

**TOQUERVILLE CITY COUNCIL**  
**Regular Work Meeting Minutes**  
**September 3, 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 Dana McKim, Public Works Director Lance Gubler, Attorney Heath Snow; Support Staff: Planning Chairman Manning Butterworth, Ash Creek Special Services District Representative Blair Gubler; Public: Tammy Henderson, Wayne Olsen, Rebecca Olsen, Ernie Olsen, Wendi Merritt; Absent: Councilman Keen Ellsworth, Recorder Ruth Evans, Hurricane Valley Fire District Representative Merlin Spendlove.

**A. CALL TO ORDER:**

Mayor 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. 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 asked the Council for a date for road repairs on Center Street. Councilman Bringhurst did not have any updates to report. Mr. Gubler reported the pump house is coming along.

Mayor Chamberlain reported that Hurricane Valley Fire Department Representative Merlin Spendlove has been busy fighting fires and the City appreciates all the Fire Department does.

Planning Commission Chair Manning Butterworth did not have anything to report.

Public Works Director Lance Gubler reported the storm drain by DC Young's home has been installed and completed. There was a ball field tournament last weekend and it went well. The league was from California and they utilized the field from 6:00 a.m. until midnight most days. There are three more tournaments scheduled for next month. The fee for the baseball field lights needs to be re-evaluated; staff feels like the current fee is too low. The water line on Center Street has been installed and the pressure test was passed. The lease on the City truck is coming due and there is a new lease proposal which will cost about half of the current lease. Bids are coming in for trimming trees along the Boulevard. A certified arborist will oversee the project. There will be a Tree Board meeting soon to discuss how and when the project should be done. The Sewer District or Hurricane City will help clean out the culverts throughout the City. The City Staff is down two employees from last year and the current Staff could benefit from hiring additional help before the City gets too busy.



**D. PUBLIC FORUM:**

Resident Wendi Merritt commented that the hiking trails in northern Utah have been shut down due to human fecal matter contamination and overuse. Perhaps the BLM could test the water coming downstream from Toquer Falls for fecal matter contamination. There has been a lighting nuisance in the area that has recently been turned off and it is much appreciated.

Resident Wayne Olsen commented that people at the park are from out of state and not wearing masks, which violates the state mask mandate. There were teenagers climbing over the fence and damaging the fence. Mr. Olsen cut the lock off the gate so they would not continue to damage the fence. Mr. Olsen is not in favor of letting out of state people use the City Park.

Resident Becky Olsen brought up concerns of abandoned vehicles on Westfield Road, unlicensed businesses being run out of homes, and excess trash and weeds on people's property. These problems make the city look run down and bring down property values. Existing nuisances need to be addressed before the city grows any larger.

Resident Tammy Henderson commented that Hunter Lane is actually a private road, and not a public city road. Private roads are designated by blue street signs and public roads have green signs. Ms. Henderson would like the city to order a new blue street sign for Hunter Lane so it can be identified as a private road.

Resident Dan Catlin commented on the code enforcement issues in Toquerville. There should be an ordinance stating that front yards need to be landscaped within a certain period of time to reduce weeds and improve the look of the City. There are parked cars that remain on the street and landscaping that is out of control on several properties. These nuisance issues need to be enforced.

**E. WORKING AGENDA:**

1. Discussion on Resolution 2020.XX increasing culinary water rates and base gallon usage.

Councilman Bringhurst discussed the new water rate proposals with the input given from Staff and the other Councilmen. The proposals are still being worked on and modified to best meet the needs of the City and the residents. This information will be submitted to Alpha Engineering for review. Resident Wayne Olsen commented that the Council is smart enough to come up with draft proposals without spending money with Alpha. The residents would like to hear the truth about where the bill needs to be. Don't charge too little or too much. Find the right amount and let the residents know.

2. Discussion on Resolution 2020.XX amending Uniform Fee Schedule.

The Council discussed that the fee schedule will need to be updated once the water rates are modified.

3. Discussion on city road widths and on-street parking requirements.

The Council discussed the issues with parking on the streets of Peachtree, Westfield and a few others. There is a major safety concern with parking on these narrower streets. Residents are speeding and trying to navigate narrow roads with cars parked on either side. Councilman Williams put forth a proposal to prohibit all on-street parking on Westfield Road. There is no law stating the City has to provide on street parking. Action should be taken before someone



gets hurt or killed on one of these roads. Any parking ordinance that is passed will need to be enforced. Attorney Snow commented that Staff has authority to enforce the current parking ordinances. The Council discussed holding a public hearing next month to receive residents input on parking issues.

4. Discussion on vote ratification of Resolution 2020.XX New Springs Water Tank Resiliency Grant. *(Phone call vote taken on August 25, 2020. Motion unanimously carried 5-0)*

The Council discussed this Resolution was previously voted on and it will need to be ratified at next week's meeting.

5. Discussion on Resolution 2020.XX Constitution Week.

The Council discussed this resolution is presented every year for approval.

6. Discussion on expenditure approval of \$2,840.00 for fence slats on Old Church Road.

The Council discussed the purpose of installing the fence slats is for privacy and to keep vicious dogs away from pedestrians on the walking path. Resident Wayne Olsen commented that if fence slats go in, the weeds on the other side of the fence will get out of control. The fence slats will not deter dogs from barking either. Mr. Olsen is in favor of a barrier between pedestrians and the dogs but was not in favor of putting in fence slats.

7. Discussion on Ordinance 2020.XX Commercial Design Standards – an ordinance creating additional design standards applicable to only commercial developments within the corporate limits of Toquerville City. *(Planning Commission recommended approval 5-0)*

The Council discussed this ordinance has been reviewed extensively by the Planning Commission and reviewed by Attorney Snow. The Council discussed the updated language and requested all other revisions be done before next week's meeting.

8. Discussion on city vehicle leases.

The Council discussed the Ford F-350 lease that is expiring soon. The Council and Attorney Snow discussed the current lease versus the proposed lease, whether an employee should be allowed to drive a city vehicle for personal use, who would be responsible for insuring the vehicle, who pays for fuel, and the liabilities associated with letting an employee use a city leased vehicle.

9. Discussion on expenditure policy.

The current expenditure policy states every expenditure over \$2,500.00 needs to be approved by the City Council. Several Councilmen would like to see this limit raised to \$5,000.00. Attorney Snow stated the standard limit for most municipalities is \$5,000.00.

10. Discussion on Cholla turning lanes.

Councilman Bringhurst updated the Council on the latest developments with construction timelines and financing options. This project will most likely begin after the bypass road is started. The estimated cost is \$600,000, with the City paying half of this cost. Treasurer McKim will look into applying for a loan for \$300,000.



## 11. Discussion on State Fraud Risk Assessment.

Treasurer McKim reported this Risk Assessment is required by the State. The Council discussed the areas that were deficient and what the City can do to lower fraud risk.

### F. COUNCIL REPORTS:

Justin Sip reported on the Solid Waste meeting held last month. The City would like to get a recycling bin for cardboard. An engineer is working on a pedestrian bridge for Westfield Road. The trails and parks budgets will now be combined. The treatment plant at Confluence Park will be done in approximately 2-3 years. The City would like to reclaim that waste water and use it for secondary water.

Ty Bringhurst reported that several roads around town have been striped. A portion of Shangri-La Drive will be redone and straightened out to remove a sharp curve. Center Street will be patched on Wednesday. There will be a meeting with the BLM and the Eaton's about a possible land exchange involving Devil's Hole.

Gary Chaves reported the Confluence Park meeting was cancelled. The Mosquito Abatement meeting reported of new mosquitos in the area and they are working to isolate and eradicate them.

Chuck Williams reported on the Tree Board meeting this month to discuss trimming the trees on the Boulevard. The Toquerville Royalty wants to do a different fundraiser this year and will discuss alternatives.

Mayor Chamberlain reported at the DTEC meeting the bypass road has been recorded. The new bypass road through Hurricane will end in Leeds. There will probably not be any connecting roads to Toquerville.

### G. CALENDAR OF EVENTS:

Toquerville Clean Up Days will be September 25 through the 28<sup>th</sup>. Five dumpsters will be placed around town for residents to deposit branches, tree trimmings, and trash.

### H. ADJOURN REGULAR SESSION:

The Council discussed moving into a closed session for the purpose of discussing pending or reasonably imminent litigation.

*Councilman Ty Bringhurst moved to enter into a closed session for the purpose of discussing pending or reasonably imminent litigation. Councilman Justin Sip 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 meeting at 8:02 p.m.

### I. CLOSED SESSION:

The closed session for the purpose of discussing pending or reasonably imminent litigation was called to order at 8:05 p.m.

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

The closed session adjourned at 8:43 p.m.



**J. ADJOURN:**

Mayor Chamberlain called the meeting back into open session at 8:43 p.m.

***Councilman Justin Sip moved to adjourn the Regular Business Meeting. Councilman Chuck Williams 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 business meeting at 8:44 p.m.

  
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Mayor – Lynn Chamberlain

10/8/2020  
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Date

  
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Attest, City Recorder – Ruth Evans

