

City of La Verkin

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La Verkin City Council Meeting Minutes Wednesday, February 19, 2014 6:00 p.m. Council Chambers, 111 S. Main, LaVerkin, Utah

Present: Mayor Kerry Gubler; Council-Members: Chantelle Browning, Richard Hirschi, Brandon Stephenson, Ken Hooten, Randy Reeve; Staff: Kyle Gubler, Derek Imlay, Troylinn Benson, Kevin Bennett, Chief Lloyd Watkins and Christy Ballard; Public: Jim & Naomi Soria, Mike & Becky Wheeler, Midge Henline, Joyce Reddoor, Doug Shupe, Andra Tomlinson, Irene Schilling, Chalene Musller, Matt MacKay, Rose & John Valenti, Mary Stephenson, Kyle Ballard, Shaul Backmore, Lex De Azevedo, Brandi Mernll, Toni Bain, Tammi Mendoza, Gary Christensen, Greg Bartin, Annette Wesderick, Ray & Laura Justice, Corry & Ashlee Stout, Travis & Amy Barney, Noel Logan, Alison Reynolds, Chelsea Oliver, Brooke Wright, Cherie Santiago, Penny Barker, Daniel Porter, and Quentin Morisette, along with several other River Rock supporters.

A. Called to Order – Invocation and Pledge of Allegiance by Randy Reeve at 6:00pm.

B. Appointments:

1. Board of Adjustment. Don Halterman has been appointed to the Board of Adjustments for a five year term.

Motion was made by Councilman Richard Hirschi to approve Don Halterman to the Board of Adjustments, second by Councilman Brandon Stephenson. Motion carried unanimously.

2. Election of Mayor Pro Tem. This is a one year appointment.

Motion was made by Councilman Randy Reeve to elect Councilman Brandon Stephenson as Mayor Pro Tem, second by Councilwoman Chantelle Browning. Roll Call Vote: Reeve-yes, Hooten-yes, Stephenson-yes, Hirschi-yes, Browning-yes. Motion carried unanimously.

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. February 5, 2014 regular meeting minutes
4. Review Invoices and Checks: \$107,199.01

Motion was made by Councilman Brandon Stephenson to approve the consent agenda as written including the February 5, 2014 regular meeting minutes and checks and invoices in the amount of \$107,199.01, second by Councilman Ken Hooten. Roll Call Vote: Reeve-yes, Hooten-yes, Stephenson-yes, Hirschi-yes, Browning-yes. Motion carried unanimously.

D. Committee Reports:

1. Planning Commission – Councilman Hirschi reported the Commissioners are still working on zoning the Down Town area and are making good progress. They also briefly discussed allowing vacation rentals in commercial and/or residential areas.
2. Water Board – The Water Board has not met.
3. Fire District-No meeting.
4. Sewer Board-Blair is not present to give the report. The meeting is next week.

E. Citizen Comment & Request for Future Agenda Items:

Doug Shupe said there is a house in his neighborhood that has had complaints against it for the last 3-4 years. He feels it is an eye sore. There are old vehicles in the drive way that have not been moved in at least a year. It is a vacant house that has not had service since 2007. He was going to file a complaint with the City but was told to come to the Council meeting tonight since there has been so many complaints previously filed. He doesn't think it is good to leave a house just setting there for 7 years with nothing done to it. It's not good for the subdivision or the community.

Councilman Reeve asked if the house was bank owned.

Derek replied it is not bank owned. We have an out of state PO Box for the owner but have received no response from any of the letters that have been sent.

Kevin stated this is the first he has heard of the issue. The City has a procedure in place to handle complaints and we will follow that procedure for this complaint.

Mayor Gubler told Mr. Shupe the City will start the complaint process. He is able to check on the status of the complaint with the City if he would like.

Kyle Gubler arrived at 6:10pm.

F. Business:

1. Discussion and possible action concerning the River Rock Roasting Company Beer License. Jim Soria introduced himself and explained he is the owner of River Rock Roasting Company and would like to serve on sight consumption beer. He wanted to be clear that he does not want his establishment to turn into a bar, he and his wife have worked too hard the last couple of years creating an environment everyone in the community would feel comfortable being in. It has been a great thing for the tourist and he has had a lot of people comment how nice it would be to sit out back, enjoy the view and have a beer. Jim would also like to extend the business hours which would mean more jobs in the community. They have begun serving sandwiches and are planning on bringing on a pizza place or something similar. He has very high standards on what they offer and for their employees. He wants to keep River Rock Roasting Company a business La Verkin can be proud of. They are open from 6:30am-3pm Monday-Friday and until 5:00pm Saturday and Sunday. When the tourist season starts he is hoping to be open until 6pm every day.

Councilwoman Browning asked if Jim owned the other side of the building he is in, if that is where the pizza place would go.

Jim replied that is the plan, but he is not sure yet. River Rock is in the process of expanding their seating area.

Councilman Hooten said he has heard great things about Jim's establishment but wondered what steps Jim would take to prevent River Rock Roasting Company from becoming a bar.

Jim answered he would manage it in a way that it would not be inviting for people to set around and get drunk. They will be providing premium beer at a premium price and that tends to lower the consumption rate.

Councilman Hirschi asked if the issue Ash Creek Sewer District had with the building had been resolved. The beer license is not affected by it but a pizza place may be.

Jim replied it had been resolved. The issue was the building not having a grease trap but Jim received allowance to continue operations without one since the type of food they serve does not require one. Ash Creek has been back to monitor and camera the lines on several occasions and each time it has come back clean.

Councilman Stephenson appreciates how much work Jim and Naomi have put into the building, it looks much better. He thinks issuing the beer license will be a good thing for La Verkin to help bring businesses in.

Councilman Hirschi asked staff if on sight consumption was allowed in La Verkin and if so has River Rock Roasting Company met all of the requirements to receive the license.

Kevin explained Code does allow on sight consumption. It pretty much follows the State requirement. This meeting is allowing the public to voice any concerns. The Council decides if they have met City requirements and if so then Jim will go to the State. If they receive a license from the State, the State will help us in monitoring the establishment. There are rules that have to be followed such as 70% of all sales in a restaurant have to be for food which is one way to keep it from becoming a bar and any beer sold has to be in conjunction with food.

Chief Watkins mentioned restaurants are not allowed to sell alcohol to an intoxicated person or they can be held liable if that person is involved in an accident. The State has quite a few controls an establishment has to follow.

Jim said that Hurricane has permitted Over the Edge Sports to host a beer garden at the park. There were 128 participants and 129 beers sold, or vice versa which averages one beer per person. Hurricane had undercover police officers there and there were no incidences. This is the type of patrons he is hoping to attract, the mountain bikers, hikers and tourists, not the spring breakers.

Mayor Gubler commented he hopes that Jim continues to maintain high standards when hiring employees so there will not be any problems.

Jim replied he understood that, he too doesn't want any problems. He feels with all the community support here tonight and the feedback from the tourists there are a lot of people who want to see this happen and he will make sure it stays positive.

Mayor Gubler asked if there were any other comments.

Motion was made by Councilman Randy Reeve to issue a beer license to River Rock Roasting Company, second by Councilman Brandon Stephenson. Roll Call Vote: Browning-yes, Hirschi-yes, Stephenson-yes, Hooten-yes, Reeve-yes. Motion carried unanimously.

Mayor Gubler asked if there were any other comments from either the Council or public.

Ray Justice said he applauded the decision made by the Councilmembers. What they are doing is what is best for the city of La Verkin. There will be people who are upset you have allowed beer into La Verkin. This State was founded by The Church of Jesus Christ of Latter Day Saints and one of the first things Brigham Young did was open a saloon in Hotel Utah in Salt Lake City because he knew there would be people here who would want to exercise their freedom of choice and have a drink. A lot of tourists do that and if we want to attract tourist businesses La Verkin needs to be able to say tourists are welcome here. He thanked the Council for making that decision and said tourism will be a way of life for La Verkin.

No other comments were made.

2. Discussion and possible action to approve Ordinance No. 2014-01; An ordinance amending the provisions of section VIII of the Personnel Policies and Procedures Manual (2006, as amended), entitled Disciplinary Action, and providing for adoption by ordinance of the Appeal Board Composition, Standard of Review, and procedures relative to and governing the Appeals Board provided therein; and providing an effective date.

Mayor Gubler explained this amendment will fix the Personnel Policies and Procedures Manual. Right now the procedure has the appeals board being the same people who made the decision.

Councilman Hooten has read over the business item, he has a great deal of experience in this area from his working life and feels there is no other option but to pass this ordinance. There is no way this governing body could make a decision and then turn around and be the appeals board as well, it makes no sense. He is in favor of adopting this ordinance.

Councilman Hirschi asked if this amendment is only changing the appeal process.

Kevin answered that no, there are 16 different things that will change. The primary purpose is to adopt it by ordinance and to fix the appeals process. There is also number of inconsistencies it fixes and makes it enforceable.

Motion was made by Councilman Richard Hirschi to approve Ordinance No. 2014-01; an ordinance amending the provisions of section VIII of the Personnel Policies and Procedures Manual as written, second by Councilman Brandon Stephenson. Motion carried unanimously.

G. Staff, Mayor & Council Reports:

City Administrator- Kyle Gubler

Kyle did not have a handout this week. He is looking for someone to chair the July 4th celebration.

The Easter Egg Hunt will be the Saturday before Easter.

Mayor Gubler asked the councilmembers to think of some names for the July 4th celebration. It has been very good in the past and he would like to continue what has been started.

Public Safety- Chief Lloyd Watkins

Chief explained the armed robbery that occurred today was not random. The suspect had a specific target. He was apprehended but there may be another person involved, it is still under investigation. Officer Romney did an excellent job.

Director of Operations-Derek Imlay

The crack seal portion of the 2014 Road Maintenance Project has been completed. The emulsion portion will begin the second week of March.

The Silver Acres project was slated to start February 24th but because 2 members of his crew had surgery this past week and the rest of his crew needs to attend water school that week it has been changed to begin March 3rd.

There have been a lot of breaks this past week due to the warmer weather.

The irrigation will be back in March 3rd so the City can fix any breaks and clean out the lines before the scheduled March 15th turn on. The contract for the irrigation is from March 15th to November 15th although it is usually left in the system until December.

Thanked Councilman Hirschi for starting the weed spray today. He should have it finished in the next couple of weeks. They will spray weeds 4 or 5 more times throughout the summer.

Treasurer-Troylinn Benson

There were 104 door hangers, 14 shutoffs today and 5 of those are still off. The financials will be done quarterly. If the councilmembers have any specific questions before then they are welcome to come to the office.

Mayor Gubler-This Friday is the deadline for Chief of Police applications. There will be a committee put together to go over the applications and then do the interviews.

Browning-Passed out the Mosquito Abatement Distribution chart to the councilmembers. This is the 2013 report. La Verkin (Confluence Park) had the most mosquitos trapped 9,000 with the next closest being an area in Hurricane who had 3,000. The most important number on the chart however is the West Nile Virus; La Verkin had no positive readings on that.

There has also been a new species of mosquito in Washington County that reproduces in small containers and in residential areas. They are aggressive biters and do carry diseases like yellow fever. So make sure you cover up when outside especially down at Confluence Park by the water.

Hirschi-There was a rabies clinic held on February 8th at the animal shelter; it had a very good turnout. There will be another clinic on February 22nd from 9am-12pm. Staff will be on hand to license the dogs.

Stephenson-Asked the community to be patient with the public works crew. They are shorthanded and there have been a lot of water breaks.

Hooten- He, along with Councilman Hirschi and Mayor Gubler attended a meeting on the Lake Powell Pipe Line. There were a lot of statistics provided, some were rather alarming. They estimate the water demand will outstrip the supply around 2030. The Pipeline is a rather hot issue and will continue to be. The proposed cost is about one billion dollars but broken down per house hold it is not very much. We have been in a drought for some time and we need to consider alternatives for our water supply. Utah is the 3rd fastest growing state in the country and the 4th in best business conditions. If we don't have water for people it will difficult to attract them. He also encouraged people to conserve water now.

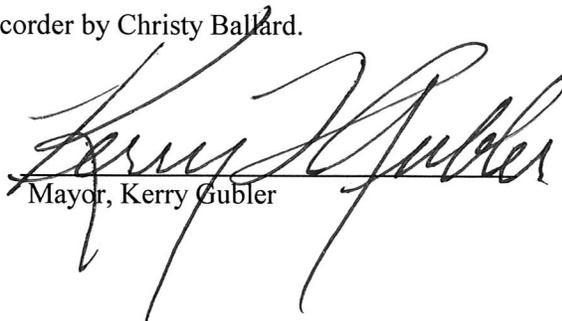
Reeve- Thanked Jennifer for helping with the dog clinic held on the 8th. Solid Waste met. La Verkin had 38 tons of recycling which earned the City \$1,027.24. There was also a resolution passed allowing the landfill to start accepting medical waste.

L. Adjourn:

Motion was made by Councilman Ken Hooten to adjourn, second by Councilwoman Brandon Stephenson. Motion carried unanimously at 6:52pm.

Minutes were taken on behalf of the City Recorder by Christy Ballard.

March 5, 2014
Date Approved


Mayor, Kerry Gubler

ATTEST: 
Kyle Gubler
City Recorder

