

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
FEBRUARY 19, 2015, 5:00 P.M.
CITY COUNCIL CHAMBERS**

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 Scout Kale Call and the invocation was offered by Jeremy Hargis with the Westside Baptist Church.

Mayor Pike invited the Scouts in the audience to stand up. Additionally, he invited the Youth City Council and their advisor, Della Lowe to stand as well as the senior class of elementary education from Dixie State University.

APPOINTMENT OF CITY TREASURER:

Appointment of Aaron D. Olsen as the new City Treasurer effective February 23, 2015.

Administrative Services Director Deanna Brklacich introduced Aaron Olsen who currently works at Washington City. She is excited for the opportunities and information he can bring.

Mr. Olsen thanked Mayor Pike and Councilmembers for this opportunity. He stated that he is impressed with the City's hiring process.

Mayor Pike recommended appointing Aaron D. Olsen as the City Treasurer effective February 23, 2015.

MOTION: A motion was made by Councilmember Almquist to accept the appointment of Aaron Olsen as the new City Treasurer.

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.

FINANCIAL REPORT:

Consider approval of the financial report for January, 2015.

City Manager Gary Esplin advised that revenues are at 58% and expenditures are at 51%.

MOTION: A motion was made by Councilmember Almquist to approve the financial report for January, 2015.

SECOND: The motion was seconded by Councilmember Randall.

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.

City Manager Gary Esplin advised that item 5B will not be heard tonight.

SASO AGREEMENT:

Consider approval of a SASO Agreement with Transwest Aero.

City Manager Gary Esplin advised this is a lease agreement to allow commercial operations at one of the hangars. This item was tabled at the last meeting. The Gublers had a lease agreement previously. He recommends approval subject to review by the Legal Department. If they wish to sublease the hangar, they will have to return for approval.

Councilmember Almquist inquired if the same commercial restrictions apply regarding items inside the hangar.

City Attorney Shawn Guzman replied yes.

MOTION: A motion was made by Councilmember Arial to approve the SASO agreement with Transwest Aero subject to Legal Department review.

SECOND: The motion was seconded by Councilmember Almquist.

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.

AWARD OF BID:

Consider Bid Award for (2) 2015 F series 1 ton SRW Diesel Vehicles for Energy Services.

Purchasing Manager Connie Hood advised the first truck was purchased in January and this one was missed at that time. The total of the two vehicles exceeds the \$50,000 threshold; therefore, per policy, the purchase needs to be approved by the City Council. The truck will be purchased from Ken Garff (St. George Ford) for \$33,944; the total for the two trucks is \$67,888.

Mayor Pike explained that local vendors get the opportunity to match the low bid if they are within 5%, which is what Ken Garff did.

MOTION: A motion was made by Councilmember Hughes to approve the purchase of the two vehicles from Ken Garff Ford for \$67,888.

SECOND: The motion was seconded by Councilmember Randall.

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.

AWARD OF BID:

Consider Approval of the Purchase of New Control Panels for Centrifuge #1 and #2 at the WWTP 12 Inch irrigation Line Crossing Project.

City Manager Gary Esplin advised this request is for the control panels for the centrifuge at the Wastewater Treatment Plant. This item is included in the budget and will be purchased from a sole source supplier.

Ms. Hood stated that Andritz Separation is the supplier and the cost is \$139,794.

Water Services Director Scott Taylor explained that Andritz Separation will come for the startup and that they offer a 12-month warranty.

MOTION: A motion was made by Councilmember Randall to approve the purchase of new control panels for centrifuge #1 and #2 in the amount of \$139,794.

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.

AWARD OF BID:

Consider Approval of a Bid Opening for the 12" Irrigation Line Crossing.

City Manager Gary Esplin advised that the recent floods damaged the line along the Ft. Pearce wash.

Ms. Hood explained that the low bidder is Desert Hills Construction in the amount of \$34,944.24.

MOTION: A motion was made by Councilmember Almquist to award the bid for the 12" irrigation line crossing to Desert Hills Construction in the amount of \$34,944.24.

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.

AWARD OF BID:

Consider Bid Award for Playground Equipment for the All Abilities Park.

City Manager Gary Esplin explained that staff has been reviewing different playground equipment needed for those with special needs. He recommends purchasing ten playground pieces from Sonntag Recreation in the amount of \$87,954. This cost does not include installation.

Park Planning Manager Jeff Peay explained that most of these pieces were manufactured specifically for wheelchair accessibility.

City Manager Gary Esplin commented that this is the most integral part of the project. Everything else is built around this equipment.

MOTION: A motion was made by Councilmember Arial award the bid for ten pieces of playground equipment for the All Abilities Park to Sonntag Recreation in the amount of \$87,854.

SECOND: The motion was seconded by Councilmember Bowcutt.

Councilmember Bowcutt commented that this is one of the best things the City has done.

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.

AWARD OF BID:

Consider Bid Award for Shade Shelter/Train Depot Structure for the All Abilities Park.

City Manager Gary Esplin explained that this request is for the shade shelter and train depot. The shade shelter will be part of the train if approved. If the train is not approved, it will still serve as a shade structure. He recommends purchasing the equipment from Sonntag Recreation in for \$114,179.

MOTION: A motion was made by Councilmember Randall to award the bid for the shade shelter and train depot structure to Sonntag Recreation in the amount of \$114,179.

SECOND: The motion was seconded by Councilmember Almquist.

Councilmember Almquist noted that the bid documents state that structural engineering is included. He asked if staff is constructing the items and Sonntag Recreation is providing the expertise to make sure they are built to their specifications.

Mr. Peay explained that design plans will be engineered as part of the supply. This is an item that needs to be acquired early so it does not hold up the project. Although Sonntag Recreation is a Utah company, the materials come from out of state.

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.

AWARD OF BID:

Consider Bid Award for the All Abilities Park Train.

City Manager Gary Esplin explained that it takes several months to build the train; therefore, the Council needs to decide if this is going to happen. He was involved in the planning process with the handicapped children and their parents. During that process, the train was the number one request. Over \$200,000 has been raised so far and there are strong commitments over the next few years to cover the cost of the train. Based on the use of the carousel, staff believes \$100,000 can be generated annually to go towards the purchase of the train as well. The train can be purchased without general property tax funds. He recommends awarding the bid to Chance Rides for the construction of the train in the amount \$365,150. This does not include the track.

Councilmember Hughes commented that he has drug his feet on this item; however, he has seen an outpouring from the community. This may not be a benefit to everyone, but there are a number of citizens that will truly appreciate this.

MOTION: A motion was made by Councilmember Hughes to approve the bid for the train that includes two wheelchair accessible cars in the amount of \$365,150.

SECOND: The motion was seconded by Councilmember Bowcutt.

Councilmember Arial mentioned that a mother with a 15-year old daughter in a wheel chair stopped her at the groundbreaking. She wanted to know if her daughter will be able to ride a swing. City Manager Gary Esplin told her absolutely.

Mayor Pike commented that many parents who have children with disabilities do not go to the park because of the difficulties with having one child not able to experience it. He thanked everyone in the community, the Council and staff for their support.

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.

AWARD OF BID:

Consider purchase of Electric Theater Period Style Seating.

City Manager Gary Esplin explained that this is for the purchase of seats for the Electric Theater. He provided an update on the renovations which will completed this spring.

Ms. Hood stated that staff recommends Davis Furniture in the amount of \$87,504.48.

City Manager stated that the seats were included in the recent budget amendment.

Leisure Services Director Kent Perkins advised that he will return with colors.

MOTION: A motion was made by Councilmember Hughes to award the bid for Electric Theater seating to Davis Furniture in the amount of \$87,504.48.

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.

AWARD OF BID:

Consider award of bid for the Southgate Golf Course River Maintenance project.

City Manager Gary Esplin advised this is an emergency item since there is a certain timeframe in which work can be done near the River. This request was included in the recent budget amendment. The estimated cost was \$80,000; however, bids came in at \$62,000.

Ms. Hood stated that the low bidder was Feller Enterprises in the amount of \$62,216.50.

City Manager Gary Esplin explained that the project area is from the golf cart bridge to the green. The 2010 flood damaged the rock embankment on the Santa Clara River.

Administrative Services Director Deanna Brklacich commented that the areas affected are hole 2 and hole 9.

MOTION: A motion was made by Councilmember Almquist to award the bid for the Southgate Golf Course river maintenance project to meet FEMA standards to Feller Enterprises in the amount of \$62,216.50.

SECOND: The motion was seconded by Councilmember Hughes.

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.

FEE SCHEDULE/RESOLUTION:

Consider approval of a resolution to establish a fee schedule to rent the barn/pavilion at Seegmiller Farm.

City Manager Gary Esplin explained that Seegmiller Farm is near completion. He stated that the barn/pavilion is complete and a wedding is scheduled. A resolution needs to be passed in order to charge a fee for the use of the barn/pavilion. The proposed fees include the cost for staff member who will be present throughout the event. He outlined the proposed fee schedule as follows: Full day (up to 12 hours), \$360 plus a refundable deposit of \$100 and 4 hours, \$120 plus a refundable deposit of \$100.

Leisure Services Director Kent Perkins stated that barn's capacity is 128 people.

Councilmember Almquist inquired if the full day (12 hours) fee includes decorating or setup. If the applicant wants to set up the night before, would they be required to pay additional fees? Additionally, he asked about the refundable deposit. He wondered if there is an additional liability clause in the actual contract that would make the applicant responsible for damages.

City Attorney Shawn Guzman advised he will make sure there is language regarding damages in the contract.

Leisure Services Director Kent Perkins commented that there will be a soft opening on March 14, 2014. The hope is to have a grand opening later in the spring.

MOTION: A motion was made by Councilmember Hughes to approve the resolution for the fee schedule for the use of the Seegmiller Farm barn/pavilion as outlined.

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.

SET PUBLIC HEARINGS:

John Willis explained that item 1D on the Planning Commission report is a staff initiated zoning regulation amendment. Staff has received concerns from the development community therefore the item will not be addressed at this time. He advised that at its meeting on February 10, 2015, the Planning Commission recommended setting public hearings on March 5, 2015 to consider: 1) a zone change from R-1-10 to PD-R on 0.50 acres generally located at 1650 North Dixie Downs Road to accommodate a fourplex referred to as Ancestor Village; 2) a zone change from A-20 to PD-C on 16.95 acres located at 3000 East Street and Mall Drive to accommodate a proposed shopping center with a grocery store; 3) a zone change amendment to the PD-C zone on 1.29 acres located along the north side of 1600 South Street to accommodate the development of a two-story professional office building; and 5) an amendment to Title 10, Chapter 8 of the City Zoning Regulations to revise Section 10-8-6-H "Outside Storage" and to add Sections 10-8-6-I "Trash, Junk, Inoperable Vehicles and Similar Items", 10-8-6-J "Solid Waste Storage Facilities", 10-8-6-K "Protection of Residential Property", and to re-title Sections 10-8-6-I & J to become 10-8-6-L & M.

MOTION: A motion was made by Councilmember Almquist to advertise the public hearings for March 5, 2015.

SECOND: The motion was seconded by Councilmember Randall.

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.

Councilmember Almquist inquired about item 1B from the Planning Commission report; he asked if it includes everything that was discussed at the Planning Commission meeting.

Mr. Willis replied yes.

FINAL PLAT:

Wes Jenkins presented the final plat for Deserts Edge Phase 4, a 14-lot residential subdivision located at approximately 3500 East and 6050 South, zoning is PD-R. Approval of the final plat will be subject to 15% of open space being dedicated prior to it being recorded.

MOTION: A motion was made by Councilmember Bowcutt to approve the final plat for Deserts Edge Phase 4.

SECOND: The motion was seconded by Councilmember Hughes.

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.

City Manager advised before the final plat is approved and recorded, the dedication of open space has to occur.

FINAL PLAT:

Wes Jenkins presented the final plat for Hyde-Berry Park, a 27-lot residential subdivision located at the east end of Mulberry Drive and Marigold Way, zoning is R-1-10.

Kurt Gordon with Desert Canyons stated that with regard to the last item, they have signed the open space agreement and submitted it to the City. If the plat cannot be recorded until the open space is accepted by the Council, they will have to wait for an undetermined amount of time. They have done everything they need to do.

City Manager Gary Esplin explained that as long as staff has approved the agreement and it meets what was done previously, it will be okay. Additionally, it can also be added to next week's agenda. It should be handled as they have done in the past.

Mr. Jenkins advised that a change came about after the Planning Commission meeting. Staff spoke about the area that was originally going to be dedicated to the City and has decided to allow the area to remain as an easement. A graveled area will be required to delineate that it is an easement. The easement area would be attached to each lot.

Councilmember Arial asked if they can plant grass in the easement. She believes it would be important to put a note on the plat.

Mr. Jenkins explained that normally, grass cannot be put in an easement.

City Manager Gary Esplin explained that staff will accept the easement with a note on the plat. Staff can work with the applicant to see which alternative they like best.

Mr. Jenkins explained that not all of the details have been worked it out with the developer. There is irrigation that comes through the property and into lot 7. It will be piped under the road; therefore it will be subject to staff working with the developer to resolve the easement on lot 7.

MOTION: A motion was made by Councilmember Randal to approve the final plat for Hyde Berry Park subject the easement notes on the plat being

approved by the Legal Department and for staff to work out the irrigation easement on the lot.

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.

PRELIMINARY PLAT:

Wes Jenkins resented the preliminary plat for Carey Lane, a 15-lot residential subdivision located at Tuweap Drive and 1880 North, zoning is R-1-10. At the Planning Commission meeting, there was discussion, one nay vote and one abstention. Commissioner Taylor felt that the road should extend to 2100 West. The General Plan recommends that cul-de-sacs be avoided as much as possible unless due to topographic constraints. Looking at the traffic access management policy, it recommends that roads be separated more than 150 feet. This offset would be 100.

Councilmember Bowcutt commented that he cannot see a problem with the cul-de-sac.

City Manager Gary Esplin explained that there may be a need to change the policy with regards to distance.

Councilmember Almquist commented that he believes there should be a hydrant at the end of the cul-de-sac.

City Attorney Shawn Guzman advised if there was a reason to vary from the policy, Council would have to have specific findings. Anyone in the same situation could request the same variance.

MOTION: A motion was made by Councilmember Hughes to approve the preliminary plat for Carey Lane.

SECOND: The motion was seconded by Councilmember Randall.

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.

CONDITIONAL USE PERMIT:

Consider a request for a Conditional Use Permit to construct a detached accessory structure with a maximum ridge height of approximately twenty feet and wall height of approximately twelve feet for personal auto and RV storage.

John Willis presented the request for a conditional use permit to construct a detached accessory structure on property located at 347 West 400 North. The structure will be 20' and meets the rear and side setback standards. He showed an aerial map, site plan, floor plan, elevations and photos of the existing home. The application meets the findings and the Planning Commission recommends approval.

MOTION: A motion was made by Councilmember Bowcutt to approve the conditional use permit for a detached accessory structure with a maximum height of 20' on the property at 347 West 400 North.

SECOND: The motion was seconded by Councilmember Almquist.

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.

LEASE AGREEMENT:

Consider approval of the 2015 lease agreement for the Drug Task Force office space.

City Manager Gary Esplin advised this is a lease agreement for the Drug Task Force to lease the space in the City Commons Building at a cost of \$40,000 annually. The operating revenue for this task force is a grant.

City Attorney Shawn Guzman stated that the under the terms of the grant, the rent cannot be claimed unless a lease is in place.

MOTION: A motion was made by Councilmember Hughes to approve the lease agreement with the task force and authorize the Mayor to sign for the amount of \$40,000 annually.

SECOND: The motion was seconded by Councilmember Almquist.

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.

AGREEMENT:

Consider approval of an agreement with the Western Sky Warbird Museum on site 51E at the airport.

City Manager Gary Esplin advised this is a request from the Western Sky Warbird Museum. They are requesting to lease additional space at the airport. Staff recommends approval of the standard lease.

MOTION: A motion was made by Councilmember Arial to approve the agreement with the Western Sky Warbird Museum for site 51E at the airport.

SECOND: The motion was seconded by Councilmember Randall.

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.

SALE OF CITY PROPERTY:

Consider approval of Property sale to homeowners adjacent to Millcreek Park.

City Manager Gary Esplin explained that this was discussed previously. This is a drainage area that was leftover from a development in the area. Over the years, homeowners have encroached onto city property. Staff has been working with those property owners. It is recommended that the price be \$1.50 a square foot. The homeowners are the only ones that could use the land.

Parks Planner Millie Cockerill stated that staff has not yet discussed a purchase price with the homeowners.

Councilmember Bowcutt asked if staff received any comments from the letters that were sent out.

Parks Planning Manager explained that letters were sent notifying the owners that they were encroaching onto City property. Three responses were received; approximately eight letters were sent.

Ms. Cockerill stated that the responses were positive.

City Attorney Shawn Guzman advised that the Council will give direction on a purchase price to proceed and each property will return to declare the property surplus approval to sell.

MOTION: A motion was made by Councilmember Arial to approve the property sale to the homeowners adjacent to Millcreek Park for \$1.50 a square foot.

SECOND: The motion was seconded by Councilmember Hughes.

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.

HIDTA GRANT AWARD:

Consider Approval of an Increase in HIDTA Grant award for 2015-2016 for SGPD.

City Manager Gary Esplin advised this item is a grant that is received each year. This year the amount will be \$153,004. During the budget approval, the Council approves purchases that will be made through the grant. Additionally, the Council will need to authorize the Police Chief to sign the documents.

Police Captain Kyle Whitehead explained that the application is primarily for overtime and equipment. The task force is funded with two grants.

MOTION: A motion was made by Councilmember Hughes to accept the grant award of \$153,004 and authorize the Police Chief to sign.

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.

**CURBSIDE RECYCLING DISCUSSION AND PRESENTATION:
Discussion and presentation on curbside recycling for the City.**

Mayor Pike mentioned that the Solid Waste Board met and has asked the members to return with their recommendations. Additionally, there have been private discussions with citizens, the majority of which have been positive. He invited Larry Gibbons from Rocky Mountain Recycling to speak about recycling.

Mr. Gibbons presented a PowerPoint presentation covering the following topics: Rocky Mountain Recycling; Residential Recycling Facts; Recycling Facts; MSW Generation vs. LBS Per Day; Recycling Facts Continued; Current Program; Diversion History; Make Less, Toss Less and Recycle More; Total Recycled vs. Percentage; Washington County; Opt Out Program Facts; Other Opt Out Programs; Case Study; and Summary.

Councilmember Bowcutt stated that his concern is that the County has unincorporated areas that do not have recycling pick up.

Mayor Pike explained that the Solid Waste Board will vote on options and each city will approve a contract.

Councilmember Randall commented that she is not in favor of making it mandatory. Many people do not know that they are paying for the recycling bins now.

Councilmember Hughes mentioned that a lot of places have a monthly fee which includes recycling. He asked why an opt out program will only have 50% participation.

Mr. Gibbons explained that is because people will opt out since they only have second homes here. In the past they have dealt with those that do not want to recycle, that just fill the recycle bin with trash. They are able to determine the block in which things are put in that should not be. Notices of warning are given and the bin can be removed, still charging the customer. He believes this will be an easy program to roll out.

Mayor Pike commented that determining whose responsibility it is to educate the customer will have to be worked out.

Mr. Gibbons explained it will be a joint effort. The recyclables will be separated and bailed at their plant using a machine. They propose installing one of the systems in St. George. Currently, it goes to Salt Lake City after it is bailed.

Councilmember Randall asked how apartment complexes will be handled.

Mr. Gibbons explained that those residents will use the bins currently placed throughout the City. The glass that is collected in Utah is spun and made into insulation. Glass will not be included in this proposal.

Mayor Pike invited the Council to discuss the options. He asked if they wanted a mandatory program.

Councilmember Hughes commented that he wants people to buy into recycling, not for them to be forced.

Councilmember Arial commented that she believes there is a need to educate the adults not the children.

Councilmember Hughes asked what the difference is between the three opt out plans.

Mayor Pike explained the three options. They are as follows: 1) Customers will have one opportunity to opt out. If you do not opt out, you are in. If you opt out and move, you would be in. There is only one opportunity to opt out and there will be no opt out option for new residents. If someone buys your home, there will be no opt out option; 2) Similar to option; if a customer builds a new home and have already opted out, they can opt out again. This option does not discuss new residents; and 3) Customers can opt out at the beginning and each subsequent year.

Mr. Gibbons explained that cities that have chosen the third option see a decrease in numbers.

Councilmember Almquist stated that his choice is option 1.

Councilmember Bowcutt stated that he would like to look at Options 1 or 2.

Councilmember Hughes commented that there is a possibility of mandatory recycling down the road, but at this time, he would lean more toward option 2. He mentioned that there have not discussions on the cost of the cans.

Councilmember Randall commented there may be peer pressure with option 2. Neighbors will see everyone else with a bin; they may want one as well.

Mayor Pike stated that with option 2, you would have to continue to opt out if you move within the city.

Councilmember Arial commented that her choice would be option 2.

Councilmember Bowcutt commented that he likes option 2 the best.

Administrative Services Director Deanna Brklacich stated that she believes option 3 would be difficult to administer. Option 2 is the most likely option that can be

tracked and recorded. Educating the public will be very important. The system can track if a property is new and they can also put a check box on the utility application. There is a lot of movement throughout the year. The solid waste billing is separate now, opt out would be a different charge. There is a cost involved in remitting the amount to the solid waste district.

City Manager Gary Esplin explained that if the City gives the solid waste district 100% up front, the City would carry the bad debt expense.

The consensus of the Councilmembers is to choose option 2.

REAFFIRM DEPUTY CITY ATTORNEY AS COUNCIL'S DESIGNEE TO REVIEW REASONABLE ACCOMODATION APPLICATION:

City Attorney Shawn Guzman advised that in the past, when a request for a reasonable accommodation on a residential facility has been received, the Council designated Deputy City Attorney Paula Houston to be the Council's designee to review the application and to make a determination on whether the application was sufficient. Additionally, she would determine if the applicant qualifies for the accommodation. The City has recently received two applications. He asked the Councilmembers if they would like to reaffirm Ms. Houston as the Council's designee to review any applications that are received requesting reasonable accommodation for residential for persons with disabilities.

MOTION: A motion was made by Councilmember Hughes to reaffirm Deputy City Attorney Paula Houston as the Council's designee to review reasonable accommodation applications.

SECOND: The motion was seconded by Councilmember Almquist.

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

MINUTES:

Consider approval of the minutes from the meeting held on January 8, 2015.

MOTION: A motion was made by Councilmember Randall to approve the minutes for January 8, 2015.

SECOND: The motion was seconded by Councilmember Arial.

Councilmember Almquist commented that on page 4, line 27, with regards to parameter landscaping, the Council talked about the north side; it did not appear to be in the landscape plan. Mayor Pike then asked if evergreen trees could be planted

on the north side as well as some on the west. He clarified that there was a landscaping plan for the west side. It then states that Councilmember Almquist stated the trees and gravel would be sufficient in this area. He clarified that he was only talking about the north side. Additionally, on Page 9 line 41, when he spoke about preserving the interior of the historic home, he meant they will preserve the actual historic part of the home and that the add on additions would be torn off.

Mayor Pike added that the approval is subject to Councilmember Almquist getting with the City Recorder to review the changes.

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.

ADJOURN TO CLOSED SESSION:

MOTION: A motion was made by Councilmember Hughes to adjourn to a closed session to discuss litigation.

SECOND: The motion was seconded by Councilmember Randall.

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.