



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

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

**A. CALL TO ORDER:**

1. Mayor Ellsworth called the meeting to order at 6:03 p.m.
2. Councilman Bringhurst led the Pledge of Allegiance.
3. Councilwoman Peart gave the invocation.

**B. APPROVAL OF AGENDA:**

The Council reviewed the agenda.

Disclosures and Declarations of Conflicts from Council Members and Mayor.

Councilman Chaves declared a conflict on business item B5 – Nightly Rental Ordinance. He currently has a nightly rental.

Mayor Keen Ellsworth declared a conflict regarding a Bypass Road related company.

*Councilman Sip moved to approve the Regular Meeting Agenda. Councilman Bringhurst 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, May 4<sup>th</sup> Work Meeting Minutes, May 18<sup>th</sup> Business Meeting Minutes, June 1<sup>st</sup> Work Meeting Minutes and June 15<sup>th</sup> Business Meeting Minutes.

*Councilman Chaves moved to table the meeting minutes from March 7<sup>th</sup>, approve meeting minutes from May 4<sup>th</sup>, table meeting minutes from May 18<sup>th</sup>, table the meeting minutes from June 1<sup>st</sup> and table the meeting minutes from June 15<sup>th</sup>. Councilman Bringhurst 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:**

Wayne Olsen

Showed gratitude for the 4<sup>th</sup> of July celebration.

Corey Bott

Could not speak about an item on the agenda.

Anita Eaton

Anita is concerned about secondary access to the development that might be put by the cemetery.

Lynn Williams

Lynn is wondering if the city is willing to issue a letter saying that Nephi's Twist is for public use.

Ray Bence

Ray is wondering if the city council has reviewed the binders yet or not.

Kathy Bence

Kathy Bence explained her concern for the developer hoping to develop in Toquerville.

**E. PUBLIC HEARING:**

1. Public input is sought on Ordinance 2022.XX – RV Park Ordinance Title 10, Chapter 29, Section 1 of the Toquerville City Code.

No comment from the public.

2. Public input is sought on Ordinance 2022.XX – Nightly Rental Ordinance **Title 10, Chapter Title 17, Chapter Section 3**, of the Toquerville City Code.

Mark Merkling

Mark questioned how the city would enforce this ordinance.

3. Public input is sought on Ordinance 2022.XX – Floodplain Ordinance Title 11, Chapter XX, of the Toquerville City Code.

Corey Bott

Corey is wondering there could be an exception so that he can put on solar panels.

4. Public input is sought on a Preliminary Plat application submitted by Sun River Firelight Phases 1 and 2. Tax ID #T-128-PV1/T-141-PV1. Current zoning is R-1-20 with development agreement.

Anita Eaton

Anita brings up the fact that it is a requirement for a subdivision to have sidewalks and wonders if there is a sidewalk or not.

Corey Bott

Corey is wondering if the NPDO supersedes the Toquerville standard.

5. Public input is sought for the Preliminary Master Plan Development Overlay (MPDO) for the Firelight Development.

No comments from the public.

**F. BUSINESS:**

1. Discussion and ratification of Resolution 2022.05 outlining the discharge of fireworks.  
(Phone call vote taken on June 30<sup>th</sup>, 2022. Vote was 3-1).

***Councilman Sip 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 an Amended Final Plat application submitted by George and Anita Lindstrom located in Toquerville Estates, Lot 15 and 16. Tax ID #T-TEA-B-15/T-TEA-B-16. Current zoning is R-1-20 (PC recommended approval with comments 5-0).

Anita Lindstrom

Anita explained that they have solar panels so there will be some appliances.

***Councilman Sip moved to approve the business item F2. Councilman Bringhurst 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 Nightly Rental application submitted by Mark and Lora Merklng located at 152 N Toquer Blvd., Tax ID #T-69-A-2-B. Current zoning is R-1-20 (PC recommended approval with comments 5-0).

***Councilman Sip moved to approve the business item F3 with comments. Councilman Williams seconded the motion. Motion carried, 5-0. Ty Bringhurst – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye, Rachel Peart – aye.***

4. Discussion and possible action on Ordinance 2022.XX – RV Park Ordinance (PC recommended approval with comments 5-0)

Joey Campbell explained the RV park is commercial.

***Councilman Chaves moved to approve the business item F4. Councilwoman Peart seconded the motion. Motion carried, 5-0. Ty Bringhurst – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye, Rachel Peart – aye.***

5. Discussion and possible action on Ordinance 2022.XX – Nightly Rental Ordinance Title 10, Chapter 29 17, Section 1 3 of the Toquerville City Code (PC recommended approval with comments 5-0).

***Councilman Chaves moved to table the business item F4 to review Nightly Rental Ordinance from Virgin. Councilwoman Peart 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 Ordinance 2022.XX – Floodplain Ordinance. (PC recommended approval 5-0).

Jared Bates

Jared explained the ordinance.

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

7. Discussion and possible action on a Preliminary Plat application submitted by Sun River Firelight Phases 1 and 2. Tax ID #T-128-PV1/T-141-PV1/T-199-PV1. Current zoning is R-1-20 with development agreement (PC recommended approval with comments 5-0).

***Councilman Williams moved to approve business item F7 with approval of the MPDO and with staff recommendations. Councilman Chaves seconded the motion. Motion carried, 5-0. Ty Bringhurst – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye, Rachel Peart – aye.***

8. Discussion and possible action on a Preliminary Master Plan Development Overlay (MPDO) submitted by Sun River Firelight (PC recommended approval with comments 5-0).

***Councilman Sip moved to approve the business item F8 with Planning Commission comments. Councilwoman Peart seconded the motion. Motion carried, 4-1. Ty Bringhurst – nay, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye, Rachel Peart – aye.***

Councilman Bringhurst discussed City Councils Special Meeting held on June 3<sup>rd</sup>, 2022. Council members and the Mayor had an educational tour of the Springs Tank. That item was not listed on the agenda. No action was taken.

Conflict Council Attorney Bruce Jenkins left at 7:38 p.m.

#### **G. CALENDAR OF EVENTS:**

1. Farmers Market at City Hall – Saturday July 16th, 2022, from 9:00 AM to noon.
2. Pioneer Day Celebration by 1st Ward – Saturday July 23rd, 2022, at 8:00 AM

Mayor Ellsworth discussed the Calendar of Events.

#### **H. ADJOURN:**

Mayor Ellsworth adjourned the meeting at 7:42 p.m.

\_\_\_\_\_  
Mayor – Keen Ellsworth

8/03/22  
\_\_\_\_\_  
Date

*Daisy Fuentes*  
\_\_\_\_\_  
Attest: City Recorder – Daisy Fuentes