

City of La Verkin

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La Verkin City Council Meeting Minutes

Wednesday, February 15, 2023, 6:00 pm.

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

Present: Mayor Kelly Wilson; Council Members: Blair Gubler, Patricia Wise, Chuck Hardy, and Richard Hirschi; Staff: Kevin Bennett, Kyle Gubler, Derek Imlay, Chief Nick Nuccitelli, Christy Ballard, Officer Cory Jones, Detective Steve Johnson, and Tiffany Mower.

Councilman Micah Gubler was excused.

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

B. Presentation:

1. Chief Nick Nuccitelli awarded Officer Cory Jones his life-saving bar, a plaque, and a gift card for his life-saving efforts while responding to an overdose call in the City. The individual was not responsive when he arrived and took their first breath almost two minutes after Officer Jones arrived and administered two doses of Narcan before the paramedics arrived.

Chief Nuccitelli awarded Detective Steve Johnson a certificate and gift card for his outstanding investigative skills and Tiffany Mower a certificate and gift card for her outstanding victim services in a case that lasted over nine months and took countless hours of investigation, interviews, and paperwork.

Mayor Wilson thanked the police department for keeping our community safe.

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. Minutes: February 1, 2023, regular meeting
4. Checks & Invoices: \$485,109.16

The motion was made by Councilman Richard Hirschi to approve the consent agenda as written, including the minutes of February 1, 2023, regular meeting, and checks and invoices in the amount of \$485,109.16, second by Councilman Chuck Hardy. Roll Call Vote: Hardy-yes, Hirschi-yes, Wise-yes, Blair Gubler-yes. The motion carried unanimously.

D. Business:

1. Discussion and possible action to approve Ordinance No. 2023-03; an ordinance approving and adopting Ash Creek Special Service District's updated Development Procedures, Design Standards, and Construction Specifications.

Mayor Wilson said this item would be adopted by all communities involved in the District.

The motion was made by Councilwoman Patricia Wise to approve Ordinance No. R-2023-03, an ordinance approving and adopting Ash Creek Special Service District's updated Development Procedures, Design standards, and Construction Specifications, second by Councilman Richard Hirschi. Hardy-yes, Hirschi-yes, Wise-yes, Blair Gubler-no. The motion passes.

Councilman Blair Gubler left the meeting at 6:19 pm

2. Discussion and possible action to approve an agreement for the Environmental Assessment for the City's Rim to River Trail.

Councilwoman Wise explained that Platt Environmental's work is part of the grant the Council approved last May. This item is approving the proposal. It did come back with a strong recommendation from Sunrise Engineering. This will cost the City \$4,083.56 and will go toward our match of \$60,000.

Kyle reported the money is in reserve from the sale of the property and will be included in the budget amendment when it is time to spend it.

Councilwoman Wise reported the trail would be steep but not treacherous.

She has worked with Councilman Blair Gubler on possible locations of the trail. Councilman Gubler has extensive knowledge of historical drainage and the canyons from working at Ash Creek SSD for many years and growing up in the City. He will meet with Sunrise Engineering to review his information with them before meeting with Trails Utah, the trail builder.

This trail will connect to the Confluence Park trail at the bottom. Red Cliffs Desert Reserve has already given permission for that connection.

This proposal is for plants and animals' environmental assessment (EA). There will need to be an EA done for the cultural, which will also require approval.

She explained the location of this trail in relation to the pedestrian bridge and the power plant. She also went over the history behind the creation of this trail.

The motion was made by Councilman Chuck Hardy to approve the Environmental Assessment for the City's Rim to River trail, second by Councilman Richard Hirschi. Roll Call Vote: Wise-yes, Hirschi-yes, Hardy-yes. The motion carried unanimously.

3. Discussion on a resolution increasing the excess water use surcharge.

Mayor Wilson explained that the Washington County Water Conservancy District (WCWCD) has already approved the excess water use surcharge, but the communities must also do it.

This will be for all new construction. They will be limited to 8,000 gallons of water per month. For residents without secondary water, that amount will tier from winter, spring/fall, and summer. The penalty for going over that amount is \$10 per thousand gallons. This will not affect existing residents. That resolution was approved in August for 36,000 gallons with a \$1.00 per thousand-gallon penalty.

Councilwoman Wise asked how the billing would be handled.

Kyle replied that it had been discussed with Pelorus, the accounting software, and they assured us it was doable. There will be some leg work, but this resolution also increases the City's percentage from 5% to 10% to cover that.

Kevin explained that the biggest issue is how the WCWCD adopted the resolution. They put some language in that makes it look like a "double whammy" for people who come in after Jan 1st. He will either remove Section 5 of the current resolution or combine both resolutions listing the restrictions and effective date for each one.

Derek will be notifying the District about these changes.

Councilwoman Wise feels the District should charge more for both resolutions. We might have better water conservation if the water wasn't so cheap.

Mayor Wilson said the District is trying to get the communities to .59 ERUs for culinary and secondary water. La Verkin's culinary is .36 ERU.

Kyle explained there is still discussion on whether that is .59 ERU per connection or the community overall.

4. Discussion on a draft Telecommunications Franchise Agreement between La Verkin City and Infowest.

Kyle explained a sample agreement was included in the packet for the Councilmembers to review. He has listened to a couple of different presentations, and InfoWest seemed the most knowledgeable, and they are a local company.

InfoWest (Go Fiber) would like an agreement to install fiber throughout the City. Installation is not an issue in new areas but is not as easy in older parts of town. In the agreement with Hurricane, InfoWest has five years to get fiber throughout 95% of the community.

The fiber will be installed on existing poles or underground by micro trenching along the curb. The downside is the disruption between the asphalt and the curb. The benefit is not paying for the installation and our citizens having the ability to connect to faster internet. The fiber can also be sublet out to other companies.

He wanted to present the information so the Councilmembers can review it before InfoWest presents it to the City Council.

Councilwoman Wise wondered about the installation. Would there be any complications to the service from a water break? She also asked about subcontracting. Is that a whole new line?

There was a discussion on how fiber is installed. Blue Stakes marks all lines before digging happens.

Kyle explained subcontracting is not a new line. The company would sublease directly from InfoWest. Fiber provides faster service for downloads and uploads and seems more reliable.

Kevin said the agreement states InfoWest would utilize the City's rights-of-way in getting onto private property. This is a nonexclusive franchise, so other companies can do the same thing. The City does not want multiple cuts into our streets, so we need to find out if InfoWest will install a conduit for other companies to run fiber through it or exactly how they plan to allow for competitors.

Kyle mentioned some companies want to partner with cities for maintenance, and he does not want to do that.

5. Discussion on the Washington County Water Conservancy District's Drought Contingency Plan.

Kyle passed out a paper copy of the WCWCD's presentation. A website link was also emailed to the Council to review.

Mayor Wilson explained this had not been passed by the District yet. The presentation includes drought information from 1967 to the present. It will define when to have specific triggers in a drought situation.

It will be up to the WCWCD and cities to determine how to implement it and the triggers. Please review the information so we can approve something when it is presented.

We have been in the drought cycle for 20 years.

Kyle mentioned that according to the report, there has only been one time we reached stage 4 in the last fifty years. Stage 4 shuts everything down including new construction.

It will also need to be something uniform within the County.

E. Mayor & Council Reports:

Wise- ZRC-La Verkin hosted the meeting. There was a great turnout.

Planning Commission-She reported on the February 8th meeting.

Jared Wright is a co-owner of Amazing Adventures and owns a guiding service. He is very well educated in his business. Jared has the certification and appropriate insurance for climbing and setting routes. He approached the City about putting up some climbing routes on the cliff behind Sunset View Estates, which is City-owned property.

He has also inquired about getting the climbing going in Confluence Park. He was authorized to test the existing routes in the Park for the County. The County also met with DWR to get permission to set new climbing routes in the Park.

The wealth of Mr. Wright's knowledge and commitment to safety is impressive. Mayor Wilson, Kyle, and Councilwoman Wise decided to find out if climbing routes would be possible on the cliff behind Sunset View Estates.

Jared will be doing some exploratory work in that area.

Hirschi-Fire District is still struggling to find money to cover the deficit.

Hardy-Historical Preservation-Nothing to report

Southwest Mosquito Abatement-They had the first board meeting of the year. They are well-prepared for the upcoming season.

F. Citizen Comment & Request for Future Agenda Items:

No comments.

G. Adjourn:

The motion was made by Councilman Chuck Hardy to adjourn, second by Councilman Richard Hirschi. The motion carried unanimously at 7:13 pm.

March 1, 2023

Date Approved

ATTEST:

Christy Ballard

Christy Ballard
City Recorder

Kelly B. Wilson
Mayor Kelly B. Wilson

