

City of La Verkin

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La Verkin City Council Meeting Minutes

Monday, November 2, 2022, 6:00 pm.

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

Present: Mayor Kelly Wilson; Council Members: Patricia Wise, Chuck Hardy, Richard Hirschi, Micah Gubler, and Blair Gubler; Staff: Kevin Bennett, Chief Nick Nuccitelli, Kyle Lovelady, and Christy Ballard; Public: Cori & James Gubler, Athena Bergon, Maelyn, & Jenica Juluson, Maya Porter, Marley & Vanessa Bergon, Joslin & Sunny Ence, Netta Brett, Mason, Maridee, Mandee, and Met Johnson, Hannah & Nicole Stout, Chloe & Rebecca Pippert, Bernice Barlow, Eden Allred, Witch Hazel, Evalyn H., and Chase & Kohen Stratton
Derek Imlay was excused.

A. Called to Order –The invocation/thought and Pledge of Allegiance were given by Mayor Wilson at 6:00 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. Minutes: September 21, 2022, and October 3, 2022, regular meetings

The motion was made by Councilman Chuck Hardy to approve the consent agenda as written, including the minutes of September 21, 2022, and October 3, 2022, regular meetings, second by Councilman Blair Gubler. Blair Gubler-yes, Wise-yes, Micah Gubler-yes, Hirschi-yes, Hardy-yes. The motion carried unanimously.

C. Presentation:

1. Visit from Witch Hazel

Mayor Wilson thanked Witch Hazel for what she does in our community and gave her a gift card as a thank you.

2. Royalty

Maridee Johnson introduced the new La Verkin City Royalty. Miss La Verkin: Mason Johnson, 1st Attendant: Hannah Stout, 2nd Attendant: Bernice Barlow, 3rd Attendant: Eden Allred, and Miss Congeniality: Chloe Pippert.

The girls performed their La Verkin City jingle.

3. La Verkin Elementary School-Gabbi Young

Gabbi Young, principal of La Verkin Elementary School, turned the time over to Cori Gubler, who is the librarian and over the Lighthouse Student Committee. The Committee explained what they do and the goals of the team.

4. Victim Service Coordinator-Tiffany Mower

Tiffany reported the victim services program runs 24/7, 365 days a year. She provides victim services to La Verkin City Residents and the communities of Hurricane, Toquerville, Rockville, Virgin, Springdale, Apple Valley, Enterprise, Veyo, Leeds, Silver Reef, and all unincorporated areas serviced by the Washington County Sheriff. We also assist the State Parks and Zion National Park when they need help. Both her and the program are going on the 14th year of providing advocacy, and this July will mark her 5th year with the City of La Verkin.

Tiffany's role with this program is not only as the coordinator but also the grant manager, grant writer, and point of contact responsible for status reports, audits, etc. She also acts as the Liaison for the VAWA grant that has provided our City with a part-time specialized detective serving special victims of crime.

In 2020 The program offered/provided services on 605 cases

In 2021 the program worked on 711 cases

This year the program, up to October 31, has provided services on 679 cases in the program area. This year's number will most likely stay in the same case range as the year prior.

5. Specialized Investigations-Steve Johnson

Steve gave his annual report on the Specialized Investigations program. He oversees sexual assault, domestic violence, and protective order violation cases.

In 2021 he handled 57 investigations. As of today, he has dealt with 77 investigations.

Domestic violence & protective order violations have both increased this year.

Part of what he does that is not part of the grant is to handle all child abuse investigations for La Verkin City. He also helps the patrol officers with forgeries, fraud cases, and thefts. He has also helped with deaths. He went over some of the cases he has/is working on in 2022. This is the 3rd year for this program grant, and we will apply again in June 2023. He has seen the benefit to the citizens of La Verkin City.

D. Business:

1. Presentation and discussion regarding Interstate Rock Products Critical Infrastructure Protection Overlay. Kyle Lovelady explained the overlay would protect Interstate Rock Products' (IRP) pit from nuisances and rezoning. It also helps with legal issues for them. There is a 1,000-foot boundary notification required for this process. IRP will also be required to state on the plat there is an operating pit on the plat. This overlay does not change current operations. The overlay is simply a 20-year protection for the company. IRP follows all mining requirements. Staff is in support of the overlay.

Councilwoman Wise mentioned that during a previous work meeting with Chase Stratton regarding this possible overlay, the Council was informed IRP planned to continue operating the pit for 20-25 years. There was some discussion about creating a road from the pit to SR17 instead of continuing to use Main Street. She wondered about the status of that.

Chase responded that IRP had discussed the possibility, but nothing has moved forward. There have been preliminary talks with UDOT, and they do not favor additional access to SR17.

Councilwoman Wise pointed out Main Street will be heavily traveled with the RV Resort going in and the existing hotels. She is surprised UDOT would be opposed to the additional access. She asked Chase to contact Chris Hall with UDOT to connect what is happening on SR17 and the potential study with La Verkin and SR9. She is interested to know if IRP is talking to the same UDOT people involved with the traffic analysis for La Verkin. She feels very strongly there should be another access from the pit and would like strong consideration from IRP.

Chase reported he would reach out to Chris and continue to explore that access. IRP would appreciate any support from La Verkin City to push UDOT for that access. He also reminded the Council this overlay does not have anything to do with pit operations. The overlay helps with lengthy legal processes if there is an issue. It also informs surrounding property owners that there is an active pit within 1,000 feet of the property. IRP will continue to operate out of that pit regardless of whether the overlay is approved.

Kyle Gubler said UDOT has expressed to the City that they would appreciate the City not pushing for additional access onto the highways.

Councilwoman Wise said she has no problem with the pit or approving the overlay. She would like to acknowledge that a second access has been discussed and will be considered.

Kevin explained this is a new process and is quite lengthy. He would like to meet with IRP to go over that process. The City is the initiator of this type of protection. He explained how that happens and what the City and County must do. He also went over the timeline required for each step.

Chase said there is no sense of urgency. IRP is just trying to be proactive. Hurricane has approved several different protection overlays, and the County still hasn't created an advisory board.

Kevin suggested IRP put the information on the deed of the properties they sell.

Chase said he would look into that. He will also try to get Hurricane City's planning director and attorney to the meeting with Kevin and Derek.

2. Discussion regarding Interstate Rock Products road dedication.

Chase explained IRP would like to dedicate the section of Main Street from the edge of the subdivision to the entrance of the pit. IRP would maintain the road.

Before Trail Ridge Subdivision in Toquerville builds any more homes, they must put in a second access from La Verkin Main Street to the development. IRP would like to dedicate the street to the City to ensure the existing road stays where it is. It would also help IRP with air quality requirements for the pit. IRP would maintain it at their cost until the time it is needed for the subdivision.

Kevin suggested they include this as a phase in the Cottonwood Hollow subdivision.

Kyle Lovelady suggested moving forward as a street dedication and maintenance agreement. That way, IRP wouldn't need to go to the planning commission.

3. Discussion and possible action to approve the revised preliminary and final plat for Cottonwood Hollow Phase 4, a 13-lot subdivision located north of 970 North.

Chase explained a retaining wall is still needed on a couple of parcels.

Kyle Lovelady has a letter signed by IRP stating they will not be allowed to pull building permits for the four lots that need retaining walls until that has been completed.

The motion was made by Councilman Richard Hirschi to approve the revised preliminary and final plat for Cottonwood Hollow Phase 4, a 13-lot subdivision located north of 970 North, second by Councilwoman Patricia Wise. Blair Gubler-yes, Wise-yes, Hirschi-yes, Micah Gubler-yes, Hardy-yes. Motion carried unanimously.

4. Discussion and possible action to approve Proclamation 2022-04, a proclamation designating October as Domestic Violence Awareness month.

Kyle Gubler suggested including October 2023 in the proclamation.

The motion was made by Councilman Micah Gubler to approve Proclamation 2022-04, a proclamation designating October 2022 and amending it to include October 2023 as Domestic Violence Awareness month, second by Councilman Chuck Hardy. Hardy-yes, Micah Gubler-yes, Hirschi-yes, Wise-yes, Blair Gubler-yes. Motion carried unanimously.

5. Discussion and possible action to approve a Memorandum of Understanding between La Verkin City and Ash Creek Special Service District regarding impact and service fees for the sewer and water.

Mayor Wilson explained this has been in effect since the Special Service District was created. It was always understood that the District would not charge cities a fee for sewer services, and the City would not charge the District fees for water services.

During Toquerville's annual audit, the auditor suggested this agreement be in writing.

Councilman Blair Gubler wondered if the City knows the estimated water usage for the new treatment facility. Those numbers are available from Ash Creek SSD. The District will connect to Hurricane City's water line with that facility.

Kevin explained this agreement could be terminated by either party with 90 days' notice.

At some point in the future, the City may want to have an Interlocal Agreement with Ash Creek Special Service District that is more formal than an MOU.

The motion was made by Councilman Richard Hirschi to approve a Memorandum of Understanding between La Verkin City and Ash Creek Special Service District regarding impact and service fees for the sewer and water, second by Councilman Chuck Hardy. Roll Call Vote: Blair Gubler-yes, Wise-yes, Micah Gubler-yes, Hirschi-yes, Hardy-yes. The motion carried unanimously.

E. Mayor & Council Reports:

Blair Gubler-Washington County Solid Waste is still meeting with CIB for the building project. They have received enough money to build the scale house. This will be a 4-phase project and will increase the garbage rate by approximately \$.35 per resident. He will have the exact amounts in December.

Wise- Economic Development-Brock Belnap gave a presentation.

Planning Commission-October 12th meeting.

DTEC-Presentation by the Governor's Office of Planning and Budget on what growth means for Utah and how the State wants to handle it. They are doing local government engagement now and then will open to the public.

Zion Regional Collaborative-They have been looking for a new coordinator and have not found a "good fit." Emily Freedman is the current coordinator and has agreed to continue working remotely for the ZRC. With the addition of Virgin and an increase from Iron County, they were able to tweak the contract to include four in-person workshops she will attend. Hurricane, Springdale, the County, and La Verkin will cover the cost of lodging, and the contract will cover her flights. That agreement will be coming to the City Council for approval in the next couple of months. They have started working on the trail advocacy group. Doug Wilson will be the chair of that group.

Trees Utah-approached La Verkin City to see if we have anywhere in need of trees. Power Plant Park will get six Rocky Mountain Junipers.

Zion Corridor Trail-The County is working with UDOT to see how to dictate as the project progresses. The project is about one year behind schedule but completely funded. She will lobby hard to make sure La Verkin is the first section completed.

Mayor Wilson reported that this trail would be critical in getting a sewer line down the hill.

Councilwoman Wise reported the County is working on agreements with private property owners to get the property for that line and trail.

Micah Gubler-He has received many positive comments from citizens regarding the police department. They appreciate the added presence at the elementary school.

Maridee reported on the Fall Fright activity.

Winterfest has 50 vendors so far. She is expecting the attendance to double last years.

Councilman Blair Gubler asked who notified the Red Cross when there is a house fire, and the property is condemned.

Chief Nuccitelli replied that the fire department takes care of contacting the Red Cross. The police department provides extra coverage, so nothing is stolen.

Hirschi- Ash Creek SSD is purchasing a larger track hoe.

The Fire District will be moving forward with truth in taxation. The public hearing notice has gone out in the mail. It will be Monday, November 21st, at this building. He is on the committee and is not in favor of the proposed increase. The County Commissioners do give final approval.

Kyle explained the County Commissioners are the taxing authority, but they let the cities hold the public hearing and make a recommendation on the proposal. The County Commission is the deciding entity.

This proposal is a 90% increase to his property tax.

Most of the increase is for salaries.

Councilman Micah Gubler pointed out that most of the equipment listed on the notice as the reason for the increase, such as bandages, are not costs the Fire District would incur. Insurance companies reimburse them.

Kyle attended a meeting regarding this increase, and the general feeling was while there may be a need for some increase, it doesn't need to be this drastic.

Councilman Micah Gubler asked if the City could issue an official statement regarding this proposal.

Kyle explained that it would go through the City's representative on the Board (Councilman Richard Hirschi).

Hardy-Southwest Mosquito Abatement has a meeting in December.

Mayor- Utah League of Cities and Towns encouraged communities to invite their representatives to city council meetings. La Verkin is setting up a work meeting to discuss the capital improvement list and plans to invite our state representatives to that meeting.

Kyle explained two different senators represent La Verkin. Senator Vickers represents the west side of SR 9, and the east side is represented by Senator Darren Owens, who lives in Fountain Green, Utah.

F. Citizen Comment & Request for Future Agenda Items:

No comments were made.

G. Adjourn:

The motion was made by Councilman Chuck Hardy to adjourn, second by Councilman Micah Gubler. The motion carried unanimously at 7:40 pm.

December 7, 2022
Date Approved

ATTEST: Christy Ballard
Christy Ballard
City Recorder

Kelly B. Wilson
Mayor Kelly B. Wilson

