

TOQUERVILLE CITY COUNCIL
Regular Business Meeting Minutes
August 13, 2020, at 6:00 pm
212 N. Toquer Blvd, Toquerville Utah



Present: Mayor Lynn Chamberlain; Councilmembers: Keen Ellsworth, Justin Sip, Ty Bringhurst, Gary Chaves, Chuck Williams; Staff: Zoning Official Mike Vercimak, Treasurer Dana McKim, Public Works Director Lance Gubler, Recorder Ruth Evans; Support Staff: Planning Chairman Manning Butterworth, Hurricane Valley Fire Department Representative Merlin Spendlove; Public: Fay Reber, Cheyne McDonald, Wayne Olsen, Louise Bott, Corey Bott, Larry Bennett, Joe Humpherys, Tammy Henderson, Janice Hunter, Jo Jeppson, Kay Chamberlain, Gary Lunt, Mark Gamett, Nancy Gamett, Reece DeMille, Clay Worrell, Terece Worrell, Caren Hare, Mark Hare, Sandra Feagin, Wendi Merritt; Absent: Attorney Heath Snow.

A. CALL TO ORDER:

1. Mayor Chamberlain called the meeting to order at 6:00 p.m. Councilman Chaves led the Pledge of Allegiance. Councilman Bringhurst 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 reviewed the agenda and discussed switching business items G4 and G1. Business item G1 should state that it is a discussion item only, as a public hearing is needed to make an action. There were no disclosures, nor conflict declarations from Council Members.

Councilman Ty Bringhurst moved to approve the Regular Business Meeting Agenda with stated changes. Councilman Justin Sip seconded the motion. Motion unanimously carried, 5-0. Ty Bringhurst – aye, Keen Ellsworth – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye.

C. CONSENT AGENDA:

1. Review and possible approval of meeting minutes from July 2, 2020 Work Meeting and July 16, 2020 Special Business Meeting.

Councilman Ty Bringhurst moved to approve the meeting minutes from July 2, 2020 Work Meeting and July 16, 2020 Special Business Meeting. Councilman Justin Sip seconded the motion. Motion unanimously carried, 5-0. Ty Bringhurst – aye, Keen Ellsworth – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye.

2. Review and possible approval of City Expenditures from July 2020.

Councilman Keen Ellsworth moved to approve the City Expenditures from July 2020. Councilman Ty Bringhurst seconded the motion. Motion unanimously carried, 5-0. Ty Bringhurst – aye, Keen Ellsworth – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye.



D. CITY DEPARTMENT REPORTS:

1. Hurricane Valley Fire District Representative Merlin Spendlove reported the smoky and hazy conditions are from the California fires. There have been over 1000 fires in Utah to date. There was a small fire in Toquerville due to a spark from welding but it was put out quickly. There is still a no burn order in effect. Burn permits will be given out again in the fall. The Fire Department will bring out their wood chipper for Toquerville Clean-Up Days in September.
2. Zoning Administrator Mike Vercimak reported there is a new developer that will be taking over the Anderson Junction project.
3. Planning Commission Chair Manning Butterworth reported there will be a public hearing at the Planning Commission meeting on August 19th to discuss commercial design standards. The Commission will also be discussing density bonus calculations.
4. Public Works Director Lance Gubler reported water usage increased this year from 98 million gallons a day to 120 million gallons a day. Water usage is up due to the extremely hot weather. Water leaks on resident's water lines are increasing. Once a leak occurs, residents qualify for a one-time abatement. Many of the residents don't know they have a leak until they receive a large water bill. The staff is unsure how to address these increased leaks and large water bills and would like input from the Council. Currently, 60 meters are not reading and will be replaced. There are systems available that will alert residents of water leaks but the City can't afford it at this time. The Center street project is almost finished. The Council needs to decide if curb, gutter, and sidewalks should be installed. There has been an increase of residents dumping trash, tree limbs, and grass clippings at the park and then the Public Works Department has to go and clean it up. Perhaps the City can get some additional dumpsters the residents can use. The Fire Department could possibly help clean up some overgrown open areas that border homes to reduce the fire danger.

E. PUBLIC FORUM:

Resident Mark Hare commented that there are numerous problems with the water system on Shangri-La Drive. The water meter that was sold to Dean Haymore did not require a dig permit. Repairs were not made correctly to the water line. The water ran red and yellow and tested positive for contaminants. The water was not able to be used for four months. The water flow was very low. As the neighbors have hooked into this water line the flow has been intermittent. This water line was installed 60-80 years ago into an unincorporated city. The connection was grandfathered in when the city became incorporated. The meter has not been read in years. The city should be responsible and take care of this existing water line. The city needs to take responsibility and take care of the citizens and provide safe drinking water.

Resident Manning Butterworth commented that Shangri-la Road still needs to be striped and needs a stop sign. There is a blind curve and it is a safety issue that needs to be addressed immediately.

Resident Caren Hare commented that she has never been given an option of a water abatement when she has had water leaks that were fixed within two days.



Resident Kay Chamberlain commented that perhaps homeowners insurance could pay for a high bill due to a water leak.

Resident Wayne Olsen commented that the fence on the Old Church Road alleyway the City put up needs to be modified. There are vicious dogs on the other side of the fence and if children stick their hands in the chain-link fence they could get hurt. The dogs are a nuisance and need to be addressed by the City before someone gets hurt.

F. PUBLIC HEARING:

Councilman Ty Bringhurst moved to open the Public Hearing portion of the meeting. Councilman Justin Sip seconded the motion. Motion unanimously carried, 5-0. Ty Bringhurst – aye, Keen Ellsworth – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye.

1. Public input is sought on FINAL AMENDED BUDGET, Resolution #RES.2020.XX – Fiscal Year July, 2019 thru June, 2020.
2. Public input is sought on FINAL PROPOSED BUDGET, Resolution #RES.2020.XX – Fiscal Year July, 2020 thru June, 2021

Treasurer Dana McKim explained the budget amendment was for legal fees that came in after the last fiscal year ended. \$15,000 needs to be moved from the Economic Development fund to the Administration fund to cover those costs.

Resident Mark Gamett referenced the proposed final budget and the sales and use tax and RAP tax seemed to be high. Does the state give these figures? How do the rates compare with last year. Treasurer McKim commented that the rates were very similar to last year.

Resident Wayne Olsen calculated the wages from the maintenance, parks and trails, and all public works budgets and came up with \$235,000 for wages, which is way too much on the budget. Why is the Council over budgeting in this area? Does the City need a surplus?

Resident Joe Humpheries commented on Wayne Olsen's calculations and wondered if they were correct. Councilman Bringhurst responded by explaining the wage allocations and how that budget works.

Resident Wendi Merritt expressed frustration with frivolous spending. The essentials should be met before the wants. For example, the City has purchased flags and trees but has not given the employees benefits. Make the budget fit the City's needs before the wants.

Resident Sandra Feagin expressed concerns about the building and growth that is coming and that the needs of the current residents are not being met. There needs to be more transparency with the budget.

Councilman Justin Sip moved to close the Public Hearing portion of the meeting. Councilman Ty Bringhurst seconded the motion. Motion unanimously carried, 5-0. Ty Bringhurst – aye, Keen Ellsworth – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye.



G. BUSINESS:

1. Discussion and possible action on RES.2020.XX approving: (a) the proposed 10-year Residential Waste Collection Agreement between the Washington County Special Service District No. 1 and Republic Services, and (b) the proposed Solid Waste Collection Agreement between Washington County Special Service District No. 1 and the City of Toquerville, pertaining to billing and collection for solid waste services and related matters.

Fay Reber, the Attorney for the Solid Waste District, addressed the Council and explained the new 10 year contracts. The Council discussed the new contracts, the proposed rates and terms, the billing and collection agreement, and the recycling program. There will be an opt-out period from September 1st to November 30th for BluCan recycling.

Councilman Justin Sip moved to approve RES.2020.XX Residential waste collection agreements. Councilman Chuck Williams seconded the motion. Motion unanimously carried, 5-0. Ty Bringhurst – aye, Keen Ellsworth – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye.

2. Discussion and possible action on FINAL AMENDED BUDGET, Resolution #RES.2020.XX – Fiscal Year July, 2019 thru June 2020.

Councilman Keen Ellsworth moved to approve RES.2020.XX Final Amended Budget for fiscal year 19-20. Councilman Justin Sip seconded the motion. Motion unanimously carried, 5-0. Ty Bringhurst – aye, Keen Ellsworth – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye.

3. Discussion and possible action on FINAL PROPOSED BUDGET and Property Tax levy rate, Resolution #RES.2020.XX – Fiscal Year July, 2020 thru June, 2021.

The Council discussed the property tax levy rate was approved at 0.001320 for an increase of \$200,000.

Councilman Ty Bringhurst moved to approve RES.2020.XX final Proposed Budget and Property Tax Levy Rate for fiscal year 20-21 with changes made to the proposed budget. Councilman Keen Ellsworth seconded the motion. Motion unanimously carried, 5-0. Ty Bringhurst – aye, Keen Ellsworth – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye.

4. Discussion and possible action on increasing culinary water rates.

The Council discussed tabling this item so more information could be gathered and a public hearing scheduled for September.

Councilman Ty Bringhurst moved to table the discussion and possible action on increasing culinary water rates. Councilman Justin Sip seconded the motion. Motion unanimously carried, 5-0. Ty Bringhurst – aye, Keen Ellsworth – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye.



H. COUNCIL REPORTS:

1. Justin Sip reported on a meeting with the engineer for a walking path on the east side of the Westfield Bridge. Plans and amounts will be presented at the next meeting.
2. Keen Ellsworth reported the timeline to start construction for the parkway is about April or May. Many developers and businesses want to come to Toquerville. The Council discussed pumping sewer water back into the City to use as secondary water.
3. Ty Bringhurst reported some streets are on the schedule to get striped. The turning lanes for Cholla Creek Subdivision will cost approximately \$600,000. The City will split the cost with UDOT and pay half.
4. Gary Chaves reported the number of mosquitos is up. There are no reports of West Nile virus.
5. Chuck Williams did not have anything to report.
6. Mayor Lynn Chamberlain did not have anything to report.

I. ADJOURN:

Councilman Ty Bringhurst moved to adjourn the Regular Business Meeting. Councilman Justin Sip seconded the motion. Motion unanimously carried, 5-0. Ty Bringhurst – aye, Keen Ellsworth – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye.

Mayor Chamberlain adjourned the meeting at 8:06 p.m.



Mayor – Lynn Chamberlain

9/10/2020
Date



Attest: City Recorder – Ruth Evans

