

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
SEPTEMBER 3, 2015, 5:00 P.M.
CITY COUNCIL CHAMBERS**

PRESENT:

**Mayor Jon Pike
Councilmember Gil Almquist
Councilmember Michele Randall
Councilmember Joe Bowcutt
Councilmember Bette Arial
City Manager Gary Esplin
Deputy City Attorney Paula Houston
City Recorder Christina Fernandez**

EXCUSED:

Councilmember Jimmie Hughes

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led Logan Malcolm and the invocation was offered by Pastor Michael Chamness with the Shepherd of the Hills United Methodist Church.

Councilmember Randall mentioned that her son recently returned from a deployment in Iraq. He told her that he was more protected there than our police officers are here. She thanked the St. George Police Department for their service and asked that people show their respect to police officers.

Mayor Pike read a proclamation proclaiming the month of September as Recovery Awareness Month.

Councilmember Arial arrived.

Mayor Pike read a proclamation proclaiming September 17 – 23, 2015 as Constitution Week. Mayor Pike then left the meeting for a groundbreaking ceremony.

COMMENTS FROM THE PUBLIC:

Carl Palmer, resident, stated he does not like what is happening with the SunBowl and the Dixie Round Up Rodeo. He mentioned when he was young, they looked forward to attending Rodeo festivities. Now, the SunBowl is about 2/3 full when the Rodeo takes place. He believes the SunBowl and the Round Up Rodeo have become stagnant because people do not like to go out in the evening and sit on concrete; the heat, dusty parking lots and lighting are issues as well. He suggests the SunBowl be updated by taking out the concrete seats and replaced with stadium seating, installing a level roof and a second tier of stadium seating. If updated, the SunBowl can be used for many things. He showed a picture of what he would like to see.

Mayor Pro Tem Almquist introduced Alisha Burton with the Arts Commission.

Alisha Burton introduced the Arts Commission members who were present. She then presented checks to grant recipients.

Councilmember Arial mentioned that they had a tremendous amount of requests for grants. It is nice to see how alive and well the arts are in the City. She provided an update on the Electric Theater grand opening.

Councilmember Bowcutt clarified that over the years, many bleachers have been brought into the SunBowl and rodeo attendance numbers have not declined. He mentioned an article in the National Lions magazine about the St. George Lions, Dixie Round Up Rodeo and the building of the SunBowl.

FINANCIAL REPORT:

Consider approval of the financial report for July, 2015.

City Manager Gary Esplin explained that there is not much to report as this is the first month in the new fiscal year.

MOTION: A motion was made by Councilmember Randall to approve the financial report for July 2015.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote

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 Cobra Head LED light structures and photo cells.

City Manager Gary Esplin explained this is a purchase made every fiscal year.

Purchasing Manager Connie Hood advised Electrical Wholesale Supply was the low bidder at \$156,740 for 400 each of the light structures and photo cells.

MOTION: A motion was made by Councilmember Randall to award the bid to Electrical Wholesale Supply for the Cobra Head LED lights in the amount of \$156,740.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote

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 two (2) 2015 1/2 ton pickup trucks for Energy Services.

City Manager Gary Esplin explained that St. George Ford is the low bidder at \$58,406 for both trucks and that the funds are included in the current budget.

MOTION: A motion was made by Councilmember Arial to award the bid to St. George Ford for the two vehicles in the amount of \$58,406.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote
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 annual purchase of bulk fuel.

City Manager Gary Esplin explained this is the annual purchase of bulk fuel at \$1,500,000. He reviewed the actual cost to the City for specific types of fuel, which are less than last year. It is recommended to award the bid to Overland Petroleum.

Purchasing Manager Connie Hood advised that the amount is an estimated cost based upon usage in the prior year.

MOTION: A motion was made by Councilmember Randall to award the bid for the bulk fuel from Overland Petroleum in the amount of \$1,500,000.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote
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 2015 slurry seal project.

City Manager Gary Esplin explained this is for the annual slurry seal project as part of the overall pavement management program. The apparent low bidder is M&M Asphalt Services.

Purchasing Manager Connie Hood advised three bids were received; the low bid submitted by M&M Asphalt Services was \$160,520.

City Manager Gary Esplin commented that the bid was 25% less than last year.

MOTION: A motion was made by Councilmember Arial to award the bid to M&M Asphalt Services for the 2015 slurry seal project in the amount of \$160,520.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote

Councilmember Randall – aye

Councilmember Bowcutt – aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.

City Manager Gary Esplin commented that the agenda packet shows which streets will be sealed. He will have staff put the information on the City's website.

AWARD OF BID:

Consider award of bid for the 2015 asphalt repair project.

Purchasing Manager Connie Hood advised three bids were received; Western Rock was the low bidder at \$305,860.

City Manager Gary Esplin noted that the list of projects is included in the agenda packet.

MOTION: A motion was made by Councilmember Arial to award the bid to Western Rock Products for the 2015 asphalt repair project in the amount of \$305,860.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote

Councilmember Randall – aye

Councilmember Bowcutt – aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.

City Manager Gary Esplin explained that every street is evaluated and ranked based on their need.

AWARD OF BID:

Consider award of bid for the design and construction management for the Riverside Drive/Lizzy Lane Outfall Line project.

City Manager Gary Esplin explained that agreement this allows to connect and get more capacity in the regional outfall line to the Regional Wastewater Treatment Plan; it is included in the current budget. It is recommended that Alpha Engineering be awarded the contract.

Purchasing Manager Connie Hood advised that the amount of the contract is \$104,173.

Mayor Pro Tem Almquist asked if they can use the same topographic work as was used in the major regional outfall line.

Water Services Director Scott Taylor explained the engineers will go there and spot check.

City Manager Gary Esplin stated this regional project is anticipated to be \$1.2 million.

MOTION: A motion was made by Councilmember Randall to approve the professional services agreement with Alpha Engineering for the design and construction management for the Riverside Drive/Lizzy Lane Outfall Line project in the amount of \$104,173.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote
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 Ledges Well #1 equipment replacement.

City Manager Gary Esplin explained this is for improvements at the Ledges Well. Over the last couple of years, there have been issues with keeping the motors and pumps running. Staff decided to go with a different program, replacing the submersible pump and motor with a vertical line shaft pump and motor.

Purchasing Manager Connie Hood advised the low bidder was Gardner Brothers Drilling at \$135,132.12; the three bids received were close.

MOTION: A motion was made by Councilmember Bowcutt to award the bid to Gardner Brothers Drilling for the Ledges Well #1 equipment replacement in the amount of \$135,132.12.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote
Councilmember Randall – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

FEE WAIVER:

Consider approval of fee waivers for the special event permit and for the use of the Town Square west parking lot for the 1st Responders Car Show. Darren Nuttall, applicant.

Darren Nuttall, applicant, introduced Bonnie Webb and Kyle Bringhurst. They have come together to put hold a first responders appreciation car show and an all abilities walk. The event will be held in the Town Square west parking lot. He explained that this event is a fundraiser for Project Lifesaver; he then explained the Project Lifesaver program. Approximately 200 classic cars will be on display.

Ms. Webb, the President of Southern Utah Autism Support Group, explained the all abilities walk will take place at Town Square. The walk will be on Halloween beginning at 10:00 a.m. She mentioned that her four children are autistic, two of them wander. The bracelets are made so they are not easily removed.

City Manager Gary Esplin stated that the City is a partial sponsor; therefore, the event can be advertised on the digital boards on Bluff Street and by the hospital as well as through a link on the City's website. He explained that the All Abilities Park will be secure to prevent those with special abilities from wandering away from the park.

MOTION: A motion was made by Councilmember Randall to approve the fee waivers for the special event permit and for the use of the Town Square parking lot for the 1st Responders Car Show and all abilities walk.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote
Councilmember Randall – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

FEE WAIVER:

Consider approval of fee waivers for the special event permit and for the use of Cottonwood Cove Park for the Utah Foster Care Fall BBQ event. KC Clark, applicant.

City Manager Gary Esplin noted staff concerns which include the applicant obtaining approval from the Health Department and vehicular traffic on the trail.

KC Clark, applicant, explained this event is a BBQ to honor licensed foster families. She spoke with Robert Beers with the Health Department; they will not need a permit. Additionally, they are aware that they are to park in the parking lot and walk on the trail to reach the pavilion.

Councilmember Arial left the meeting.

MOTION: A motion was made by Councilmember Randall to approve the fee waivers for the special event permit and for the use of Cottonwood Cove Park for the Utah Foster Care Fall BBQ.

SECOND: The motion was seconded by Councilmember Bowcutt.

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

Councilmember Almquist – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried

FEE WAIVER/USE OF ANDRUS HOME:

Consider approval of a special event permit fee waiver, a fee waiver of the use of Town Square, to use the Andrus Home for artist green room services and for the use of the City's platform stage for the Live United LIVE 2015 Music Festival. Jeffrey Hall, applicant.

City Manager Gary Esplin outlined the request.

Rebekah Pectol, with United Way, stated that 100% of the funding that United Way earns goes right back to 17 local non-profit organizations. She introduced Dan Drown, Chairperson for the United Way Board of Directors, and outlined the event which will take place on October 10, 2015 at Town Square. They are requesting a special permit fee waiver, a fee waiver for the use of Town Square, to use the Andrus Home for the artist green room services and to use the City's smaller platform stage.

Mr. Drown added that they will be giving away a VW convertible bug this year.

MOTION: A motion was made by Councilmember Randall to approve the special permit fee waiver, a fee waiver for the use of Town Square, a fee waiver for the use the Andrus Home and to use the City's platform stage.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

FEE WAIVER:

Consider approval of a fee waiver for the use of the Social Hall for the St. George Musical Theater fundraising event. St. George Musical Theater, applicant.

City Manager Gary Esplin stated that the St. George Musical Theater has requested a fee waiver for the use the Social Hall for a fundraising event.

Councilmember Randall stated the event will take place on November 7, 2015. The dinner will be held at the Social Hall followed by a performance at the Opera House.

MOTION: A motion was made by Councilmember Bowcutt to approve the fee waiver for the use of the Social Hall on November 7, 2015 for the St. George Musical Theater fundraising event.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

SET PUBLIC HEARING:

Planning & Zoning Manager John Willis stated that the Planning Commission at its meeting held on August 25, 2015 recommended to set public hearings for September 24, 2015 to consider the following: 1) A general plan amendment from Employment and Medium Density Residential to Medium High Density Residential on approximately 51.95 acres generally located at approximately 1280 West and 4700 South; and 2) A zone change amendment to allow the use of a small commercial showroom for a pottery sales business and to continue the use of two (2) existing residences on property located at 95 South 200 East.

MOTION: A motion was made by Councilmember Randall to set the public hearings for September 24, 2015.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

FINAL PLAT:

Assistant Public Works Director Wes Jenkins presented the final plat for Escapes at the Ledges Phase 6, a 12-lot residential subdivision located at approximately 1600 West 4950 North; zoning is PD-R. This is the last phase and becomes the amenity area.

MOTION: A motion was made by Councilmember Bowcutt to approve the final plat for Escapes at the Ledges Phase 6.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

FINAL PLAT AMENDMENT:

Assistant Public Works Director Wes Jenkins presented the final plat amendment for Escapes at the Ledges Phase 1 Amended, a 31-lot amended residential subdivision located at approximately 2055 West 2600 North; zoning is RD-R. The purpose of the amendment is to amend lots 106 – 108, 112, 119, 123, 126, 130 and 131. Lots 106, 112, 120, 123, 126 and 131 were increased in size to accommodate a larger building footprint and the others were adjusted to account for that.

MOTION: A motion was made by Councilmember Randall to approve the final plat amendment for Escapes at the Ledges Phase 1 Amended.

SECOND: The motion was seconded by Councilmember

VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

FINAL PLAT AMENDMENT:

Assistant Public Works Director Wes Jenkins presented the final plat amendment for Escapes at the Ledges Phase 2 Amended, a 21-lot amended residential subdivision located at Caledonia Dunes Drive and Escapes Drive; zoning is RD-R. The purpose of the amendment is to amend lots 204 – 208, 212 and 219. Lots 204, 205, 212 and 219 were increased in size to accommodate a larger building footprint.

MOTION: A motion was made by Councilmember Almquist to approve the final plat amendment for Escapes at the Ledges Phase 2 Amended.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

FINAL PLAT AMENDMENT:

Assistant Public Works Director Wes Jenkins presented the final plat amendment for Villa Highlands at Hidden Valley Phase 1 Amended, a 15-unit residential amended subdivision located at London Lane and Athens Drive; zoning is PD-R. The purpose of the amendment is to enlarge the private ownership areas of units 1- 4, 14 and 15.

MOTION: A motion was made by Councilmember Bowcutt to approve the final plat amendment for Villa Highlands at Hidden Valley Phase 1 Amended.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Assistant Public Works Director Wes Jenkins presented the preliminary plat for Sienna Park Condominiums at Stone Bridge, a 60-lot residential subdivision development located at 271 North Country Lane; zoning is PD-R. These lots are in addition to the ten that have already been developed in Stone Bridge. In 2005, it was approved subject to the first unit adjacent to Country Lane and a maintenance easement agreement. Per the agreement, they were allowed to reduce the setback on some of the units.

City Manager Gary Esplin noted there is a tee on number 6 at Black Rock. The setback is a lot more than 20 feet from the golf course. When the first development occurred, the developer was granted the right to reduce the setback and deed the lava to the City since the City did not want to disturb the lava along the edge. They do not need the setback reduction on the other lots, only the ones by the tees.

Mayor Pro Tem explained that he was on the Planning Commission at the time and he remembers it the same as City Manager Gary Esplin.

- MOTION:** A motion was made by Councilmember Randall to approve the preliminary plat for Sienna Park Condominiums at Stone Bridge.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

MEMORANDUM OF UNDERSTANDING:

Consider approval of a memorandum of understanding for the Washington County Drug Task Force.

City Manager Gary Esplin explained this is an agreement that allows the City to sign an interlocal agreement for the Washington County Drug Task Force as has been done in the past.

Chief Stratton explained that this agreement is with the St. George Police Department and the Drug Task Force.

- MOTION:** A motion was made by Councilmember Bowcutt to approve the Mayor to sign the Drug Task Force MOU.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

MINUTES:

Consider approval of the minutes from the regular meeting held on July 9, 2015.

Councilmember Bowcutt mentioned that in this meeting, the Council suggested tabling the food services proposal for the airport and submitting an RFP to see if there are any other interested. He asked if the RFP has been done.

City Manager Gary Esplin explained that there are no funds available in the current budget; however, if monies are found, an RFP would be submitted.

- MOTION:** A motion was made by Councilmember Almquist to approve the minutes for July 9, 2015.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

MINUTES:

Consider approval of the minutes from the meeting held on July 16, 2015.

MOTION: A motion was made by Councilmember Randall to approve the minutes from July 16, 2015.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

Mayor Pro Tem Almquist called for a short recess.

Mayor Pike returned. He mentioned that he attended a ribbon cutting for Tonaquit Networks at Shadow Mountain Park.

PUBLIC HEARING/AMEND CITY CODE/ORDINANCE:

Public hearing to consider amending Title 9, Chapter 13 of City Code pertaining to off premises signs.

Planning & Zoning Manager John Willis stated this has been discussed at previous Council meetings. Since then, staff has worked with sign companies to address their concerns. He presented a PowerPoint presentation outlining some of the proposed amendments; potential structure color options; photos of different billboards throughout the City; and potential colors.

Councilmember Almquist noted that the options for potential structure colors are all dark; he noted that having a lighter option may be a good idea.

The Council agreed to add Pantone 465 to the potential structure colors suggested by staff.

Councilmember Bowcutt inquired about the 5-member review board as shown on line 794.

Mr. Willis explained that the sign review board is in place; however, there have not been any meetings. He is not sure who is on the board.

Councilmember Bowcutt suggested a board member be a representative from the sign industry.

Mayor Pike opened the public hearing.

Ray Draper with Young Electric Sign Company asked that the Council approve what has been proposed. Currently, they are limited with billboard space; the proposed ordinance will give them additional space to install signs.

Ed Baca, citizen, inquired if the proposed ordinance will impact the University or DXATC signs with regards to toning down the brightness.

City Manager Gary Esplin explained that the DXATC will not have a sign and the Dixie State University sign will have to be looked at as he does not know if it will meet the proposed standards. Additional signs will have to be discussed at a later time as it was not listed on the agenda. He stated that staff supports the proposed amendments as presented.

Mike Helm with YESCO Outdoor thanked the City for their working with them. He explained the distance requirements and how the lights illuminate.

Deputy City Attorney Paula Houston explained that with regards to lighting, staff looked at percentages; however, it was easier to create a box for the sign view area.

Mayor Pike closed the public hearing.

MOTION: A motion was made by Councilmember Almquist to approve the amendments to Title 9, Chapter 13 of City Code pertaining to off premises signs as Mr. Willis has presented.

SECOND: The motion was seconded by Councilmember Bowcutt.

Councilmember Bowcutt commented that there are other areas of the sign ordinance that need to be addressed quickly.

Councilmember Randall noted that previous and present Council's have different views on signs. She suggested discussing other possible changes at a work meeting.

City Manager Gary Esplin explained that the past Council did not dislike signs. Caution needs to be taken when looking at the rest of the ordinance. He asked that the Council give staff specific changes they would like to see.

Deputy City Attorney Paula Houston commented that staff is researching the Supreme Court ruling to see how it affects the current ordinance or changes that may be made. Discussions will take place at the ULCT conference later this month; staff will return with some ideas. Staff has worked with several entities on this proposed amendment to see how they address signs.

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

Councilmember Almquist – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried

REPORTS FROM MAYOR, COUNCILMEMBERS AND CITY MANAGER:
No reports were given.

ADJOURN TO CLOSED SESSION:

MOTION: A motion was made by Councilmember Almquist to adjourn to a closed session to discuss possible property sales.

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

The vote was unanimous and the motion carried.

ADJOURN:

MOTION: A motion was made by Councilmember Almquist to adjourn.

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

The vote was unanimous and the motion carried.