

**TOQUERVILLE CITY COUNCIL**  
**Regular Business Meeting Minutes**  
**May 18, 2022 at 6:00 pm**  
**212 N. Toquer Blvd, Toquerville Utah**



Present: Mayor Keen Ellsworth; Councilmembers: Justin Sip, Ty Bringhurst, Gary Chaves via phone call, Chuck Williams, Rachel Peart; Staff: City Manager Afton Moore, Recorder Ruth Evans; Support Staff: Planning Chairman Joey Campbell; Absent: Attorney Heath Snow

**A. CALL TO ORDER:**

1. Mayor Ellsworth called the meeting to order at 6:00 p.m.
2. Councilman Bringhurst led the Pledge of Allegiance.
3. Councilwoman Peart gave the invocation.  
There were no opening comments from Council Members or residents.

**B. APPROVAL OF AGENDA:**

The Council reviewed the agenda. No declaration of conflicts from council.

*Councilman Bringhurst moved to approve the Regular Business Meeting Agenda. Councilman Sip seconded the motion. Motion carried, 5-0. Ty Bringhurst – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye, Rachel Peart – aye.*

**C. CONSENT AGENDA:**

1. Review and possible approval of meeting minutes from March 7<sup>th</sup> Special Work Meeting, April 6<sup>th</sup> Work Meeting and April 20<sup>th</sup> Business Meeting.

*Councilman Sip moved to table meeting minutes from March 7<sup>th</sup>, approve meeting minutes from April 6<sup>th</sup>, approve meeting minutes from April 20<sup>th</sup>. Councilwoman Peart seconded the motion. Motion carried, 5-0. Ty Bringhurst – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye, Rachel Peart – aye.*

2. Review and possible approval of City Expenditures from March 2022 and April 2022.

*Councilman Bringhurst moved to approve the City Expenditures from March 2022 and April 2022. Councilman Williams seconded the motion. Motion carried, 5-0. Ty Bringhurst – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye, Rachel Peart – aye.*

**D. PUBLIC FORUM:**

Jake Peart

Wanted to speak on an item that was already on the agenda. He sat back down.

Greg Turner

Wishes for the City Council to review and evaluate short term rentals.

Anita Eaton

Anita explained her concern on fire safety.

Ray Bence

Ray is wondering if the Council will review his provided binders and if not, why. He then questioned the City Council and explained how he wishes for the City Council to be honest with the public.

**PUBLIC HEARING:**

Public input is sought on Fiscal Year 2023 budget.

Wayne Olsen

Wayne explains that before the public can give input, they must get input back. Mayor Ellsworth then tells him that they must receive input first then the city council will review the input and then it will go to the public.

Jake Peart

Suggested against taking any funds that are attached with any federal funds and especially those who have strings attached with them.

Greg Turner

Greg wants to see some more of the budget go toward law enforcement.

**E. BUSINESS:**

1. Discussion and possible action on a nightly rental application submitted by Mark Merklung. Tax ID # T-68-A-2. Current zoning is R-1-12- Single Family Residential (PC recommended approval 5-0).

The council discussed the application.

***Councilman Bringhurst moved to approve the business item F1. Councilman Williams seconded the motion. Motion carried, 5-0. Ty Bringhurst – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye, Rachel Peart – aye.***

2. Discussion and possible action on a nightly rental application submitted by Stephanie and Mike Giddens. Tax ID # T-144-A-3. Current zoning is A-1 – Agriculture (PC recommended approval 5-0 with staff comments).

The council discussed the application and the property boundaries.

***Councilman Sip moved to approve the business item F2. Councilwoman Peart seconded the motion. Motion carried, 5-0. Ty Bringhurst – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye, Rachel Peart – aye.***

3. Discussion and possible action on a zone change application submitted by Wasatch Commercial Builders. Tax ID # T-166-B-1-A-1-A. Current zoning is Agriculture A-1. Proposed zoning is R-1-15 – Single Family Residential. (PC recommended approval 3-2).

Councilman Bringhurst reviewed the general plan and is wondering the difference between an R-1-20 and an R-1-15. Darrin explained the difference is 3-4 lots. Councilman Bringhurst then asked about the difference between low density, medium density, and high density. Darrin spoke about the differences and how Toquerville is in the process of updating the general plan.

Councilwoman Peart then says that she feels number 2 in the general plan is a little subjective.

Councilman Bringhurst is concerned with keeping the cemetery like a sanctuary.

Councilman Sip wonders about the legal standing of the City.

Mayor Ellsworth wonders why 15,000 square foot lots instead of 20,000 square foot lots. Stacey Eaton then explains the additional lots would help offset the additional costs that come with this development.

***Councilman Bringhurst moved to approve item F3. Councilman Williams seconded the motion. Motion carried, 3-2. Ty Bringhurst – nay, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye, Rachel Peart – nay.***

4. Discussion on a conceptual site plan submitted by Wasatch Commercial Builders, Tax ID # T-166-B-1-A-1-A. (PC recommended approval pending approval of the zone change application 4-1).

Councilwoman Peart wondered about turn around access for firetrucks. Darrin brought up staff comments and explained how the firetrucks would get out.

Councilman Bringhurst identifies the parking stalls and brings up the issue of trees. He also wants to put a wall to provide cemetery privacy and connect walking paths among Toquerville.

Planning Chairman Joey Campbell wants some more connection on the south side of Toquerville.

5. Discussion and possible action on Ordinance 2022.XX Grading Ordinance (Defining Zoning Administrator) (PC recommended approval 5-0 with comments).

Council discussed the ordinance changes.

***Councilman Williams moved to approve the business item F5. Councilman Bringhurst seconded the motion. Motion carried, 5-0. Ty Bringhurst – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye, Rachel Peart – aye.***

6. Discussion and possible action on Resolution 2022.XX Uniform Fee Schedule, Updating Utility Service Deposit Fee.

Afton Moore explained this item. Justin Sip explained updates including small increases to code.

***Councilman Sip moved to approve the business item F6. Councilwoman Peart seconded the motion. Motion carried, 5-0. Ty Bringhurst – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye, Rachel Peart – aye.***

7. Discussion and presentation of Fiscal Year 2023 budget.

Afton Moore explained general fund proposal Tax. Listing reasons: benefits for the staff, park plans, there also was an update on the general plan. Including law enforcement. Candice Tibits and Afton Moore talked about the general fund.

8. Discussion on the Athletic Regional Complex (ARC) and soliciting bids for a NEPA environmental assessment consultant.

Afton Moore explained the process of this item. She then explained how we would make it so it didn't affect the citizens of Toquerville financially along with not having to taking the money out of Toquerville City's budget. Nothing can move forward until we have a reimbursement agreement and they agree to escrow the funds.

Mayor Ellsworth makes it clear that there are no promises of hiring a certain company.


Councilman Bringhurst elaborated on the need of informing the public on this matter as well as getting their input on it.

**F. CALENDAR OF EVENTS:**

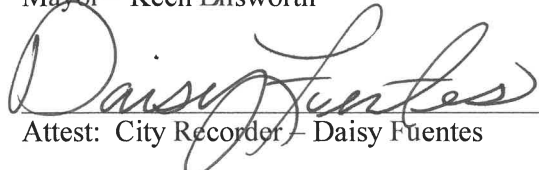
- 1. WCWCD Flip Blitz Landscape Project – Thursday, May 19, 2022 at City Hall 9 AM-1PM
- 2. Farmers Market – Saturday, May 21, 2022 at City Hall 9 AM – 1 PM  
(Every 3<sup>rd</sup> Saturday through October 2022).
- 3. Memorial Day Program – Saturday, May 28<sup>th</sup>, 2022 at Toquerville Cemetery 10AM

**ADJOURN:**

Mayor Ellsworth adjourned the meeting at 7:45 pm.

  
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 Mayor – Keen Ellsworth

8/3/22  
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 Date

  
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 Attest: City Recorder – Daisy Fuentes