

City of La Verkin

435 North Main St., La Verkin Utah, 84745
(435) 635-2581 Fax (435) 635-2104
www.laverkin.org

La Verkin City Council Meeting Minutes

Wednesday, December 15, 2021, 6:00 p.m.

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

Present: Mayor Richard Hirschi, Council Members: Kelly Wilson, Patricia Wise, Ray Justice, and Chuck Hardy; Staff: Kyle Gubler, Derek Imlay, Chief Ben Lee, and Christy Ballard, Public: Blair Gubler, Russell Bezette, John Valenti, Met & Maridee Johnson Family, and Chase Stratton.

Councilman Micah Gubler and Kevin Bennett were excused.

A. Called to Order –The invocation/thought and Pledge of Allegiance were given by Maridee Johnson at 6:00 pm.

B. Recognition:

1. Mayor Hirschi presented Maridee Johnson with a certificate and gift card to thank her for all the work she put into the Winterfest Celebration.
2. Kyle Gubler presented Mayor Richard M. Hirschi and Councilmember Ray Justice with a La Verkin City coin for their service.

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. Checks and Invoices: \$70,277.61

The motion was made by Councilwoman Patricia Wise to approve the consent agenda as written, including the checks and invoices in the amount of \$70,277.61, second by Councilman Ray Justice. Roll Call Vote: Justice-yes, Wise-yes, Wilson-yes. The motion carried unanimously.

Councilwoman Wise thanked Maridee and her family for a fabulous Winterfest Celebration. All the publicity beforehand highlighting the events made all the difference. She is glad to have Maridee on board with the City.

D. Citizen Comment & Request for Future Agenda Items:

Russell Bezette-Thanked the Councilmembers for the time they put in representing La Verkin.

He is concerned with the rezoning along the highway.

He wanted to make sure the City thinks about those residents who live in that nice, little dark place. It is one of the last places in La Verkin that fulfills the City's general plan.

Councilman Hardy arrived at 6:07 p.m.

He knows these parcels are along the highway, but they do border his property. He is concerned that the structure height will allow hundreds of people to stare into his backyard. The lighting and noise by the influx of people is a step towards losing a precious commodity that we have in the community.

He read a section of the La Verkin City General Plan, "open space can be considered all land that is not utilized for building structures. However, open space defined in this context includes mountains, river bottoms, geologic hazards, mesas, steep slopes, 100-year flood plains, critical habitats"

This perfectly describes the canyon he lives above. Of all the places in La Verkin, this is probably the most qualifying. Not to mention it is the center of our historic district.

The people that utilize that property and roadway are hikers, bicyclists, and horse riders. These areas are essential to preserve as a valuable natural resource, not only for the city of La Verkin but for the region as a whole.

Open space should be viewed as an essential element of character and livability in a community. He considers the rezoning a little bit closer to disaster for their area. He would like the City to make sure the people who boarder the

properties are taken into consideration when you decide to change the zoning to one that would allow for 35-foot-tall structures.

The Virgin River is a high biologically diverse place. The confluence of the Confluence Park and the open land above are interconnected here. This is where most of the biology occurs in our area. It is an important place. It is also the center of our historic district.

Please consider this, and the residents when you make decisions concerning that area.

E. Business:

1. Discussion and possible action to approve Ordinance No. 2021-08; an ordinance amending the City Zoning Map of and for the City of La Verkin, rezoning from General Commercial (COMM) to Tourist Commercial (COMM-T), a .46-acre parcel with the Tax ID # LV-64-A-10, located at 105 South State Street.

Derek explained the location of this parcel.

Councilwoman Wise reported there were no comments made during the public hearing and the Planning Commission approved it unanimously.

The motion was made by Councilman Kelly Wilson to approve Ordinance No. 2021-08; an ordinance amending the City Zoning Map of and for the City of La Verkin, rezoning from General Commercial (COMM) to Tourist Commercial (COMM-T), a .46-acre parcel with the Tax ID # LV-64-A-10, located at 105 South State Street, second by Councilman Chuck Hardy. Hardy-yes, Justice-yes, Wise-yes, Wilson-yes. Motion carried unanimously.

2. Discussion and possible action to approve Ordinance No. 2021-09; an ordinance amending the City Zoning Map of and for the City of La Verkin, rezoning two parcels, both with Tax ID #LV-154-A: Parcel 1, a 6.10-acre parcel currently zoned One-Family Residential (R-1-8) to One-And-Two-Family Residential (R-1-10), located west of Main Street and north of 650 North, and Parcel 2, a 42.12-acre parcel currently zoned One-And-Two-Family Residential (R-1-10) to One-Family Residential (R-1-8), located east of 100 East and north of 700 North (Cottonwood Hollow Subdivision).

Councilwoman Wise explained one of the parcels border Silver Acres Subdivision and during the public hearing, five different residents wanted clarification from Interstate Rock Products (IRP) on what this zone change would mean for them. The citizens were able to voice their concerns and Chase Stratton, from IRP, explained to them the plan they had for these areas and ensured them it would not block the view.

There were a couple of properties in Zion View Estates where this was an issue but there wasn't much else IRP could have done to prevent it.

The Planning Commission unanimously passed the ordinance.

This request, specifically for parcel 2 will preserve more of the natural landscape by preserving the hillside and require lower retaining walls.

The motion was made by Councilman Chuck Hardy to approve Ordinance No. 2021-09; an ordinance amending the City Zoning Map of and for the City of La Verkin, rezoning two parcels, both with Tax ID #LV-154-A: Parcel 1, a 6.10-acre parcel currently zoned One-Family Residential (R-1-8) to One-And-Two-Family Residential (R-1-10), located west of Main Street and north of 650 North, and Parcel 2, a 42.12-acre parcel currently zoned One-And-Two-Family Residential (R-1-10) to One-Family Residential (R-1-8), located east of 100 East and north of 700 North (Cottonwood Hollow Subdivision), second by Councilman Kelly Wilson. Hardy-yes, Justice-yes, Wise-yes, Wilson-yes. Motion carried unanimously.

3. Discussion and possible action to approve Ordinance No. 2021-10; an ordinance amending the City Zoning Map of and for the City of La Verkin, rezoning from General Commercial (COMM) to Tourist Commercial (COMM-T), multiple parcels with the Tax ID # LV-42-C-1-A, a total of .98-acres located at 475 South State Street and multiple parcels with the Tax ID# LV-43-B-1, a total of 1.57-acres located at 437 South State Street.

Derek explained the location of these parcels.

The property south of 480 South is currently zoned Tourist Commercial and the property directly across SR9 is currently zoned Tourist Commercial. There may be an upcoming zone change request for the property directly north and east for the same zoning. This request fits with the surrounding area.

Councilwoman Wise asked what the building height restrictions and setbacks were for the Tourist Commercial zone.

Derek replied that the building height is 35 feet in all zones, residential and commercial. Commercial zones do allow taller buildings with a development agreement. The setback off SR 9 is 35-feet and the setback off a city road is 25-feet from the back of curb.

The feed store is considered a non-conforming use since it is not 35-feet off SR9.

Part of this process is for the property owner to give the City the necessary property to widen 480 South. That will add to the parking concerns with the feed store property and is one of the reasons Shady Ridge Trailer Park was shut down.

Councilwoman Wise reported the Planning Commission did unanimously approve this.

The motion was made by Councilwoman Patricia Wise to approve Ordinance No. 2021-10; an ordinance amending the City Zoning Map of and for the City of La Verkin, rezoning from General Commercial (COMM) to Tourist Commercial (COMM-T), multiple parcels with the Tax ID # LV-42-C-1-A, a total of .98-acres located at 475 South State Street and multiple parcels with the Tax ID# LV-43-B-1, a total of 1.57-acres located at 437 South State Street, second by Councilman Chuck Hardy. Hardy-yes, Justice-yes, Wise-yes, Wilson-yes. Motion carried unanimously.

4. Discussion and possible action regarding the animal control position.

Kyle passed out a handout listing the current animal control employee cost information along with the proposed increase information. This is the impact an increase would have on the budget.

Mayor Hirschi reported Cathy Freitas was offered a full-time position with another agency. That is the reason for this discussion.

The City currently has two part-time animal control employees.

Councilman Justice asked what the animal control employees do if there are no animals in the shelter. He also asked about the number of animals we receive from the County.

Chief Lee replied they get caught up on their paperwork and do pro-active work. However, there hasn't been a zero count for a couple of months.

He did not have the exact numbers from the County but does include them in his monthly report to the Councilmembers.

The County has been utilizing the shelter more.

The shelter has coverage 6 days a week with volunteers taking the 7th day.

Mayor Hirschi had the Chief's report and read those stats. There was a total of 15 intakes, 6 adoptions, and 26 calls handled. There were also 30 volunteer hours.

Councilman Wilson pointed out moving to a full-time position would be a big increase to the City. He is in favor of leaving the position part-time.

Kyle said he feels the part-time employee wage should be increased.

Councilman Wilson stated he is in favor of increasing the part-time wage to \$18 per hour as listed on the handout.

Councilwoman Wise mentioned she didn't see how the City could afford a full-time position but was in favor of increasing the part-time wage to \$18. She was also okay if the hours needed to fluctuate to 29 hours per week as needed. Cathy has done a great job and she hates to lose her, but the City's budget would not support a full-time position.

Kyle said it is fine for a part-time employee to occasionally go over 29 hours it just cannot be consistent. The City puts the limit at 25 hours so there is always a buffer.

Mayor Hirschi pointed out Kyle included Christy and Lisia's wages on the handout. Christy has been here 10 years and Lisia has been here 5, that needs to be considered too.

Councilman Wilson mentioned employee wages do need to be looked at. With the market the way it is we need to consider that to keep good people.

Kyle mentioned that can be discussed in the upcoming budget year.

The wage increase could be included in the budget amendment instead of waiting for the new budget year. That may help Cathy stay with La Verkin, but the amendment won't be ready until mid-January.

The increase could be offered and/or advertised earlier but he would need the Council to say they are willing to approve that increase.

The Councilmembers were in favor of increasing the part-time wage to \$18.

Councilman Hardy mentioned if there are employees who have been here for a long time and are making just over that, that needs to be addressed.

Kyle agreed but pointed out that full-time employees do get benefits.

Mayor Hirschi said the agenda does not have Mayor & Council reports however Councilman Justice does need to report on something.

Justice-The Washington County Solid Waste District met. The fiscal year for the District is the calendar year. The new administrator has been evaluating everything, including the rate increases that start January 1, 2022. He determined that the District is not covering all the required savings for closing a landfill. His recommendation to the Board was to increase the rates which would have included a charge to dump at the landfill. The concern with that was that people would instead dump their trash on our public lands. The Board turned down that proposal, so the dump is still free of charge if you have a residential pickup.

There will be an increase in commercial dumping and an additional increase in the residential pickup. The original proposal was an extra \$1 on top of the already approved increase taking effect on January 1. The Board voted to only increase the fee by \$.50. This additional fee will go into effect on February 1, 2022.

He will get Kyle a copy of the new fee table for the budget amendment.

The other item discussed was a cost-of-living increase for the employees. The cost of everything is increasing so much the COLA for the County Solid Waste District employees will be 6%.

The third item he needed to report was the City would need to pass a resolution appointing another Councilmember to take his place on the WCSWD board.

Fay Reber (WCSWD attorney) said, usually the Board member is an elected representative from a city council however, it does not have to be. A city council wants to appoint someone else who could attend the meetings and represent the community that would be fine.

Councilman Justice went over the WCSW fee schedule that goes into effect on February 1, 2022. See Exhibit A.

The COLA is for Solid Waste employees, drivers are employees of Republic.

WCSW is going to hire someone certified to manage the methane gas collection. The landfill is capturing more than ever before, and they hope this will offset some of the expenses.

The new administrator is willing to make a presentation to the City Council if the City is interested.

Kyle mentioned there are some things La Verkin City can do in the budget to be more aggressive with our employee COLA.

F. Adjourn:

The motion was made by Councilman Ray Justice to adjourn, second by Councilman Kelly Wilson. The motion was carried unanimously at 6:47 p.m.

January 19, 2022
Date Approved

ATTEST: Christy Ballard
Christy Ballard
City Recorder

Kelly B. Wilson
Mayor Kelly B. Wilson

Exhibit A

Board Approved - 12/13/2021

Resolution No. 2021.12.2 - Exhibit B

2022 Disposal Fees	Current	New	Unit
Commercial MSW	\$ 28.73	\$ 32.50	ton
Commercial C&D	\$ 19.27	\$ 28.00	ton
Commercial Clean Green or Fill Dirt	\$ -	\$ 10.00	ton
Ref. Appliances	\$ 32.24	\$ 35.00	each

2022 Compost Fees	Current	New	Unit
City	\$ 11.98	\$ 40.00	per ton
Public	\$ 20.50	\$ 40.00	per ton
Commercial	\$ 35.88	\$ 40.00	per ton
Wood Chips	\$ 15.38	\$ 25.00	per ton

2022 Curbside Fee	Current	New	Unit
Curbside Garbage Only	\$ 11.75	\$ 12.25	Month

- New rates to be effective February 1, 2022.

