

City of La Verkin

435 North Main St., LaVerkin Utah, 84745
(435) 635-2581 Fax (435) 635-2104
www.laverkin.org

La Verkin City Council Meeting Minutes Wednesday, March 5, 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: John Valenti, Simon & Shannon Wastling, Laura Justice, Linda Prince, Allen Bice, Bryan Bracken, Dennis Mertlich, Don Halterman, Anna Andregg.

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

B. Presentation:

The La Verkin Elementary Cub Choir sang two songs.

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 19, 2014 regular meeting minutes
4. Review Invoices and Checks: \$233,212.38

Motion was made by Councilman Richard Hirschi to approve the consent agenda as written including the February 19, 2014 regular meeting minutes and checks and invoices in the amount of \$233,212.38, second by Councilman Brandon Stephenson. Roll Call Vote: Reeve-yes, Hooten-yes, Stephenson-yes, Hirschi-yes, Browning-yes. Motion carried unanimously.

D. Committee Reports:

1. Planning Commission – The Planning Commission meets next Wednesday. He will report on that at the next City Council meeting.
2. Water Board – The Water Board has not met.
3. Fire District-Chief Kuhlmann reported they are getting ready for what they feel will be a busy fire season. There has been no change in the items the legislature has been discussing.

Councilman Hirschi commented that the signs the Fire District put up look very nice. They will be in all of the communities the Fire District covers.

4. Sewer Board-Blair reported a new small subdivision was approved for the South fields in Hurricane. They had training on the Rules of Operation for the new members on the board. They did make some minor changes to the Rules of Operation which was approved at the meeting and will be coming to the City Council to approve the changes via resolution. That is what gives La Verkin the authority to be the collecting agent for the Sewer District. The Councilmembers who sit on that Board will have a copy of the Rules of Operation if anyone would like to read them. Also, if there are any changes to the Sewer District any of the Councilmembers would like to see, pass them on to your representatives.
The Board will be traveling to other cities to tour different treatment plants and lagoons. They will see how they operate and the cost to run each one.

Ash Creek is currently lagoons. Several years ago there were a lot of complaints about the odor from them but the open air and the fact they are constantly working with them has diminished the complaints quite a bit. Ash Creek has also expanded to go to 2 million gallons and that should help with the odor as well. That being said, if any of the citizens drop anything down the drain that kills aquatic life and in turn the lagoons, there will be an odor. It has happened before. Ash Creek thought it was something like Round Up that got sent down a drain. Oil could also kill a lagoon if enough got sent down.

E. Citizen Comment & Request for Future Agenda Items:

No comments were made.

F. Business:

1. Discussion and possible action to approve Ordinance No. 2014-02; An ordinance amending and making technical corrections to Ordinance No. 2013-08 (the Criminal Update Ordinance); and providing an effective date.

Mayor Gubler stated this is a house cleaning business item.

Motion was made by Councilman Brandon Stephenson to approve Ordinance No. 2014-02; an ordinance amending and making technical corrections to Ordinance No. 2013-08, second by Councilman Richard Hirschi. Motion carried unanimously.

2. Discussion and possible action to approve Ordinance No. 2014-03; An ordinance amending the La Verkin City Code by correcting a typographical error and eliminating a chapter reference in Chapter 11 of Title 3 (providing for the regulation of cleanliness, safety, and sanitary conditions in transient lodging); and providing an effective date.

Mayor Gubler said this too is a house cleaning business item.

Motion was made by Councilman Ken Hooten to approve Ordinance No. 2014-03; an ordinance amending the La Verkin City Code by correcting a typographical error and eliminating a chapter reference in Chapter 11 of Title 3 (providing for the regulation of cleanliness, safety, and sanitary conditions in transient lodging), second by Councilman Brandon Stephenson. Motion carried unanimously.

3. Discussion and possible action to approve lease agreement with Century Equipment.

Mayor Gubler explained this new lease will save the City money. We will be keeping the oldest machine and sell the other machine, which will pay for the new lease for a couple of years at least.

Councilman Reeve asked if there is a need for a new machine.

Mayor Gubler explained that the newest machine did break down and it will cost several thousand dollars to repair it. Leasing a new machine will save the City money and give us a better lease. The new lease gives us 50 hours more a year and is a year lease instead of a three year so the City has the option of leasing a new piece of equipment every year if they choose to do so.

Motion was made by Councilman Richard Hirschi to approve the lease with Century Equipment to lease a new backhoe, second by Councilman Brandon Stephenson. Roll Call Vote: Browning-yes, Hirschi-yes, Stephenson-yes, Hooten-yes, Reeve-yes. Motion carried unanimously.

4. Annual training on the Utah Open and Public Meetings Act and Government Records and Management Act.

Councilmembers, Staff, and Board and Committee members were given handouts of the power point presentation for both trainings. See attached handouts for training information.

G. Staff, Mayor & Council Reports:

City Administrator- Kyle Gubler

Kyle passed out his handout. The City is still in need of someone for the July 4th celebration. Mayor Gubler has talked to someone about doing that, they will be letting him know their decision in a few days.

Interviews for the Chief of Police position will be Monday, March 10th and Tuesday, March 11th. The semiannual vacation report was emailed to the Councilmembers. The Directors are working on getting the hours down on those employees who were grandfathered in when the decision was made to allow a maximum of 320 hours.

Public Safety- Chief Lloyd Watkins

Chief passed out the February stats. The numbers are down compared to last year. We are also down one man from last year.

Saturday there was a barricaded subject. Chief reported that the County and the SWAT team were called in. Contact was eventually made with the individual and he did come out of his home with no injuries. The individual was charged.

Director of Operations-Derek Imlay

Derek passed out a copy of his report.

1. The property Mr. Shupe brought up at the last meeting. Derek went and took pictures, included in his handout. Staff has done some research; the date of last service is 11-16-2007. The contact information is a PO Box in Alaska. The County Assessor's office has the La Verkin address listed as contact information. The police ran the plates on the vehicle in the front yard. It has not been registered since 2006. The name the vehicle is registered to is also on the property deed. His contact information is the La Verkin property also. There were phone numbers found for the individual but both have been disconnected. The only option we have is to continue to send letters to the PO Box. Derek included all of the information found in his handout along with La Verkin's abatement policy. If the Councilmembers choose to go through the abatement process, we will have to get a court order and find a secure place to store the items. We will be sending a letter out to the PO Box via Certified Mail.

Mayor Gubler asked Derek to follow up with the Council letting them know if the letter is received.

2. The next property he is reporting on has had a few complaints against it. There are photo's included in his handout. Officer Romney, who has a good relationship with the property owner, has delivered the letter to this address. The property has had work done on it but it is still not in compliance. Staff feels that progress is being made so they will continue to work with the property owner until they are in compliance. Derek will be sending them a letter letting them know this.
3. The inspection department doesn't just work with new permits they also help protect the citizens of La Verkin as well as contractors. The next issue is a lady who hired a contractor who told her he was a licensed contractor and charged her a significant amount of money to add a small one sink hair studio to her garage. When he was finished she

knew things were not right so she refused to pay him. He is suing her for payment, she is counter suing him for damages. The City was called to inspect her property and brought Ash Creek Sewer District with them to note all of the violations they could see. Derek has contacted DOPL which is the licensing department for the State. This type of thing is becoming more common.

4. Derek asked the Councilmembers to read the next item concerning reimbursement of engineering fees from the School District and give him their opinion. He feels WCSD should pay for the engineering cost to review this project. Most of the cities he contacted have an engineer on staff so they absorb the cost, the towns that do not pass the charges on to the client. La Verkin does not have an engineer on staff so it is costing us money, which has not been included in the budget, to have the plans reviewed.
5. There is also a nuisance tracking list in the handout. This lists all of the nuisances and where they are in the process. Derek went over the process the City goes through when a complaint comes in.
6. Irrigation water was put in the system on Monday. In his hand out is a list of calls regarding irrigation breaks for Monday and Tuesday. So far they have all been on the citizen side of the line. There were enough breaks Derek shut the valves off and drained the system on Tuesday night. Some of the breaks were on property where the owner doesn't live here all of the time so Derek's crew did fix them and will be sending a bill to the property owner.
7. Derek explained some of the factors that putting the irrigation water in the system entails such as travitivity of the water. There is an on call phone citizens can call for emergency water breaks. Derek will be handling all of those calls until all of his crew is back to work.

Councilwoman Browning asked if the City had a secure location where property could be stored if they chose to go through the abetment process on the first item discussed.

Derek replied the City does not have a place to store the property.

Treasurer-Trolynn Benson

Regular billing and irrigation billing was done yesterday. There were problems with the irrigation billing so a new bill will be sent out tomorrow.

Mayor Gubler-If the Councilmembers need something they would like the City to purchase for them or if they would like to purchase it and have the City reimburse them a purchase order needs to be filled out ahead of time.

As a Council it is appropriate to give the Staff direction but not as individuals.

Browning-Youth City Council has two spots opening. If anyone knows of a youth between the ages of 14 and 17 applications will be accepted until the end of the month and are available at the City offices.

Hirschi- Nothing further to report.

Stephenson-Beautification Committee met earlier today. They are trying to find a couple of boys willing to clean up the La Verkin Loop trail as an eagle project. The Fourth Grade Forester tree planting is coming up as is the white washing of the "L" for the fifth graders anyone is invited to attend either of those events.

Councilman Stephenson rode with Derek last night on some of the call outs. He is a very busy man so anything the Councilmembers or community can do to help and support him would be greatly appreciated.

Hooten- Attended the Fire District meeting last week. They had the same training presented tonight by Kevin.

*Reeve-*The number in the Sports Program has continued to drop since 2010 while Hurricane's sports program is growing. This may be something we need to think about when planning next year's budget.

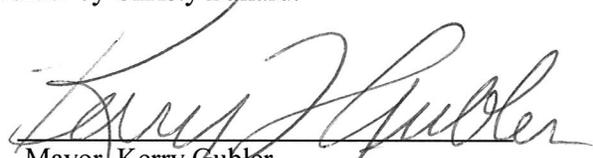
Mayor Gubler has contacted the owner of the playing field north of the elementary school and he is interested in leasing that to the City. That may help with the Sports Program. Once Staff has had a chance to put that lease together it will come before the Council.

L. Adjourn:

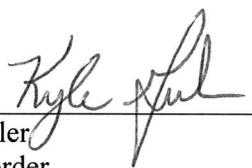
Motion was made by Councilman Ken Hooten to adjourn, second by Councilman Randy Reeve. Motion carried unanimously at 7:28pm.

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

March 19, 2014
Date Approved



Mayor, Kerry Gubler

ATTEST: 

Kyle Gubler
City Recorder

