

**St. George City Council Minutes  
Regular Meeting  
June 18, 2015  
City Council Chambers**

**Present:**

Mayor Jon Pike  
Councilmember Gil Almquist  
Councilmember Jimmie Hughes  
Councilmember Michele Randall  
Councilmember Joe Bowcutt  
Councilmember Bette Arial  
Administrative Services Director Deanna Brklacich  
City Attorney Shawn Guzman  
Deputy City Recorder René Fleming

**OPENING:**

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Councilmember Almquist. The invocation was offered by Michael Kruse.

Mayor Pike indicated that Money Magazine named St. George one of the best places to retire in 2015 and St. George is the winner of the Great Outdoors category of Places to Retire.

Councilmember Randall commented on the 3<sup>rd</sup> annual Honoring Veterans Day to be held at Vernon Worthen Park from 8:00 am to 3:00 pm on Saturday June 20, 2015.

Mayor Pike discussed the July 3<sup>rd</sup> George Streetfest.

**CONSENT CALENDAR**

**Consider approval of the financial report for May 2015.**

Administrative Services Director Brklacich explained the fiscal year is 92% complete. Sales Tax revenues are up by approximately 5.86%. She explained that revenues are a bit behind budget because personal property taxes are not due until May. Expenditures are at 82% of the budget. In the Waste Water fund expenditures are higher than revenues as staff took advantage of an advance pay off of a bond which saved about \$42,000. The cash reserves were used to pay the bond off early.

Councilmember Almquist noted SwitchPoint contributions continue to come in, requiring less from funds to run the facility.

Mayor Pike called for a motion.

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

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

VOTE: Mayor Pike called for a vote as follows:

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes, aye

The vote was unanimous and the motion carried.

**STAFF REPORTS:**

**Presentation from Alissa Urzi with Victim Services division.**

Ms. Urzi indicated she has been the coordinator for victim services for almost three years. She shared a letter received from a victim and her family; with the names changed she read the letter. She invited the public to call if they are a victim of a crime or a victim of domestic violence. The phone number is 435-627-4399.

Mayor Pike thanked Ms. Urzi and colleagues for all they do.

**AWARD OF BID**

**Consider approval of a bid for the Middleton Wash Trail Repairs.**

Administrative Services Director Brklacich explained the route of the trail and the damage from the August 2014 floods. The trail was undermined more than originally thought, so it will cost about \$100,000 more to repair it. She indicated the council can approve the action now, subject to the approval of the FY 20115-16 budget which is later in the agenda.

Purchasing Agent Hood explained the bid results with B Hansen Construction being the low bid.

Mayor Pike called for a motion.

MOTION: A motion was made by Councilmember Almquist to award the Middleton Wash Trail Repairs in the amount of \$241,000 to B Hansen Construction subject to the budget adjustment being approved later in the agenda.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote as follows:

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes, aye

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The vote was unanimous and the motion carried.

**Consider approval of professional services agreement to relocate the existing Elks baseball field to Bloomington Park.**

Administrative Services Director Brklacich explained the intent to increase one of the existing fields to accommodate the loss of use at the Elks Field. The bid includes construction management, design and engineering for the final project.

Purchasing Agent Hood reviewed bids and recommended it be awarded to Sunrise Engineering.

Administrative Services Director Brklacich suggested the motion be subject to Legal review of the agreement.

Mayor Pike called for a motion.

**MOTION:** A motion was made by Councilmember Arial to approve the professional service agreement to relocate the existing Elks baseball field to Bloomington Park subject to legal review and hopefully with the advice of Kent Garret.

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

Councilmember Almquist noted the document from Sunrise Engineering has some assumptions which may not apply to the bid; for example per diem meals at \$35 a day.

Purchasing Agent Hood indicated the agreement's fee schedule is a generic form and she is sure legal review will resolve those issues.

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

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Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes, aye

The vote was unanimous and the motion carried.

**Consider approval of a professional services agreement for the environmental assessment of the Gunlock arsenic treatment plant site.**

Administrative Services Director Brklacich explained this project is undertaken in to order to treat the City's well water to comply with updated arsenic standards. The study is required as the plant will be located on federal property. She detailed some of the items that will be studied.

Purchasing Agent Hood indicated the contract is not to exceed \$34,699. There was discussion regarding the work Alpha Engineering has done in the past. Alpha Engineering has a good deal of experience with these kinds of projects. Mayor Pike called for a motion.

**MOTION:** A motion was made by Councilmember Hughes to approve the professional services agreement with Alpha Engineering for the environmental assessment of the Gunlock arsenic treatment plant, not to exceed \$34,699.

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

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes, aye

The vote was unanimous and the motion carried.

**Consider award of bid to construct two public restrooms and a small office at SunTran's Transit Center.**

Administrative Services Director Brklacich explained this project is at 100 South and 1000 East. This item is partially funded by FTA fees and is an 80/20% match. The amount of \$15,289 is the 20% cost match required from the City. This will roll over into next year's project. Some projects will be delayed next year to accommodate rolling this forward.

Purchasing Agent Hood commented that JMI is the low bid and is recommended for approval.

There was discussion regarding whether or not the bid includes the alternate options for the project. The bid does not include any of the alternate options.

Mayor Pike called for a motion.

**MOTION:** A motion was made by Councilmember Randall to award the bid to JMI for construction of two public restrooms and a small office at SunTran in the amount of \$16,289.46.

SECOND: The motion was seconded by Councilmember Arial.

Councilmember Bowcutt asked if the motion has to be for the total amount of the project or just the City's portion.

City Attorney Guzman indicated it has to be for the total amount of the contract.

Councilmember Randall amended the motion to award the bid for \$81,447.30.

Councilmember Arial seconded amended motion.

VOTE: Mayor Pike called for a vote as follows:

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes, aye

The vote was unanimous and the motion carried.

#### **PUBLIC HEARING/REZONING/ORDINANCES**

**Public hearing to consider vacating a public utility and drainage easement located at the rear of lot 1 of Trebruk Estates and adjust the lot line of lot 1 to the south.**

Administrative Services Director Brklacich explained the action is to vacate and relocate easements to accommodate a structure that is requested to be built.

Wes Jenkins explained the two parcels and the structure that the applicant would like to build. This action will merge the parcels into one lot to accommodate the structure and the setbacks. He explained the easements for the maintenance of the sewer line and the NRCS wall.

There was discussion regarding sewer line access which will be from another lot.

Mayor Pike opened the public hearing. Seeing no one wishing to comment, he closed the public hearing and called for a motion.

MOTION: A motion was made by Councilmember Almquist approve applicants request for vacating a public utility and drainage easement located at the rear of lot 1 of Trebruk Estates and to adjust the lot line of lot 1 to the south.

SECOND: The motion was seconded by Councilmember Hughes.

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes aye

The vote was unanimous and the motion carried.

**Public Hearing to consider vacating a utility easement along 3000 East at approximately 2900 South.**

Administrative Services Director Brklacich explained this easement is no longer needed as the water line was moved into 3000 South when it was developed.

Mayor Pike opened the public hearing. Seeing no one wishing to comment, he closed the public hearing and called for a motion.

**MOTION:** A motion was made by Councilmember Hughes to approve vacating the utility easement along 3000 East at approximately 2900 South.

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

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes aye

The vote was unanimous and the motion carried.

**Public Hearing to consider vacating an underground sewer easement along the south side of the Virgin River located approximately between Bloomington and Sun River.**

Administrative Services Director Brklacich said the new easement was recorded but it did not vacate the existing easement and that needs to be done on the county records.

Wes Jenkins commented that as the sewer was laid out; it was not in the easement. This action will adjust the easement it match the way the sewer line is actually laid.

Councilmember Almquist asked if it affects the trail easement.

Wes Jenkins replied no, the trail easement has already been dedicated to the City.

Mayor Pike opened the public hearing. Seeing no one wishing to comment, he closed the public hearing and called for a motion.

**MOTION:** A motion was made by Councilmember Arial vacate an underground sewer easement along the sound side of the Virgin River located approximately between Bloomington and Sun River.

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

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes aye

The vote was unanimous and the motion carried.

**Public hearing to consider an amendment to the PD-R (Planned Development Residential) zone to construct a four-story 78 unit condominium project on approximately 5.7 acres located at 1151 South Plantations Drive.**

Wes Jenkins indicated this item needs to be tabled as the applicant is unable to be in town today.

City Attorney Guzman indicated a motion is needed to continue the public hearing.

Mayor Pike called for a motion.

**MOTION:** A motion was made by Councilmember Almquist to continue public hearing on this item.

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

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes aye

The vote was unanimous and the motion carried.

**Public Hearing to consider amendments to the Fiscal Year 2014-15 Budget.**

Administrative Services Director Brklacich detailed the items pertaining to the opening of the budget.

There was discussion regarding the sales tax revenues which came in higher than expected and the final payment to SITLA. The fiscal management of the City was discussed and it commented that the management has been good, allowing debts to be paid off early, saving the City money.

There was discussion regarding the projects that have been completed to repair the damage from the floods in the year 2010 and the one re-vegetation project that needs to be completed. It is expected to be completed by February 2016.

Mayor Pike opened the public hearing. Seeing no one wishing to comment, he closed the public hearing and called for a motion.

**MOTION:** A motion was made by Councilmember Randall to approve amendments to the Fiscal Year 2014-15 budget.

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

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes aye

The vote was unanimous and the motion carried.

**Public Hearing to consider amendments to the Fiscal Year 2015-16 Budget and unbilled water and electricity services to other City funds.**

Administrative Services Director Brklacich explained this public hearing is to receive public input on the Fiscal Year 2015 –16 budget and comment on the unbilled water and energy services for other City departments. She discussed the 2014 law requiring municipalities to disclose to customers any utility services provided but not billed to City departments. She explained there are costs to providing those services, buying water, electricity and transmission etc. Those unbilled costs are about \$1.54 per month per customer. If these costs were billed to other departments there would be adjustments in rates from one department fund to the other. This would result in a need to either increase revenues for the general fund or to reduce services in order to cover those costs. She explained that per the law requirement, a letter was sent to all customers to inform rate payers of this information.

Mayor Pike indicated the council will receive public comment on the unbilled services as well as the 2015-16 budget.

Administrative Services Director Brklacich commented the preliminary budget has been available since May for citizens to review and ask questions. During the month of May department directors met with council to explain budgets in further detail. The general fund increased by about 2.5% this year. She indicated there are no increases in rates; however, there are a few new rates for new services which will be discussed further in the agenda. She reviewed the items detailed in a letter from City Manager Esplin that are recommended in the general fund from the capital project fund. The recommended total increase is \$4,288,252.

Mayor Pike opened the public hearing explaining comments regarding the unbilled services will be heard first, followed by comments on the budget.

Merrill Palmer commented that he thinks costs are best identified, tracked and managed if they are approved where they occur. He stated that he believes that all who benefit from parks and St. George City Council Minutes  
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water should share in the cost. He stated the he felt the best way to handle water conservation goals and intentions are to have costs paid where they are incurred.

Bruce Rafferty commented that he is glad to see the transparency. He is bothered by the entity that is also a customer of the City but not bearing any cost of that. He would be willing to pay a bit more than \$1.54 a month but he thinks the appearance is important and the appearance of unbilled services says we are the administrative agency and we've decided we don't have to pay.

Dan Gubler stated that facilities should run on a profit/loss basis. If water goes to the City then the City is in direct competition with private business and that's unfair. If it doesn't produce a profit, then get rid of it. He doesn't see a valid government document saying the government is supposed to provide people recreation. He indicated this is socialism. The right direction is to get rid of recreation if it's not producing a profit. If it's profitable the private sector will pick it up.

Betty Hacket expressed concern regarding furnishing water to the golf courses. She thinks the golf courses should be paying for it.

Bob Rosond found the letter rather confusing. The services are unbilled but the costs are included in the rates. He thinks the letter should more clearly state how these unbilled services are being paid for.

Mayor Pike commented that the City is all of us, we own the City. We are all paying for the costs one way or another.

City Attorney Guzman stated this is the second year this letter has been sent out. Staff has gone through several versions to make it as clear as possible and can work to make the letter clearer next year.

Ed Baca said he'd like to address one issue on the new budget for 2015 -16, the building of public restrooms for the SunTran service. He asked if the budget includes the costs for the requirements for the ADA. He referred to the Red Hills Golf Course and the restrooms not being handicap accessible. He stated that having watched and studied the council for a number of years, that the parks and recreation activities generates tax funds which feeds the general fund and allows the City to provide services. He commented that during the work meeting when the Legal Department reviewed its budget with the council, the council adjourned to a closed session. In the interest of transparency, he asked if anything can be disclosed and if not, why.

Mayor Pike commented that with respect to the Dixie Red Hills Golf course a committee is going to be created to work with the director of golf and Matt Loo to begin working on a design and fund raising for a new club house at Dixie Red Hills Golf Course that will include ADA required facilities.

City Attorney Guzman responded to Mr. Baca, that if he understands the question, it was why the council went into a closed session. It was to provide an update for all open claims.

Seeing no one else wishing to comment, Mayor Pike closed the public hearing.

Administrative Services Director Brklacich commented that she appreciates the feedback from the public. She stated that all services are metered and that is how staff is able to come up with the amount of unbilled services. She indicated that with the exception of Dixie Power, rates for St. George Energy Services Department (SGESD) are the lowest in the area. And for water rates we are also the lowest based on comparing 30,000 gallons.

There was discussion regarding when the approved budget will be posted. It will be on the website in the next 30 days. Also discussed was the requirement to have a balanced budget. Mayor Pike called for a motion on the FY 2015 – 16 budget.

Councilmember Almquist commented that prior to the economic downturn there were plans to remodel the Red Hills Golf Course facilities. He commented that it's good to see this project is going forward.

**MOTION:** A motion was made by Councilmember Hughes to approve the FY 2015 – 16 Budget with the amendments detailed in the letter from the City Manager.

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

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

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Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes aye

The vote was unanimous and the motion carried.

**Public Hearing to consider amending Title 9, Chapter 13 of City code pertaining to off premises signs.**

Administrative Services Director Brklacich explained this is a continuation of a public hearing from the last City council meeting.

City Attorney Guzman indicated staff has had a couple meetings with sign companies and is working on a resolution of language for electronic bill boards. However, there are a few issues still to resolve. Staff would like to continue the public hearing until August 6, 2015.

Mayor Pike asked if anyone from the sign company representatives would like to comment. There were no comments.

Mayor Pike called for a motion to continue the public hearing to August 6, 2015.

**MOTION:** A motion was made by Councilmember Randall to continue to August 6, 2015 the public hearing to consider amending the Title 9, Chapter 13 of City code pertaining to off premises signs.

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

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes aye

The vote was unanimous and the motion carried.

**ORDINANCES**

**Consider approval of an ordinance prohibiting fireworks in designated areas of the City.**

Administrative Services Director Brklacich explained this is something that is done every year and will include a posting of a map on the website for citizens to determine where fireworks are prohibited.

City Attorney Guzman commented that with the current drought conditions and high fire danger staff recommends adopting the ordinance.

Fire Chief Stoker explained the maps and dates are updated each year, this year the prohibition is effective from July 1 – 27, 2015. The map is on the City website on the main page. He detailed the areas that are restricted. He indicated there have already been fires and they spread fast due to cheat grass.

The council discussed the amount of fires as a result of the fireworks. The City sponsored fireworks were discussed. There was discussion regarding a local vendor selling illegal fireworks last year. The distributor was unaware of what the vendor was doing and that vendor will probably not be selling fireworks again.

There was discussion of other prohibitions that may be requested in the near future such as smoking only in vehicles, restricting areas where fires are allowed and prohibiting outdoor welding in certain areas.

Mayor Pike called for a motion:

**MOTION:** A motion was made by Councilmember Hughes to approve an ordinance prohibiting fireworks in designated areas of the City as designated in the map.

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

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes aye

The vote was unanimous and the motion carried.

## **RESOLUTIONS**

### **Consider approval of a resolution adopting a bail schedule.**

Administrative Services Director Brklacich explained this is needed to establish City bail rates rather than defaulting to state rates.

There was discussion regarding how the rates compare to state rates. The proposed City schedule has lower rates than the state.

Mayor Pike detailed the rates and commented that the City rates would become effective immediately, if approved.

Deputy City Attorney Houston indicated the state does have a schedule as a default. She detailed the state general fees which are much higher.

Councilmember Hughes asked if the fines are assessed automatically or are there steps taken to notify people and resolve the issue without assessing a fine.

Deputy City Attorney Houston reviewed the bail schedule and explained how the court generally assigns for the fine. She indicated the prosecutor may ask for fees to be reduced or for community service. There are other options; the fee schedule is just the starting point.

Mayor Pike called for motion.

**MOTION:** A motion was made by Councilmember Arial to approve the bail schedule for St. George City.

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

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes aye  
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The vote was unanimous and the motion carried.

**Consider approval of a resolution adopting a fee schedule for the Electric Theater.**

Administrative Services Director Brklacich commented the Electric Theater is almost ready to open so the fees need to be set.

Mayor Pike reminded the council the fees were discussed in a work meeting. The intention is to be reasonable with the fees without underpricing the facility which could create unfair competition with the private sector. He discussed the fee schedule and the different rates.

Councilmember Arial commented there are many groups that are excited to have this project completed.

There was discussion regarding the \$25 fee for additional technicians and who decides how many technicians were required, City staff or those that are renting the facility. The number of

technicians can be determined by mutual agreement between staff and the applicant at the time the reservation is made.

There was discussion regarding the location of staff and where reservations can be taken.

There was more discussion regarding the language and changing the additional technicians as determined. A possible solution is to state additional technician and omit "the as determined."

Mayor Pike called for a motion.

**MOTION:** A motion was made by Councilmember Almquist to approve adopting the recommended fee schedule exhibit A for the Electric Theater.

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

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes aye

The vote was unanimous and the motion carried.

**Consider approval of a resolution adopting a fee schedule for the Tonaquint Cemetery Cremation Garden.**

Administrative Services Director Brklacich stated the facility is scheduled to open on July first. There is a new fee schedule to clarify that the fees are for space and not ownership of property. The amounts are the same, the terminology has changed.

Cody Schmitt explained it's the space not for the tablet or accessories and the right to be buried in that space but not ownership of the land associated with the space.

There was discussion regarding if there is a standard for the tablet. The master plan for the cremation garden and the work that is almost done on Phase 1 was discussed as was the possibility of holding an open house when it opens.

There was discussion regarding the increase in the number of cremation requests. The relocation of the ossuary in the master plan was discussed. Some of the terms in the fee schedule were defined. An ossuary is a containment vault where cremation remains are deposited together and a tablet engraved with names identifying whose remains are in the ossuary. A tree estate is a location by a tree where perhaps a whole group of family members can be placed. Benches are core drilled and the urn goes in the bench.

Mayor Pike called for a motion.

MOTION: A motion was made by Councilmember Arial approve the fee schedule for the Tonaquint Cemetery Cremation center.

SECOND: The motion was seconded by Councilmember Randall.

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes aye

The vote was unanimous and the motion carried.

**Consider approval of a resolution adopting the first amended interlocal cooperation agreement between Washington County, other municipalities and the City of St. George regarding the distribution of RAP tax revenue.**

Administrative Services Director Brklacich explained this item is a clarification that the cities do not have to follow the County advisory committee. She explained 15% of the RAP taxes is allocated to be used across the county; the cities get 85%. This resolution states the 85% will be used per the council directive not the county's advisory committee.

Mayor Pike called for a motion.

MOTION: A motion was made by Councilmember Arial to approve adopting the first amended interlocal cooperation agreement between Washington County, other municipalities and the City of St. George regarding the distribution of RAP tax revenue.

SECOND: The motion was seconded by Councilmember Almquist.

Councilmember Bowcutt requested an explanation of the advisory board.

City Attorney Guzman stated that by state law the county is required to have an advisory board to determine how the RAP tax revenue is to be used. However, cities are not required to have an advisory board. This action clarifies the board will only be making decisions for the 15% of the county portion of the RAP tax.

There was discussion regarding the decisions that will be made by the county advisory board versus those made by individual city councils.

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

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Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes, aye

The vote was unanimous and the motion carried.

**STAFF REPORTS:**

**Consider approval of a request to expand the St. George Art and Studio Tour.**

This item was tabled.

**REPORT FROM THE PLANNING COMMISSION**

Wes Jenkins reviewed the items requested for public hearings and requested to set public hearings for July 9, 2015 as follows:

- Consider a zone change amendment request to construct a two story 90 unity town home in-fill project consisting of 16 buildings with amenities on approximately 7.89 acres of property in the PD-R zone.
- Consider a zone change request on approximately 13.36 acres for RE-20 to R-1-12 to accommodate future residential development.

Mayor Pike called for a motion.

**MOTION:** A motion was made by Councilmember Randall to set public hearings for the two items requested on July 9, 2015.

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

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes, aye

The vote was unanimous and the motion carried.

**PRELIMINARY PLATS**

**Consider approval of a preliminary plat for a 91 lot residential subdivision for Desert Crest.**

Wes Jenkins reviewed the plat, the density, the required landscape strip and the trail that will be in the area.

Mayor Pike called for a motion.

**MOTION:** A motion was made by Councilmember Hughes to approve a preliminary plat for a 91 lot residential subdivision for Desert Crest.

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

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes, aye

The vote was unanimous and the motion carried.

**Consider approval of a preliminary plat for a 76 lot residential subdivision for Red Wood Estates.**

Wes Jenkins detailed the property, density and location. He indicated the applicant is requesting lot size averaging so that 12 lots will be smaller than 8,000 square feet but the development won't exceed the allowed density.

Mayor Pike called for a motion.

**MOTION:** A motion was made by Councilmember Randall to approve the preliminary plat for a 76 lot residential subdivision for Red Wood Estates.

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

Councilmember Bowcutt commented that it says preliminary plat is for the Arbors.

Wes Jenkins indicated this is specific to Red Wood Avenue.

Councilmember Almquist asked about the density.

Wes Jenkins indicated the density is 3.7 dwelling units per acre.

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye

Councilmember Arial, aye  
Councilmember Hughes, aye

The vote was unanimous and the motion carried.

**FINAL PLATS**

**Consider approval of a Roadway Dedication Final Plat for Canyon View Drive St. George.**

Wes Jenkins reviewed the location, zone and said that staff and legal reviewed the final plat and determined it meets the conditions of the preliminary plat.

City Attorney Guzman indicated staff has been working with owners of property for about a year to accommodate traffic in the area.

Councilmember Bowcutt asked if Canyon View Drive will be restriped. He expressed concern regarding making a left hand turn up the hill and on the on the curve in the road. He asked if there is there enough room to construct a turning lane.

City Attorney Guzman commented that it will be reconfigured and there should be enough room to make the turn.

There was discussion about traffic flow and left turn ability. In the future Canyon View Drive will be widened.

Mayor Pike called a motion.

**MOTION:** A motion was made by Councilmember Arial to approve the roadway dedication final plat for Canyon View Drive St. George.

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

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes, aye

The vote was unanimous and the motion carried.

**Consider approval of a 16 lot residential final plat for Desert Rim Phase 1.**

Wes Jenkins reviewed the zone, location and the request meets conditions of preliminary plat as reviewed by staff. He reviewed the ten foot wide landscape and that the developer will pay the maintenance costs of the strip for a ten year period. At the end of the ten years, the City will take over ownership and maintenance.

Mayor Pike called for a motion.

**MOTION:** A motion was made by Councilmember Almquist to approve the 16 lot final plat for Desert Rim Phase 1.

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

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes, aye

The vote was unanimous and the motion carried.

**Consider approval of a 1 lot residential condominium subdivision final plat for Estancia Phase 1.**

This item was tabled.

**Consider approval of an amended 8 lot residential subdivision final plat for Stone Cliff Phase 13.**

Wes Jenkins said all aspects of final plat were reviewed by staff and it meets all conditions of the preliminary plat. He reviewed the amendments to the plat. He reviewed the ridge line set back.

Mayor Pike called for a motion.

**MOTION:** A motion was made by Councilmember Bowcutt to approve the amended 8 lot residential subdivision final plat for Stone Cliff Phase 13.

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

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes, aye

The vote was unanimous and the motion carried.

**LOTLINE ADJUSTMENT**

**Consider approval of a lot line adjustment for Central Storage. The property is zoned C-3 and is located at 955 North 1300 West Street.**

Wes Jenkins reviewed the location and zone. The lot line adjustment will put all storage units of one size into one lot. The request meets all requirements.

Mayor Pike called for a motion.

**MOTION:** A motion was made by Councilmember Arial to approve the lot line adjustment for Central Storage located at 955 North 1300 West Street.

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

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes, aye

The vote was unanimous and the motion carried.

**VACATE CITY PROPERTY**

**Consider approval of City property to be vacated at approximately 2100 East Colorado Drive.**

Wes Jenkins reviewed the location and zone.

Councilmember Bowcutt left at 7:32 pm.

Wes Jenkins reviewed the map and the area that is requesting to be merged into one lot. He explained City Manager Esplin felt that there should be compensation to the City in monetary form. He suggested the motion make it subject to compensation to the City.

City Attorney Guzman explained that since the property is not going back to the person who dedicated it to the City, it would not be appropriate to give it to a third party without the City receiving monetary compensation.

Councilmember Bowcutt returned at 7:34 pm.

City Attorney Guzman commented that the motion should include language that identifies the person who dedicated it in the first place is supportive of the action to vacate the property.

There was discussion regarding this action and how it is different than other property that has been dedicated to or vacated by the City. It is different as this piece was dedicated to the City but not as a roadway.

City Attorney Guzman explained the property is under City ownership and now someone is requesting to purchase it so now there needs a value assessed.

Mayor Pike called for a motion.

**MOTION:** A motion was made by Councilmember Almquist to approve vacating property located at approximately 2100 East Colorado Drive pending a decision on the monetary value.

The group discussed the lot line adjustment and whether the motion should be subject to legal review. The Sullivan's originally dedicated the property.

Wes Jenkins explained how this item and the following lot split are connected. The applicant needs to vacate a piece of property and then do the lot split.

Councilmember Almquist amended the motion to vacate the property subject to legal approval to get a purchase agreement.

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

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes, aye

The vote was unanimous and the motion carried.

### **LOT SPLITS**

#### **Consider approval of a lot split for 1032 North 2075 East Circle.**

Wes Jenkins explained this is the approval of the lot split for the property just discussed so it will have access on Colorado Drive.

City Attorney Guzman suggested any motion be subject to the purchase agreement completion.

Wes Jenkins said that in the Planning Commission discussion it was suggested the motion be subject both actions being completed in 30 days.

The group discussed the zoning of the property.

Mayor Pike called for a motion.

**MOTION:** A motion was made by Councilmember Hughes to approve the lot split for 1032 North and 2075 East Circle subject to the purchase agreement being worked out with legal and done in 30 days.

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

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes, aye

The vote was unanimous and the motion carried.

**Consider of approval of a request to delay public roadway and utility improvements for the construction of a dwelling unit.**

Wes Jenkins noted the location on a map displayed on the screen. He discussed the previous lot split and the houses that have been built on the pieces of property. The applicant was allowed to delay improvements under the condition that the City can ask for the improvements to be done at any time.

Mr. Jenkins explained subsequent lot splits and it's now a subdivision. The applicant wants to build a house and delay the improvements due to the cost to build the road and bring utilities to the property. The applicant is requesting to build on the lot and to dedicate a portion of the road before the building permit is issued. The applicant would extend the water and install a fire hydrant. The delay request is with regard to road improvements and connection to the sewer. The applicant will put a dry sewer line in so that when the sewer is installed, the property can be connected to it. The conditions are that if the City determines the road needs to be done the applicant would have to pay to get it done.

There was discussion regarding the lot splits, building permits and when the road would have to be done. With the dedication of the road, this lot falls below an acre, so staff doesn't see that as too big of an issue.

Mayor Pike called for a motion.

**MOTION:** A motion was made by Councilmember Hughes to approve a request to delay public roadway and utility improvements for the construction of a dwelling unit.

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

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes, aye

The vote was unanimous and the motion carried.

#### **STAFF REPORTS**

#### **Consider approval of a franchise agreement with Tonaquint Networks for the provision of fiber services in the City.**

City Attorney Guzman explained the franchise agreement will allow Tonaquint Networks to put fiber in City rights of way. There is a 5% franchise tax on the company's revenues as compensation for using the City right of ways. He explained the term "franchise" means that the City grants a right to be in the City right of way. It does not mean that the City controls the content or business practices of the company. The City does have the right to audit financials to determine that the franchise fee payments are correct.

Matt Hamblin commented that he is excited to facilitate the technology in St. George. The company is based in St. George.

There was discussion regarding the service territory for Tonaquint Networks, if it will cover the entire City. Fiber will be deployed in different areas, providing fiber access to homes.

Mayor Pike called for a motion.

**MOTION:** A motion was made by Councilmember Arial to approve a franchise agreement with Tonaquint Networks for the provision of fiber services in the City.

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

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes, aye

The vote was unanimous and the motion carried.

#### **Consider approval to sign instrument of release with the FAA for the old airport property.**

Administrative Services Director Brklacich indicated if this action is approved; the City will be able to sell off portions of the old airport property. The proceeds will be used to reimburse the City for the funding used to build the replacement airport.

There was discussion regarding the possible uses of the property.

Mayor Pike called for a motion.

**MOTION:** A motion was made by Councilmember Hughes to approve authorization for the Mayor to sign the instrument of release with the FAA for the old airport property.

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

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes, aye

The vote was unanimous and the motion carried.

**Consider approval of a donation agreement with Desert Canyons for open space being dedicated to the City.**

City Attorney Guzman explained this action is to dedicate open space as required by the agreement with Desert Canyons regarding which properties they will dedicate, allowing them to take a donation for tax purposes.

Mayor Pike called for a motion.

**MOTION:** A motion was made by Councilmember Almquist to approve the donation agreement with Desert Canyons for open space being dedicated to the City to create a bank of future plats.

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

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes, aye

The vote was unanimous and the motion carried.

**Consider approval of a landscape maintenance agreement with Desert Canyons.**

City Attorney Guzman explained this is the agreement with the developer to install landscape and a wall and to cover maintenance costs for ten years and to require Desert Canyons to restore any disturbed areas.

Mayor Pike called for a motion.

**MOTION:** A motion was made by Councilmember Hughes to approve the landscape maintenance agreement with Desert Canyons.

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

Councilmember Almquist asked who came up with the numbers.

City Attorney Guzman indicated they are the same as used with the developer in Little Valley.

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

Councilmember Almquist, aye  
Councilmember Randall, aye  
Councilmember Bowcutt, aye  
Councilmember Arial, aye  
Councilmember Hughes, aye

The vote was unanimous and the motion carried.

**Appointments**

Mayor Pike commented that Sergeant Curtis Spragg will be added to the active transportation committee. He explained this doesn't need a motion but he wanted to let the council know of the appointment.

**REPORTS FROM MAYOR, COUNCIL MEMBERS AND CITY MANAGER**

None

**OTHER BUSINESS**

None

**ADJOURMENT**

**MOTION:** A motion was made by Councilmember Hughes to adjourn the regular meeting and convene the Redevelopment Agency meeting.

**SECOND:** The motion was seconded by Council Member Randall.

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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.

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René Fleming, Deputy City Recorder