

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
AUGUST 3, 2023 5:00 P.M.
CITY COUNCIL CHAMBERS**

PRESENT:

**Mayor Pro Tem Jimmie Hughes
Councilmember Dannielle Larkin
Councilmember Gregg McArthur
Councilmember Natalie Larsen
Councilmember Michelle Tanner**

EXCUSED:

Mayor Michele Randall

STAFF MEMBERS PRESENT:

**City Manager John Willis
City Attorney Tani Downing
City Recorder Christina Fernandez
Police Captain Jordan Minnick
Police Lieutenant Jared Parry
City Engineer Jay Sandberg
Parks Planner Mark Goble
Administrative Services Director Trevor Coombs
Budget and Financial Planning Manager Robert Myers
Planner Dan Boles
Planner Carol Winner**

OTHERS PRESENT:

**Kat Puzey with the Downtown Farmers Market
Resident Kassandra Leavitt
Jason Burningham with Lewis Young Robertson and Burningham – via Zoom
Marc Edminster with Lewis Young Robertson and Burningham – via Zoom
Applicant Dave Nasal**

CALL TO ORDER, INVOCATION AND FLAG SALUTE:

Mayor Pro Tem Hughes called the meeting to order and welcomed all in attendance. The invocation was offered by Councilmember Larkin and The Pledge of Allegiance to the Flag was led by Councilmember McArthur.

Link to call to order, invocation, and flag salute: [00:00:09](#) [Recording 1]

MAYOR'S RECOGNITIONS AND UPDATES:

Read a Proclamation proclaiming August 6 – 12, 2023 as National Farmers Market Week.

Link to Mayor Pro Tem Hughes reading a proclamation proclaiming August 6 – 12, 2023 as National Farmers Market Week, the proclamation was received by Kat Puzey with the Downtown Farmers Market; including comments from Mayor Pro Tem Hughes and Councilmember Larkin: [00:01:47](#) [Recording 1]

[Agenda Packet \[Page 15\]](#)

COMMENTS FROM THE PUBLIC:

Link to introduction from Mayor Pro Tem Hughes: [00:07:25](#) [Recording 1]

Link to comments from resident Kassandra Leavitt: [00:07:55](#) [Recording 1]

CONSENT CALENDAR:

A. Consider approval to award a bid to ProForce Law Enforcement for the purchase of Glock 45 firearms and holsters and the sale/trade of all currently owned/issued Glock 17 firearms and holsters.

BACKGROUND and RECOMMENDATION: This is for the purchase of Glock 45 508T Package w/Tritium sights, Safariland holster(s), as well as the sale of the old Police Department issued Glock 17 GEN4 GNS w/3mags. Staff recommends approval.

B. Consider approval to award a bid to Lenco Armored Vehicle for the purchase of a BearCat armored vehicle for the St. George Police Department SWAT team.

BACKGROUND and RECOMMENDATION: This is for the purchase of a Lenco Bearcat Armored vehicle for the St George Police Department SWAT team. The BearCat Armored vehicle is a critical and high priority need for the police department. The purchase of this item was discussed in the budget retreat and city council meetings, including a public comment meeting. The council approved the line item, and the Police department has identified Lenco Armored Vehicles as the sole source to fulfill the order. Staff recommends approval.

C. Consider approval of a Professional Services Agreement with Avenue Consulting for traffic signal troubleshooting and consulting services in the amount of \$90,000.

BACKGROUND and RECOMMENDATION: This contract is for traffic engineering services that Avenue Consulting will provide St. George for the 2023-24 fiscal year. Staff recommends approval of the Agreement.

D. Consider approval of a Professional Services Agreement with Civil Science for the design, bidding, and construction management of the Pioneer Park Interpretive Trail.

BACKGROUND and RECOMMENDATION: This PSA is to provide design survey, base mapping, engineering design, bid phase services, construction phase services, and construction staking for a concrete trail through Pioneer Park that will have several interpretive areas with signs depicting the history and landmarks of St. George. The trail will extend from the west parking lot in Pioneer Park to the Red Hills Desert Garden Parking lot. Approximate length of the trail is a half mile. A bridge will cross the existing detention basin spillway. The PSA is to provide design for the entire project, but the City only plans on constructing the trail with interpretive areas from the west parking lot to the east parking lot in Pioneer Park this fiscal year unless bids come in lower than

expected. The remaining segment of trail will be constructed at a later date or as funds are available. Staff recommends approval of the Agreement.

E. Consider approval of the Non Federal Reimbursable Agreement between Department of Transportation Federal Aviation Administration and the City of St George, St George Regional Airport.

BACKGROUND and RECOMMENDATION: The purpose of this Agreement between the FAA and the City of St George is to support and complete the Airport Traffic Control Tower (ATCT) siting process and develop a cost estimate for the establishment of an ATCT at St George Regional Airport. Staff recommends approval.

F. Consider approval to award bid to Peak Asphalt for the chip seal oil supply.

BACKGROUND and RECOMMENDATION: This award is for 900 tons of chip seal oil for FY 24. This was a formal bid and one bid was received. The price per ton decreased 14% from last year consistent with the reduction in oil prices from the previous year.

G. Consider approval to award bid to Interstate Rock Products for chip seal aggregate.

BACKGROUND and RECOMMENDATION: This was a formal bid and one (1) bid was received. The cost increased by 3.7% over last year's bid.

H. Consider approval of a change order with Big-D Construction on the Wells Fargo ATM Relocation project for the installation of water and fire lines for City Hall and Parking Garage in the amount of \$122,099.98.

BACKGROUND and RECOMMENDATION: In the City Council Work Meeting held on July 13, staff mentioned the need to advance a portion of site work that Big-D is doing from Phase II of the City Hall project to Phase I (ATM Relocation) in order to reduce cost and time. This involves adding a water line and fire line from Main Street and demolition work of a portion of the Wells Fargo tunnel that runs from the bank to the teller building.

I. Consider approval of a contract with Holbrook Asphalt, Inc. for H45 seal coat for various streets within the City of St. George.

BACKGROUND and RECOMMENDATION: This is a sole source award. It has been used for many years throughout the City for asphalt preservation with excellent results.

J. Consider approval of a sole source purchase of SCADA network equipment.

BACKGROUND and RECOMMENDATION: This is necessary to upgrade and replace twenty-year-old equipment.

K. Consider award of bid to Whitaker Construction for the Reconstruction and Expansion of the Terminal Apron at the St. George Regional Airport.

BACKGROUND and RECOMMENDATION: The bid notice was posted on March 9, 2023 and a pre-bid meeting was held on March 23, 2023. Two bids were submitted on April 12, 2023, the low bidder was Whitaker Construction. This project will be funded by Federal Grant and PFC Funds. The original engineers estimate was \$12,300,000. Whitaker's bid was for \$14,951,787.50. Staff met with the FAA Airport District Office (ADO) in Denver, and they agreed to fund the project in the amount of \$14,500,000. It is estimated that the City will receive the grant for approval and signature in early September. Staff recommends awarding the bid to Whitaker Construction in the amount of \$14,951,787.50.

L. Consider approval of the minutes from the meetings held on June 15, 2023; June 20, 2023; June 22, 2023; June 29, 2023; June 6, 2023; and June 13, 2023.

Link to presentation from City Manager John Willis: [00:11:12](#) [Recording 1]

Link to Councilmember Larsen requesting to remove items a, b, c, d, f, and g: [00:11:31](#) [Recording 1]

[Agenda Packet \[Page 17\]](#)

Link to motion: [00:13:03](#) [Recording 1]

MOTION:

A motion was made by Councilmember Larkin to approve the consent calendar removing items a, b, c, d, f, and g.

SECOND:

The motion was seconded by Councilmember McArthur.

VOTE:

Mayor Pro Tem Hughes called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Larkin – aye
Councilmember McArthur – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

Link to discussion between Police Captain Jordan Minnick, the City Council, Mayor Pro Tem Hughes, and City Manager John Willis regarding items a and b: [00:13:34](#) [Recording 1]

Link to discussion between the City Council, Mayor Pro Tem Hughes, and City Engineer Jay Sandberg regarding items c, f, and g: [00:19:58](#) [Recording 1]

Link to discussion between Parks Planner Mark Goble, Mayor Pro Tem Hughes, and the City Council regarding item d: [00:24:14](#) [Recording 1]

Link to motion: [00:26:41](#) [Recording 1]

MOTION:

A motion was made by Councilmember Larkin to approve items a, b, c, d, f, and g.

SECOND:

The motion was seconded by Councilmember McArthur.

VOTE:

Mayor Pro Tem Hughes called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Larkin – aye
Councilmember McArthur – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

PUBLIC HEARING/EASEMENT VACATION/ORDINANCE:

Public hearing and consideration of Ordinance No. 2023-005 vacating a portion of a municipal utility easement located between Lots 30 & 31, Bloomington Country Club No. 11 Subdivision.

BACKGROUND and RECOMMENDATION: The final plat for Bloomington Country Club No. 11 Subdivision was approved by City Council on April, 6, 2017 and recorded in the Office of the Washington County Recorder's Office on May 28, 2017.

Link to introduction from City Manager John Willis, including presentation from City Engineer Jay Sandberg: [00:27:05](#) [Recording 1]

[Agenda Packet \[Page 343\]](#)

Link to public hearing: [00:28:06](#) [Recording 1]

Link to motion: [00:28:28](#) [Recording 1]

MOTION:

A motion was made by Councilmember Tanner to approve Ordinance No. 2023-005 vacating a portion of a municipal utility easement located between Lots 30 & 31, Bloomington Country Club No. 11 Subdivision.

SECOND:

The motion was seconded by Councilmember Larkin.

VOTE:

Mayor Pro Tem Hughes called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Larkin – aye
Councilmember McArthur – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

PUBLIC HEARING/EASEMENT VACATION/ORDINANCE:

Public hearing and consideration of Ordinance No. 2023-006 to vacate a portion of River Road (a deceleration lane) in the River Crossing development.

BACKGROUND and RECOMMENDATION: This is a deceleration lane that was dedicated with the River Crossing Phase 1 subdivision plat.

Link to presentation from City Engineer Jay Sandberg, including discussion between the City Council and Mr. Sandberg: [00:29:19](#) [Recording 1]

[Agenda Packet \[Page 348\]](#)

Link to public hearing: [00:30:50](#) [Recording 1]

Link to comments from Travis Einerson: [00:31:05](#) [Recording 1]

Link to motion: [00:32:20](#) [Recording 1]

MOTION:

A motion was made by Councilmember Larkin to approve Ordinance No. 2023-006 to vacate a portion of River Road (a deceleration lane) in the River Crossing development.

SECOND:

The motion was seconded by Councilmember McArthur.

VOTE:

Mayor Pro Tem Hughes called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Larkin – aye
Councilmember McArthur – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

PUBLIC HEARING/UTILITY EASEMENT VACATION/ORDINANCE:

Public hearing and consideration of Ordinance No. 2023-007 vacating a

portion of a municipal utility easement located in the Crimson Estates subdivision.

BACKGROUND and RECOMMENDATION: The subdivision plat for Crimson Estates was recorded in May of 2022 and the owners of Lots 1, 5, 6, and 7 purchased additional property after the subdivision was recorded and now want to add this additional area in there lots.

Link to presentation from City Engineer Jay Sandberg: [00:32:48](#) [Recording 1]

[Agenda Packet \[Page 354\]](#)

Link to public hearing: [00:33:59](#) [Recording 1]

Link to motion: [00:34:13](#) [Recording 1]

MOTION:

A motion was made by Councilmember Larsen to approve Ordinance No. 2023-007 vacating a portion of a municipal utility easement located in the Crimson Estates subdivision.

SECOND:

The motion was seconded by Councilmember Tanner.

VOTE:

Mayor Pro Tem Hughes called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Larkin – aye
Councilmember McArthur – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

PUBLIC HEARING/SALES TAX BONDS/RESOLUTION:

Public hearing to allow public input regarding (a) the issuance and sale by the City of St. George, Utah of not more than \$10,000,000 aggregate principal amount of Sales Tax Bonds, Series 2023; and (b) any potential economic impact that the project to be financed with the proceeds of the Series 2023 Bonds issued under the act may have on the private sector; and related matters.

BACKGROUND and RECOMMENDATION: On July 6, 2023, the City Council approved Resolution No. 2023-004R authorizing the issuance and sale of not more than \$10,000,000 aggregate principal amount of Sales Tax Revenue Bonds, Series 2023, and related matters. The purpose of the public hearing is to receive input from the public regarding the issuance of the Bonds and any potential impact that the project to be financed with the proceeds of the Bonds may have on the private sector.

AND

Consider approval of Resolution No. 2023-009R of the City Council of the City of St. George (the "City"), authorizing and approving a Preliminary Official Statement and an Official Statement in connection with the issuance and sale of the City's Sales Tax Revenue Bonds, Series 2023; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this Resolution; and related matters.

BACKGROUND and RECOMMENDATION: WHEREAS, the City adopted a resolution on July 6, 2023 (the "Bond Resolution"), approving the issuance of its Sales Tax Revenue Bonds, Series 2023 (the "Series 2023 Bonds") (to be issued from time to time in various series and with such other series or title designation(s) as may be determined by the City), to (a) finance the acquisition and construction of a city hall, and all related improvements (the "Project"), (b) fund any required debt service reserve fund, and (c) pay costs of issuance with respect to the Series 2023 Bonds herein described; and WHEREAS, in connection with the issuance of the Series 2023 Bonds, the City plans to use and distribute a Preliminary Official Statement (the "Preliminary Official Statement"), in substantially the form attached hereto as Exhibit B, and a final Official Statement (the "Official Statement"), in substantially the form as the Preliminary Official Statement; and WHEREAS, the City now desires to approve the Preliminary Official Statement and the Official Statement and to authorize their use and distribution in connection with the issuance of the Series 2023 Bonds.

Link to presentation from Administrative Services Director Trevor Coombs, including discussion between City Manager John Willis, Mayor Pro Tem Hughes, and Mr. Coombs: [00:34:46](#) [Recording 1]

[Agenda Packet \[Page 361\]](#)

Link to public hearing: [00:44:25](#) [Recording 1]

Link to motion: [00:45:00](#) [Recording 1]

MOTION:

A motion was made by Councilmember McArthur to approve Resolution No. 2023-009R of the City Council of the City of St. George, authorizing and approving a Preliminary Official Statement and an Official Statement in connection with the issuance and sale of the City's Sales Tax Revenue Bonds, Series 2023; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this Resolution; and related matters.

SECOND:

The motion was seconded by Councilmember Larsen.

VOTE:

Mayor Pro Tem Hughes called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Larkin – aye
Councilmember McArthur – aye

Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

GENERAL PLAN AMENDMENT/ORDINANCE:

Consider approval of Ordinance No. 2023-008 changing the City General Plan future land use map from MDR (Medium Density Residential) to COM (Commercial) on approximately 5.86 acres, located on the east side of Riverside Drive at approximately 700 South (south of Foremaster Drive) for a project to be known as Willowbend Commercial. Case No. 2023-GPA-004

BACKGROUND and RECOMMENDATION: The property to the south was zoned PD-R for a townhome development in 2021. This property has significant hillside issues to consider. As such, the Hillside Review Board met together on site to give a recommendation on the General Plan amendment. They unanimously recommended approval of the change recognizing that there will be a number of issues to work through before a site plan can be approved. On July 11, 2023, the Planning Commission held a public hearing on the matter. The Planning Commission recommended approval of the application with a 6-0 vote.

Link to presentation from Planner Dan Boles, including discussion between the City Council, and Mr. Boles: [00:47:15](#) [Recording 1]

[Agenda Packet \[Page 422\]](#)

Link to motion: [00:52:09](#) [Recording 1]

MOTION:

A motion was made by Councilmember Larsen to approve the general plan amendment for Willowbend Commercial, Case No. 2023-GPA-004, based on the findings listed in the staff report.

Link to comments from the City Council and applicant Dave Nasal on the motion: [00:52:25](#) [Recording 1]

Link to amended motion: [00:54:08](#) [Recording 1]

AMENDED MOTION:

Councilmember Larsen amended her motion to add including the archeological findings.

SECOND:

The amended motion was seconded by Councilmember Larkin.

VOTE:

Mayor Pro Tem Hughes called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Larkin – aye
Councilmember McArthur – aye

Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

GENERAL PLAN AMENDMENT/ORDINANCE:

Consider approval of Ordinance No. 2023-009 amending the City General Plan future land-use map from MDR (Medium Density Residential) to COM (Commercial) on 14.5 acres located on the southeast corner of Mall Drive (Merrill Road) and 3000 East Street for a project to be known as Regional Retail Expansion. Case No. 2023-GPA-003.

BACKGROUND AND RECOMMENDATION On October 21, 2021, this applicant received approval for a zone change (Fat Cats, 2021-ZC-069) from A-1 (Agricultural, minimum lot size 40,000 sf) to PD-C (Planned Development Commercial) on the portion of this property which already has the COM land use designation for the purpose of adding new commercial development to this location. On that same date, this applicant also received approval for a zone change (The Park at Temple View, 2021-ZC-071) from A-1 to PD-R (Planned Development Residential) on the portion of the property that has the MDR designation for the purpose of adding a new residential development to this location. Before development occurred on this property, the applicant decided to change the configuration of their commercial and residential proposal. They are working with a high-quality commercial developer and now desire to increase the commercial area to create a regional retail center, increasing the commercial size from 5.5 acres to approximately 20 acres. On July 11, 2023, the Planning Commission held a public hearing for this case. With a 6-0 vote, the Planning Commission recommended approval.

Link to presentation from Planner Carol Winner, including discussion between the City Council, City Manager John Willis, and Ms. Winner: [00:54:37](#) [Recording 1]

[Agenda Packet \[Page 441\]](#)

Link to motion: [01:00:10](#) [Recording 1]

MOTION:

A motion was made by Councilmember Tanner to approve Ordinance No. 2023-009 amending the City General Plan future land-use map from MDR (Medium Density Residential) to COM (Commercial) on 14.5 acres located on the southeast corner of Mall Drive (Merrill Road) and 3000 East Street for a project to be known as Regional Retail Expansion.

SECOND:

The motion was seconded by Councilmember McArthur.

VOTE:

Mayor Pro Tem Hughes called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Larkin – aye
Councilmember McArthur – aye

Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

PD-C AMENDMENT/ORDINANCE:

Consider approval of Ordinance No. 2023-010 amending an approved PD-C (Planned Development Commercial) on approximately 1.08 acres, located on the southeast corner of Desert Color Parkway and Black Mountain Drive for the purpose of adding a 4,727 square foot financial institution for a project to be known as Mountain America Credit Union with conditions from the Planning Commission. Case No. 2023-PDA-009

BACKGROUND AND RECOMMENDATION: This is a request for an amendment to the approved Desert Color PD-C (Planned Development Commercial). This site is located directly west of Pad K which was approved earlier this year (2022-ZCA-053) as a restaurant/retail space. On July 11, 2023, a public hearing was held for this item at the Planning Commission meeting. The Planning Commission recommended approval with one condition.

Link to presentation from Planner Carol Winner, including discussion between the City Council, City Attorney Tani Downing, and Ms. Winner: [01:01:07](#) [Recording 1]

[Agenda Packet \[Page 455\]](#)

Link to motion: [01:07:57](#) [Recording 1]

MOTION:

A motion was made by Councilmember McArthur to approve Ordinance No. 2023-010 amending an approved PD-C (Planned Development Commercial) on approximately 1.08 acres, located on the southeast corner of Desert Color Parkway and Black Mountain Drive for the purpose of adding a 4,727 square foot financial institution for a project to be known as Mountain America Credit Union with conditions from the Planning Commission.

SECOND:

The motion was seconded by Councilmember Larkin.

VOTE:

Mayor Pro Tem Hughes called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Larkin – aye
Councilmember McArthur – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

**ADJOURN FROM CITY COUNCIL AND RECONVENE INTO THE MUNICIPAL
BUILDING AUTHORITY MEETING:**

Link to motion: [01:09:02](#) [Recording 1]

MOTION:

A motion was made by Councilmember Larsen to adjourn from the City Council meeting and reconvene into the Municipal Building Authority meeting.

SECOND:

The motion was seconded by Councilmember McArthur.

VOTE:

Mayor Pro Tem Hughes called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Larkin – aye
Councilmember McArthur – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

The meeting reconvened following the Municipal Building Authority meeting.

APPOINTMENTS TO BOARDS AND COMMISSIONS OF THE CITY:

No appointments were made.

REPORTS FROM MAYOR, COUNCILMEMBERS, AND CITY MANAGER:

Link to reports from Councilmember Larkin: [00:00:08](#) [Recording 2]

Link to reports from Councilmember Larsen: [00:01:12](#) [Recording 2]

ADJOURN TO A CLOSED SESSION:

Request a closed session to discuss litigation, security, property acquisition or sale or the character and professional competence or physical or mental health of an individual.

A closed session was not held.

ADJOURN:

Link to motion: [00:01:58](#) [Recording 2]

MOTION:

A motion was made by Councilmember Tanner to adjourn.

SECOND:

The motion was seconded by Councilmember Larkin.

VOTE:

Mayor Pro Tem Hughes called for a vote, as follows:

St. George City Council Minutes

August 3, 2023

Page Thirteen

Councilmember Hughes – aye
Councilmember Larkin – aye
Councilmember McArthur – aye
Councilmember Larsen – aye
Councilmember Tanner – aye

The vote was unanimous and the motion carried.

/s/Chrsitina Fernandez

Christina Fernandez, City Recorder