

**ST. GEORGE CITY COUNCIL MINUTES  
REGULAR MEETING  
JULY 31, 2014, 4:00 P.M.  
ADMINISTRATIVE CONFERENCE ROOM**

**PRESENT:**

**Mayor Jon Pike  
Councilmember Gil Almquist  
Councilmember Jimmie Hughes  
Councilmember Michele Randall  
Councilmember Joe Bowcutt  
Councilmember Bette Arial  
City Manager Gary Esplin  
City Attorney Shawn Guzman  
City Recorder Christina Fernandez**

**OPENING:**

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Councilmember Hughes and the invocation was offered by President James Vidoni with the St. George LDS Pine View Stake.

Mayor Pike mentioned the Thunder Over Utah Air Show that took place last weekend at the St. George Municipal Airport.

City Manager Gary Esplin stated that putting on events such as these takes a plan. Staff was incredible at organizing the event.

Councilmember Arial inquired if will they come back.

Mayor Pike stated that yes, they will return however, it has not been decided when.

**PUBLIC HEARING/VACATE SANITARY SEWER EASEMENT/ORDINANCE:**

**Public hearing to consider approval to vacate an existing Sanitary Sewer Easement on east side of River Rd., at approximately 2000 South.**

City Manager Gary Esplin advised that this request is required to have a public hearing.

City Surveyor Todd Jacobsen stated that since the sewer lines were relocated to the roadway, the developer is requesting to vacate a sanitary sewer easement.

Mayor Pike opened the public hearing. There being no public comment, he closed the public hearing

**MOTION:** A motion was made by Councilmember Almquist to vacate the existing sanitary sewer easement by ordinance.

**SECOND:** The motion was seconded by Councilmember Arial.

**VOTE:** Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist - aye  
Councilmember Hughes - aye  
Councilmember Randall - aye  
Councilmember Bowcutt - aye  
Councilmember Arial - aye

The vote was unanimous and the motion carried.

**FINAL PLAT:**

**Consider approval of final plat for Cottam Cove Phase 1.**

City Surveyor Todd Jacobsen presented the final plat for Cottam Cove Phase 1, A 25-lot residential subdivision located at approximately 2050 South and River Road, zoning is R-1-10.

Councilmember Almquist inquired about a detention pond.

John Henderson stated that there will be a detention pond that will be landscaped.

**MOTION:** A motion was made by Councilmember Randall to approve the final plat for Cottam Cove Phase 1.

**SECOND:** The motion was seconded by Councilmember Bowcutt.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist - aye

Councilmember Hughes - aye

Councilmember Randall - aye

Councilmember Bowcutt - aye

Councilmember Arial - aye

The vote was unanimous and the motion carried.

**PRESENTATION FROM UAMPS:**

Jackie Coombs, with UAMPS, presented a PowerPoint presentation covering the following topics: UAMPS Overview; Load and Resource Forecast; St. George: Yearly Peak; St.

George Monthly Peak Load; St. George Forecasted Load to Resource Comparison and Shortage/Surplus Results; St. George Forecasted Load and Resources, April 2014 - March 2015; St. George: Yearly Resource Usage; St. George: Resource Usage Breakdown - 1997; and St. George: Resource Usage Breakdown - 2007.

Energy Resource Manager James Van Fleet stated that the City has contracts with IPP and the Bonanza Coal Plant. Staff is trying to find other options to fill the base load.

Ms. Coombs continued with her PowerPoint presentation covering the following topics: St. George: Yearly Dollars Billed through UAMPS.

City Manager Gary Esplin stated that it is important to know that there will be a base load every year. Additionally, he explained when the City has extra power, staff tries to sell it to cut costs.

Ms. Coombs stated that base load is energy that is needed 24 hours a day, 7 days a week. There is a need for at least 40 megawatts. Because there is continued growth, approximately 55 megawatts of base load are needed to continue through the 2024 time frame. She explained that UAMPS would partner with the City to broker the power to make it economical. She continued with the PowerPoint presentation covering the following topics: Pool Project; UAMPS Monthly Average Flat Pool and Market Prices; Resource Allocation; Sales to Unplanned Pool; St. George Forecasted Average Load and Average Resources; Environmental Resource Type - 2013; Small Modular Resources; Features of SMRs; NuScale Power SMR; Size Comparison; Coolant Flow Driven by Physics; Reactor Building; Site Layout; Unprecedented Safety Features; and Resource Project. She explained how this parallels to the project being proposed on the Green River.

City Manager Gary Esplin stated that there will not be any base load in 10 years without an interim solution.

Ms. Coombs explained that new transmission is not necessary for at least 250 megawatts. There is capacity available as it will be the same line utilized for Idaho Power. She stated that there is adequate output for Utah. There are other players wanting to come in. She mentioned that the Department of Energy and the co-founder of the technology will be in Logan on Monday. Every technology has environmental risk.

City Manager Gary Esplin stated that the cost of power averages about \$.07 per kilowatt hour, this project is over \$.08 per kilowatt. Even if the City were to use another power source, there would be a 25% increase. Power costs are going up.

Councilmember Hughes asked if the spent fuel will be stored on site.

Ms. Coombs stated that the spent fuel will be stored on site in a pool of water until it is cool enough to go to dry cast. She explained when it is time to sign the power sales contract, staff would have to forecast how much power is needed. In the interim, staff can buy and sell.

City Manager Gary Esplin stated that he and Phil Solomon, Energy Services Director, believe that the City should participate in the planning of this project.

Mayor Pike stated that this makes sense as the City cannot do alone.

Citizen Ed Baca stated that a new brush company indicated that he relocated his business to St. George because the cost of power here is 1/5 less than it was in California. He inquired if the City will lose such a favorable trend with regard to lower costs.

Ms. Coombs replied no. Although the cost of power will increase for the City, the cost in California will continue to go up as well.

**DISCUSSION ON SHADE TREE ORDINANCE:**

Parks Manager Larry Shane distributed a Tree Inventory Report and a copy of . Additionally, he presented a PowerPoint presentation covering the following topics: Shade Tree Identification Tools; Tree Inventory; 50% Trees Now Inventoried; All Trees Inventoried Now a Layer in Cityworks Maps; Can Go To Specific Tree; Health of Trees; Specific Search Criteria; Tree Identification Tags; and Cost for Tags.

Kevin Holyoak, Shade Tree Board member commented that the Shade Tree Ordinance is a great idea. He stated that it is frustrating that developers do not realize that when planting trees, there needs to be enough room for the roots to expand. Some of the trees on St. George Boulevard are struggling because the beds are not big enough.

City Manager Gary Esplin explained that when the trees on St. George Boulevard are replaced, staff is widening the beds to give the trees enough room to grow.

Mr. Shane continued with his PowerPoint presentation: Education Through the Shade Tree and Beautification Board.

City Attorney Shawn Guzman advised that if there is an approved landscape plan, the property owner would have to retain the landscape unless a request a change the landscaping is approved.

City Manager Gary Esplin commented that has been the staff's frustration. If an approved landscape plan includes trees in a parking lot and the trees are cut down, the City can make them replace the trees if the Council chooses to do so. He believes the ordinance either needs to be enforced or changed.

Mayor Pike explained that there are people who are not aware of the Shade Tree Ordinance. He believes there needs to be a public awareness campaign.

City Manager Gary Esplin stated there has to be education for the business owners. On River Road a plan was approved for 40 trees, now the business only has 20. He asked if the business owner should be required to put the other 20 trees back in.

Councilmember Randall and Mayor Pike both replied yes, the business owner should be required to re-plant the trees.

Mr. Shane continued with his PowerPoint presentation covering the following topics: Trees Can Be Added to Property Title; Code Variances; Lost Trees Due to Neglect; Replace Missing Trees; and Give Them Room When Planning.

The Councilmembers discussed possible changes to Ordinance No. 7-1-1993.

Councilmember Almquist advised that section 2-5-6 states " the developer shall be responsible for new street tree plantings prior to receipt of a Certificate of Occupancy". If trees are required, they are required forever. With regard to section 2-5-9 which states "no person shall remove, prune, or otherwise seriously disturb a street tree or park tree without first receiving authorization", he does not believe people are aware of this requirement. He would like to have a notification sent to businesses notifying them of the ordinance. He mentioned locations throughout the City in which trees are either dead or have been removed recently.

City Manager Gary Esplin explained that per the Community Forestry Plan, certain species of trees are required to be planted on selected streets. Under commercial zoning, there is a requirement for specific landscaping.

City Attorney Shawn Guzman advised that if a developer plants a tree in a right-of-way, the tree becomes a City tree.

Councilmember Randall stated that business owners know of the landscaping requirements when they come in with a plan. She feels that when a business is sold and trees are removed, the Council needs to decide to either enforce the requirement or let it go.

Councilmember Bowcutt commented that he believes the knowledge is not there. Possibly, when a business license is issued, that is when the landscape requirements are mentioned. The City's responsibility is to let business owners know about the ordinance.

City Manager Gary Esplin stated that is the key of the tree identification. He believes that at least shade trees in major roads need to be marked.

Councilmember Randall asked Support Services Marc Mortensen to compose a letter that can be sent to business owners.

City Manager Gary Esplin mentioned a suggestion from Budget and Planning Manager Deanna Brklacich. The trees are being removed by either a tree removal company or a landscaper. He wondered if it would help to meet with those types of businesses informing them of the ordinance.

Councilmember Almquist suggested sending a letter to businesses that remove trees.

City Manager Gary Esplin advised that staff will come back to the next work meeting with an action plan on how to proceed.

City Attorney Shawn Guzman stated that he believes planters need to be looked at also.

Mayor Pike inquired if these requirements would apply to churches as well..

Councilmembers replied yes.

Councilmember Hughes stated that a landscaping plan should include the location of signs to prevent them from being hidden by trees in the future.

Councilmember Randall inquired about a tree phone app that was presented to the Shade Tree Board.

Councilmember Almquist commented that the phone app is appropriate for what the presenter is suggesting.

City Manager Gary Esplin stated that there is no obligation to the City as the City would only sponsor the company. He asked for a copy of the inventory that will be on the app.

Mayor Pike also like the Board to discuss the Wittwer's issues. He encouraged the Board to work with them if there are points that make sense with regard to a different tree in front of their properties along St. George Boulevard.

**REPORT FROM COUNCILMEMBERS:**

Councilmember Arial mentioned that William Way made suggestions regarding payment options for utility payments. She wondered if there were other options for payments.

Finance Director Philip Peterson explained that the \$1.25 is charged by a third party who hosts online utility payments. When a customer pays their bill, they will see two charges, one for the actual bill and the other to the company who takes care of the payments. Staff has looked at other options, however, the other companies are not compatible with the software the City uses. This particular entity works with our software, therefore, when a payment is made, it shows up in the software as a pending payment. This helps the customer service representatives with shut offs. There are other options available to customers that do not charge fees such as auto pay. He stated that the main reason people use the online payment rather than one of the other options is because it has the most flexibility. The City's discount rate is approximately 2.5%.

Mayor Pike asked Councilmember Arial to respond to Mr. Way.

Mr. Peterson stated that more and more people are using debit cards and do not have personal checks. Customers cannot use credit cards for anything other than utility payments. The City may eventually have to look at accepting credit card or debit card payments for other services.

Mayor Pike commented that the time to deal with this issue is now. Personally, he does not write checks any longer.

City Manager Gary Esplin stated that if credit cards are accepted for other services rates will have to be raised.

Councilmember Arial mentioned that the Arts Commission recently went through the grant process. It was very well organized and the final disposition was very fair.

Councilmember Almquist stated that anyone who has not gone to the Dinosaur Museum recently, needs to go there. Many changes have been made there that have made a big difference. Financially, they are doing much better. The Hillside Board has not done met recently as the ordinance allows reasonable activity on the hillside. Mosquito Abatement has been spraying near ponds. He mentioned that West Nile Virus is back in Utah.

Councilmember Arial thanked Spectrum reporter Dave DeMille for his excellent article regarding Hela Seegmiller Park.

Councilmember Almquist stated that when the Thompson Home was remodeled, they took out a lot of walls, he has the old lumber if it can be used at Seegmiller Park.

Leisure Services Director Kent Perkins stated that the wood can be used.

City Manager Gary Esplin stated that the Gardner's barns are being moved to Seegmiller Park. The \$200,000 that the City will be receiving from Dixie Power will cover almost all of the new projects at the park.

Community Arts Administrator Gary Sanders mentioned that Bill Lundin suggested to restore old trucks and tractors that can be used.

Mr. Perkins advised that construction is slated to be done by the end of August. Staff is trying to simultaneously construct the historical pieces. They will be bringing in a designer for the exhibits.

Mr. Baca asked what the criteria is for donating to something to the City for the park. He stated that Dave Shrum mentioned possibly donating a windmill.

Mr. Perkins stated that if staff has ability to put it into context and inspect the item, they will accept the donation. He would jump at the chance to get one of Mr. Shrum's windmills for the park.

Councilmember Bowcutt commented that although the Planning Commission has been slow, there may be a couple of items that will face heavily on the Councilmembers.

Councilmember Hughes stated that he missed the last Animal Review Board and that the Housing Authority had someone graduate from the program.

Councilmember Randall mentioned that she would like to receive updates from Department Heads on different projects as she does from Marc Mortensen with regards to the Bluff Street Interchange

Mayor Pike read an email provided by Public Works Director Cameron Cutler updating the Councilmembers on Little Valley Road. The contractor has run into some issues. They hope to have the road open before school starts.

City Manager Gary Esplin advised that staff's recommendation is to solve the issues now rather than later. Rather than having the developer take the drain to the north, staff is suggesting taking it down Horseman's Park.

Mayor Pike continued reading Mr. Cutler's email updating the Councilmembers on Seegmiller Drive, 2000 South and Mall Drive Bridge and roadway. Additionally, there will be a traffic study to look at where stop lights may be needed. With regards to upcoming City Council meetings in August, the work meeting on the August 14, 2014 will be cancelled and the work meeting on August 28, 2014 will be with the Utah Film Commission. Due to the ULCT conference, the work meeting on September 11, 2014 will be cancelled.

Councilmember Randall stated that since Monday, she has received 53 signatures from citizens who would take a bus if there was a bus stop near the Doctors Free Clinic.

City Manager Gary Esplin explained that adding that stop would make for a 40 minute turn around time. He believes there are two choices, one of them being to do away with the current route on 900 South and move it down. There are a number of people who ride the bus to the soup kitchen. He will have Transit Manager Fred Davies do an analysis.

Councilmember Bowcutt suggested turning the route at the soup kitchen and then head over to the clinic. If the parking lot or the road behind the clinic can be extended, it may work.

Councilmember Almquist mentioned the vandalism that has been happening recently. He inquired if retailers have policies when minors come in and buy spray paint.

Police Chief Marlon Stratton stated that it is up to the store if they are going to sell spray paint to minors. The Gang Unit has visited with stores asking to inform them if they see anything suspicious.

**ADJOURN TO CLOSED SESSION:**

**MOTION:** A motion was made by Councilmember Almquist to adjourn to a closed session to discuss land purchase.

**SECOND:** The motion was seconded by Councilmember Hughes.

**VOTE:** Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist - aye  
Councilmember Hughes - aye  
Councilmember Randall - aye  
Councilmember Bowcutt - aye  
Councilmember Arial - aye

The vote was unanimous and the motion carried.

**RECONVENE AND ADJOURN:**

**MOTION:** A motion was made by Councilmember Hughes to reconvene and adjourn.

**SECOND:** The motion was seconded by Councilmember Arial.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist - aye  
Councilmember Hughes - aye  
Councilmember Randall - aye  
Councilmember Bowcutt - aye  
Councilmember Arial - aye

The vote was unanimous and the motion carried.