

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, February 2, 2022, 5:00 pm.

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

Present: Mayor Pro-Tem Micah Gubler, Council Members: Richard Hirschi, Patricia Wise, Blair Gubler, and Chuck Hardy; Staff: Kyle Gubler, Derek Imlay, Kevin Bennett, Chief Ben Lee, and Christy Ballard, Public: John Valenti, Willyne & Douglas Beecher, Dick & Debbie Hoffman, Karl Wilson, Russell Bezette, David Howard Family, Linda Howard, Daniel, McKeehan, Aaron Gubler, Chase & Stephanie Gubler, Richard & Cozette Howard, Hugh Howard, James Marvin, Kevin Lewis, Debra Howard, Bill & Pat Smith, and Ryan Cunningham.

A motion was made by Council Member Chuck Hardy to nominate Richard Hirschi as Chair Pro-Tem for the meeting.

A motion was made by Council Member Richard Hirschi to nominate Micah Gubler as Chair Pro-Tem for the meeting, seconded by Council Member Patricia Wise. Blair Gubler-yes, Wise-yes, Hirschi-yes, and Hardy-yes. The motion carried unanimously.

A. Called to Order –The invocation/thought and Pledge of Allegiance were given by Kyle Gubler at 6:09 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. Meeting Minutes: November 3, 2021, work meeting and January 5, 2022, regular meeting minutes
4. Checks and Invoices: \$810,975.52

The motion was made by Councilman Chuck Hardy to approve the consent agenda as written, including the minutes of the November 3, 2021, work meeting and January 5, 2022, regular meeting minutes and checks and invoices in the amount of \$810,975.52, second by Councilman Richard Hirschi. Roll Call Vote: Blair Gubler-yes, Wise-yes, Micah Gubler-yes, Hirschi-yes, Hardy-yes. The motion carried unanimously.

Mayor Pro-Tem Gubler pointed out historically, there has been a citizen comment section on the agenda at this time. He would like to include that in this meeting for citizens who have a comment for items not on the current agenda. They will have three minutes.

David Howard-He owns property next to the developers who want to come in. His knee-jerk reaction is, "ya, cool." But one of his concerns is the pool. As a civil engineer, the design seems inefficient. It is great to have the space between his lot and the pool, but the unknown is coming if they tie into that. One of these concerns, they talked about sound, but when her neighbor has a pool party, everybody knows she is having a pool party. You can't have a pool without lots of noise. He wants to stay in La Verkin, build his own home in his field, and have that space. The property is currently zoned low-density residential, and he really likes that.

His dad bought 180 acres in Leeds, so he wouldn't have to have neighbors. He doesn't want to have to do that.

He also respects the landowner and wants to be considerate with an eight-foot wall.

Other concerns are noise, traffic, accessibility, and increased crime. There are 522 parking stalls proposed and 325 units at the hotel. That's a lot of people.

If the 5-acres behind the homes were to stay residential, it would be fifteen homes, max. Fifteen families are a lot more enticing to keep.

He hopes to vote in elected officials who want to keep the peace in our town and not turn it into a resort community.

Dan McKeehan-If this is a foregone conclusion that this resort will happen; he thinks some questions need to be addressed and solidified before approval is given. He is obviously against it in general, but one of the things he would consider would be the pool. It seems to be the selling point. He checked with the Hurricane City Councilmember over recreation,

and the operating cost for the Hurricane City pool is \$300,000 per year. The margin they bring in is about \$80,000 per year. That's a big discrepancy, especially for a town our size.

Another concern is the amount of traffic. 200,000 per year is 547 people per day. That is a lot of traffic for 300 South. He's sure not everyone will be on 300 South, but they will be on SR9. There are no turn lanes on SR9, which needs to be addressed. Who's going to build them? In Hurricane City, the property owners were left to build by Valley Academy, and that road was not built to the same specifications that the City would have. That is something else that needs to be considered. Who is going to build the road, and who is going to pay for it?

Will it be a taxpayer cost to offset the pool? It seems like a significant increase that needs to be considered.

Mogli was not too clear on the hotel, maybe three stories. That needs to be solidified before we approve it.

If this is something the City is hellbent on approving, then the City needs to have everything in writing.

She said she would build with local builders. Great, let's put that in writing. Here's what the property's going to look like. Great, let's put that in writing. Then there's a liability if they deviate from it.

He is not against the sale of the property. That is the property owner's right and the beauty of this country. The beauty of citizenry is to take part in the democratic process, which we're all doing, and he hopes the City is cognizant and mindful of that.

Leon Gubler-He has a couple of big concerns. We have reached the point that we hear virtually every day how we need to cut back and conserve water. The number one spot people are going to to acquire more water is agriculture.

He doesn't know why there is such a race to eliminate agriculture and put in more developments and more housing.

We've heard for years about water coming out of Lake Powell. Look at Lake Powell; we will not get a drop of water out of there; it will never come. Why are we sprinting to the imaginary cliff where we will run out. He thinks we need to slow down and take it a little bit slower. He loves coming into La Verkin and seeing the big fields and open spaces and not all hotels, restaurants, and stores. We have a wonderful community. He spends a lot of time on the streets in this town with his horse and wagons. He can go all around the City and never feel a risk for his life as he does on any street in Hurricane. There is so much traffic over there.

It will be absolute chaos if this goes in at the numbers they say they will bring.

It's not La Verkin. We need to step back and consider it first.

Jillian Ballard-She will live kiddie corner to the development. They loved that lot because they wanted to raise their kids in a good, quiet community where it's safe and does not have a lot of transient people. It scares her that they want to build a hotel and have 400-500 people coming every day. She is worried about her children's safety.

She is concerned about traffic. There is already so much traffic along SR9 it's already hard to turn left from that road. She has to do workarounds to get around town because we already don't have enough traffic lights.

She is worried about noise. The developer says they will have quiet noise, but will they be okay with the noise and smell from the neighboring animals?

She is nervous about an adult-only restriction for the hot springs. Where are the children going to stay? At the community pool?

It was mentioned a no smoking policy. Does that mean people who smoke will be out on our public streets smoking, and what will that do to our community? Right now, they don't have that problem over there.

She would be mad if she were a neighboring property with a beautiful view that now has the view of an eight-foot wall. Where are the trees around the wall going to be planted? To block the view of the wall for the neighbors or make the property look nice for the resort?

She is nervous about the water. They say they will use the water from Pah Tempe, but the hotel will take culinary water. Water that will be taken away from us, and we need to put La Verkin first.

The type of people who go to resorts is higher class people. How are they going to treat us?

How do you determine who is going to the community pool and how much will that cost the community, who will maintain the pool, and what will it do to our property values? Nobody wants to live next to a resort.

Jenkin White-He lives in 480 South at the top of the resort. His biggest concern is how his kids will walk to school. This resort would take away access and force them to walk along SR9.

Aaron Gubler- He lives at 225 S Main Street. His great grandfather, Joseph Gubler, was one of the first people to settle in the valley. He knows La Verkin has a long history of being a community where families can grow and feel safe. He thinks a facility of this size is not conducive to that. It will bring in a lot of traffic and more problems. This development will

benefit only a few people and cause problems for the residents of La Verkin. He feels other businesses would benefit our community better.

James Marvin-He lives on 480 South. This has been on his radar for a while. Mogli reached out to him several years ago. A few years ago, he had emailed the Council about getting the municipal buildings to net-zero, and then COVID hit. He is looking forward to starting those discussions again, especially since Shady Ridge is finally vacant. He will get rid of the trailers and do something beneficial with that property and the grainery on the corner of 480 South.

He has had some of the same concerns regarding the proposed development. Access across the property is a conversation that should be had. There are ways for people to move through the property that are not necessarily directly across through the pools. Perhaps along the side of the parking lot. He has thought about that for himself too. He doesn't see a future where the hot springs don't come back online. He thinks this is something the whole community would like to see. Pah Tempe was a real big deal, historically here for 100 years. Where does it come back online? No business wants to work with Hurricane because they are hard to work with. A hot spring would also require them to move the water upwards of 700 feet to the bluff and would be very difficult from an engineering standpoint. If the hot springs don't come back online here, it doesn't come back online. Historically, you really enjoyed the springs. Is that the future you want to see where they just aren't there? That's the push and pull.

Bringing numbers in, to more people and more traffic. The hot spring as they see it is being projected as a yes-and. Yes, you can go to Zion and visit the hot spring. Yes, you can visit the area and spend a day at the hot springs. As she said, it will be a destination place, so it's something that you have to think about. All that traffic will keep going to Zion. The type of people who can afford a resort stay here is the same people that can afford a hotel stay at the Cliff Rose in Springdale, so they're coming through anyway.

Stephanie Gubler- She lives at 255 South Main Street. She has the same concerns as everybody else; safety, traffic, and crime rate going up because there are more people here in general. She also feels this is the beginning of the end. We become a tourist attraction, and there goes the family lifestyle that we have here. This is such a family community, and she loves it. She grew up in a big city and didn't know anything different until she moved to Southern Utah. She loves that she can raise her kids here and feel safe here. She knows her neighbors. She knows who's coming and going and loves that sense of security.

This will be a destination, so tourism which, yes, is needed, but she feels this tourism will invite more tourism, and we will turn into a Moab. Everybody knows Moab as a tourist city. She has family who grew up there, and they all fled because that was not somewhere they wanted to raise their kids. It's a fun place to visit but not to stay. We need to keep that in mind for the people who already are here and would like to stay here and have an enticing place for families who would like to move here and stay here to build their families.

C. Business:

1. Discussion and possible action to approve Resolution No. R-2022-03; a resolution approving the designation of a representative to serve on the Southwest Mosquito Abatement and Control District for calendar year 2022 and for such time thereafter until successors thereof have been designated and appointed.

Kevin explained these are appointments of the Mayor that the Council sanctioned.

The motion was made by Councilwoman Patricia Wise to approve Resolution No. R-2022-03; a resolution approving the designation of a representative to serve on the Southwest Mosquito Abatement and Control District for calendar year 2022 and for such time thereafter until successors thereof have been designated and appointed, second by Councilman Chuck Hardy. Hardy-yes, Hirschi-yes, Micah Gubler-yes, Wise-yes, Blair Gubler-yes. Motion carried unanimously.

2. Discussion and possible action to approve Resolution No. R-2022-04; a resolution approving the designation of two representatives to serve on the Administrative Control Board of the Ash Creek Special Service District for calendar year 2022 and for such time thereafter until successors thereof have been designated and appointed.

The motion was made by Councilman Chuck Hardy to approve Resolution No. R-2022-04; a resolution approving the designation of two representatives to serve on the Administrative Control Board of the Ash Creek Special Service District for calendar year 2022 and for such time thereafter until successors thereof have been designated and appointed, second by Councilman Richard Hirschi. Hardy-yes, Hirschi-yes, Micah Gubler-yes, Wise-yes, Blair Gubler-yes. Motion carried unanimously.

3. Discussion and possible action to approve Resolution No. R-2022-05; a resolution approving the designation of a representative to serve on the Board of the Hurricane Valley Fire District for calendar year 2022 and for such time thereafter until successors thereof have been designated and appointed.

The motion was made by Councilwoman Patricia Wise to approve Resolution No. R-2022-05; a resolution approving the designation of a representative to serve on the Board of the Hurricane Valley Fire District for calendar year 2022 and for such time thereafter until successors thereof have been designated and appointed, second by Councilman Chuck Hardy. Hardy-yes, Hirschi-yes, Micah Gubler-yes, Wise-yes, Blair Gubler-yes. Motion carried unanimously.

4. Discussion and possible action to approve Resolution No. R-2022-06; a resolution approving the designation of a representative to serve on the Administrative Control Board of the Washington County Special Service District No. 1 for calendar year 2022 and for such time thereafter until successors thereof have been designated and appointed.

The motion was made by Councilman Chuck Hardy to approve Resolution No. R-2022-06; a resolution approving the designation of a representative to serve on the Administrative Control Board of the Washington County Special Service District No. 1 for calendar year 2022 and for such time thereafter until successors thereof have been designated and appointed, second by Councilwoman Patricia Wise. Blair Gubler-yes, Wise-yes, Micah Gubler-yes, Hirschi-yes, Hardy-yes. Motion carried unanimously.

5. Discussion and possible action to approve Resolution No. R-2022-07; a resolution amending Resolution R-2021-23 to repeal and delete therefrom the base water rate adjustment for short-term rentals

Kyle explained when the original resolution was approved, we thought the City had an existing commercial water rate, and we didn't. This resolution will repeal that section of the resolution.

A new resolution will be coming back to the Council for discussion and approval to establish a commercial water rate.

The motion was made by Councilman Blair Gubler to approve Resolution No. R-2022-07; a resolution amending Resolution R-2021-23 to repeal and delete therefrom the base water rate adjustment for short-term rentals, second by Councilman Chuck Hardy. Roll Call Vote: Hardy-yes, Hirschi-yes, Micah Gubler-yes, Wise-yes, Blair Gubler-yes. Motion carried unanimously.

D. Mayor & Council Reports:

Blair Gubler: CERT and homeland security has not been very active over the last couple of years. He will be looking into that further.

Wise: Nothing to report.

Micah Gubler: Nothing new to report.

Hirschi: He was able to attend the last Sewer District meeting. Apple Valley has contacted them to take over their sewer district. They are in negotiation right now.

The County is building a large building in Hurricane to help people struggling with homelessness, mental health and intoxication issues.

Hardy: He met with Loren Webb, who has a lot of documents regarding La Verkin's trail system. They are trying to get them digitized and added to the City's records.

E. Adjourn:

The motion was made by Councilwoman Patricia Wise to adjourn, second by Councilman Chuck Hardy. The motion was carried unanimously at 6:42 pm.

April 6, 2022

Date Approved

ATTEST:

Christy Ballard
Christy Ballard
City Recorder

Kelly B. Wilson
Mayor Kelly B. Wilson