

City of La Verkin

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La Verkin City Council Meeting Minutes

Wednesday, August 18, 2021, 6:00 p.m.

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

Present: Mayor Richard Hirschi, Council Members: Kelly Wilson, Patricia Wise, Micah Gubler, Ray Justice, and Chuck Hardy; Staff: Chief Ben Lee, Christy Ballard, Derek Imlay, Kyle Gubler, and Kevin Bennett Public: Michael Chandler, Mark Lee, Blair Gubler, Frank Tusieseina, and Susan Lewis.

A. Called to Order –The invocation/thought was given by Chuck Hardy and the Pledge of Allegiance was given by Mark Lee at 6:03 pm.

B. 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 21, 2021, work meeting
4. Checks and Invoices: \$149,263.08

The motion was made by Councilman Ray Justice to approve the consent agenda as written, including the minutes of the July 21, 2021, work meeting and checks and invoices in the amount of \$149,263.08, second by Councilwoman Patricia Wise. Roll Call Vote: Wilson-yes, Wise-yes, Justice-yes, Gubler-yes, Hardy-yes. The motion carried unanimously.

C. Citizen Comment & Request for Future Agenda Items:

Frank Tusieseina is with Eastburg Management Group. They are a sports group in the area doing some opportunity research about putting together a project here as well as in Toquerville City. He met with Kyle about the topside where they would potentially like to build a sports resort.

They think that La Verkin is a perfect place for them to do something that will serve/benefit the community and hopefully be a legacy to provide amenities for the community and grow the economy. He is hoping to meet again with Kyle and the City Councilmembers to explore the opportunity to do something extraordinary here in La Verkin. This community has "beachfront property". In California and Hawaii, the best place to be is at the beach, here in southern Utah the best place to be is Zion. They are excited to see people come in to see the extraordinary asset you have which is Zion National Park. They are here to be good partners and do something special with your city and make sure they add value and be sensitive to what the City's needs are.

Jill Paulson is their real estate representative. They have their whole team here looking at everything. They will be going on-site Friday. He is excited to be working with the City of La Verkin.

D. Business:

1. Primary Election Canvass.

Susan Lewis is the new County Clerk Auditor. She will be presenting the canvass results. She began by thanking the Council for beginning the meeting with the Pledge and a prayer.

She is coming to the Council as a canvassing board for this primary election. The active registered voters are the only people they send ballots out to. La Verkin currently has 2210 active registered voters. The supplemental count are ballots that were dropped into the drop box prior to 8 pm on election day, ballots with the appropriate postmark date, and ballots that didn't pass the verification/authentication process. People with ballots that don't pass the verification process are notified and given the chance to verify their ballot.

The total number of ballots counted was 599, which is 27%. Its not a great turnout but not bad either. This is a primary election so you can expect it to be a little bit less.

81 ballots were not counted, and she listed the reasoning and numbers for those.

The results were: 258-Ray Justice, 251-Blair Gubler, 217-Richard M. Hirschi, and 201-Patricia Wise. This is the final count.

Mayor Hirschi mentioned that several people told him they didn't get a ballot. He also asked if the La Verkin percentage was average to other communities across the County.

Susan said that usually happens because people have moved or married/divorced. If they call the County, they will help them with that.

They saw an increase when the County went to vote by mail. Primaries are not well participated. The other communities averaged 20-30% so La Verkin is average. Springdale was the highest percentage with 60%.

The motion was made by Councilman Ray Justice to accept the Primary Election Canvass results, second by Councilman Chuck Hardy. Roll Call Vote: Wilson-yes, Wise-yes, Justice-yes, Gubler-yes, Hardy-yes. Motion carried unanimously.

2. Discussion and possible action to approve Ordinance No. 2021-06; an ordinance amending the City Zoning Map of and for the City of La Verkin, rezoning from Residential Agricultural (R-A-1) to Public Facility (PF), a 26.71-acre parcel with the Tax ID# LV-156-A-2-A located north of the La Verkin Creek Trailhead at Confluence Park.

Mike Chandler with Ash Creek Special Service District reported this project has been discussed before. The District rezoned a different parcel 2 years ago but after factoring in the anticipated growth of Toquerville West Fields and the likely connection of Virgin, they elected to move the treatment plant to this parcel. That is the reason for the rezone request. Changing the location will provide for expansion and potential cost savings.

The Planning Commission did have one resident show up and was concerned about a variety of things: aesthetics, odors, noise, and nighttime lighting.

Ash Creek SSD has gone to a considerable effort to visit treatment facilities around the State and incorporate the best practices in the industry for downward shaded lighting, odor, and noise control. They have addressed those issues to the degree they possibly could with a treatment plant. He thinks ultimately the individual was just disappointed there was going to be a treatment plant. Which unfortunately they are unable to wipe that away.

He did visit the gentleman's property and took pictures. He thinks it is completely in the realm of their ability to mask it far beyond what the existing substation looks like across the creek. It will look better than what's down there now and the Park will look better as well.

This gentleman was also concerned about his property value being affected by the treatment facility. This is not something they have seen with treatment plants. Perhaps the treatment facilities 40 years ago when everything was done cheaply and had odor and other environmental concerns, but that has changed. Ash Creek SSD has all of those things at the forefront of their minds and will continue to do so as they move forward.

They intend to be a long-time partner with the community. As they look at building the facility there is so much expansion coming in that by the time this facility is constructed and operational it will likely be that they will be moving to replace and expand the lagoon system in Hurricane. The 500,000 gallons per day they intended to shave off by building this facility, is being replaced by growth in Hurricane essentially putting them right back in the same position they are currently in.

Re-use of water is part of the solution for water conservation. Every community in our County is struggling to find sources to preserve culinary and expand secondary.

Councilman Justice asked if this facility would have an agricultural component like the Hurricane facility does?

Mike replied the plan is to begin farming the remaining District property unless the City wants to work with the District to put in ball fields.

The parcels in Confluence Park are under contract with a local farmer. The County does have the option to renew that agreement after 5 years or to revert to the original plan of Ash Creek SSD farming the area.

The County is committed to giving the Park both a primitive feel for camping and hiking but also an agricultural feel. This facility will bring back the agricultural feel as well as some additional amenities such as additional bathrooms throughout the Park.

Mayor Hirschi mentioned during the Confluence Park meeting the Virgin River Land Preservation still insists they have the right of way to the penstock.

Mike said he is happy to honor whatever they can show. The Virgin River Land Preservation (VRLPA) does have a quitclaim deed from Gordon Wood. However, Ash Creek SSD purchased the property from Utah Power and Light (UP&L). Ash Creek SSD maintains that Mr. Wood never had any claim to the penstock to quitclaim. VRLPA would need to prove that Mr. Wood exchanged money with UP&L for the penstock.

Mayor Hirschi gave a brief report on the proposed sewer line location change discussed during the Confluence Park meeting.

The motion was made by Councilman Kelly Wilson to approve Ordinance No. 2021-06; an ordinance amending the City Zoning Map of and for the City of La Verkin, rezoning from Residential Agricultural (R-A-1) to Public Facility (PF), a 26.71-acre parcel with the Tax ID# LV-156-A-2-A located north of the La Verkin Creek Trailhead at Confluence Park, second by Councilman Chuck Hardy. Roll Call Vote: Hardy-yes, Gubler-yes, Justice-yes, Wise-yes, Wilson-yes. Motion carried unanimously.

3. Discussion and possible action to approve Proclamation 2021-03; a proclamation designating September 17-23, 2021, as Constitution Week.

Kyle explained this is an annual proclamation showing support from the Mayor and City Council for Constitution Week. This is not a calendar week, but specific days designated as Constitution Week.

The motion was made by Councilman Kelly Wilson to approve Proclamation 2021-03; a proclamation designating September 17-23, 2021, as Constitution Week, second by Councilman Ray Justice. Wilson-yes, Wise-yes, Justice-yes, Gubler-yes, Hardy-yes. Motion carried unanimously.

4. Discussion and possible action to support an increase to the Zion Regional Collaborative from \$5,000 to \$6,500. Councilwoman Wise reported the proposed increase is to increase the coordinator's salary. It is money very well deserved.

The hope was to have an Interlocal Agreement with more of a non-profit structure by 2021 but preparing for the multi-use trail and the National Scenic Byway has taken all the time.

The guiding committee decided to continue with the independent contractor for another year.

The Zion Regional Collaborative (ZRC) has accomplished so much in the past two years. Of all the communities, La Verkin stands to benefit the most. The National Scenic Byway starts in La Verkin.

La Verkin has perfect spur trails to connect into the multi-use trail that is happening.

The coordinator position is a high-level management position and Emily Freedman has made all these things happen. She is extremely talented and has been very instrumental in getting the Scenic Byway designation.

The 2021-2022 proposal includes a 5.66% base salary increase to \$40,150 with the increase being covered by most of the participating entities.

Kyle has verified La Verkin does have the ability to increase the contribution from the previous \$5,000 to \$6,500.

Councilwoman Wise reported the State Transportation Commission has approved 10.8 million dollars for the multi-use trail. The trail is going to happen and will improve La Verkin's economic development.

Kevin pointed out there is no agreement to act on. The Council would just be agreeing to move forward with the proposed contribution increase.

Councilman Gubler mentioned La Verkin's increase is a 30% increase which is higher than the other communities.

Councilwoman Wise agreed and stated that La Verkin stands to gain so much. We were conservative with last year's contribution, and we can increase it this year so she would like to move forward with it.

Councilman Gubler asked how La Verkin would be benefiting more than Hurricane and how confident we are that the trail will happen.

Councilwoman Wise responded the multi-use trail has fallen into place because of the ZRC. The trail benefits La Verkin because it comes right through our City. The money terminates at Confluence Park so the trail will begin for us at the Virgin/La Verkin border and go to Confluence Park.

The project has already been awarded 10.8 million dollars. The total cost for the project is around 13 million with a 20% local match.

The feasibility study has been completed.

Councilman Gubler is in favor of the multi-use trail. His concern is that normally Springdale benefits the most with anything connected to Zion.

Councilwoman Wise said this project would benefit La Verkin more than Springdale. The biggest benefit the trail would have on Springdale is to get more people on bikes or riding the transit system.

Mayor Hirschi mentioned there will be a bridge in Confluence Park connecting La Verkin to Hurricane.

Councilwoman Wise went over the proposed trail system from La Verkin through Hurricane. This project was the only Washington County project that “made the cut” with the State Transportation Committee. This project will put a lot of work on the ZRC coordinator.

Councilman Justice asked if Virgin was closer to coming on board with the multi-use trail. They have multiple tourism-based businesses coming in, so it makes sense they participate.

Councilwoman Wise replied Virgin is “coming along”. The beauty of the trail is that it is primarily on the UDOT right of way.

There are a few snags in the geography. That is why the cost is as high as it is.

Kyle said at some point Virgin City needs to come on board and help with the funding of the ZRC. They are going to benefit as much as anyone.

Councilwoman Wise explained the County has agreed to pay the remaining 2.7 million dollars if necessary but that is not the intent. This money is to complete transportation projects, so the grant is very accepting of in-kind matches.

The motion was made by Councilman Kelly Wilson to support an increase to the Zion Regional Collaborative from \$5,000 to \$6,500, second by Councilwoman Wise. Roll Call Vote: Hardy-yes, Gubler-yes, Justice-yes, Wise-yes, Wilson-yes. Motion carried unanimously.

5. Discussion and possible action to adopt “This Town We Call La Verkin” by Hugh Howard as the official La Verkin City song.

The motion was made by Councilwoman Patricia Wise to adopt “This Town We Call La Verkin” by Hugh Howard as the official La Verkin City song, second by Councilman Chuck Hardy. Wilson-yes, Wise-yes, Justice-yes, Gubler-yes, Hardy-yes. Motion carried unanimously.

E. Mayor & Council Reports:

Kyle went over the upcoming Utah League of Cities and Towns conference.

He would like to move forward on updating the new city logo. The Councilmembers need to let him know their opinions.

Wilson-Nothing new to report.

Wise-She reported on the August 11th planning commission meeting.

The new kiosk at the lower Overlook Trailhead has been installed. There will be a ribbon-cutting ceremony this fall.

Justice-He will report on the Washington County Solid Waste meeting next time.

Gubler-Nothing new to report.

Hardy- Southwest Mosquito Abatement is in full swing. The number of issues is down from last year.

The Historical Preservation tour is on September 11th. Everyone is invited to attend.

Derek gave an irrigation report for the Councilmembers. The turbidity is high, and the system is cycling. If he needs to take it offline, he will text the Councilmembers.

F. Closed Session:

1. The character, professional competence, or physical or mental health of an individual.

The motion was made by Councilman Ray Justice to move to a closed session at the location of 111 South Main Street to discuss the character, professional competence, or physical or mental health of an individual, second by Councilman Chuck Hardy. Hardy-yes, Gubler-yes, Justice-yes, Wise-yes, Wilson-yes. The motion carried unanimously at 7:11 p.m.

G. Reconvene from Closed Session:

H. Adjourn:

The motion was made by Councilman Ray Justice to adjourn, second by Councilman Kelly Wilson. The motion was carried unanimously at 8:14 p.m.

October 6, 2021
Date Approved

ATTEST: Christy Ballard
Christy Ballard
City Recorder

Richard M. Hirschi
Mayor Richard M. Hirschi

