



TOQUERVILLE CITY COUNCIL
Regular Business Meeting Minutes
July 21, 2021, at 6:00 pm
212 N. Toquer Blvd, Toquerville Utah

Present: Councilmembers: Justin Sip, Ty Bringhurst, Chuck Williams; Staff: Attorney Heath Snow, City Manager Kent Page, Treasurer Dana McKim, Public Works Director Lance Gubler, Recorder Ruth Evans; Support Staff: Planning Chairman Joey Campbell, Hurricane Valley Fire District Representative Merlin Spendlove; Absent: Mayor Lynn Chamberlain, Councilman Keen Ellsworth, Councilman Gary Chaves.

A. CALL TO ORDER:

Councilman Bringhurst called the meeting to order at 6:00 p.m. and excused Mayor Chamberlain and Councilman Ellsworth from the meeting. Councilman Williams led the Pledge of Allegiance. Councilman Sip gave the invocation. There were no opening comments or statements of belief.

B. APPROVAL OF AGENDA:

The Council reviewed the agenda. There were no disclosures, nor conflict declarations from Council Members.

Councilman Justin Sip moved to approve the Regular Business Meeting Agenda. Councilman Chuck Williams seconded the motion. Motion unanimously carried, 3-0. Ty Bringhurst – aye, Justin Sip – aye, Chuck Williams – aye.

C. CONSENT AGENDA:

Review and possible approval of meeting minutes from June 2nd Work Meeting and June 16th Business Meeting.

Councilman Justin Sip moved to approve the meeting minutes from June 2nd and June 16th. Councilman Ty Bringhurst seconded the motion. Motion unanimously carried, 3-0. Ty Bringhurst – aye, Justin Sip – aye, Chuck Williams – aye.

Review and possible approval of City Expenditures from June 2021.

Councilman Justin Sip moved to approve the City Expenditures from June 2021. Councilman Chuck Williams seconded the motion. Motion unanimously carried, 3-0. Ty Bringhurst – aye, Justin Sip – aye, Chuck Williams – aye.

D. CITY DEPARTMENT REPORTS:

Hurricane Valley Fire District Representative Merlin Spendlove reported there were 7 medical and 5 fire response calls for the month June. There are specific places to shoot off fireworks around the County. There was a small fire in La Verkin started by fireworks. They will continue to monitor Toquerville for the 24th of July.

Planning Commission Chair Joey Campbell reported that there was a nightly rental application and an ordinance change coming to Council for possible approval. The Planning Commission is going to try a new meeting format to see if they can streamline the meeting process. There was one Commissioner who has expressed regret in voting for approval for the zone change and the proposed veterans home.



Public Works Director Lance Gubler did not have anything to report.

City Attorney Heath Snow was not present at this time.

City Manager Kent Page reported on the staff and Council trainings for APA and ULCT that have been scheduled. Staff is working on drafting a cell phone use policy for employees. The City is working on getting social media accounts set up. Grants are available through the State in conjunction with the ARP funds. The City is looking into getting a prosecutor and possibly changing the code to include criminal penalties. The Staff is having office space issues and are working on some possible solutions. Chums Coda would like to present at the August 4th meeting. There is a meeting for the bypass road this Thursday. The City is looking at software to enforce short term rental violations. There is a meeting tomorrow to review the Capital Facilities Plan. The office will be closed on Monday for the 24th of July holiday. The Truth in Taxation public hearing is August 16th at 6:00 p.m.

Planning Chair Joey Campbell added that the Planning Commission received training on preliminary plats and will continue to have training on a different subject at each meeting.

E. PUBLIC FORUM:

There were no comments from the public.

F. BUSINESS:

1. Discussion and possible action on a vote ratification of Ordinance 2021.11 4th of July firework ban. *(Phone call vote taken June 28, 2021 with a vote of 5-0)*

Councilman Justin Sip moved to approve Ordinance 2021.11 4th of July firework ban. Councilman Chuck Williams seconded the motion. Motion unanimously carried, 3-0. Ty Bringham – aye, Justin Sip – aye, Chuck Williams – aye.

2. Discussion and possible action on Ordinance 2021.XX 24th of July celebration and fireworks restrictions.

The Council discussed the ordinance that was just passed bans all fireworks, including fireworks for the 24th, and is in effect until the ban is revoked by the Council. The signs around town will need to be updated for the 24th.

3. Discussion and possible action on a conditional use permit application submitted by Brian Beddo for an over-height garage located at 1258 S. Mulberry Dr. Tax ID # T-AHP-A-69. Zoning is R-1-20. *(PC recommended approval 5-0)*

As previously discussed, this garage fits in with the neighborhood and is set back into the hills out of the way. This permit does not need an annual review and that needs to be added to the Staff comments.

Councilman Justin Sip moved to approve the conditional use permit application submitted by Brian Beddo for an over-height garage located at 1258 S Mulberry Dr. Councilman Ty Bringham seconded the motion. Motion unanimously carried, 3-0. Ty Bringham – aye, Justin Sip – aye, Chuck Williams – aye.



Attorney Snow entered the meeting at 6:16 p.m.

4. Discussion and possible action on a zone change application submitted by Maria Blanco for Tax ID # T-7-A-2. Current zoning is AG – Agriculture. Proposed zoning is RM-2 – Multiple Family District. *(PC recommended approval 3-2)*

The Council discussed the Planning Commission looked into changing the dwelling units in the agriculture zone and found that no changes should be made, and multiple housing units should not be allowed on one parcel. A veteran's home does fit in with the surroundings but allowing increased traffic on Springs Drive is not good for the existing residents. The Council felt that it was not in the best interest of the City to approve this zone change.

Councilman Justin Sip moved to deny the zone change application submitted by Maria Blanco. Councilman Chuck Williams seconded the motion. Motion unanimously carried, 3-0. Ty Bringhurst – aye, Justin Sip – aye, Chuck Williams – aye.

5. Discussion and possible action on Ordinance 10-9 Agricultural zone. An ordinance amending the permitted and conditional uses of the Agriculture zone. *(PC recommended approval 5-0)*

Councilman Justin Sip moved to approve Ordinance 10-9 Agricultural zone. Councilman Chuck Williams seconded the motion. Motion unanimously carried, 3-0. Ty Bringhurst – aye, Justin Sip – aye, Chuck Williams – aye.

6. Discussion and possible action on Ordinance 10-10 Single Family Residential. An ordinance amending the permitted and conditional uses of the Single Family Residential zone. *(PC recommended approval 5-0)*

Councilman Justin Sip moved to approve Ordinance 10-10 Single Family Residential. Councilman Ty Bringhurst seconded the motion. Motion unanimously carried, 3-0. Ty Bringhurst – aye, Justin Sip – aye, Chuck Williams – aye.

7. Discussion and possible action on Ordinance 10-10 Multiple Family Residential. An ordinance amending the permitted and conditional uses of the Multiple Family Residential zone. *(PC recommended approval 5-0)*

Councilman Chuck Williams moved to approve Ordinance 10-10 Multiple Family Residential. Councilman Justin Sip seconded the motion. Motion unanimously carried, 3-0. Ty Bringhurst – aye, Justin Sip – aye, Chuck Williams – aye.

8. Discussion and possible action on Ordinance 10-11 Multiple Use Districts. An ordinance amending the permitted and conditional uses of the Multiple Use Districts zone. *(PC recommended approval 5-0)*

Councilman Justin Sip moved to approve Ordinance 10-11 Multiple Use Districts. Councilman Chuck Williams seconded the motion. Motion unanimously carried, 3-0. Ty Bringhurst – aye, Justin Sip – aye, Chuck Williams – aye.



9. Discussion and possible action on Ordinance 10-12 Highway Commercial District. An ordinance amending the permitted and conditional uses of the Highway Commercial District zone. *(PC recommended approval 5-0)*

Councilman Chuck Williams moved to approve Ordinance 10-12 Highway Commercial District. Councilman Ty Bringhurst seconded the motion. Motion unanimously carried, 3-0. Ty Bringhurst – aye, Justin Sip – aye, Chuck Williams – aye.

10. Discussion and possible action on Ordinance 10-12 Neighborhood Commercial District. An ordinance amending the permitted and conditional uses of the Neighborhood Commercial District zone. *(PC recommended approval 5-0)*

Councilman Chuck Williams moved to approve Ordinance 10-12 Neighborhood Commercial District. Councilman Justin Sip seconded the motion. Motion unanimously carried, 3-0. Ty Bringhurst – aye, Justin Sip – aye, Chuck Williams – aye.

11. Discussion and possible action on Ordinance 10-12 Planning Commercial Zone. An ordinance amending the permitted and conditional uses of the Planning Commercial zone. *(PC recommended approval 5-0)*

Councilman Justin Sip moved to approve Ordinance 10-12 Planning Commercial Zone. Councilman Ty Bringhurst seconded the motion. Motion unanimously carried, 3-0. Ty Bringhurst – aye, Justin Sip – aye, Chuck Williams – aye.

12. Discussion and possible action on Ordinance 10-13 Business and Manufacturing zone. An ordinance amending the permitted and conditional uses of the Business and Manufacturing zone. *(PC recommended approval 5-0)*

Councilman Chuck Williams moved to approve Ordinance 10-13 Business and Manufacturing zone. Councilman Justin Sip seconded the motion. Motion unanimously carried, 3-0. Ty Bringhurst – aye, Justin Sip – aye, Chuck Williams – aye.

13. Discussion and possible action on Ordinance 10-14 M-1 Light Industrial zone. An ordinance amending the permitted and conditional uses of the Light Industrial zone. *(PC recommended approval 5-0)*

Councilman Justin Sip moved to approve Ordinance 10-14 M-1 Light Industrial zone. Councilman Chuck Williams seconded the motion. Motion unanimously carried, 3-0. Ty Bringhurst – aye, Justin Sip – aye, Chuck Williams – aye.

14. Discussion and possible action on ratification of City entering into SRC Reimbursement Agreement, authorizing the Mayor Pro Tem's previous execution of said agreement.

Councilman Chuck Williams moved to approve the ratification of the SRC Reimbursement Agreement. Councilman Justin Sip seconded the motion. Motion unanimously carried, 3-0. Ty Bringhurst – aye, Justin Sip – aye, Chuck Williams – aye.



15. Discussion and possible action on ratification of City entering into NEPA Services Contract, authorizing the Mayor Pro Tem's previous execution of said agreement.

Councilman Chuck Williams moved to approve the ratification of the NEPA Services Contract. Councilman Justin Sip seconded the motion. Motion unanimously carried, 3-0. Ty Bringhurst – aye, Justin Sip – aye, Chuck Williams – aye.

16. Discussion and possible expenditure approval in the amount of \$3,385.00 for Toquerville Cultural Survey Request.

Councilman Bringhurst reported this study has been completed. Horrocks will put together the study and send it to the City. This study identifies any historical and cultural sites along the bypass road so that they will not be disturbed during construction.

Councilman Justin Sip moved to approve an expenditure approval in the amount of \$3,385.00 for a Cultural Survey Request. Councilman Ty Bringhurst seconded the motion. Motion unanimously carried, 3-0. Ty Bringhurst – aye, Justin Sip – aye, Chuck Williams – aye.

17. Discussion and possible expenditure approval in the amount of \$3,850.00 for the purchase of Badger water meter software.

City Manager Page commented that research is still being done on this and other products and is not ready for a final vote.

Councilman Justin Sip moved to table the expenditure approval for \$3,850.00 for Badger meter software until September. Councilman Ty Bringhurst seconded the motion. Motion unanimously carried, 3-0. Ty Bringhurst – aye, Justin Sip – aye, Chuck Williams – aye.

18. Discussion and possible expenditure approval in the amount of \$8,000.00 for the purchase of iWorkQ software program.

City Manager Page commented that research is still being done on this and other products and will probably be ready in August.

Councilman Chuck Williams moved to table the expenditure approval for \$8,000.00 for the iWorkQ software program. Councilman Justin Sip seconded the motion. Motion unanimously carried, 3-0. Ty Bringhurst – aye, Justin Sip – aye, Chuck Williams – aye.

19. Discussion and possible action on ORD.2021.XX Adopting 2021 International Building code for tiny homes/2021 International Code Council residential building valuation.

This ordinance is still being reviewed by Attorney Snow and will need to be tabled.

Councilman Justin Sip moved to table Ordinance 2021.XX 2021 IBC code for tiny homes and residential building valuation. Councilman Chuck Williams seconded the motion. Motion unanimously carried, 3-0. Ty Bringhurst – aye, Justin Sip – aye, Chuck Williams – aye.



20. Discussion and possible action on ORD.2021.XX WCWCD Landscape ordinance requirements.

Attorney Snow is reviewing this ordinance and is waiting for more information from the Washington County Water District.

Councilman Justin Sip moved to table Ordinance 2021.XX WCWCD landscape ordinance requirements. Councilman Ty Bringhurst seconded the motion. Motion unanimously carried, 3-0. Ty Bringhurst – aye, Justin Sip – aye, Chuck Williams – aye.

21. Discussion on Toquer Falls updates.

City Manager Page reported there was a meeting with the Bureau of Land Management and the Greater Zion Bureau of Tourism regarding a staging area with restrooms and possibly a camping area. They have requested the City's help on determining who will maintain the restrooms and other areas. The Council discussed their desire to keep Toquer Falls a primitive area but also keep it clean and available to our residents. The City will need to determine what improvements could be done and what the long-term goal is for the Falls.

G. COUNCIL REPORTS:

Justin Sip reported the Westfield park fundraiser is all planned. Donations are still needed. Leeds and Virgin might be joining the Sewer District.

Ty Bringhurst requested an executive session.

Chuck Williams reported the cemetery needs an urn monument. There is a parade at 8:00 a.m. on the 24th of July and everyone is invited. The emergency management plan is being updated.

H. ADJOURN REGULAR SESSION:

The Council discussed moving into a closed session to discuss the purchase, exchange, or lease of real property.

Councilman Justin Sip moved to enter a closed session to discuss the purchase, exchange, or lease of real property. Councilman Chuck Williams seconded the motion. Motion unanimously carried, 3-0. Ty Bringhurst – aye, Justin Sip – aye, Chuck Williams – aye.

Councilman Bringhurst adjourned the regular meeting at 6:44 p.m.

I. CLOSED SESSION:

The closed session for the purpose of discussing the purchase, exchange, or lease of real property was called to order at 6:47 p.m.

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

The closed session adjourned at 6:50 p.m.

J. ADJOURN:

Councilman Bringhurst called the meeting back into open session at 6:51 p.m.



Councilman Justin Sip moved to adjourn the Regular Business Meeting. Councilman Chuck Williams seconded the motion. Motion unanimously carried, 3-0. Ty Bringhurst – aye, Justin Sip – aye, Chuck Williams – aye.

Councilman Bringhurst adjourned the regular business meeting at 6:51 p.m.



Mayor – Lynn Chamberlain

9/29/21
Date



Attest: City Recorder – Ruth Evans

