

TOQUERVILLE CITY COUNCIL
Regular Business Meeting Minutes
December 10, 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: 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:

Mayor Chamberlain called the meeting to order at 6:00 p.m. Councilman Williams led the Pledge of Allegiance. Councilman Chaves gave the invocation. There were no opening comments from Council Members or residents. There were no statements of belief voiced.

B. APPROVAL OF AGENDA:

The Council reviewed the agenda. Councilman Ellsworth disclosed a possible conflict with business item G3, BLM application for two rights-of-way, stating he has provided consulting services for the applicant.

Councilman Justin Sip moved to approve the Regular Business Meeting Agenda. 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.

C. CONSENT AGENDA:

Review and possible approval of meeting minutes from November 5th Work Meeting, November 12th Business Meeting, and November 30th Special Work Meeting.

Councilman Keen Ellsworth moved to approve the meeting minutes from November 5th, November 12th, and November 30th. 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.

Review and possible approval of City Expenditures from November 2020.

Councilman Chuck Williams moved to approve the City Expenditures from November 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. PRESENTATION

Dave Whittwer from Hinton Burdick CPA's reported on the 2020 fiscal year audit report prepared by Keddington & Christensen. Mr. Whittwer reported on the financial statements that show no deficiencies, the State compliance report that did show one finding regarding the fund balance, and the financial highlights of the audit. These highlights include the water budget, assets, available funds, liabilities, cash trends and the overall good financial condition of the City.



E. CITY DEPARTMENT REPORTS:

Hurricane Valley Fire District Representative Merlin Spendlove reported on 17 medical calls, 3 transports, 11 transport refusals, 3 cancelled calls, and 3 fire response calls. The Council asked about false alarm calls and if there were any fines from the Fire Department for those. Mr. Spendlove responded at this time there are no fines for false alarm calls, but there may be fines for excessive false alarm calls in the future.

Zoning Administrator Mike Vercimak reported on the increase in applications coming into the office. He has received a preliminary plat application for part of the Ash Creek Crossing subdivision, a concept map for the bypass road, and inquiries about the Browse exit property for another possible RV park. Growth is coming and the City needs to be prepared for it.

Planning Commission Chair Manning Butterworth did not have anything to report. Mayor Chamberlain commented that the Council will be discussing possible candidates for another Commissioner and two Alternate Commissioners.

Public Works Director Lance Gubler reported the Tree City grant for the Westfield Park has been applied for. The first stage of the Recreation Grant for the walking path from the Center Street Park to Westfield Road has been submitted. There has been another instance of vandalism and drugs at the park. The newly installed cameras were able to identify the teenagers involved. The teenagers and their parents have been contacted and are going to help with the cleanup and repairs. The slats have been installed on the City's portion of the fence by the park. The CARES act money is being used to install new doors at the bathrooms, timers on park lights, and the wiring for the audio-visual upgrades to the Council room. A new fire hydrant has been installed in Anderson Junction that sends notifications so Staff can see if there is a leak or if someone is stealing water.

City Treasurer Dana McKim reported on the CARES act money the City has received from the State. The City has received \$145,781.00 in three installments. The money has been used to upgrade IT systems, security systems, equipment for employees to work from home, audio-visual equipment to assist with virtual meetings, and to help with medical bills for a staff member who had COVID.

City Attorney Heath Snow requested an Executive session after the regular meeting and updated the Council on the Ash Creek Crossing development agreement. The City may need to adopt additional policies to some development agreements to help with reimbursing developers for public utilities. The City owns the entire Toquer Parkway right-of-way, and it needs to be built. Details need to be worked out with the developer who is building the road on city property.

F. PUBLIC FORUM:

Resident Manning Butterworth commented that on December 21, 2020 Jupiter and Saturn will be very close together and look like they are one big star. This is a once in a lifetime event and citizens are encouraged to view this amazing sight.

G. BUSINESS:

1. Discussion and possible action on Ordinance 2020.XX special event permits.

The Council discussed this ordinance is not ready for approval and needs more input and changes.



Councilman Ty Bringhurst moved to table ORD.2020.XX special event permit until January. 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. Discussion and possible action on reciprocal business licenses/exceptions for home offices.

The Council discussed the need for a reciprocal business license ordinance that acknowledges other cities business licenses.

Councilman Justin Sip moved to table the reciprocal business license ordinance until January. 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.

3. Discussion and possible action on BLM application for two rights-of-way for utilities and city roads.

The Council discussed this application last week and that it has been submitted and needs approval from the City Council.

Councilman Justin Sip moved to approve the BLM application for two rights-of-way for utilities and city roads. 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.

4. Discussion and possible action on Resolution 2020.XX City Council and Planning Commission annual meeting schedule.

The Council discussed options for a new schedule and when Zoning Official Mike Vercimak and Attorney Heath Snow could attend. The Council discussed amending the schedule to have City Council meetings on the 1st and 3rd Wednesdays, Planning Commission on the 2nd Wednesday, and Development Staff meeting on the 4th Wednesday of the month. All meetings, with the exception of Staff, will start at 6:00 p.m.

Councilman Ty Bringhurst moved to approve Resolution 2020.XX City Council and Planning Commission annual meeting schedule as stated. 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.

5. Discussion and possible action on City Council board assignments.

Councilman Ty Bringhurst moved to approve the City Council board assignments as presently assigned. 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.

6. Discussion and possible action on Resolution 2020.XX WCSWD representative appointment.



Councilman Justin Sip moved to approve Resolution 2020.XX WCSWD representative appointment. 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.

7. Discussion and possible action on Resolution 2020.XX Southwest Mosquito Abatement representative appointment.

Councilman Justin Sip moved to approve Resolution 2020.XX Southwest Mosquito Abatement naming Gary Chaves as the representative appointment. 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.

8. Discussion and possible action on Resolution 2020.XX HVFD representative appointment.

Councilman Justin Sip moved to approve Resolution 2020.XX HVFD naming Keel Ellsworth as the representative appointment. 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.

9. Discussion and possible action on Resolution 2020.XX ACSSD representative appointment.

Councilman Ty Bringhurst moved to approve Resolution 2020.XX ACSSD naming Justin Sip as the representative appointment. 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.

10. Discussion and possible action on Resolution 2020.XX ACSSD Mayoral representation to the Administrative Council.

Councilman Justin Sip moved to approve Resolution 2020.XX ACSSD Mayoral representation to the Administrative Council. 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.

11. Discussion and possible action on naming Mayor Pro Tem for 2021.

Councilman Ty Bringhurst moved to approve Keen Ellsworth as Mayor Pro Tempore for 2021. 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.

12. Discussion and possible action on reappointment of 2020 Planning Commission seat.

The Council discussed Manning Butterworth's Commission seat is expiring at the end of 2020. Mr. Butterworth would like to continue to serve, however due to the new schedule just passed by the City Council, he is unable to continue to serve. Jason Grygla will be taking the place of Rebecca Hansen who has resigned. Gary Tomsik will take Manning Butterworth's place and Cathleen Lee will be the new alternate. This still leaves one opening for another alternate.



Councilman Ty Bringhurst moved to approve the Mayor's appointments of Jason Grygla and Gary Tomsik to the Planning Commission and Cathleen Lee as an Alternate Planning Commissioner. 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 the Sewer District's new budget and their plans for 2021. The Sewer District will plan to start on the engineering of the Confluence Park bridge in 2022. Plans for the Westfield pedestrian bridge will be sent to the engineer so bids can be received for the construction of the bridge.
2. Keen Ellsworth reported on concerns on zoning issues and increased traffic on Westfield Road due to a preliminary plat that has recently been submitted. HVFD Representative Merlin Spendlove commented the Fire Department will not be issuing any building permits until a secondary access is built. Once a secondary access is in, the traffic will decrease on Westfield Road. Attorney Snow commented that the developer does not need to do a zone change.
3. Ty Bringhurst requested an Executive session.
4. Gary Chaves reported that the Confluence Park meeting was cancelled. The budget passed during the Mosquito Abatement meeting. Toquerville has a lower mosquito count than other cities in Washington County.
5. Chuck Williams reported on the Wreaths Across America ceremony this Saturday and next at 10:00 a.m. All are invited to attend.

I. ADJOURN REGULAR SESSION:

The Council discussed moving into a closed session for the purpose of discussing the purchase, exchange, or lease of real property.

Councilman Chuck Williams moved to enter a closed session for the purpose of discussing the purchase, exchange, or lease of real property. 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.

Mayor Chamberlain adjourned the regular meeting at 7:34 p.m.

J. CLOSED SESSION:

The closed session for the purpose of discussing the purchase, exchange, or lease of real property was called to order at 7:40 p.m.

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

The closed session adjourned at 8:16 p.m.

K. ADJOURN:

Mayor Chamberlain called the meeting back into open session at 8:16 p.m.



Councilman Justin Sip moved to adjourn the Regular Business Meeting. 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.

Mayor Chamberlain adjourned the regular business meeting at 8:16 p.m.



Mayor – Lynn Chamberlain

1/21/2021
Date



Attest: City Recorder – Ruth Evans

