



TOQUERVILLE CITY COUNCIL
Regular Work Meeting Minutes
September 1, 2021, at 6:00 pm
212 N. Toquer Blvd, Toquerville Utah

Present: Mayor Lynn Chamberlain; Councilmembers: Keen Ellsworth, Ty Bringhurst, Justin Sip, 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, Ash Creek Special Services District Representative Mike Chandler; Absent: Councilman Gary Chaves, Hurricane Valley Fire District Representative Merlin Spendlove.

A. CALL TO ORDER:

Mayor Pro Tem Councilman Ellsworth called the meeting to order at 6:00 p.m. and explained the Mayor would be late to the meeting. 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.

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

C. CITY DEPARTMENT REPORTS:

Ash Creek Special Service District Representative Mike Chandler gave an update on the bypass road and the coordination of the utilities. They have met with Horrocks and Alpha regarding the temporary pump station and reusing that wastewater. The design of the pump house at Confluence Park is at about 30%. The District is also concerned with the growing number of food trucks and where they are dumping their waste. Grease and other waste generated by restaurants need to be disposed of properly.

Mayor Chamberlain entered the meeting at 6:13 p.m.

Planning Commission Chair Joey Campbell reported the Planning Commission is in the process of creating a resort overlay zone and would like the Council's input on how motel ERUs are calculated and if they should be considered residential or commercial.

Public Works Director Lance Gubler reported they have been working out on Mills Road trying to fill in holes with sand and rocks. Firefighters have been staying overnight at the Center Street Park while fighting the fire on Pine Valley. The presentation on water meter software and business item #5 are not ready for this meeting so they need to be removed from tonight's agenda.

City Manager Kent Page reported on the American Rescue Plan funds that were received from the State and there are matching grants available. Staff is looking into software programs to increase productivity, namely iWorq and Pelorus. Staff is also looking into hiring an intern to help with various office work to help get caught up. The City is applying for a grant to help with the new water tank on Springs Drive. The State has awarded a \$10.8 million grant for Zion Corridor to pave an 18-mile trail from Hurricane to Zion National Park. The American Planning Association and PLCT conferences are coming up soon. The City could look at contracting out landscaping duties to free up more time for Public Works employees. Staff is looking at expanding office space and



addressing staffing needs. There will be another presentation on the MPDO at the Planning Commission meeting next week. A letter was sent to Mr. Gene Wilder regarding what the City is willing to do about paving Pecan Lane. Notes have been added to the updated street cross sections to identify when parking is not allowed. There are fire and flood concerns about the buildup of vegetation along La Verkin Creek. An environmental analysis needs to be done along the staging area for Toquer Falls. The master road plan for Anderson Junction is getting revised. Canyon Media and Cherry Creek Media have been notified for our upcoming Westfield Park Fundraiser event. The City Manager from Vineyard is coming down on the 24th to meet with staff and offer free training and budget guidance.

City Attorney Heath Snow will give a presentation on code enforcement options.

D. PRESENTATION:

Karry Rathje from the Washington County Water Conservancy District presented information regarding limited water resources, water waste, water efficiency, and time of day watering restrictions for Washington County. The District would like to extend local resources to accommodate the huge growth that is coming and work together with all the cities to make sure water conservation is a top priority.

E. PUBLIC FORUM:

Resident Gene Wilder has been asking the Council for a few months now to pave Pecan Lane. It is a short portion of the road. We need a decent paved road. Seven families will benefit from this paved road. The gravel is difficult to walk through and take out your garbage can. This is a need. No one that lives there wants curb, gutter, or sidewalk. It would be a total waste of money and look stupid. We don't want that shoved down our throats. It is egregious to us. You can make exceptions and variances. We have the pioneer books. There are interesting things about Augustus Erastus Dodge that he surveyed and the area he settled. Augustus was out surveying on horseback and came across a group of Indians. If they ran, the Indians would kill them. So, he took his two best riflemen and had them point their rifles at the two Chiefs and told the Indians if there is any trouble your two Chiefs will die. This is the kind of courage that settled this great country. Our forefathers would be turning over in their grave right now if they realized that five of their grandchildren were trying to force curb and gutter to have a paved road.

F. WORKING AGENDA:

1. Discussion on WCWCD landscape ordinance requirements.

The Council discussed the information presented by the District this evening. The City has always wanted larger lots, but that may not always be what the City needs. There may need to be a perception change regarding smaller lots. Not everyone wants large lots filled with weeds and zero scaping can be expensive. Any landscape requirements would be for new construction only. The Council wants to seriously consider the implications of passing landscape requirements and how that would change our City. The City would like to get feedback from all the other cities in the County and an updated ordinance from the District before proceeding.

2. Discussion on Planning Commissioner Alternates.

Mayor Chamberlain reported there will be two vacancies for Planning Commission Alternates. Valerie Preslar and Stacey Eaton have agreed to serve. Attorney Snow commented that the motion from the Council to approve these applicants should indicate who should serve as first and second alternate.



3. Discussion on updated Toquerville Parkway UDOT agreement.

The Council discussed this agreement is for funding of the bypass road and adds updated city road sections and a UDOT preferred road option that only they can build. The road will cost about \$18 million, and those funds will be sent from the State to the City to manage. \$1.65 million will need to be held for professional services. The Council and Attorney Snow will need to review this updated agreement.

4. Discussion on policy on third party entities on city website.

There has been an increase in requests from third party entities to put their website links on Toquerville's website. The Council discussed this request and felt it was best to only have City information on the official website.

5. Discussion on Resolution 2021.XX Uniform Fee Schedule, residential building valuation.

The Council discussed the residential building valuation needs to be updated and change the percentage to 85%. The other change is adding language that the developer needs to pay for their professional services.

6. Discussion on Ordinance 2021.XX 7-7 Cemetery.

The Council discussed how the City would reclaim an unused burial plot and how long the City should keep plots. The current cemetery certificates state the plots are good forever. This should probably be changed to follow the State code regarding reclamation.

7. Discussion on Policy & Procedures, Employee cell phone policy.

This policy came up because of recent GRAMA requests made by citizens wanting to see information on personal phones of employees or elected officials and which employees should be reimbursed for using their personal cell phones for business. The City would need to decide which employees would be eligible for a partial or full reimbursement. The Council would like to do more research into pricing from the City's cell phone carrier and possible direction from the State.

8. Discussion on code violations and prosecutions – Attorney Snow and City Manager Page.

Attorney Snow presented information regarding two options for code enforcement. The first is to have continue with the current process of civil fines and warnings through an administrative law judge. This requires employees to track and receive fines and complaints. The second option is to redefine and criminalize the code. This process includes a contracting with a prosecutor and a public defender and then the matter goes before a judge. The City could contract with the Washington County or Hurricane City Courts. There are pros and cons to each option. Attorney Snow and the Council would prefer the second option.

9. Discussion on vote ratification on expenditure of \$26,500.00 for buyout of lease for Ford F350. *(Phone call vote taken August 30, 2021 with a vote of 5-0)*

There was an increase in the amount of money for the buyout due to the mileage overage on the lease. The new amount needed to be paid out by August 30th which was why the phone call vote was taken prior to the meeting.



10. Discussion on procurement spending policies and procedures.

Councilman Bringhurst would like to see the Council move into better spending habits and procedures with more accountability. As the City grows, there needs to be more accountability and have the expenditure approved first before the purchase is made. The Council discussed starting a purchase order system and having a supervisor signing off on the expenditure. Expenditures need to be accurately tracked and the budget needs to be spent responsibly. There needs to be some flexibility for emergencies. The Council would like input from Staff.

11. Discussion on American Rescue Plan and grant funding.

The Council discussed the needs and wants of the City and what these funds could be used for. Some items include another employee, a new trailer, bathroom fixtures for the Westfield Park, a backhoe or similar equipment, tables and chairs for the parks, new shed door and locks or new storage shed, and upgrading the roof of the old Town Hall.

Mayor Chamberlain would like the Council to consider changing the meeting schedule around to follow the process. That would put development staff meeting first, then Planning Commission, then City Council. Input is welcome from Staff and Council regarding a new schedule. There is an organization that would like to erect a monument for Levi Savage in the cemetery. Their plan would need to come before the City Council for approval.

G. COUNCIL REPORTS:

Justin Sip reported on possibly getting a bid for the installation of the new playground equipment. The fundraiser for the Westfield Park is moving along.

Keen Ellsworth reported on a meeting with the Washington County Water Conservancy District regarding providing will serve letters to the developer at the preliminary plat stage. La Verkin would like to tie into Toquerville's trail system.

Ty Bringhurst did not have anything to report.

Mayor Chamberlain read a notice on behalf of Gary Chaves regarding a public health advisory notice that an invasive mosquito has been found in our area.

Chuck Williams reported the emergency fire season is not over yet. The Pine Valley Mountain fire started the day after the fire restrictions were lifted and was due to an unattended campfire.

H. ADJOURN:

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

Mayor Chamberlain adjourned the meeting at 9:09 p.m.



Mayor – Lynn Chamberlain

10/21/21

Date



Attest: City Recorder – Ruth Evans

