Council for approval. They are working on several more ordinances and will be finished soon. The Subdivision Review Process ordinance needs extensive revisions and is currently being worked on.

Public Works Director Lance Gubler reported the pickleball court fence Eagle Scout project has been completed. Councilman Williams asked about problems with water meters he and other residents have been experiencing with the current meters and what solutions are being worked on. Mr. Gubler responded that the City has applied for a grant that will allow for an upgraded water meter system.



Treasurer June Jeffrey reported that there is a need for another staff member in the office. The current property taxes were discussed and how much they would need to be raised in order to hire an office manager, which would be approximately \$90/year per home. Toquerville's property taxes are one of the lowest in the County and have not been raised in 15 years.

D. PUBLIC FORUM:

Resident James Grygla would like to propose his Eagle Scout project of overseeing the installation of lights for the tennis and pickleball courts. Councilman Sip asked him to get three bids for this project. The money for the lights has already been budgeted. Timers, automatic shut-offs, and light controls were discussed. The lights will need to comply with the current lighting ordinance.

Resident Randy Durda asked if ATV's are going to be allowed on the new Cholla Creek/Trail Ridge Estates pedestrian bridge. Councilman Sip responded there will be no ATV's allowed and bollards will be installed to enforce that.

E. WORKING AGENDA:

1. Discussion on Res.2020.XX – Washington County Solid Waste District fee increase.

The Solid Waste District is asking for a \$0.25 per year per resident increase. The District is able to request a fee increase every four years. This fee increase is not for Blucan.

2. Discussion on additional expenditures for Eagle Scout Project/Center Street Pickle ball fence.

The original bid and approval amount was for \$3,750. Adding a heavier gauge wire for the fence added an additional \$290 to the original amount. This increase would bring the total for the project to \$4,040.

3. Discussion on naming the bypass road.

The survey for naming the bypass road received 134 total responses. The name of Toquerville Parkway received the most votes. The name Devil's Hole Highway came in second. The Public Works department will buy and install the new street signs. Residents Anita Eaton and Greg Turner agreed with the public's choice of Toquerville Parkway and dislike the name Devil's Hole Highway.

4. Discussion on lining Toquer Blvd with flags for holidays.

The Council discussed purchasing flags and what the budget would be, who would be responsible for putting up and taking down the flags, if the City would pay for the flags of residents who live on Toquer Blvd, and if the flags would be installed on the new bypass road or stay on Toquer Blvd. Resident Wendi Merritt would like to see all residents approached and given the opportunity to purchase a flag.

5. Discussion on Ordinance 2020.XX Nightly Rental Ownership – An ordinance amending Title 10, Chapter 17-3(F) – Nightly Rentals: to clarify primary residence ownership. *(PC recommended approval 5-0)*

The Council discussed the goal of these revisions is for residents to have accountability and a vested interest for their nightly rentals and to avoid absentee owners and/or property managers. Chairman Butterworth reported the Commission added the definition of an owner



and that an owner couldn't be absent for more than 30 days cumulatively or during a rental period. The Council discussed possible exceptions from this requirement. The Council will review the Planning Commission's recommendations before voting next week.

6. Discussion on Ordinance 2020.XX Nightly Rental Annual Renewal – An ordinance amending Title 10, Chapter 17-3(K) – to remove the public hearing requirement from the annual review process. *(PC recommended approval 5-0)*

The requirement to hold a public hearing was removed from the nightly rental annual renewal process if there have been no complaints against the applicant. This public hearing removal will streamline and simplify the renewal process. The annual review will be done by the Zoning Official.

7. Discussion on Ordinance 2020.XX Building Permit Process – An ordinance amending Title 10, Chapter 18A building Permits and building pad requirements. *(PC recommended approval 5-0)*

Chairman Butterworth reported that large portions of this ordinance weren't being used and were inappropriate for the building permit process. The unused portions were removed. The requirement of having the building pad to be 12" above road level was discussed, along with drainage issues this requirement could resolve, exceptions to this requirement, and making sure the International Building Code is followed. The requirement to have three trees planted when new homes are built was also removed. The Council agreed this ordinance needs additional discussion before voting for approval.

8. Discussion on Ordinance 2020.XX Building Permit Chart – An ordinance amending Title 10, Chapter 6-1 Building Permit submittal requirements. *(PC recommended approval 5-0)*

Chairman Butterworth reported the building permit chart was updated to reflect the current building permit process.

9. Discussion on Ordinance 2020.XX Exterior Lighting – An ordinance amending Title 10, Chapter 24 Exterior Lighting. *(PC recommended approval 5-0)*

Chairman Butterworth reported the discussion and revision items were to add amber light filters, lighting curfew, light pollution, color temperature, using LED lights, the certificate of occupancy being issued after lighting meets current lighting requirements, and enforcement. Resident Wendi Merritt commented that education is huge and that there is currently no enforcement for light trespass.

10. Discussion on Chapter 10-5 Enforcement Officials and Chapter 10-24-6 Lighting Administrator enforcement.

The Council discussed hiring a part time employee or designating a current employee for enforcement of all code violations. Education is key to code enforcement.

11. Discussion on Chapter 4-1-2 adding Lighting Trespass as a nuisance.

The Council discussed what the definition of lighting trespass as a nuisance should be. Resident Wendi Merritt stated that there are many nuisances happening around the City, not just light trespass. There is no current enforcement and the staff is already overtaxed.



12. Discussion of City Council board assignments.
13. Discussion on Resolution 2020.XX Ash Creek Special Service District Representative Appointment.
14. Discussion on Resolution 2020.XX Hurricane Valley Fire Department Representative Appointment.
15. Discussion on Resolution 2020.XX Southwest Mosquito Abatement and Control Representative.
16. Discussion on Resolution 2020.XX Solid Waste Representative.
17. Discussion on naming Mayor Pro Tempore for 2020.

The Council discussed who wanted what board assignments. The following assignments were made: Councilman Sip to Solid Waste District, Trails & Parks, and Sewer District. Councilman Ellsworth was assigned as Mayor Pro Tempore, to Hurricane Valley Fire Department, DTEC, DTAC, MPO, Economic Development, Beautification Committee, and City Hall Maintenance. Councilman Bringhurst to Water Department, Streets, and TSWS. Councilman Chaves to the Mosquito Abatement, as Planning Commission Liaison, Confluence Park, and Risk Management. Councilman Williams to the Tree Board, Culture and Recreation, Emergency Management and Cemetery. Mayor Chamberlain to Ash Creek Special Service District and DTEC.

F. COUNCIL REPORTS:

1. Justin Sip reported on a list of trails that is being put together for the Toquerville City trail system. The Parks and Trails meeting for January will be cancelled.
2. Ty Bringhurst reported on impact fee payment discrepancies between the City and TSWS that were received by the City and requested all information pertaining to the agreement. TSWS has hired a law firm to do an audit to try to identify who is responsible for these payments.
3. Gary Chaves did not have anything to report.
4. Chuck Williams did not have anything to report.
5. Mayor Chamberlain did not have anything to report.

G. 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 Justin Sip 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, 4-0. Ty Bringhurst – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye.

Mayor Chamberlain adjourned the regular session at 8:21 p.m.

H. CLOSED SESSION:

The closed session to discuss the purchase, exchange, or lease of real property was called to order at 8:23 p.m.



Minutes of the closed session were recorded and are now on file as a protected record.

The closed session adjourned at 8:48 p.m.

I. ADJOURN:

Mayor Chamberlain called the meeting back into open session at 8:49 p.m.

Mayor Chamberlain adjourned the regular business meeting at 8:49 p.m.



Mayor – Lynn Chamberlain

2/13/2020
Date



Attest: City Recorder – Ruth Evans

