

City of La Verkin

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La Verkin City Council Meeting Minutes

Wednesday, July 21, 2021, 6:00 p.m.

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

Present: Mayor Richard Hirschi, Council Members: Kelly Wilson, Patricia Wise, and Ray Justice; Staff: Chief Ben Lee, Christy Ballard, Kevin Bennett, Derek Imlay, and Kyle Gubler, Public: Blair Gubler, John Valenti, Ben Willits, and Met & Meridee Johnson.

Councilmen Micah Gubler and Chuck Hardy were excused.

A. Called to Order –The invocation/thought and Pledge of Allegiance were given by Kelly Wilson at 6:02 pm.

B. Recognition:

Mayor Hirschi awarded Hugh Howard the Outstanding Citizen Award for the song he wrote about La Verkin City. The song will be adopted by La Verkin City as the official city song.

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. Minutes: July 7, 2021, regular meeting
4. Checks and Invoices: \$870,744.82

The motion was made by Councilman Kelly Wilson to approve the consent agenda as written, including the minutes of the July 7, 2021, regular meeting and checks and invoices in the amount of \$870,744.82, second by Councilwoman Patricia Wise. Roll Call Vote: Justice-yes, Wise-yes, Wilson-yes. The motion carried unanimously.

D. Citizen Comment & Request for Future Agenda Items:

No comments.

E. Business:

1. Discussion and possible action to support the transfer of the Convener of Fund's responsibility to Washington County for the Environmental Assessment study of the Zion Corridor multi-use trail.

Kyle explained the paperwork for the MPO funds and the UDOT study have La Verkin City listed as the convener of the funds. Washington County would like to be listed as the convener.

Kyle discussed this change with Myron, from the MPO, and Councilwoman Wise has discussed the change with UDOT. All players are in favor of the change.

The County has a vested interest in the multi-use trail so they would like to handle the funds.

La Verkin City would still be responsible for its participation fee. The only change would be what entity received the funds.

The agreements will need to be changed. Kyle thinks the County will prepare that paperwork and the DTEC will approve it.

The motion was made by Councilwoman Patricia Wise to support the transfer of the Convener of Fund's responsibility to Washington County for the Environmental Assessment study of the Zion Corridor multi-use trail, second by Councilman Kelly Wilson. Roll Call Vote: Justice-yes, Wise-yes, Wilson-yes. Motion carried unanimously.

Councilwoman Wise went over the proposed location of the trail.

She also reported the bridge in Confluence Park is moving forward. The biological survey has been completed and is being sent to the ArmyCorps of Engineers for approval.

2. Discussion and possible action to pursue a matching grant with Washington County to add a lava rock barrier along the canyon rim of Power Plant Park.

Councilwoman Wise explained Power Plant Park has the pathway and bump-outs completed and the staircase is almost complete. There is a railing that still needs to be installed from the paved pathway to the staircase. These items are the responsibility of the County with a grant they received.

The City portion financed by the Utah Outdoor Recreation Grant is ahead of schedule.

Between the two entities each completing their section of the park and the changes that were made in elevation, it has caused a lot of open dirt that goes to the edge. There needs to be a buffer between the trail and the edge for multiple reasons, erosion, and safety being the most urgent.

The plan is to put down lava rock in varying sizes to discourage people from walking on it and it will also help with erosion.

There is a grant available that is a 50/50 match that Councilwoman Wise would like to try to get to help finance this. It should not be a lot of money but tonight she would like support in moving forward before she spends time writing and applying for the grant. The Council can determine if they would like to accept the grant with the terms once we know what those terms are.

Kyle pointed out the parks and recreation impact fee money can be used as the City match.

Councilwoman Wise commented that trying for this grant makes sense, Confluence Park is the County, and Power Plant Park is the City. The rim needs to be finished somehow so it just makes sense to have the County pay for half.

The motion was made by Councilman Kelly Wilson to pursue a matching grant with Washington County to add a lava rock barrier along the canyon rim of Power Plant Park, second by Councilman Ray Justice. Roll Call Vote: Justice-yes, Wise-yes, Wilson-yes. Motion carried unanimously.

Kyle mentioned part of the current grant states the City will install sod. If the City moves to Stage 2 water restriction that will not be allowed. He wondered if the grant people would extend the requirement for that. It would be watered with secondary water.

Councilwoman Wise felt extending that requirement would not be an issue.

Derek explained most city properties are watered with secondary water. The ones that aren't, will be with the upcoming road improvement project.

Mayor Hirschi thanked Derek's crew for all the work they have put in at the Power Plant Park.

3. Discussion and possible action to approve Resolution R-2021-19, a resolution approving the lease/bond documents and the proposed lease-purchase with Zions Bank and Ken Garff for a public works vehicle and authorizing the Mayor and /or Kyle Gubler to sign the documents.

Kyle explained Derek's public works vehicle was returned to Horsepower, which has gone out of business. This is a lease for a new truck.

The truck is ready to be picked up.

Kevin explained this is the same thing done for the police vehicles. This resolution also allows the Mayor or Kyle to sign on behalf of La Verkin.

The motion was made by Councilwoman Patricia Wise to approve Resolution R-2021-19, a resolution approving the lease/bond documents and the proposed lease-purchase with Zions Bank and Ken Garff for a public works vehicle and authorizing the Mayor and/or Kyle to sign the documents, second by Councilman Kelly Wilson. Roll Call Vote: Wilson-yes, Wise-yes, Justice-yes. Motion carried unanimously.

4. Discussion and possible action to approve Ordinance No. 2021-04; 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.

Kevin explained this is a criminal update ordinance that is done every year to make sure our code coincides with the changes made by the State of Utah.

The motion was made by Councilman Ray Justice to approve Ordinance No. 2021-04; 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 Kelly Wilson. Wilson-yes, Wise-yes, Justice-yes. Motion carried unanimously.

5. Discussion and possible action to recognize Juneteenth as an official City holiday.

Kyle explained about 30% of Utah cities have adopted June 19th as an official holiday. Out of the remaining 70%, 40% are waiting to see what other cities do.

Juneteenth is a federal holiday.

Councilwoman Wise said she read an article that suggested the day be recognized as an official city holiday, but the office does not need to close. She feels the City should recognize Juneteenth but she is not sure the city office needs to be closed. She would like to discuss this later.

Councilman Justice agreed that he would like more information and continue the discussion at a future meeting. He would like to know how many holidays we currently are closed for and how many national holidays we are not closed for. While they are all an important part of our country's history, he feels there are other nationally recognized holidays he would rather see the city office close for like Patriot Day or Pearl Harbor Day.

Kyle went over the holidays the City office is closed for and the months they are in. It is important to stagger the observed holidays, so they are not close together.

Kevin pointed out the courts do not close for all federal holidays. He is not sure about Juneteenth specifically.

The Council members would like to table this item.

Recognizing the holiday was not the concern but closing the office for this specific holiday was.

6. Discussion and possible action regarding the August 6, 2021, Water Days.

Kyle said this was discussed during the last meeting.

He reminded the Councilmembers that it is culinary water used for the event. The water does all go onto the lawn. It is a well-attended event.

Councilman Wilson was in favor of moving forward with the event.

Councilwoman Wise was okay moving forward with the event unless the City moves into Stage 2 water conservation.

Councilman Justice was in favor of moving forward with the event because it gives the kids something to look forward to before school starts. It is fun for the kids at the same time watering the park lawn.

The motion was made by Councilman Kelly Wilson to continue with the August 6, 2021, Water Days, second by Councilman Ray Justice. Justice-yes, Wise-yes, Wilson-yes. Motion carried unanimously.

F. Mayor & Council Reports:

Wilson-Ash Creek Sewer District talked about possibly running a sewer line under the multi-use trail to get sewer to the bench. Perhaps the County could use some of the private money used to get the sewer to that location for the trail.

Councilwoman Wise has spoken to Mike Chandler regarding this possibility.

Wise: She reported on the July 14th planning commission meeting.

The new kiosk at the lower Overlook Trailhead is going to be installed over the next couple of weeks. This did not cost La Verkin City any money, Findlay Subaru and Canyon Media are paying for it as part of a connection between private businesses and the County.

Derek's crew did realign the parking area.

There will be a ribbon-cutting ceremony once it is complete.

Interstate Rock Products has agreed to help the City replace the bollards at the upper Overlook Trailhead once they have some free time.

Justice-The Washington County Republican Party held a special election to replace Commissioner Dean Cox and the Clerk Auditor, Kim Hafen. La Verkin City resident, Susan Lewis is the new County Clerk Auditor. Adam Snow is the new County Commissioner.

G. Adjourn:

The motion was made by Councilman Ray Justice to adjourn, second by Councilwoman Patricia Wise. The motion was carried unanimously at 6:52 pm.

August 4, 2021
Date Approved

ATTEST: Christy Ballard
Christy Ballard
City Recorder

Richard M. Hirschi
Mayor Richard M. Hirschi