**TOQUERVILLE CITY COUNCIL**

**Regular Work Meeting Minutes**

**February 3, 2021, at 6:00 pm**

212 N. Toquer Blvd, Toquerville Utah

Present: Mayor Lynn Chamberlain; Councilmembers: Keen Ellsworth, Ty Bringhurst, Justin Sip, Gary Chaves (via YouTube), Chuck Williams; Staff: Attorney Heath Snow, Treasurer Dana McKim, Public Works Director Lance Gubler, Recorder Ruth Evans; Support Staff: Planning Chairman Dan Catlin, Zoning Official Mike Vercimak, Hurricane Valley Fire District Representative Merlin Spendlove, Absent: Ash Creek Special Services District Representative Mike Chandler.

1. CALL TO ORDER:

Mayor Chamberlain called the meeting to order at 6:00 p.m. The Pledge of Allegiance was led by Councilman Ellsworth. 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.

1. **CITY DEPARTMENT REPORTS:**

Hurricane Valley Fire Department Representative Merlin Spendlove reported the Fire District has received over 300 calls for the month of January. The District is receiving updated training for defibrillators. Burn season is still open and applications are being accepted online. The annual cleanup at the park will need to be scheduled before fire season gets too busy.

Zoning Official Mike Vercimak did not have anything to report.

Planning Commission Chairman Dan Catlin reported that 6 renewals were approved and the MPDO ordinance was tabled last month. There will be a public hearing on February 10th for the old Winery to become a nightly rental and the MPDO ordinance. The preliminary plat for a subdivision was temporarily withdrawn and they will reschedule their public hearing in March.

Public Works Director Lance Gubler reported that dirt is being taken to Westfield Park. There was a part of Mills Road that was receding, and it was filled with road base and fixed. Councilman Sip received drawings for the Westfield Pedestrian bridge. There have been complaints about dog feces not being picked up at the parks, however the lawns were just aerated, and the dirt was mistaken for dog feces.

Dan Catlin commented that there has been an instance of tagging and vandalism in some new homes that are being built.

Attorney Heath Snow did not have anything to report.

**D. PRESENTATION:**

Resident Whitney Warr presented information regarding a proposed community garden. This garden could help residents in many ways and bring the community together. If the City could help with donations, resources, or support of any kind it would be greatly appreciated.

The Council had some concerns over using taxpayer money or resources to fund community projects that not every citizen may want but encouraged Mrs. Warr to get volunteers and go forward with her plan of a community garden.

Councilman Bringhurst arrived at 6:17 p.m.

**E. PUBLIC FORUM:**

There were no comments from the public.

**F. WORKING AGENDA:**

1. 2021 OPMA training.

The Open Public Meetings Act training is required for all elected and appointed officials every year. Attorney Snow presented a power point presentation and conducted the training. All members of the City Council, Planning Commission, and Staff were present for the training.

1. Discussion on Ordinance 2021.XX 3-1-11 Reciprocal business licenses.

The Council discussed expanding the definition of doing business to clarify when a business would need a Toquerville City business license.

1. Discussion on Ordinance 2021.XX 10-23-4 Exceptions for home occupation permits.

The Council discussed home occupation permits and when they are needed, exceptions that could be made, and how to regulate or enforce these permits. Attorney Snow recommended that no changes be made to the ordinance at this time.

1. Discussion on No Parking areas designation.

Councilman Bringhurst is working on designating the No Parking areas and should have the information for the next meeting.

1. Discussion on Resolution 2021.XX city owned vehicle policy.

The policy changes have been previously discussed and agreed upon and now it needs to be put in resolution form and formally adopted.

1. Discussion on Resolution 2021.XX increasing culinary water rates and base gallon usage.

Councilman Bringhurst is working with Treasurer McKim to gather data to calculate proposed water rates. The information should be ready for the next meeting.

1. Discussion on Resolution 2021.XX uniform fee schedule to modify culinary water rates, base gallon usage, special event permit fee, and WCSWD billing fee.

The Council discussed having a non-published public hearing to allow residents to comment on a fee increase for the WCSWD billing fee. Part of the increase for the garbage fee is an administrative fee to pay for the new online bill pay software. The special event permit fee could be based on participants, or a tiered fee. The Council agreed upon a scaled fee of $75 for under 300 participants and $150 for over 300. The application fee and deposit fee are separate, and the refundable deposit will be determined by Staff on a case-by-case basis. The water rate and base gallon usage rate have not been determined yet.

1. Discussion on city manager position.

The Council discussed the pros and cons of a city manager versus a city administrator. A city administrator is an extension of the mayor and would report to the Mayor and the Council. A city manager operates under a contract and provides continuity. Mayor Chamberlain requested a closed session at the end of the regular meeting to further discuss this personnel issue.

Resident Stacey Eaton wondered if a city manager could report to the Council.

1. Discussion on modifications to Specs and Standards, standard road cross section.

The Council discussed updating the road cross sections and identifying road widths for new development. Alpha Engineering has provided maps for review.

**G. COUNCIL REPORTS:**

Justin Sip reported on the Solid Waste meeting and the Blucan pickup schedule. Temporary employees have been hired to pick up the Blucans. Maps for the walking bridge on Westfield Road have come in from Alpha Engineering and are being reviewed and revised. A bid for playground equipment for the Westfield Park will be sent out to the Council for review. The Sewer District will be holding interviews for an engineer to design the Confluence Park treatment plant.

Keen Ellsworth reported on a letter sent from the Mayor of Leeds requesting Mills Road be repaired. Public Works Director Lance Gubler reported that road has already been repaired.

Ty Bringhurst requested a closed session to discuss the acquisition of property.

Chuck Williams reported the Public Works Department is in the process of straightening headstones and marking the unknown graves at the Cemetery. The old church floor needs to be redone.

Mayor Chamberlain reported the lights were on past 11:00 p.m. at the park. The timer needs to be programmed to automatically shut off the lights when the park closes. More signs need to be posted stating the park hours.

**H. CALENDAR OF EVENTS:**

Toquerville spring cleanup days are April 16-18th. Dumpsters will be available at several locations that will be announced.

1. **ADJOURN REGULAR SESSION:**

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

***Councilman Ty Bringhurst moved to enter a closed session for the purpose of discussing the purchase, exchange, or lease of real property, pending or reasonably imminent litigation, and personnel. Councilman Justin Sip seconded the motion. Motion unanimously carried, 4-0. Ty Bringhurst – aye, Keen Ellsworth – aye, Justin Sip – aye, Chuck Williams – aye.***

Mayor Chamberlain adjourned the regular meeting at 8:15 p.m.

1. **CLOSED SESSION:**

The closed session for the purpose of discussing the purchase, exchange, or lease of real property, pending or reasonably imminent litigation, and personnel was called to order at 8:20 p.m.

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

The closed session adjourned at 9:13 p.m.

1. **ADJOURN:**

Mayor Chamberlain called the meeting back into open session at 9:13 p.m.

***Councilman Justin Sip moved to adjourn the Regular Business Meeting. Councilman Keen Ellsworth seconded the motion. Motion unanimously carried, 4-0. Ty Bringhurst – aye, Keen Ellsworth – aye, Justin Sip – aye, Chuck Williams – aye.***

Mayor Chamberlain adjourned the regular business meeting at 9:13 p.m.

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Mayor – Lynn Chamberlain Date

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Attest: City Recorder – Ruth Evans