

TOQUERVILLE CITY COUNCIL
Regular Business Meeting Minutes
November 12, 2020, at 6:00 pm
212 N. Toquer Blvd, Toquerville Utah



This meeting was held electronically via Zoom.

Present: Mayor Lynn Chamberlain; Councilmembers: Keen Ellsworth, Justin Sip, Ty Bringhurst, Gary Chaves, Chuck Williams; Staff: Attorney Heath Snow, Zoning Official Mike Vercimak, Treasurer Dana McKim, Public Works Director Lance Gubler, Recorder Ruth Evans; Support Staff: Planning Chairman Manning Butterworth, Hurricane Valley Fire District Representative Merlin Spendlove.

A. CALL TO ORDER:

1. Mayor Chamberlain called the meeting to order at 6:01 p.m. Councilman Bringhurst led the Pledge of Allegiance. Councilman Ellsworth 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. There were no disclosures, nor conflict declarations from Council Members.

Councilman Keen Ellsworth moved to approve the Regular Business Meeting Agenda. 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.

C. CONSENT AGENDA:

1. Review and possible approval of meeting minutes from October 1st Work Meeting and October 8th Business Meeting.

Councilman Chuck Williams moved to approve the meeting minutes from October 1st Work Meeting and October 8th Business Meeting. 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.

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

Councilman Ty Bringhurst moved to approve the City Expenditures from October 2020. 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.

D. CITY DEPARTMENT REPORTS:

1. Hurricane Valley Fire District Representative Merlin Spendlove reported that at least one acre would be needed to have a fire station.
2. Zoning Administrator Mike Vercimak did not have anything to report.



3. Planning Commission Chair Manning Butterworth did not have anything to report.
4. Public Works Director Lance Gubler reported that staff is working on expending the CARES Act money and would welcome suggestions from Councilmembers.
5. City Attorney Heath Snow requested an executive session at the end of the open meeting.

E. PUBLIC FORUM:

There were no comments from the public.

F. BUSINESS:

1. Discussion and possible action on Resolution 2020.XX Uniform Fee Schedule to modify park pavilion and ballfield rental fees and cemetery disinterment fee.

The Council discussed the park pavilion and ballfield rental fees are for city-owned tables and chairs that are available for rent. The Council has decided to not deliver any city property but will continue to rent them out. A disinterment fee of \$1000 needs to be added to the fee schedule.

Councilman Justin Sip moved to approve Resolution 2020.XX Uniform Fee Schedule with the removal of delivery fees. 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.

2. Discussion and possible action on Ordinance 2020.XX 4-1-2 Nuisances.

The Council discussed this is a housekeeping item to update this Ordinance to include the two latest updates.

Councilman Gary Chaves moved to approve Ordinance 2020.XX 4-1-2 Nuisances. 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.

3. Discussion and possible action on Ordinance 2020.XX 6-2-7 & 6-2-20 Parking and Sidewalk Safety.

The Council discussed this Ordinance adds an authorized city staff member as one who can enforce the code and updates the penalty fee schedule.

Councilman Keen Ellsworth moved to approve Ordinance 2020.XX 6-2-7 & 6-2-20 Parking and Sidewalk Safety. 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.

4. Discussion and possible action on Ordinance 2020.XX 8-6 Solid Waste Collection and Disposal.



The Council discussed that the Solid Waste District manages the Blucan program and the City manages the billing. The opt-out period is from now until November 30th. The Council discussed managing the demand for recycling, contract options, the scheduled increases for the garbage rates, the opt-out program, and offering an opt-out period once a year. Attorney Heath Snow will revise section 8-6-6 to include an opt-out period every January that the City will manage.

Councilman Justin Sip moved to approve Ordinance 2020.XX 8-6 Solid Waste Collection and Disposal with stated changes to section 8-6-6. Councilman Gary Chaves seconded the motion. Motion unanimously carried, 5-0. Ty Bringhurst – aye, Keen Ellsworth – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye.

5. Discussion on appointing a code enforcement officer.

The Council discussed the pros and cons of hiring a contractor vs. an employee, the cost to the City, and possibly contracting with another city for code enforcement. Councilman Chaves will find out if this type of position is already included in the City's insurance.

Councilman Gary Chaves moved to table appointing a code enforcement officer until further information is obtained. 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.

6. Discussion on a Special City Council Meeting with ACSSD and WCWCD.

The Council discussed this meeting is November 30th at 11:00 a.m. to discuss water and sewer needs for future development.

G. COUNCIL REPORTS:

1. Justin Sip reported the park plan drawings for the Westfield Park should be ready for the December meeting.
2. Keen Ellsworth reported on a meeting with David Robertson from Lewis Young Robertson regarding projected growth rates and projected city needs for the next six months. This study will help the City plan and prepare for the growth that is coming. An application has been submitted for a developer wanting a right-of-way for utilities through BLM land. More information will be presented at next month's meeting.
3. Ty Bringhurst did not have anything to report.
4. Gary Chaves reported the Mosquito Abatement District has not recorded any West Nile Virus cases among collected mosquitos. They have discovered two new types of mosquitos.
5. Chuck Williams reported the Christmas tree lighting ceremony has been cancelled due to COVID concerns. The Christmas lights at City Hall will be put up before Thanksgiving. One idea for the Cares Act money would be to send out another newsletter to the citizens.

Mayor Lynn Chamberlain would like to see the Christmas lighting contest continue this year. Last year's winners will be available in December to judge this year's contestants.



H. CALENDAR OF EVENTS:

There is a Wreaths Across America ceremony on December 19th at 10:00 a.m. at the Toquerville City Cemetery to honor our veterans.

I. ADJOURN REGULAR SESSION:

The Council discussed moving into a closed session for the purpose of discussing pending or reasonably imminent litigation and to discuss the purchase, exchange, or lease of real property.

Councilman Chuck Williams moved to enter into a closed session for the purpose of discussing pending or reasonably imminent litigation and to discuss the purchase, exchange, or lease of real property. Councilman Keen Ellsworth seconded the motion. Motion unanimously carried, 5-0. Ty Bringham – aye, Keen Ellsworth – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye.

Mayor Chamberlain adjourned the regular meeting at 7:17 p.m.

J. CLOSED SESSION:

The closed session for the purpose of discussing pending or reasonably imminent litigation and to discuss the purchase, exchange, or lease of real property was called to order at 7:33 p.m.

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

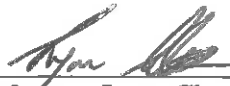
The closed session adjourned at 8:35 p.m.

K. ADJOURN:

Mayor Chamberlain called the meeting back into open session at 8:35 p.m.

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

Mayor Chamberlain adjourned the regular business meeting at 8:35 p.m.



Mayor – Lynn Chamberlain

12/10/2020
Date



Attest: City Recorder – Ruth Evans

