

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



Present: Mayor Lynn Chamberlain; Councilmembers: Keen Ellsworth, 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: Darcy Stewart, Clark Kelsey, Dan Catlin, Devin Snow, Leslie Campbell, Randy Durda, Jodi Turner, Greg Turner, Rebecca Hansen, Layne Garner, Renee Garner, Wendi Merritt, LaVell Prince.

A. CALL TO ORDER:

Mayor Chamberlain called the meeting to order at 6:00 p.m. The Pledge of Allegiance was led by Councilman Sip. The invocation was offered by Councilman Williams. Councilman Chaves reported that Toquerville was being represented by DC Young while he was in Washington D. C. being an ambassador for Alpha-1 awareness. There were no statements of belief voiced.

B. APPROVAL OF AGENDA

The Council reviewed the agenda. Councilman Chaves reported he owns a nightly rental which could be a possible conflict of interest regarding the nightly rental discussion.

Councilman Ty Bringhurst moved to approve the Regular Work Meeting Agenda. Councilman Keen Ellsworth seconded the motion. Motion unanimously carried, 5-0. Keen Ellsworth – aye, 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 that Mayor Chamberlain was elected as the new chairman at the last board meeting. There is a new subdivision that was approved in Hurricane. The bench lake project is underway. The Wall subdivision is underway; the sewer line will be connected soon. The Confluence Park project should be done this year.

Hurricane Valley Fire Department Representative Merlin Spendlove reported that brush fire season has started. Be careful of winds when having controlled burns. The Fire District will be hiring some full and part-time people soon. There were a total of 9 calls from Toquerville; 4 transports, 2 refusals, and 3 fire calls.

Planning Commission Chair Manning Butterworth reported on two proposed zone changes and three proposed nightly rentals that will be discussed at the February 19th Planning Commission meeting.

Public Works Director Lance Gubler reported they are almost finished doing crack seal, there are only a few streets left. The pickleball fence footings are in; they are just waiting for the light poles. Trees will be planted by the south Toquerville sign in the next 30 days. The footings for the TRE bridge are in and formed. Spring fertilizing and re-seeding projects will begin soon. There was a meeting with Dennis Tolman regarding pruning the trees along Toquer Boulevard.



D. PRESENTATION:

Attorney Devin Snow from Snow, Jensen & Reese who represented SRC Holdings LLC gave a short presentation about their intentions on creating a PID (Public Infrastructure District) for Toquerville Parkway. The PID is a type of financing available for property owners wanting to build infrastructure.

E. PUBLIC FORUM:

Resident Leslie Campbell inquired about the PID, what it stands for and how it works. Councilman Ellsworth gave a brief explanation about PIDs and how it works.

F. WORKING AGENDA:

1. Discussion on James Gygla's Eagle Scout Project – City Park tennis and pickleball court lights.

Public Works Director Lance Gubler stated that all the lights have been ordered and they are waiting for them to be delivered.

2. Discussion on increasing culinary water rates.

The Council stated they do not have all the information ready to have an informed discussion on this item and decided to discuss it at the next work meeting.

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

Councilman Chaves reported that 16 residents along the Boulevard pay for their flags and there are 35 homes without flags. The flags would be for the City, not for specific residents so the flags will not necessarily line up with houses. They would be placed every 50' down both sides of the Boulevard, from the bridge to the winery. The Council discussed the cost to purchase flags, who the City is already paying to put up and take down flags, and how many flags would be needed to line both sides of the Boulevard. Councilman Chaves was assigned to get more information. Resident Manning Butterworth is in favor of having flags line the streets of the heights area.

4. Discussion on ORD.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 how long owners could be gone during a rental period, renting while the owner is absent, the purpose of revising the ordinance, family community vs. a nightly rental community, not controlling residents by keeping track of their absences, protecting the citizens and the residential feel of the City, and having residents be accountable for their nightly rentals. Resident Rebecca Hansen expressed concerns that the City is getting into the business of telling people how to run their businesses and micromanaging their nightly rentals. Resident Layne Garner wondered who was going to keep track of the residents and how long they are absent. Resident Wendi Merritt commented that communities that have an excess of nightly rentals pose serious problems for cities. Ms. Merritt has done research on other city's nightly rental ordinances and likes the idea of having 90 days of absentee renting per calendar year. The Council would like Councilman Chaves to re-write his previous suggestion and to include other nightly rental owner's input.



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

Councilman Bringhurst explained the need to address the building pad requirement for lots larger than one acre and that are in an undeveloped area and to provide an exception to the proposed requirement. The exception would protect these larger lots against future drainage issues while still maintaining positive drainage.

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

Planning Commission Chair Butterworth explained the revisions were not extensive but included the need to address commercial lighting, lighting color of LED luminaries, updating lighting definitions, light curfews, flag/landscape lighting, and lighting color for new construction.

7. Discussion and direction for Truth and Taxation – Treasurer June Jeffery.

Treasurer June Jeffery explained the Truth and Taxation process; gave a breakdown of the current budget; the projected shortfalls; and the need to raise the property tax rate to offset next year's budget shortfall.

8. Discussion on City sponsored events; Turkey Trot, Toquer Fest.

The Council discussed the past sponsorships from the City and the need to continue to support local events. Resident Layne Garner commented that in the past, the City waived the park rental fees for the Thanksgiving Day Turkey Trot and that continued support would be appreciated. Councilman Bringhurst was in favor of continuing City sponsorship and involvement. Councilman Williams is over Culture and Recreation for the City and will be involved in community events. Resident Wendi Merritt wondered who the beneficiaries are of these events. Treasurer Jeffery responded that no money was given from the City; they only waived the reservation fees.

9. Discussion on ORD.2020.XX Vacation of portion of Parcel # T-CHCR-1B-34 to be included in the Terraces at Cholla Creek Subdivision.

Treasurer Jeffery explained this ordinance clarifies the inclusion of a small strip of land to be added to Parcel # T-CHCR-1B-34.

10. Discussion on ORD.2020.XX Light Trespass as a Nuisance – An ordinance amending the definition and enumeration of light trespass as a nuisance.

The Council discussed the addition of the light trespass paragraph and that all other paragraphs of the ordinance were altered slightly. Councilman Ellsworth was concerned with the wording of paragraph H (Garbage, Improper Placement) and would like to submit some corrections. Resident Wendi Merritt commented on the definition of a protected area and brought attention to the sentence stating the City will fix a nuisance issue and then bill the homeowner. This is probably not what the City wants to be doing, in her opinion. Councilman Ellsworth commented that the City has the authority to fix a nuisance, but is not required to do so.



11. Discussion on ownership of the trail connecting Trail Ridge Estates to Cholla Creek subdivision.

Councilman Sip explained that the Home Owner's Association from Trail Ridge Estates would like the City to take ownership of the trail and the land around the trail. Resident Randy Durda believes this trail would benefit the City and would like the City to take over the maintenance of the trail and grounds. The HOA is unable to continue with the costly maintenance of the trail. The Council has an interest in taking ownership and discussed the yearly maintenance costs.

G. COUNCIL REPORTS:

1. Justin Sip reported the next meeting for Solid Waste is next Tuesday. The Trails and Parks committee would like to have a fundraiser dinner/event to raise money to build a park. The proposed fundraiser date is May 30. The Committee will need a small amount of money to put on the fundraiser and the Council would need to approve this amount.
2. Keen Ellsworth did not have anything to report.
3. Ty Bringhurst would like to start having a Special City Council meeting once a month with the City staff, engineer, and zoning official. This meeting will improve communications about projects that are currently going on in the City. The City has a property at the end of Shangrila that will be signed over to the surrounding property owners. The Capital Facilities Plan is done and needs to be on the agenda in March for voting. The City needs a water model analysis done to determine where water tanks and lines would be installed for the bypass road. Alpha Engineering will do the analysis. This analysis could be included in the PID for the bypass road. Councilman Bringhurst would like to have 2 large maps made, one showing Toquerville as it is currently and the other showing the proposed growth and projects. Alpha Engineering will be able to print these maps for a minimal cost.
4. Gary Chaves reported the next meeting for the Mosquito Abatement is next week. A master plan has been put together for Confluence Park; they are looking for grant money to install bathrooms next to the trailhead.
5. Chuck Williams met with former Councilman Paul Heideman about culture and recreation projects and information.
6. Mayor Chamberlain did not have anything to report.

H. ADJOURN:

Mayor Chamberlain adjourned the meeting at 9:21 p.m.



Mayor – Lynn Chamberlain

3/12/2020

Date



Attest: City Recorder – Ruth Evans

