

City of La Verkin

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www.laverkin.org

La Verkin City Council Meeting Minutes

Wednesday, September 2, 2020, 6:00 p.m.

Council Chambers, 111 S. Main, La Verkin, Utah

Present: Mayor Richard Hirschi, Council Members: Chuck Hardy, Micah Gubler, Patricia Wise, Ray Justice, and Kelly Wilson; Staff: Christy Ballard, Kevin Bennett, Chief Ben Lee, and Kyle Gubler; Public: Brian Stewart, Mary Lee Smith, Arden Smith, Lamont Smith, Leslie Nisson, Rick Tschog, Grace Hayes, Wyatt Smith, Mike Chandler, Tiffany & Kevin Mower, Nick Nuccitelli, Jared Barker, and Amber Crouse.

Derek Imlay was excused.

A. Called to Order –The invocation and the Pledge of Allegiance were given by Chuck Hardy at 6:02 pm.

B. Recognition:

1. Officer Chris Smith was awarded a life-saving award for rescuing a suicidal individual from the La Verkin bridge.

Committee reports are emailed now, however, Mike Chandler was not able to get Ash Creek Sewer Districts sent out, so he attended the meeting in person to give his report.

Ash Creek SSD is currently working on several large projects, 3000 South in Hurricane and the continuation of the concrete pipeline replacement on 3700 West.

He met with the County regarding water metering in Confluence Park to plan for their needs once the facility is built. They are meeting with engineers later in the month to begin designing the treatment plant.

Mike will be meeting with Mayor Spendlove from Virgin to discuss the possibility of Ash Creek SSD providing them sewer.

Mayor Hirschi asked if sewer would need to be involved in the 100 South road project.

Mike replied he has met with Sunrise Engineering regarding this project. The City is aware of what the District will need. He discussed other potential projects in La Verkin.

Councilwoman Wise reported on the potential multi-use trail along SR9 so Ash Creek SSD would be aware of it when they are working in that area.

Mike reported several different communities use Ash Creek SSD easements as trails and it is a great partnership.

C. Consent Agenda: (Items on the consent agenda may not require discussion. These items will be a single motion unless removed at the request of the Mayor or City Council.)

1. Declarations of conflict of interest
2. Agenda
3. Meeting Minutes: August 19, 2020, regular meeting
4. Review Invoices and Checks: \$208,448.25

The motion was made by Councilwoman Patricia Wise to approve the consent agenda as written including the minutes of the August 19, 2020, regular meeting and Invoices and Checks in the amount of \$208,448.25, second by Councilman Kelly Wilson. Roll Call Vote: Hardy-yes, Gubler-yes, Justice-yes. Wise-yes, Wilson-yes. Motion carried unanimously.

D. Citizen Comment & Request for Future Agenda Items:

No comments were made.

E. Business:

1. Discussion and possible action to approve Proclamation No. 2020-03; a proclamation designating September 17-23, 2020 as Constitution Week.

Kevin explained this is an annual proclamation sponsored by the Daughters of the American Revolution. The designated week changes every several years but always includes September 17th which is the anniversary of the signing of the Constitution.

The motion was made by Councilman Chuck Hardy to approve Proclamation No. 2020-03; a proclamation designating September 17-23, 2020 as Constitution Week, second by Councilman Ray Justice. Hardy-yes, Gubler-yes, Justice-yes, Wise-yes, Wilson-yes. Motion carried unanimously.

2. Discussion and possible action to approve a Memorandum of Understanding between La Verkin City and Gail G. Earl.

Kyle explained this is the MOU put together stating the conditions determined by the Council during the work meeting. The City plans to include this in the 100 South Road Project.

He went over the things listed in the MOU that the City will be responsible for completing. In return, the Earls will need to deed over the property with the drainage grates, so the City can maintain them.

He will send the MOU to the Earl family once the Mayor signs it.

The Earl family did agree with everything in this MOU during the work meeting the City Council held with them.

There is no time frame for the City to complete this work.

The motion was made by Councilman Kelly Wilson to approve a Memorandum of Understanding between La Verkin City and Gail G. Earl, second by Councilman Chuck Hardy. Roll Call Vote: Wilson-yes, Wise-yes, Justice-yes, Gubler-yes, Hardy-yes. Motion carried unanimously.

3. Discussion and possible action to approve Ordinance No. 2020-04; an ordinance adopting provisions of the Utah Code, including the Utah Criminal Code, the Motor Vehicle Insurance Provisions, the Motor Vehicle Act, the Uniform Driver License Act, the Traffic Rules and Regulations, the Publicly Owned Motor Vehicle Provisions, the Driving by Minors Provisions, the Financial Responsibility of Motor Vehicle Owners and Operators Act, the Vintage Vehicle Provisions, the Off-Highway Vehicle Provisions, the Utah Code of Criminal Procedure, the Alcoholic Beverage Control Act, the Utah Controlled Substances Act, the Utah Drug Paraphernalia Act, and the Utah Imitation Controlled Substances Act.

Chief Lee explained this is adopted each year to keep La Verkin City current with state law.

Kevin reported the legislature does make changes sometimes. La Verkin's criminal code is quite simple, most of our code refers to the State Criminal Code.

The motion was made by Councilman Micah Gubler to approve Ordinance No. 2020-04; an ordinance adopting provisions of the Utah Code, including the Utah Criminal Code, the Motor Vehicle Insurance Provisions, the Motor Vehicle Act, the Uniform Driver License Act, the Traffic Rules, and Regulations, the Publicly Owned Motor Vehicle Provisions, the Driving by Minors Provisions, the Financial Responsibility of Motor Vehicle Owners and Operators Act, the Vintage Vehicle Provisions, the Off-Highway Vehicle Provisions, the Utah Code of Criminal Procedure, the Alcoholic Beverage Control Act, the Utah Controlled Substances Act, the Utah Drug Paraphernalia Act, and the Utah Imitation Controlled Substances Act, second by Councilman Ray Justice. Hardy-yes, Gubler-yes, Justice-yes, Wise-yes, Wilson-yes. Motion carried unanimously.

4. Discussion and possible action regarding the Zion Regional Collaborative Coordinator position proposal.

Councilwoman Wise explained the ZRC has been around for a long time but is just gaining some foothold in achieving concrete actions. The National Scenic Byway for SR9 should be complete soon which could be very beneficial to La Verkin City.

ZRC is also working with Washington County and Dixie State University to create a regional app that will track tourism activity throughout the County. This could also benefit La Verkin City.

The ZRC works specifically with the east side of the County. She named the entities that have a representative on the Committee and the ones that attend the meetings. It is a very impressive group of entities working together to accomplish their goals. La Verkin benefits greatly from the ZRC's current projects.

They are currently trying to raise funds to hire an independent contractor as the coordinator of the ZRC. The goal for the remainder of the 2020-2021 year is to create a 501c3 for the ZRC. This will increase funding available for the group.

She is asking for a donation of \$5,000 from La Verkin City. This money would come out of the RAP Tax money. The ZRC is also working on an interlocal agreement so they will need each community to review it before they send it out for final approval.

If the ZRC isn't able to raise enough money for the coordinator they will be assigned an Americorp Vista volunteer which is good but would require the ZRC to start over. The donations they receive would still be used for other things such as office space or housing.

The motion was made by Councilman Kelly Wilson to approve a \$5,000 donation to the Zion Regional Collaborative Coordinator position, second by Councilman Micah Gubler. Roll Call Vote: Hardy-yes, Gubler-yes, Justice-yes, Wise-yes. Wilson-yes. Motion carried unanimously.

5. Discussion and possible action on possible renaming of the new Power Plant Trailhead Park on 210 South. Kyle explained one of the members of the ad-hoc committee put together for the planning of the new park doesn't like the name Power Plant Trailhead Park. The park has never been officially named but the County is getting ready to make the signs, so the Council needs to decide on a name.

Councilwoman Wise explained during the grant application process she did not confirm the name with the committee. The power plant is a big part of the history of La Verkin, but she is okay if the Council wants to change the name. If the name is changed, the State will need to be notified so the contract can be changed.

The County is waiting to hear back from La Verkin before they make the signs.

The County created a trail from this area that leads right to the power plant. The park did need to tie into tourism and have a trail tied into it to qualify for the Outdoor Recreation Grant, so it just made good sense for the City to "piggyback" on an existing grant. She was looking at it logistically and apologized for not getting committee input on the name.

It is first and foremost a city park so the name can change.

Councilman Gubler asked if there was enough time to put a poll out on the Facebook page.

There will be a poll put on Facebook for different options and put on the next city council agenda. It will not be a majority rules vote, just a place to get different suggestions.

6. Discussion and possible action to approve a JAG Grant application to the Utah Commission on Criminal and Juvenile Justice (CCJJ).

Chief Lee explained this is a \$4,500 grant that he applied for and received last year. The money would be used to replace equipment.

Councilman Justice asked if there were any "federal strings" attached to the grant.

Kevin replied the only strings had to do with whether we were a sanctuary city with restrictions on who could talk to ICE (Immigration and Customs Enforcement). La Verkin City does not have that.

The motion was made by Councilman Kelly Wilson to approve the JAG Grant application to the Utah Commission on Criminal and Juvenile Justice, second by Councilman Chuck Hardy. Roll Call Vote: Wilson-yes, Wise-yes, Justice-yes, Gubler-yes, Hardy-yes. Motion carried unanimously.

F. Mayor & Council Reports:

Mayor Hirschi-There was a fire right behind his house. Chief Lee, Steve Drummond, and Sergeant Crouse arrived and put the fire out before the fire department arrived.

Wilson-Nothing to report.

Wise-The Utah Outdoor Recreation Summit was online this year. Outdoor recreation equipment sales have skyrocketed which is good, but it has been hard on infrastructure. One of the forest areas along the Wasatch Front reported they average 100 restrooms per 8,000 visitors and they are currently 13.5 times that amount. The federal money is helping a little bit, but everyone is still scrambling trying to figure out what to do.

It's time to "batten down the hatches" and look toward the future. Zoning and planning will be more crucial than it ever has been. What we offer visitors and how we take care of infringement of vacation rentals is going to continue to be big. They anticipate this lasting another year at least.

Justice-Nothing to report.

Gubler-Nothing to report.

Hardy-Mosquito Abatement has been slow due to the lack of rain. After this last rainstorm, they will begin fogging. There have been no identified mosquito-transmitted illnesses yet this year. Fogging chemicals do not harm people or animals. It is designed to only destroy mosquitos and the larva.

G. Adjourn:

The motion was made by Councilman Ray Justice to adjourn, second by Councilman Chuck Hardy. The motion carried unanimously at 7:19 pm.

Minutes were done by Christy Ballard.

September 16, 2020
Date Approved

ATTEST: Christy Ballard
Christy Ballard
City Recorder

Richard M. Hirschi
Mayor Richard M. Hirschi