

THE STATE OF UTAH
COUNTY OF SEVIER
CITY OF RICHFIELD

At the City Council
In and For Said City
March 26, 2024

Minutes of the Richfield City Council meeting held on Tuesday, March 26, 2024, at 7:00 p.m. in the Council Chambers of the Richfield City office building located at 75 East Center, Richfield, Utah. Mayor Bryan L. Burrows presiding.

1. OPENING REMARKS
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPOINTMENTS
5. MINUTES
6. BUSINESS
7. OTHER BUSINESS
8. ADJOURN

1
2 City Council of Richfield City, meeting on Tuesday, March 26, 2024.

3
4 1. **OPENING REMARKS** – Offered by Councilmember Hansen

5
6 2. **PLEDGE OF ALLEGIANCE** – Led by Mayor Burrows.

7
8 3. **ROLL CALL Present:** Bryan Burrows (Not voting), Brayden Gardner, Kip Hansen,
9 Elaine Street, Michele Jolley (Not voting), Rob Jenson (Not voting). Excused:
10 Kendrick Thomas, Tanner Thompson.

11
12 4. **APPOINTMENTS** - Consider appointing Dustin Anderson as Fire Chief. **Motion:**
13 Appoint Dustin Anderson as the Fire Chief. **Action:** Approve, **Moved by** Kip
14 Hansen, **Seconded by** Elaine Street. **Vote:** Motion carried by unanimous roll
15 call vote (**summary:** Yes = 3).

16 **Yes:** Brayden Gardner, Elaine Street, Kip Hansen.

17 **Excused:** Kendrick Thomas, Tanner Thompson.

18
19 5. **MINUTES APPROVED**—Consider a motion to approve the minutes of the
20 meetings held on February 27 and March 12, 2024. **Motion:** Approve minutes
21 of February 27 and March 12, 2024. **Action:** Approve, **Moved by** Brayden
22 Gardner, **Seconded by** Kip Hansen. **Vote:** Motion carried by unanimous roll
23 call vote (**summary:** Yes = 3). **Yes:** Brayden Gardner, Elaine Street, Kip
24 Hansen. **Excused:** Kendrick Thomas, Tanner Thompson.

25
26 6. **BUSINESS** -

- 1
2 a. Snow College to request renaming the street connecting College Avenue to
3 400 West as Badger Way. This road starts as 300 South on the west and turns
4 into 200 South on the east. Kevin Arrington is the director of the Sevier Valley
5 Center on the campus of Snow College Richfield, where he also teaches an
6 American Government class. Each semester the class has project that
7 includes an element of community outreach. He has five students this
8 semester. Student Izzy Clements from Springville Utah also attended the
9 meeting in support of the proposal. Arrington sits on a committee that meets
10 and discusses things happening on campus and come up with ideas for the
11 future of the school. One thing Arrington said he learned is that the south side
12 of the Washburn Building is actually the front of the campus and over the
13 next few years there are plans to redoing that portion of the building to make
14 it appear more like the front face of the campus. After a meeting a couple
15 of months ago, Arrington asked if his class could come in and request the
16 renaming of the street to Badger Way or Badger Boulevard. One question,
17 would the school have to raise money for the signage.
18 Councilmember Street said she feels it's a good idea. Councilmember
19 Gardner agreed. **Motion:** Approve the change of the street name to Badger
20 Way. **Action:** Approve, **Moved by** Kip Hansen, **Seconded by** Elaine Street.
21 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 3). **Yes:**
22 Brayden Gardner, Elaine Street, Kip Hansen. **Excused:** Kendrick Thomas,
23 Tanner Thompson.
24
25 b. Youth Mayor Shelby Sorenson to report on Richfield Youth City Council and
26 discuss plans for the upcoming Arbor Day celebration. Sorenson updated the
27 Council on the things the youth city council has participated in this year. They
28 were able to attend Local Officials day at the Legislature. They are trying to
29 gain a better following by promoting the Youth City Council on social media.
30 They are working on a YouTube video about concerning resiliency to help
31 combat some of the mental health issues in the community. The youth city
32 council helped with the Easter Egg hunt. The group is also helping with the
33 lantern festival. She discussed the upcoming Arbor Day festival promoting
34 planting of trees and environmental awareness. This year the observance is
35 on April 26 from 2 p.m. to 4 p.m. at the city park. The event is geared for
36 young children, with activity booths, live music and other attractions.
37
38 c. Consider adopting a proclamation declaring April 26, 2024, as Arbor Day in
39 Richfield City. Elaine Street read the Arbor Day proclamation. **Motion:**
40 Approve the mayor's proclamation declaring April 26 as Arbor Day in
41 Richfield City, **Action:** Approve, **Moved by** Elaine Street, **Seconded by**
42 Brayden Gardner.
43 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 3). **Yes:**
44 Brayden Gardner, Elaine Street, Kip Hansen. **Excused:** Kendrick Thomas,
45 Tanner Thompson.
46
47 d. Brent Poulsen to discuss an amendment to the mixed-use ordinance. Brent
48 gave an update on the project with the Nights Inn. Brent said he and his
49 brother, Troy, purchased the Nights Inn property in 2020 with the idea of a

1 long-term investment. He said they wanted to improve the reputation of the
2 facility. He said the city began to enforce a rule that hotels couldn't operate
3 as apartments. He said that at the time one third of the facility had monthly
4 occupancy, and that they knew that had to change. He said they started
5 designing ideas for how to convert single motel rooms into apartments. Brent
6 said they knew there had to be a fire suppression system, and they
7 purchased material for installing kitchenettes in eight of the rooms, got a bid
8 from a plumber and one from an electrician. They also spoke with Jason
9 Mackleprang, the county building official, who gave them a rough estimate
10 on what building permits would cost. He said the plan was to do the
11 upgrades gradually. This is around the same time as they approached the
12 city and were approved for mixed-use, which would contain some
13 commercial and some residential in the Downtown Zone.

14
15 At this point they found out about a grant they could apply for, which would
16 allow them to do a much more extensive renovation of both the interior and
17 exterior of the L-shaped building – essentially taking it down to the studs. A
18 new exterior and new roof would be included in the L-shaped building. The
19 grant would also provide for either a historical restoration or complete
20 removal and replacement of the old Johnson Hotel portion of the property.
21 The historical wheels move slow so they have determined to take down the
22 front building and replace it with a new building.

23
24 The Poulsen went to the Planning Commission earlier this month and found
25 that the ordinance had changed. According to the new ordinance, the
26 Poulsen brothers would have to back up and check all the required boxes.

27
28 The Poulsons are suggesting to the city council that they would be able to
29 proceed with the original plans of the old mixed-use, which would allow
30 them to finish the project and apply for the grant in June, with construction
31 starting possibly by the end of the year. The building in the front would be a
32 smaller foot print and the entire main floor would be commercial space,
33 office space and the upper floor would have some residential units as well as
34 the back building. One client is already interested in some of the commercial
35 space. They would like to make it look nice and that this would enhance
36 downtown. The grant would enable them to change their approach in how
37 the remodel of the site would proceed.

38
39 Councilmember Hansen asked if the apartments in the new building above
40 the office space would be in addition to the 29 originally approved. Brent
41 said they would not.

42
43 Councilmember Gardner asked what the rough change in commercial
44 square footage would be. Brent said the front area had a boutique and a
45 storage space used commercially since they've owned it. Gardner asked
46 what would the new building and what the change in it would be. Brent said
47 the original building is 100-feet by 100-feet, so the new building would likely
48 be something like 80-feet by 90-feet. The entire bottom floor would be
49 commercial, with the back-building housing 24 residential units and the

1 upper floor would have 5 to 6 units.
2

3 Gardner said his main concern is that the commercial area not be reduced,
4 as per the original discussion. If the project was approved, what guarantee
5 would the city have that the commercial space would be built. Brent said
6 the grant would include the rebuilding of the old Johnson Hotel including the
7 commercial portion.
8

9 Gardner asked if the L-shaped building is currently occupied. Brent said the
10 L-shaped building is not occupied. However, it is being run as a hotel. Two
11 rooms are being rented to staff - manager and room cleaners who are on
12 site. There are also some monthly tenants who rent out to the 28 days. He said
13 two other tenants are in the L-shaped building are working in the area as
14 flaggers and have lived in it beyond the 28 days due to their employment
15 extending.
16

17 Brent said the hotel has been full during some of the big tournament
18 weekends and the community has benefited from having the extra hotel
19 rooms available.
20

21 Councilmember Hansen asked what the plan B is if the grant isn't secured.
22 Brent said the original plan of self-funding the fire suppression and renovation
23 of each room would be the backup plan. At that point the front building
24 would have to stay, or they'd need to look for another investor.
25

26 City Administrator Jolley said a development agreement could act as the
27 trigger for making sure the commercial portion of the building is completed.
28

29 Mayor Burrows stated that there is a reason why the city has ordinances. He
30 also stated that he has done a lot of work on the RM-24 complexes over the
31 past three years. From the motel that was being rented that was burned
32 down to everything that has happened since, he said he feels Richfield City
33 has enough high density, low-income housing. Mayor Burrows feels that the
34 city has been steamrolled by this. He thinks we have plenty of this and he
35 gets beat up once or twice a week about all of the apartments that are
36 going in. He said there is also a concern about this being in Richfield's
37 downtown.
38

39 Councilmember Kip Hansen stated that we really do not want blighted
40 property in the downtown and we are interested in seeing what we can do
41 in that regard. The high-density housing issue has been approached from
42 every different angle since Councilmember Hansen has been involved with
43 it. He thinks it is time to take a deep breath and see what we have. Hansen
44 said the item on the agenda is a proposed amendment to the zoning
45 ordinance concerning mixed-use, and he asked what is being proposed to
46 be amended.
47

48 Brent said he does not have an issue with the wording of the current
49 ordinance, but that they would like to be grandfathered in with what they

1 were approved for before.

2
3 Councilmember Brayden Gardner asked what has been completed since
4 the original mixed-use was approved. Brent said there has been material
5 purchased for eight units, and in one of them a countertop and sink have
6 been installed. It was around this time they found out about the grant, and
7 decided to pursue it as it would allow them to do the entire project right. The
8 application process is extensive and requires a market study done by a
9 group out of Salt Lake City. The preliminary study has been done, but a
10 second one would be required prior to the awarding of the grant.

11
12 Mayor Burrows asked if the grant would stipulate if the apartments would be
13 market based or income based. Brent said its based on a 30-50 percent AMI.
14 He said he doesn't think this percentage will fall into the same situation as
15 those that have to make a certain amount, but at that amount they don't
16 need the housing assistance. Brent said he thinks it would be able to hit those
17 in that median income range. Brent asked what the difference is between
18 market based and income based.

19
20 Market based is anyone can come in and rent at the going market rate,
21 while income based is a subsidy.

22
23 Councilmember Gardner asked if it was just a grant that was being applied
24 for, or a tax credit. Brent said he believed just a grant.

25
26 Mayor Burrows asked where the grant is coming from - if it is federal or state.
27 Brent said the grant would come from the state, possibly through Wayne
28 Niederhauser's office. The Poulsons are working with a consultant who is
29 helping with the grants.

30
31 Mayor Burrows asked what is the criteria for the grant. If it is through the
32 homeless services office, then it obviously would be some type of subsidized
33 housing. How many units would be required?

34
35 Brent said part of it would be based on the market study. He said if the initial
36 market study hadn't shown a need for it, they would have changed
37 directions already as the market wouldn't support.

38
39 City Administrator Jolley asked if the market study shows the 3 percent
40 vacancy rate. The way the surveyor wrote it was that there was ample need
41 in the community, according to Brent. Jolley asked if that study took into
42 account the 650 units that are already approved to be built in Richfield City.

43
44 Brent said he believes the study did take the units that are on deck into
45 consideration in the study.

46
47 Mayor Burrows asked if this is a private individual, how is the study checked
48 and balanced.

1 Councilmember Gardner said the market studies he's been involved with
2 were very detailed. It's an in-depth report that has a lot of value. Most of the
3 time they are pretty accurate. If they are applying for a grant or tax credit, a
4 consultant is going to push them for a more in-depth market study. The ones
5 Gardner has been involved with have been very accurate. He said the one
6 he is thinking of was the Eagle View project. He said in the past couple of
7 days in his job, he's been dealing with rentals where the first question asked is
8 if the units are income based. If they are, the people are not interested, as
9 there is a dire need for market rate-based housing in the area.

10
11 Mayor Burrows said that's been the real frustration is that the income-based
12 housing that has come to the area isn't meeting local needs, and
13 unfortunately the market-based housing is too expensive for wages in the
14 area currently.

15
16 Councilmember Gardner said he's reached out to managers of more than
17 300 properties, and there are currently five vacancies in Sevier County that
18 are market-based. All of the vacancies were \$1,400 to \$1,500 a month.

19
20 City Administrator Jolley said in the initial discussion with Troy Poulsen, the
21 idea was to amend the mixed-use portion of the zoning ordinance. She said
22 if they wanted to go back to what it was when they originally came in, the
23 city would have to go through the process of amending the ordinance. This
24 would mean sending it back to the planning commission and going through
25 the process.

26
27 There are two issues at stake due to the current mixed-use definition. First, it
28 would require 33 percent of the property to be used for or available for
29 commercial use. Second, it would also be required to follow the RM-11
30 density restrictions for residential, as RM-11 is the nearest contiguous zone.
31 These factors would limit the project to 13 units. Originally, there wasn't a
32 calculation for the Poulsen project, and as there was potential for more
33 mixed-use applications coming in, that's why the planning commission
34 addressed it. The idea is that developers are going to try to work around the
35 zoning and stick high density housing in commercial zones. The way the
36 project was presented is even higher than RM-24 density.

37
38 Councilmember Gardner said he agrees with the 33 percent commercial
39 stipulation, but not tying the density to the nearest residential zone. He said
40 the city should look at that part of the ordinance and have a set density for
41 all mixed-use zones.

42
43 Councilmember Hansen said the prevailing zone should be the priority. In a
44 commercial zone, commercial should be the primary use while the other use
45 would be secondary. He said the city has approached this issue from about
46 every angle, and did the right thing in backing away from the highest
47 density. The city needs to see what is out there already. There is already a
48 parcel that was rezoned to RM-24 – the former Villa property. The hotel that
49 was on it burned down, but the zoning change the council approved on it

1 will last in perpetuity or until the property owner decides to petition the city to
2 change it. Unless it's changed, it can be built up to that highest density.

3
4 Mayor Burrows said the Poulsens want the council to consider whether they
5 should be subject to what they were a year ago, or what the current
6 ordinance is. The council will have time to think about it.

7
8 Councilmember Street said she would like to see some kind of rough plan for
9 the next meeting.

10
11 Parking could also be an issue as there would need to be 53 parking spots.
12 Brent said the engineer said with a reduced footprint of the front building,
13 there would be ample parking for both the commercial and residential uses.

14
15 The Council will discuss this in 2 weeks.

16
17
18 e. Consider renewing the lease for the Utah Division of Wildlife Resources. This if
19 for a piece of city owned property off of the Glenwood Road and Seegmiller
20 Lane the DWR to uses to raise pheasants. Mayor Burrows said this has been a
21 good thing for youth in the area. **Motion:** Renew the lease of the city owned
22 property for the DWR to raise pheasants. **Action:** Approve, **Moved by** Kip
23 Hansen, **Seconded by** Elaine Street. **Vote:** Motion carried by unanimous roll
24 call vote (**summary:** Yes = 3). **Yes:** Brayden Gardner, Elaine Street, Kip
25 Hansen. **Excused:** Kendrick Thomas, Tanner Thompson.

26
27 f. Consider adopting Ordinance 2024-5 rezoning the property in the Amended
28 Plat for the Laura Nowers Trust. Councilmember Gardner declared a conflict
29 and his intention to abstain from voting. Without his vote, the motion wouldn't
30 be able to pass. **Motion:** Tabled the motion until the next meeting. **Action:**
31 Table, **Moved by** Kip Hansen, **Seconded by** Elaine Street.
32 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 3).
33 **Yes:** Brayden Gardner, Elaine Street, Kip Hansen.
34 **Excused:** Kendrick Thomas, Tanner Thompson.

35
36
37 7. **OTHER BUSINESS** – Councilmember Gardner said the Utah National Guard
38 asked about a possible service project. One idea would be the spreading of rock
39 along the north corridor near the freeway. A suggestion made by the Guard was
40 possibly laying sod. Another possibly would be the archery range west of town,
41 which always needs some volunteer help.

42
43 Councilmember Hansen gave some time to Henry Barlow to invite the council to
44 the grant opening ceremony for the Utah Beef Producers plant on Saturday, March
45 30. Barlow also delivered a packet detailing some information concerning the
46 treatment of waste proposed to be put in the sewer.

47
48 Mayor Burrows recognized the Lions Club, which had several members in
49 attendance. He also gave an update on the spring project, which is progressing.

1 The pumps are set and the drywell is full. It's been an interesting project that
2 creates some appreciation of the town's forefathers for having the ingenuity and
3 vision to develop the spring. It's been a good project that will provide water for the
4 next 100 years.

5
6 The pavilion on the Nelson Warm Springs Park is nearing completion, and the
7 pickleball courts are due to start in April. Mayor Burrows said it will likely be up and
8 running in the next month or so.

9
10 **8. MEETING ADJOURNED Motion: Adjourn the meeting. Action: Adjourn, Moved**
11 **by Elaine Street, Seconded by Kip Hansen.**

12 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 3).

13 **Yes:** Brayden Gardner, Elaine Street, Kip Hansen.

14 **Excused:** Kendrick Thomas, Tanner Thompson.