

DIXIE REGIONAL MEDICAL CENTER



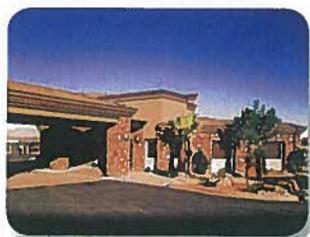
Dixie Regional Medical Center — River Road Campus



Dixie Regional Medical Center — 400 East Campus



Jubilee Home I
(400 East Campus)



Jubilee Home II
(River Road Campus)

Dixie Regional Medical Center Statistics

| | 2013 | 2014 |
|----------------------|--------------|--------------|
| Total Admissions | 19,350 | 21,080 |
| Inpatient Surgeries | 4,347 | 4,721 |
| Outpatient Surgeries | 7,821 | 8,316 |
| ER Visits | 43,321 | 45,716 |
| Births | 2,249 | 2,390 |
| Lab Tests | 938,195 | 1,026,779 |
| Imaging Procedures | 126,946 | 138,480 |
| Turnover Rate | 13.5% | 13.2% |
| New Employees Hired | 348 | 526 |
| Total Employees | 2,032* | 2131 |
| New Physicians | 28 | 22 |
| Total Physicians | 280 | 288 |
| Volunteer Hours | 36,455 | 29,548 |
| Total Volunteers | 310 | 243 |
| Total Charity Care | \$22,926,307 | \$35,284,619 |

* Some additional employees have transitioned to receive pay through the central office. They are no longer accounted for in these numbers although they still work locally.



Dixie Regional Medical Center Leadership



Terri Kane

*Vice President Southwest Region
Dixie Regional CEO / Administrator*



Brian Chadaz
*Foundation
Board Chairman*



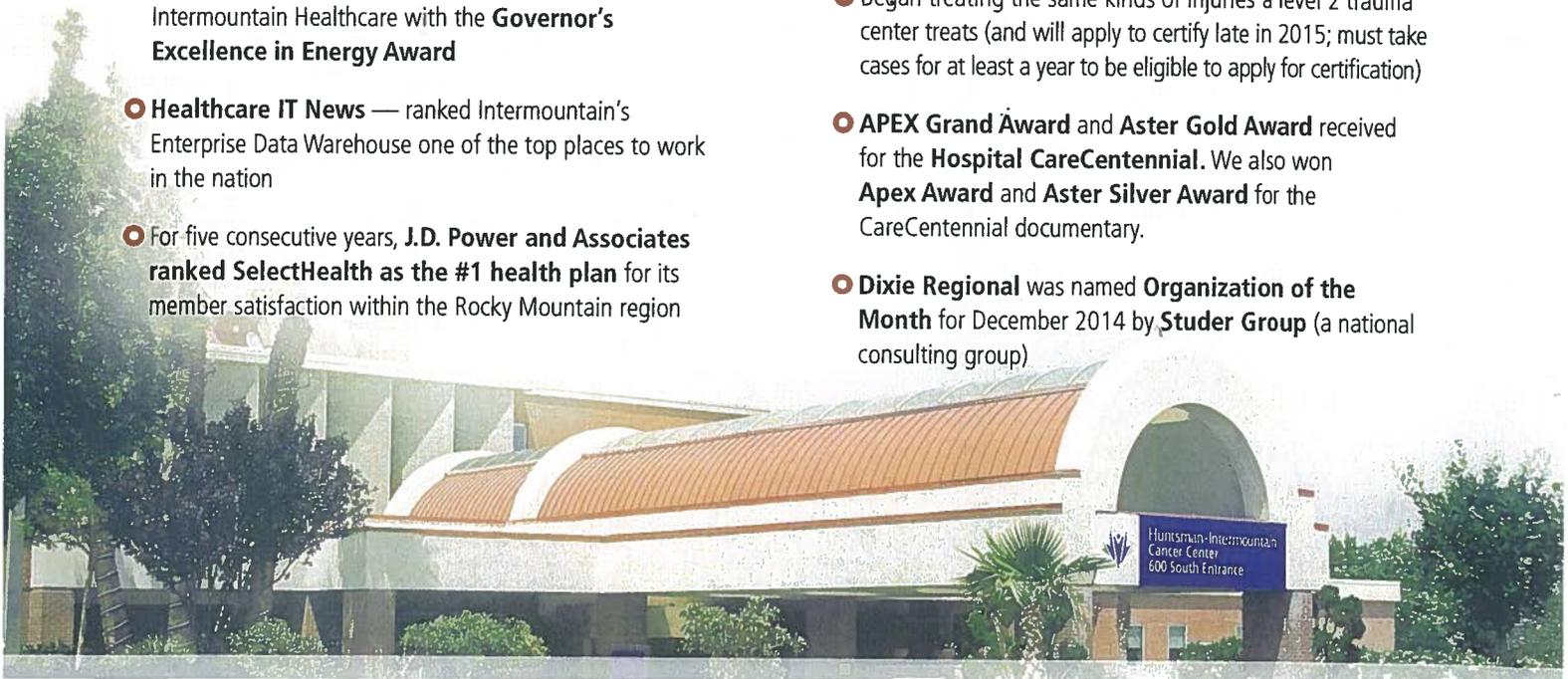
Steven G. Caplin
*Governing
Board Chairman*

Intermountain Healthcare Recognitions

- **Becker's Hospital Review** — listed Intermountain as one of 100 Great Places to Work (the only Utah organization to make the list)
- **Gartner — Healthcare Supply Chain Top 25** (ranked number 3)
- **Information Week** named Intermountain to their **Elite 100**
- **Most Wired** — Intermountain was named on the 2014 Health Care's Most Wired Hospital list
- The Utah Office of Energy Development honored Intermountain Healthcare with the **Governor's Excellence in Energy Award**
- **Healthcare IT News** — ranked Intermountain's Enterprise Data Warehouse one of the top places to work in the nation
- For five consecutive years, **J.D. Power and Associates** ranked **SelectHealth** as the **#1 health plan** for its member satisfaction within the Rocky Mountain region

Dixie Regional Medical Center 2014 Awards and Recognitions

- **Joint Commission** — recertified our total knee program
- **Health Insight** — presented Dixie Regional with their **Quality Award**
- **Women's Choice** named Dixie one of **America's 100 best Hospitals for Patient Experience** and also recognized excellence in **cancer care, orthopedics and obstetrics**
- **Becker's Hospital Review** — 100 Best Hospitals for Patient Engagement (ranked #29) and ranked #17 in the nation on their list of heart failure readmission rates
- **Utah Business** — named **Terri Kane** to their list of **Healthcare Heroes — Quiet Champions of Hope 2014**
- **Dixie State University** — awarded Dixie the **Community Partnership Award** and **Terri Kane the Citizen of Distinction Award**
- **iVantage** — named Dixie a **Healthstrong Hospital**
- **American Heart Association** presented **Get with the Guidelines Gold Plus Awards** to Dixie for heart and stroke care
- **Joint Commission** named Dixie a **Primary Stroke Center**
- **Soliant Health** named Dixie #11 in the **Top 20 Most Beautiful Hospitals**
- **Intermountain Cancer Genomics** (based at Dixie) is an international leader in genomic sequencing
- Partnered with the **Washington County School District** and **Family Healthcare** to provide funding for a new school-based clinic at the Hurricane Middle School
- Began treating the same kinds of injuries a level 2 trauma center treats (and will apply to certify late in 2015; must take cases for at least a year to be eligible to apply for certification)
- **APEX Grand Award** and **Aster Gold Award** received for the **Hospital CareCentennial**. We also won **Apex Award** and **Aster Silver Award** for the CareCentennial documentary.
- **Dixie Regional** was named **Organization of the Month** for December 2014 by **Studer Group** (a national consulting group)



DRAFT

Agenda Item Number : **1B**

Request For Council Action

Date Submitted 2015-09-22 11:47:11
Applicant City of St. George
Quick Title August 2015 Financial Report
Subject Financial Report for the two months ended August 31, 2015.
Discussion
Cost \$0.00
City Manager Recommendation Only second month of budget year so no red flags at this point of the budget year.
Action Taken
Requested by Deanna Brklacich
File Attachments [AUGUST 2015.pdf](#)

Approved by Legal Department?

Approved in Budget? Amount:

Additional Comments

Attachments [AUGUST 2015.pdf](#)



MONTHLY FINANCIAL REPORT

TWO MONTHS ENDED

AUGUST 31, 2015

CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORT
TWO MONTHS ENDED AUGUST 31, 2015

ADMINISTRATIVE DIRECTOR'S COMMENTS:

The attached report represents activity in the various city funds for the TWO months ended August 31, 2015. This period represents 16.67% of the fiscal year.

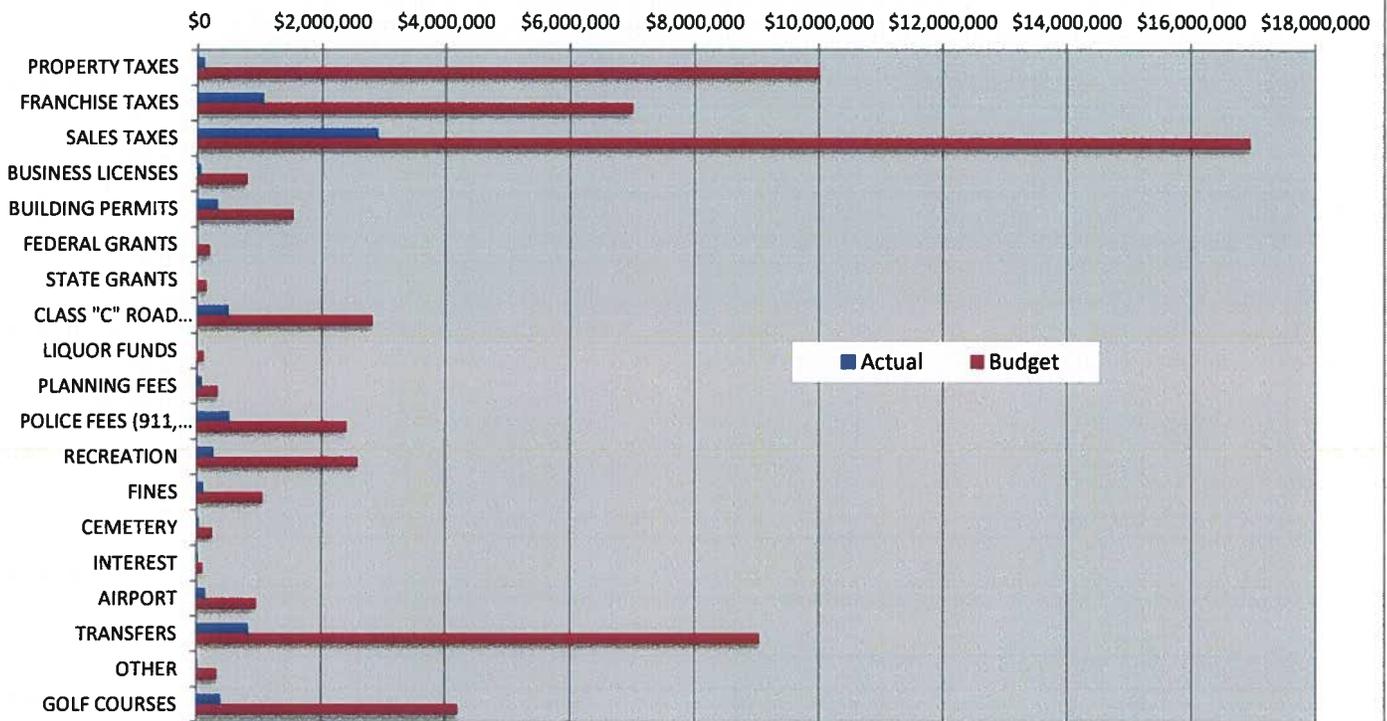
As you can see in reviewing the General Fund revenues and expenditures, each of the golf courses in the general fund is now shown separately.

- 1) General Fund revenues are at 11.9% of budget. The predominant revenues affecting the overall revenue percentage are Current Property Taxes, Fees Assessed (Personal Property Taxes) and Delinquent Taxes (Property Taxes) which typically are not received until December, January, and June. As such, the total actual revenue percentage will tend to lag the percentage of the year completed until these revenues are received.
- 2) Overall General Fund revenues are up 3.56% over the prior fiscal year. Sales taxes are up 6.67% over last year and franchise taxes are down 5.5%. Golf revenues are up 8.4% and now both comparison years should include the snack bars and merchandise sales at the various courses whereas in previous years these were operated by the golf professionals.
- 3) The attached general fund revenue schedule is good to give you a quick review of how revenues are trending in comparison with the budget.
- 4) General Fund expenditures are at 11.54% of budget for the year to date. Where we have completed 16.67% of the fiscal year on the time horizon, as compared to expenditures at 11.54% of the budget, we are continuing to do a good job of spending within the budget.
- 5) The revenue comparison schedule attached to this report does show a mixed bag as some fund revenues are up in comparison to prior years, while others are down.
- 6) The City Treasurer's July 2015 deposit and investment reports are attached.

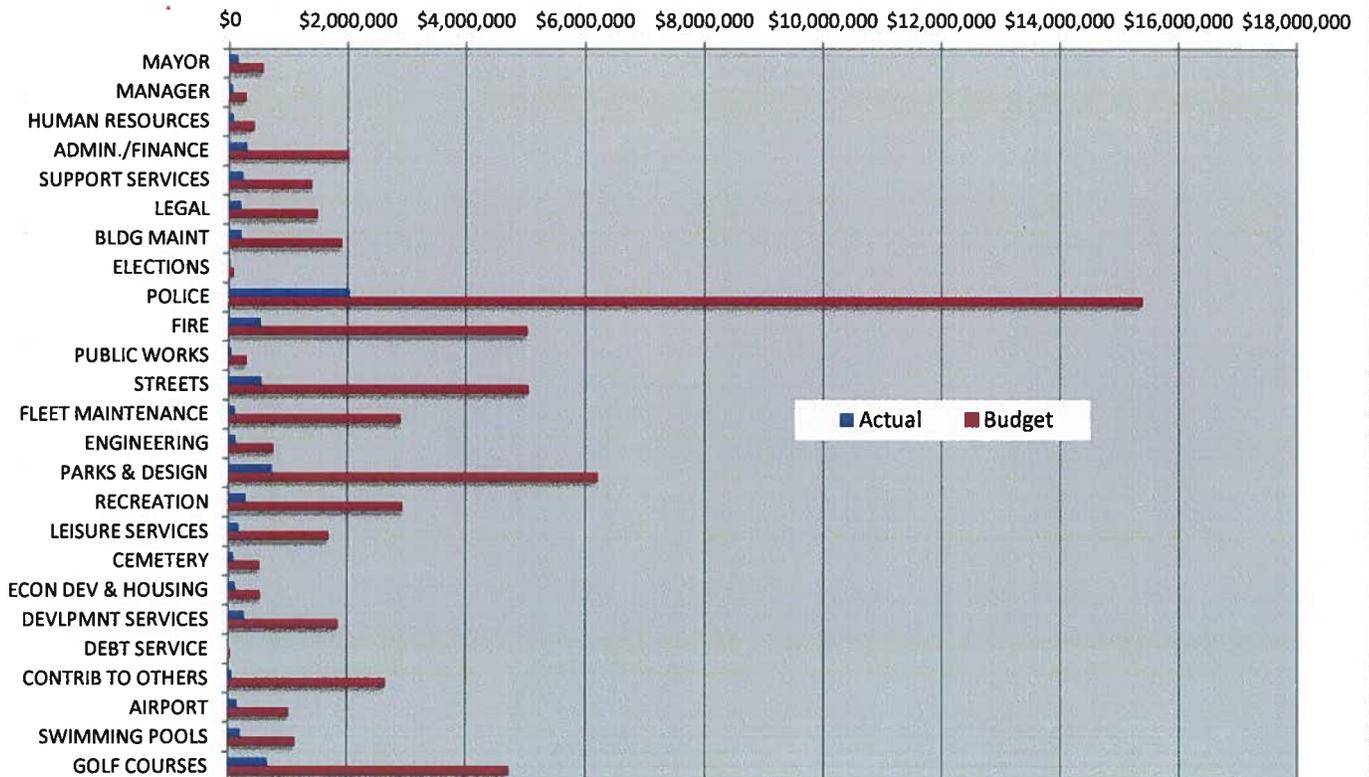
If there are any questions, comments, or concerns, please feel free to contact me at any time at either deanna.brklacich@sgcity.org or at 627-4004.

CITY OF ST. GEORGE, UT
 MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
 8/31/2015

GENERAL FUND REVENUES

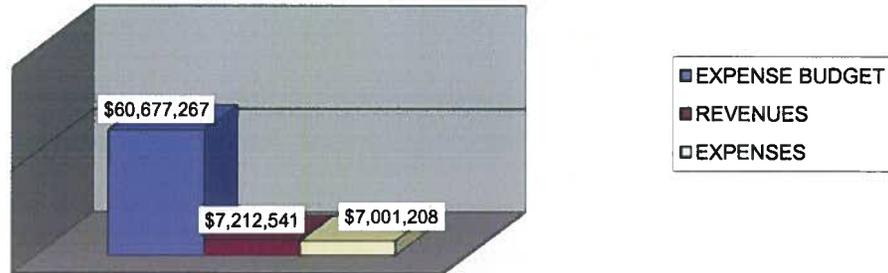


GENERAL FUND EXPENDITURES

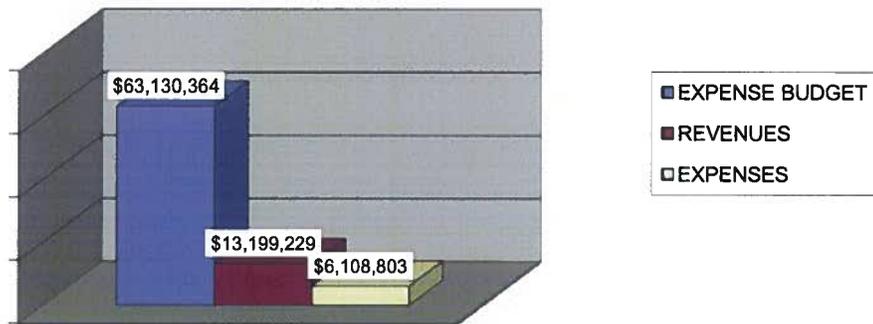


CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
8/31/2015

GENERAL FUND

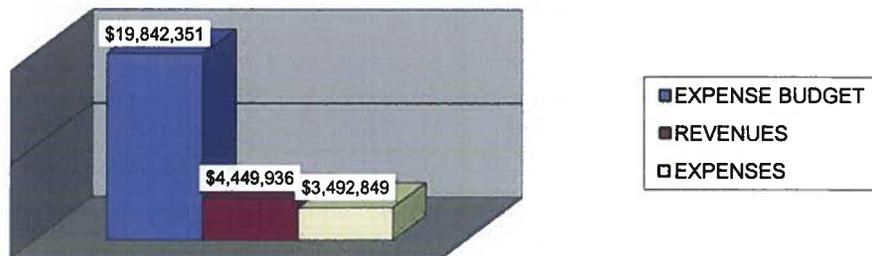


ELECTRIC UTILITY



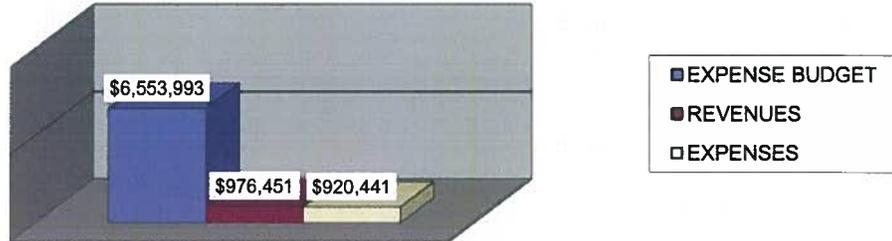
Note: Invoices for power purchases have a one-month lag and therefore expenses are generally understated in comparison to revenues.

WATER UTILITY

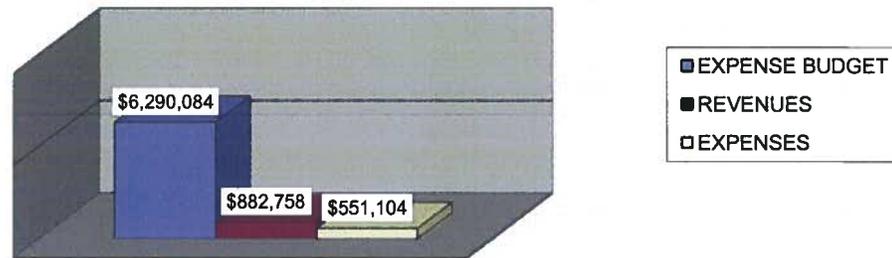


CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
8/31/2015

WASTEWATER COLLECTION (includes impact)

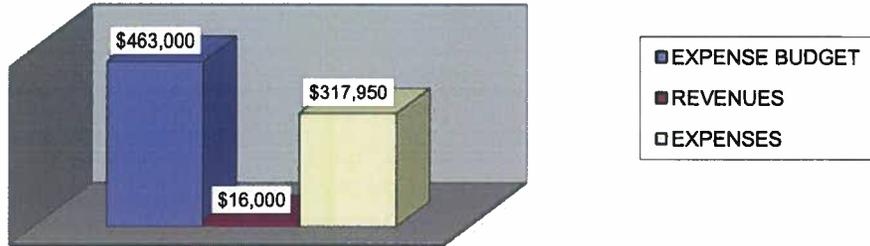


WASTEWATER TREATMENT (includes impact)

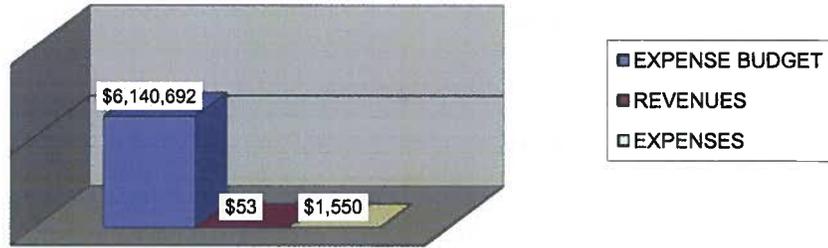


CITY OF ST. GEORGE, UT
 MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
 8/31/2015

CDBG BLOCK GRANT FUND

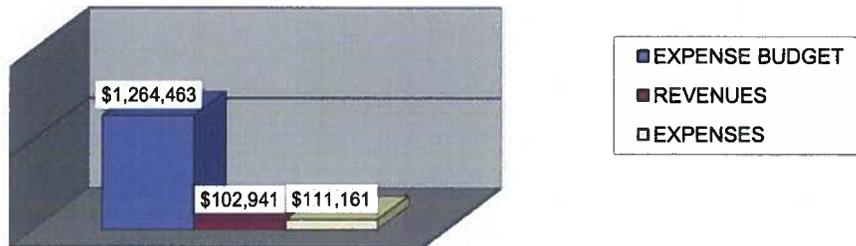


SALES TAX BOND CAP. PROJECT FUND



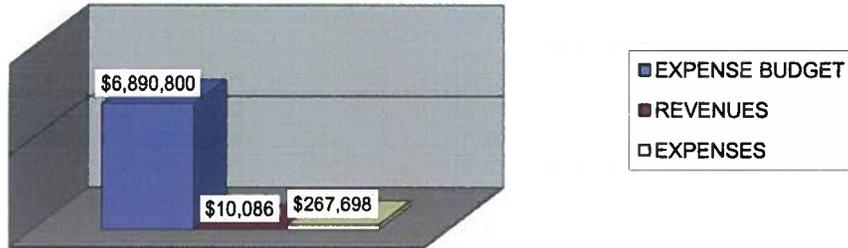
NOTE: Revenues are derived from year-end transfers from other City funds which received a portion of the bond proceeds and therefore participate in making the annual debt services payments.

DIXIE CENTER OPERATIONS

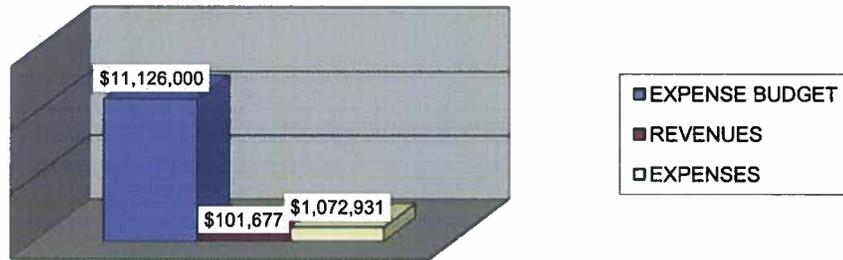


CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
8/31/2015

CAPITAL EQUIPMENT FUND

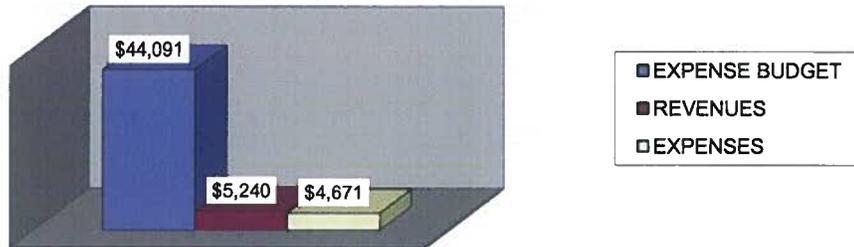


PUBLIC WORKS CAP. PROJ. FUND



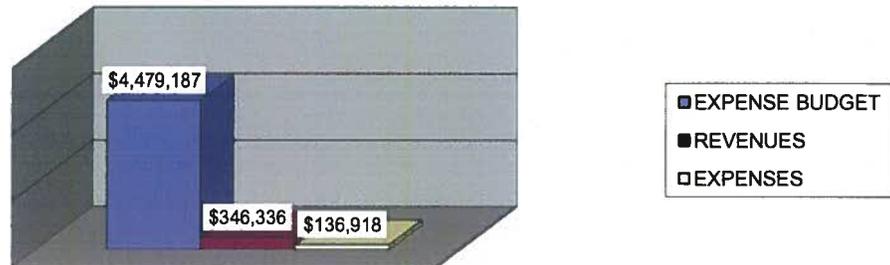
NOTE: Most of the Revenues are derived from year-end transfers from other City funds who collectively participate in funding each project (i.e. Transportation Fund, Street Impact, Drainage Impact, etc.)

REPLACEMENT AIRPORT FUND



CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
8/31/2015

PARK IMPACT FUND

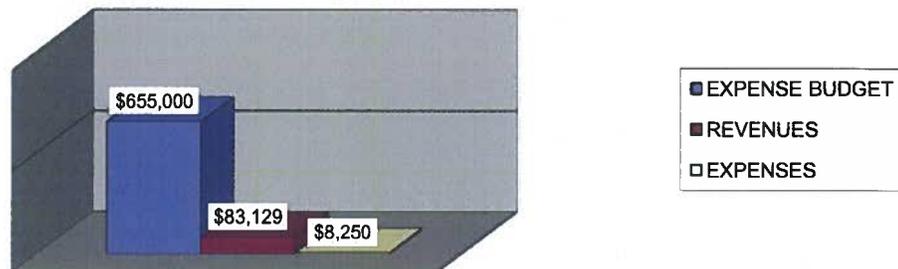


STREET IMPACT FUND



NOTE: Most of the budgeted Expenditures are in the form of a year-end transfer to the Public Works Capital Project Fund (PWCPF) based upon each project's actual costs in the PWCPF.

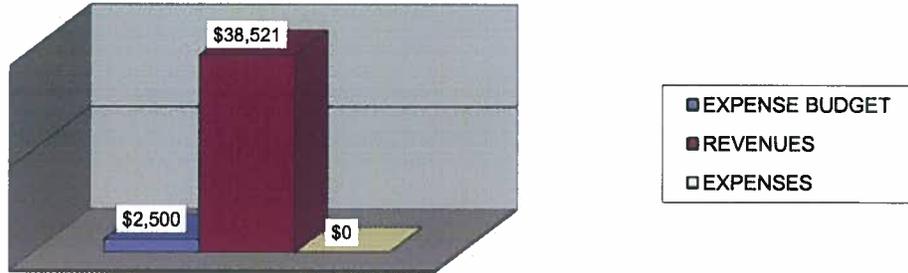
DRAINAGE IMPACT FUND



NOTE: Most of the budgeted Expenditures are in the form of a year-end transfer to the Public Works Capital Project Fund (PWCPF) based upon each project's actual costs in the PWCPF.

CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
8/31/2015

FIRE IMPACT FUND

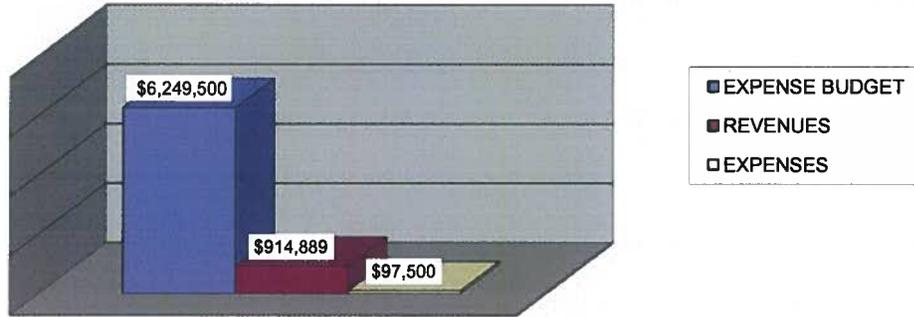


POLICE IMPACT FUND



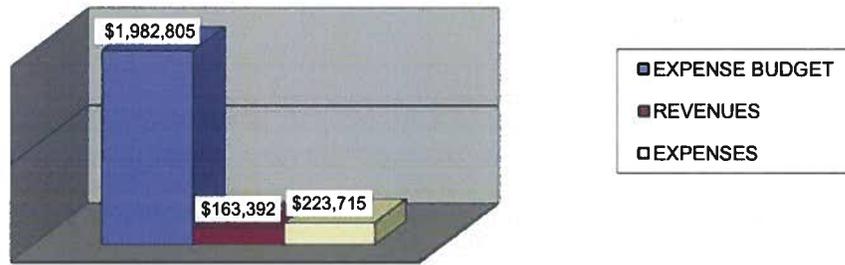
CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
8/31/2015

TRANSPORTATION IMPRV. FUND

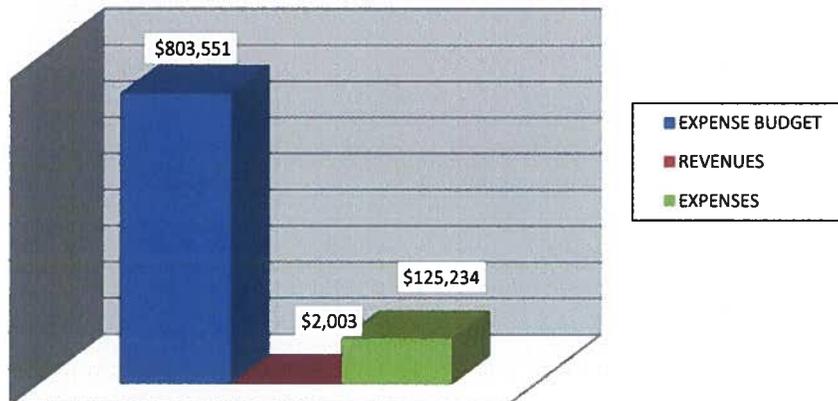


NOTE: Most of the budgeted Expenditures are in the form of a year-end transfer to the Public Works Capital Project Fund (PWCPF) based upon each project's actual costs in the PWCPF.

SUNTRAN TRANSIT FUND



SWITCHPOINT RESOURCE CENTER



CITY OF ST. GEORGE, UT
 GENERAL FUND REVENUES
 TWO MONTHS ENDED AUGUST 31, 2015

16.67% OF THE BUDGET YEAR

| REVENUE SOURCE | ADJUSTED BUDGET | ACTUAL THRU AUG. 31, 2015 | PCT RECEIVED |
|---------------------------------|----------------------------|--------------------------------------|-------------------------|
| CURRENT PROPERTY TAXES | 8,350,000.00 | -1,676.87 | -0.02% |
| FEES ASSESSED | 1,300,000.00 | 78,470.42 | 6.04% |
| FRANCHISE TAXES | 7,000,000.00 | 1,048,730.99 | 14.98% |
| DELINQUENT TAXES | 350,000.00 | 20,763.52 | 5.93% |
| GENERAL SALES TAXES | 16,950,000.00 | 2,889,918.46 | 17.05% |
| BUSINESS LICENSES | 600,000.00 | 12,230.00 | 2.04% |
| LICENSE FEES - RENTAL ORDINANCE | 180,000.00 | 33,410.00 | 18.56% |
| ELECTION FILING FEES | 0.00 | 0.00 | #DIV/0! |
| TRUCK-N-GO PERMITS | 4,500.00 | 960.00 | 21.33% |
| BUILDING PERMITS | 1,500,000.00 | 312,067.48 | 20.80% |
| DOG LICENSES | 32,000.00 | 930.00 | 2.91% |
| FEDERAL GRANTS | 194,000.00 | 0.00 | 0.00% |
| STATE GRANTS | 140,000.00 | 0.00 | 0.00% |
| CLASS C ROAD ALLOTTMENT | 2,810,000.00 | 489,723.68 | 17.43% |
| LIQUOR FUND ALLOTTMENT | 104,000.00 | 0.00 | 0.00% |
| RESOURCE OFFICER CONTRIB. | 602,932.00 | 150,733.00 | 25.00% |
| PLANNING FEES | 300,000.00 | 66,092.56 | 22.03% |
| AIR QUALITY FEES | 30,000.00 | 7,028.00 | 23.43% |
| SPECIAL POLICE SERVICES | 55,000.00 | 17,102.00 | 31.09% |
| E-911 SERVICES | 960,000.00 | 159,347.84 | 16.60% |
| OTHER CITIES DISPATCH FEES | 773,198.00 | 175,646.07 | 22.72% |
| POLICE TRAINING CLASSES | 2,000.00 | 5,313.82 | 265.69% |
| MUSEUM DONATIONS | 475.00 | 73.00 | 15.37% |
| MUSEUM ADMISSION FEES | 9,000.00 | 1,228.96 | 13.66% |
| NJCAA TOURNAMENT | 0.00 | 0.00 | #DIV/0! |
| COMMUNITY ARTS BLDG RENTALS | 1,000.00 | 0.00 | 0.00% |
| OPERA HOUSE PERFORMANCES | 1,500.00 | 0.00 | 0.00% |
| ELECTRIC THEATER RENTALS | 60,400.00 | 0.00 | 0.00% |
| TRIPAK PASS SALES | 5,000.00 | 0.00 | 0.00% |
| WALKING TOUR REVENUES | 3,000.00 | 1,325.81 | 44.19% |
| SOCIAL HALL RENTALS | 20,000.00 | 2,075.00 | 10.38% |
| EXHIBITS - COLLECTIONS | 6,000.00 | 961.23 | 16.02% |
| NATURE CENTER | 58,000.00 | 2,357.25 | 4.06% |
| AQUATIC CENTER | 350,000.00 | 59,010.54 | 16.86% |
| YOUTH SPORTS | 100,000.00 | 11,040.00 | 11.04% |
| ADULT SPORTS | 50,000.00 | 4,990.00 | 9.98% |
| RACES | 300,000.00 | 16,524.40 | 5.51% |
| SOFTBALL LEAGUES | 360,000.00 | 34,810.00 | 9.67% |
| ARTS FAIR REVENUE | 40,000.00 | 0.00 | 0.00% |
| SPECIAL COMMUNITY EVENTS | 2,600.00 | 257.00 | 9.88% |
| SWIMMING POOL FEES | 116,800.00 | 39,722.10 | 34.01% |
| RECREATION FEES | 0.00 | 123.50 | #DIV/0! |

CITY OF ST. GEORGE, UT
 GENERAL FUND REVENUES
 TWO MONTHS ENDED AUGUST 31, 2015

16.67% OF THE BUDGET YEAR

| REVENUE SOURCE | ADJUSTED BUDGET | ACTUAL THRU AUG. 31, 2015 | PCT RECEIVED |
|------------------------------------|----------------------------|--------------------------------------|-------------------------|
| RECREATION CENTER FEES | 143,000.00 | 18,983.23 | 13.27% |
| OPERA HOUSE RENTALS | 12,000.00 | 0.00 | 0.00% |
| RECREATION FACILITY RENTALS | 30,000.00 | 2,210.00 | 7.37% |
| TENNIS CLASSES ETC. | 120,000.00 | 18,118.00 | 15.10% |
| MARATHON REVENUES | 759,700.00 | 39,805.00 | 5.24% |
| ST GEORGE CAROUSEL | 30,000.00 | 0.00 | 0.00% |
| CEMETERY LOT SALES | 120,000.00 | 21,445.00 | 17.87% |
| BURIAL FEES | 125,000.00 | 11,495.00 | 9.20% |
| TRAFFIC SCHOOL FEES | 45,000.00 | 6,024.60 | 13.39% |
| COURT FINES | 940,000.00 | 85,225.65 | 9.07% |
| POLICE WARRANTS | 16,000.00 | 1,100.00 | 6.88% |
| ACE PENALTIES | 35,000.00 | 5,103.00 | 14.58% |
| ACE COSTS | 10,000.00 | 1,085.00 | 10.85% |
| ACE ABATEMENTS | 0.00 | 0.00 | #DIV/0! |
| INTEREST EARNINGS | 85,000.00 | 15,429.39 | 18.15% |
| RENTS AND ROYALTIES | 30,000.00 | 0.00 | 0.00% |
| SALE OF PROPERTY | 30,000.00 | 6,151.50 | 20.51% |
| POLICE EVIDENCE IMPOUND | 2,500.00 | 179.54 | 7.18% |
| MISCELLANEOUS SUNDRY REVENUES | 75,000.00 | 1,984.63 | 2.65% |
| ORTHOGRAPHY MAPS | 500.00 | 0.00 | 0.00% |
| MISS ST GEORGE PRINCESS | 0.00 | 0.00 | #DIV/0! |
| COMPOST SALES - REUSE | 30,000.00 | 2,739.77 | 9.13% |
| ROADBASE SALES - REUSE | 2,500.00 | 0.00 | 0.00% |
| AIRPORT REVENUES | 939,562.00 | 130,669.17 | 13.91% |
| MAINTENANCE AT AIRPORT | 7,100.00 | 0.00 | 0.00% |
| CONTRIBUTIONS FROM OTHER | 100,000.00 | 0.00 | 0.00% |
| TRANSFERS FROM OTHER FUNDS | 9,038,500.00 | 822,084.18 | 9.10% |
| CONTRIBUTIONS FROM PRIVATE | 20,000.00 | 0.00 | 0.00% |
| MEDIAN LANDSCAPE FEES | 15,000.00 | 2,040.00 | 13.60% |
| ANIMAL SHELTER DONATIONS | 0.00 | 432.39 | #DIV/0! |
| ANIMAL TRAINING DONATIONS | 0.00 | 3,260.64 | #DIV/0! |
| POLICE PROJECT LIFESAVER | 0.00 | -1,110.53 | #DIV/0! |
| APPROPRIATED FUND BALANCE | | | |
| RED HILLS GOLF COURSE | 762,885.00 | 83,015.88 | 10.88% |
| GOLF ADMINISTRATION | 49,100.00 | -3,800.58 | -7.74% |
| SOUTHGATE GOLF COURSE | 1,188,575.00 | 106,045.96 | 8.92% |
| ST GEORGE GOLF CLUB | 697,240.00 | 47,162.89 | 6.76% |
| SUNBROOK GOLF COURSE | 1,496,700.00 | 144,371.93 | 9.65% |
| TOTAL GENERAL FUND REVENUES | 60,677,267.00 | 7,212,541.00 | 11.89% |

CITY OF ST. GEORGE, UT
 EXPENDITURE STATUS REPORT BY CATEGORY
 TWO MONTHS ENDED AUGUST 31, 2015

16.67% OF THE BUDGET YEAR

| GENERAL FUND | ADJUSTED BUDGET | ACTUAL THRU AUG. 31, 2015 | REMAINING BALANCE | PCT USED |
|-------------------------------------|----------------------------|--------------------------------------|------------------------------|---------------------|
| MAYOR & COUNCIL | 569,800.00 | 134,020.01 | 435,779.99 | 23.52% |
| CITY MANAGER | 270,803.00 | 46,572.62 | 224,230.38 | 17.20% |
| HUMAN RESOURCES | 412,350.00 | 62,966.31 | 349,383.69 | 15.27% |
| ADMINISTRATIVE SERVICES (FINANCE) | 2,007,015.00 | 280,809.23 | 1,726,205.77 | 13.99% |
| TECHNOLOGY SERVICES | 1,386,412.00 | 215,861.51 | 1,170,550.49 | 15.57% |
| LEGAL SERVICES | 1,298,092.00 | 168,468.29 | 1,129,623.71 | 12.98% |
| BUILDING MAINTENANCE | 1,895,754.00 | 196,700.91 | 1,699,053.09 | 10.38% |
| ELECTIONS | 69,000.00 | 10,865.03 | 58,134.97 | 15.75% |
| PLANNING COMMISSION | 12,700.00 | 1,400.00 | 11,300.00 | 11.02% |
| POLICE | 12,386,815.00 | 1,638,355.38 | 10,748,459.62 | 13.23% |
| HIDTA GRANT | 153,573.00 | 12,154.72 | 141,418.28 | 7.91% |
| POLICE DISPATCH | 2,739,282.00 | 357,195.07 | 2,382,086.93 | 13.04% |
| CCJJ GRANT | 51,500.00 | 2,705.16 | 48,794.84 | 5.25% |
| SAFG (State Asset Forfeiture Grant) | 49,860.00 | 5,778.05 | 44,081.95 | 11.59% |
| FIRE DEPARTMENT | 5,031,584.00 | 517,095.20 | 4,514,488.80 | 10.28% |
| CODE ENFORCEMENT | 182,299.00 | 17,988.08 | 164,310.92 | 9.87% |
| PUBLIC WORKS ADMINISTRATION | 289,605.00 | 22,715.03 | 266,889.97 | 7.84% |
| STREETS | 5,046,072.00 | 533,247.55 | 4,512,824.45 | 10.57% |
| FLEET MAINTENANCE | 2,892,190.00 | 88,135.27 | 2,804,054.73 | 3.05% |
| ENGINEERING | 737,188.00 | 99,664.67 | 637,523.33 | 13.52% |
| PARKS | 5,479,590.00 | 641,882.42 | 4,837,707.58 | 11.71% |
| DESIGN | 725,420.00 | 72,545.98 | 652,874.02 | 10.00% |
| NATURE CENTER & YOUTH PROGRAMS | 99,086.00 | 11,025.58 | 88,060.42 | 11.13% |
| SOFTBALL PROGRAMS | 358,685.00 | 24,350.13 | 334,334.87 | 6.79% |
| SPORTS FIELD MAINTENANCE | 623,616.00 | 51,584.80 | 572,031.20 | 8.27% |
| SPECIAL EVENTS & PROGRAMS | 319,845.00 | 35,365.43 | 284,479.57 | 11.06% |
| YOUTH SPORTS PROGRAMS | 173,351.00 | 7,652.20 | 165,698.80 | 4.41% |
| ADULT SPORTS PROGRAMS | 150,502.00 | 3,244.30 | 147,257.70 | 2.16% |
| RECREATION | 595,947.00 | 68,386.35 | 527,560.65 | 11.48% |
| EXHIBITS AND COLLECTIONS | 247,694.00 | 27,975.94 | 219,718.06 | 11.29% |
| COMMUNITY ARTS | 301,033.00 | 29,499.71 | 271,533.29 | 9.80% |
| HISTORIC OPERA HOUSE | 84,714.00 | 15,242.86 | 69,471.14 | 17.99% |
| HISTORIC COURTHOUSE | 23,200.00 | 4,503.26 | 18,696.74 | 19.41% |
| LEISURE SERVICES ADMINISTRATN | 333,030.00 | 50,047.44 | 282,982.56 | 15.03% |
| RECREATION CENTER | 600,079.00 | 77,517.09 | 522,561.91 | 12.92% |
| MARATHON | 652,142.00 | 23,388.04 | 628,753.96 | 3.59% |
| COMMUNITY CENTER | 3,300.00 | 514.79 | 2,785.21 | 15.60% |
| ELECTRIC THEATER | 29,200.00 | 0.00 | 29,200.00 | 0.00% |
| CEMETERY | 516,464.00 | 70,217.64 | 446,246.36 | 13.60% |
| ECONOMIC DEVELOPMENT & HOUSING | 527,128.00 | 99,681.30 | 427,446.70 | 18.91% |
| DEVELOPMENT SERVICES ADMIN. | 1,826,184.00 | 246,908.96 | 1,579,275.04 | 13.52% |
| DEBT SERVICE | 28,395.00 | 4,732.50 | 23,662.50 | 16.67% |
| TRANSFERS TO OTHER FUNDS | 2,648,527.00 | 44,500.00 | 2,604,027.00 | 1.68% |
| AIRPORT | 1,010,599.00 | 138,255.70 | 872,343.30 | 13.68% |
| SWIMMING POOL | 237,537.00 | 73,355.43 | 164,181.57 | 30.88% |
| SAND HOLLOW AQUATIC CENTER | 872,510.00 | 114,742.19 | 757,767.81 | 13.15% |
| RED HILLS GOLF COURSE | 615,576.00 | 81,667.79 | 533,908.21 | 13.27% |
| GOLF ADMINISTRATION | 362,665.00 | 24,741.09 | 337,923.91 | 6.82% |
| SOUTHGATE GOLF COURSE | 1,058,392.00 | 168,709.58 | 889,682.42 | 15.94% |
| ST GEORGE GOLF CLUB | 1,029,949.00 | 119,682.86 | 910,266.14 | 11.62% |
| SUNBROOK GOLF COURSE | 1,661,013.00 | 256,588.87 | 1,404,424.13 | 15.45% |
| TOTAL GENERAL FUND | 60,677,267.00 | 7,001,208.32 | 53,676,058.68 | 11.54% |

CITY OF ST. GEORGE, UT
REVENUE COMPARISONS
TWO MONTHS ENDED AUGUST 31, 2015

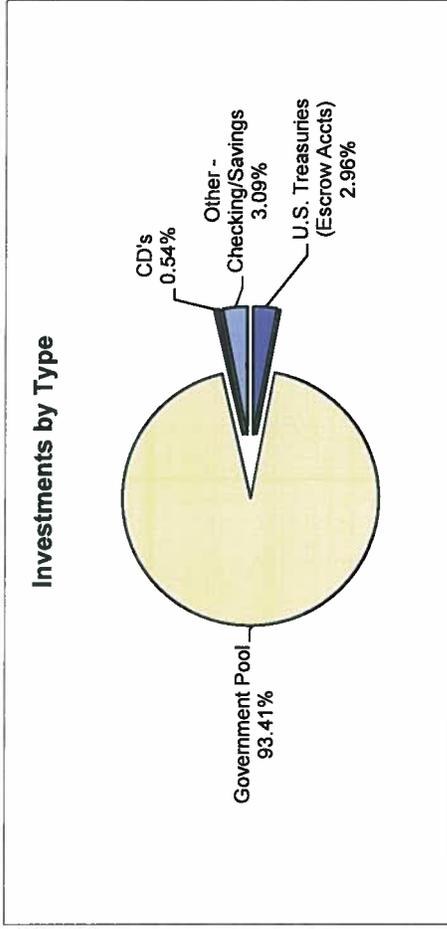
| | FYE JUNE 2016 | FYE JUNE 2015 | FY2016 as a % of FY2015 |
|---------------------------------------|------------------|------------------|----------------------------|
| GENERAL FUND: | | | |
| PROPERTY TAXES | 97,557 | 177,732 | 54.89% |
| FRANCHISE TAXES | 1,048,731 | 1,110,154 | 94.47% |
| SALES TAXES | 2,889,918 | 2,709,221 | 106.67% |
| BUSINESS LICENSES | 46,600 | 35,743 | 130.38% |
| BUILDING PERMITS | 312,997 | 251,524 | 124.44% |
| FEDERAL GRANTS | - | 2,479 | 0.00% |
| STATE GRANTS | - | 9,000 | 0.00% |
| CLASS "C" ROAD FUNDS | 489,724 | 446,751 | 109.62% |
| LIQUOR FUNDS | - | - | #DIV/0! |
| PLANNING FEES | 73,121 | 62,620 | 116.77% |
| POLICE FEES (911, ETC.) | 508,143 | 519,429 | 97.83% |
| RECREATION | 253,615 | 242,602 | 104.54% |
| FINES | 98,538 | 116,476 | 84.60% |
| CEMETERY | 32,940 | 40,828 | 80.68% |
| INTEREST | 15,429 | 5,252 | 293.81% |
| AIRPORT | 130,669 | 97,486 | 134.04% |
| TRANSFERS | 822,084 | 771,667 | 106.53% |
| OTHER | 15,678 | 18,335 | 85.51% |
| GOLF COURSES | 376,796 | 347,597 | 108.40% |
| Total General Fund | 7,212,541 | 6,964,894 | 103.56% |
| DIXIE CENTER OPERATIONS | \$102,941 | \$193,138 | 53.30% |
| CDBG BLOCK GRANT FUND | \$16,000 | \$19,476 | 82.15% |
| PARK IMPACT FUND | \$346,336 | \$386,361 | 89.64% |
| STREET IMPACT FUND | \$154,705 | \$140,800 | 109.88% |
| DRAINAGE IMPACT FUND | \$83,129 | \$64,218 | 129.45% |
| FIRE DEPT IMPACT FUND | \$38,521 | \$32,505 | 118.51% |
| POLICE DEPT IMPACT FUND | \$17,254 | \$14,985 | 115.14% |
| WATER UTILITY FUND (w/ impact fees) | \$4,449,936 | \$4,340,926 | 102.51% |
| WASTEWATER COLLECTION (w/impact fees) | \$976,451 | \$1,060,083 | 92.11% |
| ELECTRIC UTILITY (w/impact fees) | \$13,199,229 | \$12,842,230 | 102.78% |
| REGIONAL WASTEWATER (w/impact fees) | \$882,758 | \$770,057 | 114.64% |
| SUNTRAN TRANSIT FUND | \$163,392 | \$117,467 | 139.10% |
| TRANS. IMPROV. FUND | \$914,889 | \$837,593 | 109.23% |
| REPLMNT AIRPORT FUND | \$5,240 | \$0 | #DIV/0! |
| SWITCHPOINT FUND | \$2,003 | \$0 | #DIV/0! |
| RAP TAX FUND | \$95,381 | \$0 | #DIV/0! |

CITY OF ST. GEORGE, UT
MONTHLY COUNCIL REPORT
TWO MONTHS ENDED AUGUST 31, 2015

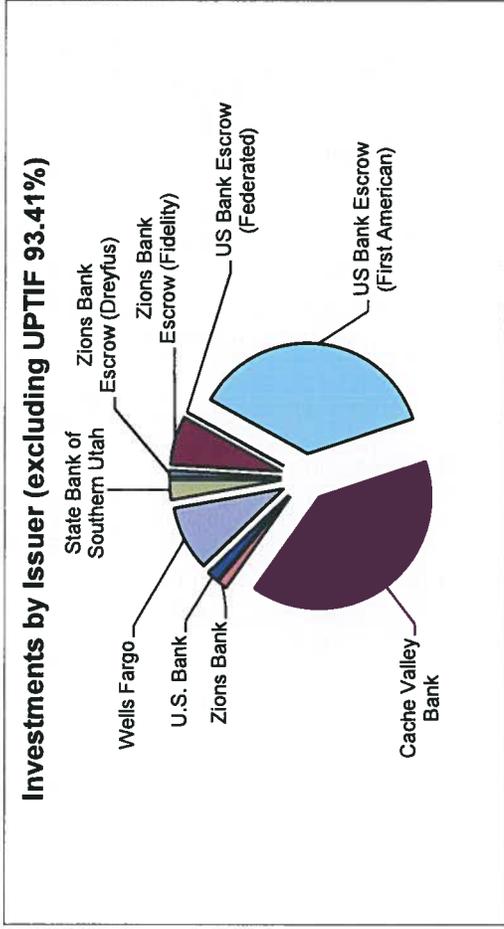
| | <u>ADJUSTED</u> <u>EXPENSE BUDGET</u> | <u>REVENUE</u> | <u>EXPENDITURES</u> | |
|---|--|----------------|---------------------|--------|
| 10 GENERAL FUND (includes Golf Courses) | \$60,677,267 | \$7,212,541 | \$7,001,208 | 11.54% |
| 53 & 83 ELECTRIC FUND (includes impact) | \$63,130,364 | \$13,199,229 | \$6,108,803 | 9.68% |
| 51 & 81 WATER FUND (includes impact) | \$19,842,351 | \$4,449,936 | \$3,492,849 | 17.60% |
| 52 & 82 WASTEWATER COLLECT (includes impact) | \$6,553,993 | \$976,451 | \$920,441 | 14.04% |
| 62 & 86 WASTEWATER TREATMNT (includes impact) | \$6,290,084 | \$882,758 | \$551,104 | 8.76% |
| 32 CDBG BLOCK GRANT FUND | \$463,000 | \$16,000 | \$317,950 | 68.67% |
| 84 SALES TAX BOND - CAPITAL PROJ FUND | \$6,140,692 | \$53 | \$1,550 | 0.03% |
| 30 DIXIE CENTER OPERATIONS | \$1,264,463 | \$102,941 | \$111,161 | 8.79% |
| 40 CAPITAL EQUIPMENT FUND | \$6,890,800 | \$10,086 | \$267,698 | 3.88% |
| 87 PUBLIC WORKS CAPITAL PROJ FUND | \$11,126,000 | \$101,677 | \$1,072,931 | 9.64% |
| 88 REPLACEMENT AIRPORT CONST. FUND | \$44,091 | \$5,240 | \$4,671 | 10.59% |
| 44 PARK IMPACT FUND | \$4,479,187 | \$346,336 | \$136,918 | 3.06% |
| 45 STREET IMPACT FUND | \$1,995,000 | \$154,705 | \$2,273 | 0.11% |
| 47 DRAINAGE IMPACT FUND | \$655,000 | \$83,129 | \$8,250 | 1.26% |
| 48 FIRE IMPACT FUND | \$2,500 | \$38,521 | \$0 | 0.00% |
| 49 POLICE IMPACT FUND | \$72,500 | \$17,254 | \$11,667 | 16.09% |
| 64 SUNTRAN TRANSIT FUND | \$ 1,982,805 | \$163,392 | \$223,715 | 11.28% |
| 27 TRANSPORTATION IMPROV FUND | \$ 6,249,500 | \$914,889 | \$97,500 | 1.56% |
| 21 SWITCHPOINT RESOURCE CENTER | \$ 803,551 | \$2,003 | \$125,234 | 15.59% |
| 80 RAP TAX FUND | \$ 1,851,000 | \$95,381 | \$194,440 | 10.50% |

City of St George
DEPOSITS AND INVESTMENTS
7/31/2015

| Portfolio Composition | Amount | Percentage |
|--------------------------------|----------------------|----------------|
| <i>Investments by Type:</i> | | |
| U.S. Treasuries (Escrow Accts) | 2,614,803.79 | 2.96% |
| Agencies | - | 0.00% |
| Government Pool | 82,597,194.07 | 93.41% |
| Mutual Funds | - | 0.00% |
| CD's | 480,489.82 | 0.54% |
| Banker Acceptance | - | 0.00% |
| Repos | - | 0.00% |
| Other - Checking/Savings | 2,731,056.65 | 3.09% |
| Total | 88,423,544.33 | 100.00% |



| | | |
|---------------------------------|----------------------|----------------|
| <i>Investments by Issuer:</i> | | |
| UPTIF (State Pool) | 82,597,194.07 | 93.41% |
| Zions Bank Escrow (Dreyfus) | 55,740.06 | 0.06% |
| Zions Bank Escrow (Fidelity) | 415,811.48 | 0.47% |
| US Bank Escrow (Federated) | 0.03 | 0.00% |
| US Bank Escrow (First American) | 2,143,252.22 | 2.42% |
| Cache Valley Bank | 2,320,746.69 | 2.62% |
| Zions Bank | 82,175.13 | 0.09% |
| U.S. Bank | 94,054.69 | 0.11% |
| Wells Fargo | 547,414.91 | 0.62% |
| State Bank of Southern Utah | 167,155.05 | 0.19% |
| Total | 88,423,544.33 | 100.00% |



Portfolios Weighted Average Maturity on 7/31/2015 64.04 days

Portfolios Weighted Average Rate on 7/31/2015 0.55%

City of St. George
DEPOSITS AND INVESTMENTS
7/31/2015

| Name of Bank | Type of Account | Rate** | Due Date or Maturity | Purchase Date | Face Amount (Bank Balance) | Average Days to Maturity* | Held at or s/k Location | Current Market Value | Investment Type | Issuer | Fund that money or investment is assigned to |
|-------------------|---|--------|-------------------------|------------------|-------------------------------|---------------------------------|-------------------------------|----------------------------|--------------------|----------------|---|
| Zion's FNB | Money Market | 0.1500 | 07/31/15 | 07/01/15 | \$ 82,175.13 | 1 | Zion's | 1.00 | Other | Zions | General |
| Wells Fargo Bank | Money Market | 0.0100 | 07/31/15 | 07/01/15 | \$ 547,414.91 | 1 | WFB | 1.00 | Other | WFB | General |
| U.S. Bank | Checking - Utilities | 0.0100 | 07/31/15 | 07/01/15 | \$ 94,054.69 | 1 | US Bank | n/a | Other | USB | General |
| St. Bank So. Ut. | Public Money Market | 0.3000 | 07/31/15 | 07/01/15 | \$ 167,155.05 | 1 | SBSU | n/a | Other | SBSU | General |
| Cache Valley Bank | T C D | 0.6500 | 03/19/16 | 03/19/15 | \$ 480,489.82 | Q | CVB | 1.00 | CD's | Cache Valley | General |
| Cache Valley Bank | Checking - General | - | 07/31/15 | 07/01/15 | \$ 1,734,741.33 | 1 | CVB | n/a | Other | Cache Valley | General |
| Cache Valley Bank | Checking - Utilities & Payroll | - | 07/31/15 | 07/01/15 | \$ - | 1 | CVB | n/a | Other | Cache Valley | General |
| Cache Valley Bank | Checking - Other | - | 07/31/15 | 07/01/15 | \$ 89.48 | 1 | CVB | n/a | Other | Cache Valley | General |
| Cache Valley Bank | Savings | 0.3000 | 07/31/15 | 07/01/15 | \$ 105,426.06 | 1 | CVB | n/a | Other | Cache Valley | General |
| State Treasurer | PTIF - 0167 General Account | 0.5791 | 07/31/15 | 07/01/15 | \$ 380,369,692.51 | 65 | UPTIF | 1.00 | Govt. Pool | UPTIF | General, Water, Elec, Swr, Self Ins |
| State Treasurer | PTIF - 0983 Performance Bond | 0.5791 | 07/31/15 | 07/01/15 | \$ 140,552.82 | 65 | UPTIF | 1.00 | Govt. Pool | UPTIF | General (Performance Bonds) |
| State Treasurer | PTIF - 2037 Community Arts | 0.5791 | 07/31/15 | 07/01/15 | \$ 15,748.68 | 65 | UPTIF | 1.00 | Govt. Pool | UPTIF | Arts Commission |
| State Treasurer | PTIF - 2038 Community Arts Interest | 0.5791 | 07/31/15 | 07/01/15 | \$ 120.72 | 65 | UPTIF | 1.00 | Govt. Pool | UPTIF | Arts Commission |
| State Treasurer | PTIF - 5033 Retainage | 0.5791 | 07/31/15 | 07/01/15 | \$ 218,190.06 | 65 | UPTIF | 1.00 | Govt. Pool | UPTIF | Various (Retainage Held) |
| State Treasurer | PTIF - 5178 New PD Task Force Seizure | 0.5791 | 07/31/15 | 07/01/15 | \$ 22,676.06 | 65 | UPTIF | 1.00 | Govt. Pool | UPTIF | General |
| State Treasurer | PTIF - 5737 Warranty Deposits | 0.5791 | 07/31/15 | 07/01/15 | \$ 194,979.31 | 65 | UPTIF | 1.00 | Govt. Pool | UPTIF | General |
| U.S. Bank | Sales Tax Revenue Refunding 2009 Bond | 0.0200 | 07/31/15 | 07/01/15 | \$ 2,143,252.22 | 42 | US Bank | 1.00 | U.S. Treasuries | F.Am. Prime Ob | Sales Tax Bond Fund |
| U.S. Bank | MBA Lease Rev Bonds 1998 | - | 07/31/15 | 07/01/15 | \$ 0.03 | 42 | US Bank | 1.00 | U.S. Treasuries | Fed Auto Gov | General |
| U.S. Bank | Electric Revenue Bonds 2008 Bond | - | 07/31/15 | 07/01/15 | \$ - | 33 | US Bank | 1.00 | U.S. Treasuries | F.Am.Treas | Electric |
| U.S. Bank | Electric Revenue Bonds 2005 Bond | 0.0100 | 07/31/15 | 07/01/15 | \$ - | 46 | US Bank | 1.00 | U.S. Treasuries | F.Am.Gov | Electric |
| U.S. Bank | Excise Tax Rev Bonds 2009A & B Bond | 0.5791 | 07/31/15 | 07/01/15 | \$ 118.40 | 65 | US Bank | 1.00 | Govt. Pool | UPTIF | General (Airport) |
| U.S. Bank | Excise Tax Rev Bonds 2009A & B Reserve | 0.5791 | 07/31/15 | 07/01/15 | \$ 350,326.91 | 65 | US Bank | 1.00 | Govt. Pool | UPTIF | General |
| U.S. Bank | Sales Tax Rev Refunding Ser 2011 Bond | 0.0300 | 07/31/15 | 07/01/15 | \$ - | 1 | US Bank | 1.00 | Other | USB Mmkt | Sales Tax Bond Fund |
| U.S. Bank | Electric Revenue Refunding Bn 2013 Bond | 0.5791 | 07/31/15 | 07/01/15 | \$ 72.23 | 65 | US Bank | 1.00 | Govt. Pool | UPTIF | Electric |
| Zion's FNB | St George Water Ref 2012 Bond Fund | 0.0100 | 07/31/15 | 07/01/15 | \$ 55,740.06 | 40 | Zion's | 1.00 | U.S. Treasuries | Dreyfus | Water |
| Zion's FNB | St George Water Ref 2012 Bond Fund | 0.0100 | 07/31/15 | 07/01/15 | \$ - | 30 | Zion's | 1.00 | U.S. Treasuries | Fidelity | Water |
| Zion's FNB | Water Rev Ref 2013 Bond | 0.5791 | 07/31/15 | 07/01/15 | \$ - | 65 | Zion's | 1.00 | Govt. Pool | UPTIF | Water |
| Zion's FNB | Water Rev Ref 2013 Bond | 0.0100 | 07/31/15 | 07/01/15 | \$ 201,328.48 | 30 | Zion's | 1.00 | U.S. Treasuries | Fidelity | Water |
| Zion's FNB | GO Ref Bond, Ser 2010 BF | 0.5791 | 07/31/15 | 07/01/15 | \$ 237,162.52 | 65 | Zion's | 1.00 | Govt. Pool | UPTIF | Various |
| Zion's FNB | Franchise Tax 2014 Bond Fund | 0.5791 | 07/31/15 | 07/01/15 | \$ 52.76 | 65 | Zion's | 1.00 | Govt. Pool | UPTIF | Public Works/Capital Projects |
| Zion's FNB | Franchise Tax 2014 Project Acct | 0.5791 | 07/31/15 | 07/01/15 | \$ - | 65 | Zion's | 1.00 | Govt. Pool | UPTIF | Public Works/Capital Projects |
| Zion's FNB | UWFA Water Rev 2004A Bond | 0.5791 | 07/31/15 | 07/01/15 | \$ - | 65 | Zion's | 1.00 | Govt. Pool | UPTIF | Water |
| Zion's FNB | UWFA Sewer 2004A Bond Fund | 0.5791 | 07/31/15 | 07/01/15 | \$ - | 65 | Zion's | 1.00 | Govt. Pool | UPTIF | Wastewater |
| Zion's FNB | GO Ser 2014 Bond Fund | 0.5791 | 07/31/15 | 07/01/15 | \$ 1,047,501.09 | 65 | Zion's | 1.00 | Govt. Pool | UPTIF | General |
| Zion's FNB | GO Ser 2014 COI | 0.5791 | 07/31/15 | 07/01/15 | \$ - | 65 | Zion's | 1.00 | Govt. Pool | UPTIF | General |
| Zion's FNB | Bond accts - temp SID & misc. | 0.5791 | 07/31/15 | 07/01/15 | \$ - | 65 | Zion's | 1.00 | Govt. Pool | UPTIF | General |
| Zion's FNB | Swr Rev 93B Reserve | 0.0100 | 07/31/15 | 07/01/15 | \$ - | 40 | Zion's | 1.00 | U.S. Treasuries | Dreyfus | Wastewater |
| Zion's FNB | Swr Rev 1993 B Bond | 0.0100 | 07/31/15 | 07/01/15 | \$ - | 40 | Zion's | 1.00 | U.S. Treasuries | Dreyfus | Wastewater |
| Zion's FNB | St George Water Rev Ref 2011 Bond | 0.0100 | 07/31/15 | 07/01/15 | \$ - | 40 | Zion's | 1.00 | U.S. Treasuries | Dreyfus | Water |
| Zion's FNB | St George Water Rev Ref 2011 Bond | 0.0100 | 07/31/15 | 07/01/15 | \$ 214,483.00 | 30 | Zion's | 1.00 | U.S. Treasuries | Fidelity | Water |
| Zion's FNB | Bond accts - temp SID & misc. | 0.0100 | 07/31/15 | 07/01/15 | \$ - | 40 | Zion's | 1.00 | U.S. Treasuries | Dreyfus | Various |
| | | | | | TOTAL = | | | | | | |
| | | | | | 88,166,475.79 | | | | | | |

* Average Days to Maturity updated monthly.

** Interest Rate updated monthly for bond escrow accounts.

DRAFTAgenda Item Number : **2A****Request For Council Action****Date Submitted** 2015-09-28 16:59:48**Applicant** Jeff Peay - Park Planning Manager**Quick Title** Bid Award " Bloomington Ballfield Renovation**Subject** Bloomington Ballfield Renovation Bid Award

Discussion The Bloomington Ballfield Renovation project includes enlarging Field #2 to baseball size to replace the current Elks Field. Construction includes demolition of existing trees and fencing, relocation of the existing dugouts, and installation of irrigation and sodded turf outfield and infield. The City will separately purchase new foul poles, backstop material, base system, batting cages and additional bleachers (pending approval of the renovation project). Bids are scheduled to be opened in the afternoon on Tuesday the 29th of September so we will be updating this information with the recommended bid and amount later the same afternoon.

Cost \$0.00

City Manager Recommendation In order to get this field ready for the baseball season we need to start on the necessary improvements. At the time of this agenda preparation I do not have the final cost figures so I will have more information at the meeting on Thursday.

Action Taken**Requested by** Jeff Peay - Park Pla**File Attachments****Approved by Legal Department?****Approved in Budget? Amount:****Additional Comments**

DRAFTAgenda Item Number : **2B****Request For Council Action**

| | |
|--------------------------------------|--|
| Date Submitted | 2015-09-18 17:10:09 |
| Applicant | Jeff Peay Park Planning Manager |
| Quick Title | Bloomington Ballfield Renovation Musco Lighting Materials |
| Subject | Bloomington Ballfield Renovation Musco Lighting Materials |
| Discussion | Sports lighting is part of the Bloomington Ballfield Renovation project and Park Planning staff are in the process of organizing the purchase of the lighting infrastructure. The sports lighting system is Musco's Light Structure Green and includes materials to re-light Field #2 (Baseball size). The package includes three (3) new poles, 5 new pole bases, fifty (50) luminaires, wiring harnesses and pole top assemblies for existing poles. The system has Musco Constant 25 which eliminates maintenance costs for 25 years and guarantees and average constant light level of 50 fc (infield) and 30 fc (outfield) for 25 years. The system matches existing lighting at the pickleball courts and other fields and does not include Control Link as it already exists on-site. The quote from Musco Lighting to supply the materials has come in at \$121,560 and we are seeking approval to purchase the lights and associated equipment to meet our construction schedule. |
| Cost | \$121,560.00 |
| City Manager Recommendation | This is the lighting for the new "Elks Field" at Bloomington. At this time I am still trying to figure the total cost of the project and will have those figures for the CC meeting. |
| Action Taken | tabled |
| Requested by | Jeff Peay - Park Pla |
| File Attachments | <u>8-21-15 MuscoQuote.pdf</u> |
| Approved by Legal Department? | |
| Approved in Budget? | Amount: |
| Additional Comments | |
| Attachments | <u>8-21-15 MuscoQuote.pdf</u> |



Bloomington Park Retrofit Field 2
St. George, UT
Date: August 21, 2015

Quotation Price

Musco's Light Structure Green™ lighting system as described below and delivered to the job site..... \$110,684

*Sales tax, labor, and unloading of the equipment are not included as part of this quote.
Pricing furnished is effective for 60 days unless otherwise noted and is considered confidential.*

Equipment Description

Light Structure Green™ System delivered to your site in Five Easy Pieces™

- Four (4) Pre-cast concrete bases (for the outfield poles)
- Two (2) 70' Galvanized steel poles
- UL Listed remote electrical component enclosures
- Pole length wire harnesses
- Fifty (50) Factory-aimed and assembled luminaires
- Pole top assemblies for existing poles being retrofitted

\$121,560

Also includes:

- Energy savings of more than 50% over a standard lighting system
- 50% less spill and glare light than Musco's prior industry leading technology
- Musco Constant 25™ product assurance and warranty program that eliminates 100% of your maintenance costs for 25 years, including labor and materials
- Guaranteed constant light level of 50 footcandles on the infield and 30 footcandles on the outfield for 25 years
- Two (2) group re-lamps at the end of the lamps' rated life, 5000 hours
- Reduced energy consumption with an average of 81 kW per hour

*Quotation Price adder for new B3 pole (80' pole) and base to be located out of glare zone add \$10,876 to price above

Payment Terms as agreed upon by customer and Musco Credit Department

Delivery to the job site from the time of order, submittal approval, confirmation of order details including voltage and phase, and pole locations is approximately 30-45 days. Due to the built-in custom light control per luminaire, pole locations need to be confirmed prior to production. Changes to pole locations after the product is sent to production could result in additional charges.

Notes

Quote is based on:

- Shipment of entire project together to one location
- Field size of 330'/380'/330' for Baseball
- Structural code and wind speed = 2012, IBC, 115 MPH.
- Confirmation of pole locations prior to production

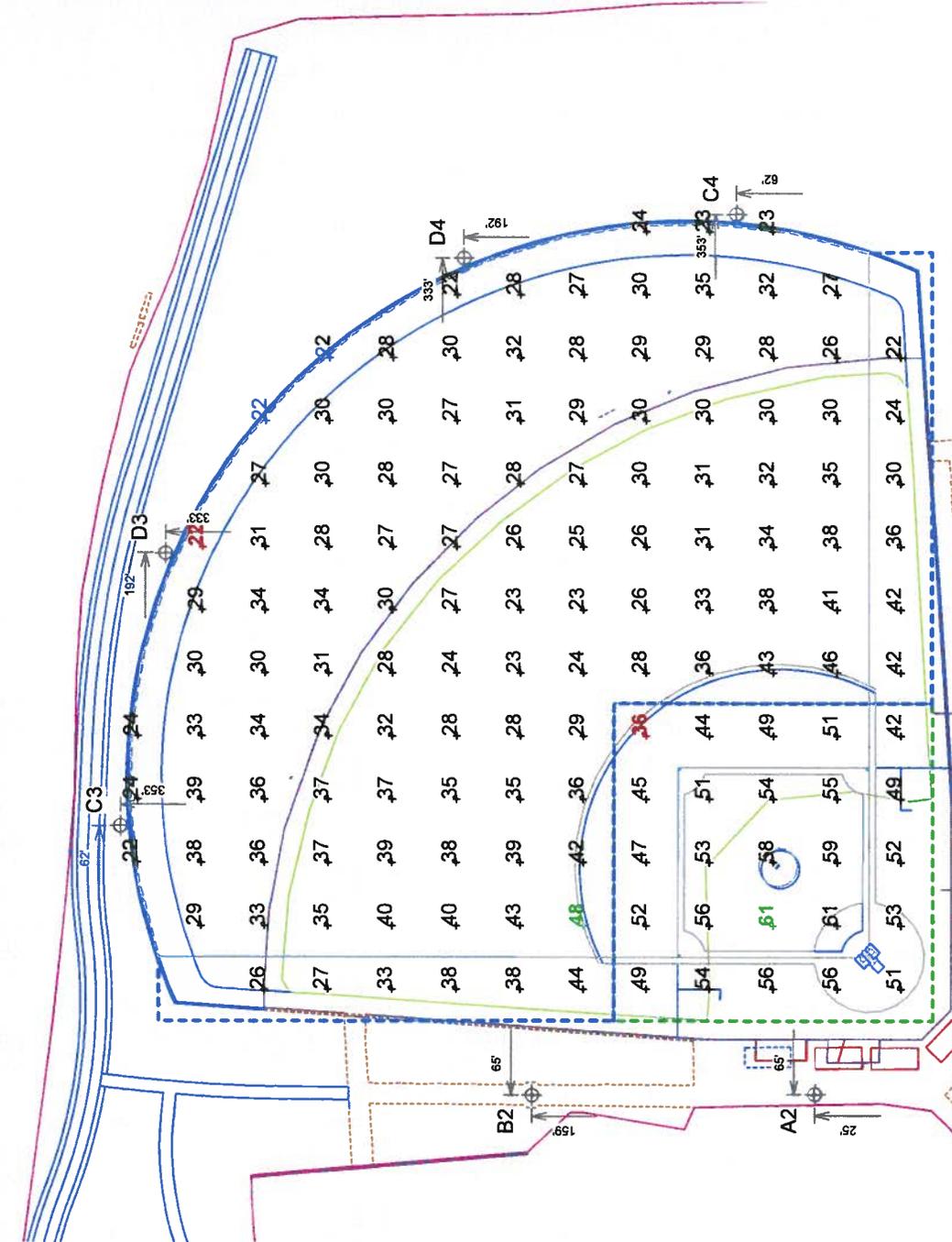
Thank you for considering Musco for your sports lighting needs. Please contact me with any questions.

Shane White
Musco Sales Representative
Musco Sports Lighting, LLC
Phone: 801-201-2536
Email: shane.white@musco.com



EQUIPMENT LIST FOR AREAS SHOWN

| Pole | | Luminaires | | | | | | |
|------|---------------|------------|-----------------|--------|-----------|------------|-----------|-------------|
| QTY | LOCATION | SIZE | GRADE ELEVATION | HEIGHT | LAMP TYPE | QTY / POLE | THIS GRID | OTHER GRIDS |
| 2 | A2-A3 | 70' | - | 70' | 1500W MZ | 4 | 4 | 0 |
| 2 | B2-B3 | 80' | - | 80' | 1500W MZ | 12 | 12 | 0 |
| 4 | C3-C4 | 70' | - | 70' | 1500W MZ | 5 | 5 | 0 |
| 8 | TOTALS | | | | | 52 | 52 | 0 |



NOTES: Poles A2, A3, and B3 are located in areas defined as glare zones.



Pole location(s) Φ dimensions are relative to 0,0 reference point(s) \otimes

MY PROJECT
Name: **Bloomington Park Retrofit Field 2**
Location: **Saint George, UT**

GRID SUMMARY
Name: **Field 2**
Size: **335'/385'/335' - basepath 90'**
Spacing: **30.0' x 30.0'**
Height: **3.0' above grade**

CONSTANT ILLUMINATION SUMMARY

| | HORIZONTAL FOOTCANDLES | |
|-----------------------|------------------------|----------|
| | Infield | Outfield |
| Guaranteed Average: | 50 | 30 |
| Scan Average: | 51.79 | 31.22 |
| Maximum: | 61 | 48 |
| Minimum: | 36 | 22 |
| Avg / Min: | 1.43 | 1.42 |
| Guaranteed Max / Min: | 2 | 2.5 |
| Max / Min: | 1.69 | 2.20 |
| UG (adjacent pts): | 1.23 | 1.70 |
| CU: | 0.66 | |
| No. of Points: | 25 | 115 |

LUMINAIRE INFORMATION

| | |
|-----------------------|------------------|
| Luminaire Type: | Green Generation |
| Design Usage Hours: | 5,000 hours |
| Design Lumens: | 134,000 |
| Avg Lamp Tilt Factor: | 1.000 |
| No. of Luminaires: | 52 |
| Avg KW: | 81.33 (88.4 max) |

Guaranteed Performance: The Guaranteed Average CONSTANT ILLUMINATION described above is guaranteed for the design usage hours of the system.

Field Measurements: Illumination measured in accordance with IESNA LM-5-04 and CIBSE LG4. Individual values may vary. See the Warranty document for details.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume +/- 3% nominal voltage at line side of the ballast and structures located within 3 feet (1m) of design locations.

ENGINEERED DESIGN
By: **Brett Nieuwsma**
File # / Date: **1661568** 27-Jul-15

Not to be reproduced in whole or part without the written consent of Musco Sports Lighting, LLC. ©1981, 2015 Musco Sports Lighting, LLC.

ILLUMINATION SUMMARY

NOTES: Poles A2, A3, and B3 are located in areas defined as glare zones.



MY PROJECT

Name: Bloomington Park Retrofit Field 2
 Location: Saint George, UT

EQUIPMENT LAYOUT

INCLUDES:
 - Field 2

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

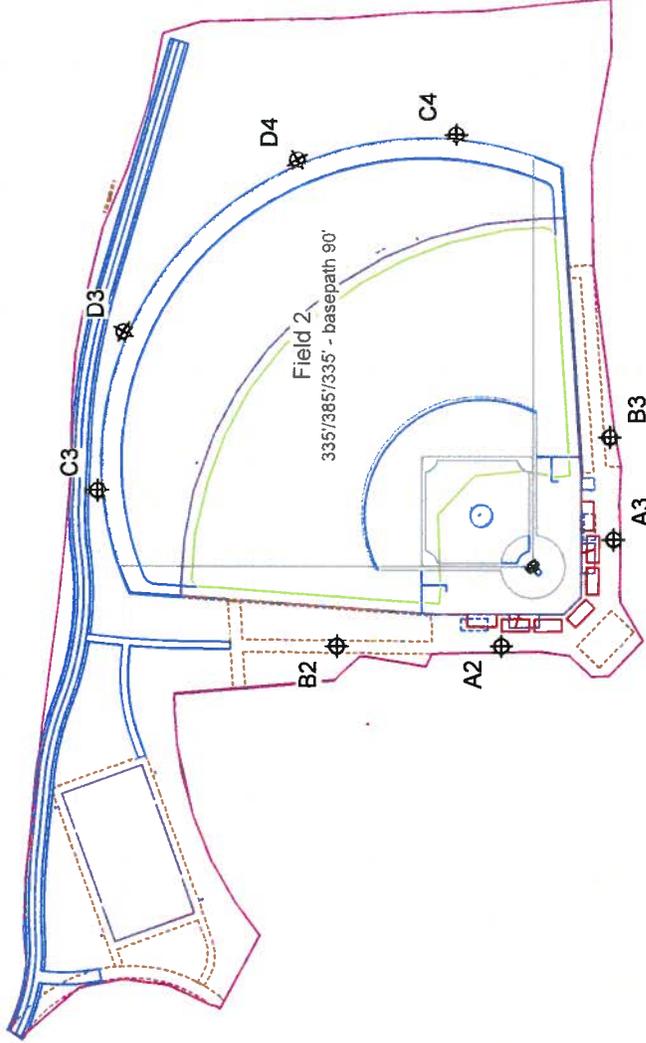
Installation Requirements: Results assume +/- 3% nominal voltage at line side of the ballast and structures located within 3 feet (1m) of design locations.

EQUIPMENT LIST FOR AREAS SHOWN

| Pole | | GRADE ELEVATION | | MOUNTING HEIGHT | | Luminaires | | QTY / POLE |
|------|---------------|-----------------|---|-----------------|--|------------|--|------------|
| QTY | LOCATION | SIZE | | | | LAMP TYPE | | |
| 2 | A2-A3 | 70' | - | 70' | | 1500W MZ | | 4 |
| 2 | B2-B3 | 80' | - | 80' | | 1500W MZ | | 12 |
| 4 | C3-C4 | 70' | - | 70' | | 1500W MZ | | 5 |
| 8 | TOTALS | | | | | | | 52 |

SINGLE LUMINAIRE AMPERAGE DRAW CHART

| Ballast Specifications (1.90 min power factor) | Line Amperage Per Luminaire (max draw) | | | | | |
|---|---|----------|----------|----------|----------|----------|
| | 208 (60) | 220 (60) | 240 (60) | 277 (60) | 347 (60) | 380 (60) |
| Single Phase Voltage | 208 (60) | 220 (60) | 240 (60) | 277 (60) | 347 (60) | 380 (60) |
| 1500 watt MZ | 8.6 | 8.3 | 7.5 | 6.5 | 5.1 | 4.7 |



ENGINEERED DESIGN

By: Brett Nieuwsma
 File # / Date: 1661568 27-Jul-15

Pole location(s) ⊕ dimensions are relative to 0,0 reference point(s) ⊗

SCALE IN FEET 1 : 150



**EQUIPMENT/SUPPLIES/MATERIALS PURCHASE AGREEMENT
FOR PURCHASES OVER \$25,000 (SOLE SOURCE)**

THIS AGREEMENT is made and entered into this 24th day of September, 2015, by and between the City of St. George, a Utah municipal corporation, whose address is 175 East 200 North, St. George, Utah 84770 ("City") and MUSCO SPORTS LIGHTING, LLC, whose address is 12391 S. DANSIE WAY, RIVERTON, UTAH 84065, ("Seller").

R E C I T A L S

WHEREAS, City desires to purchase Musco's Light Structure Green for the Bloomington Ballfield Renovation because the City already uses this system in other parks and the parts, controls and maintenance will be compatible with what the City already has; and

WHEREAS, City solicited a bid for the purchase of equipment/supplies/materials as outlined in the request for bids/purchase requisition attached hereto as Exhibit A and incorporated herein; and

WHEREAS, Seller submitted a bid dated August 21, 2015, which outlines the items to be purchased, the quantity and the price, Exhibit B and the City would like to award the Bid to Seller; and

WHEREAS, the City believes awarding this project to Seller is in the best interest of the City.

NOW, THEREFORE, for the consideration hereinafter set forth and in accordance with the conditions and representations contained herein, the parties hereby agree as follows:

A G R E E M E N T

1. **Recitals.** The foregoing recitals are incorporated herein by this reference.
2. **Purchase.** Seller shall provide the goods described in Exhibit A.
3. **Purchase Price and Payment.** City shall pay Seller a total sum of \$121,560.00 for the goods described in Exhibit A. City shall pay Seller 25% with the order and the balance in full within 30 days of delivery of the goods to City, acceptance of those goods by the City and receipt of the invoice.
4. **Delivery.** Time is of the essence in the performance of this Agreement. Seller will arrange for delivery to Buyer. Seller will deliver the goods required by the Agreement on or before the November 10, 2015, unless the period for delivery is extended by City. City, upon receiving possession of the goods, shall have a reasonable opportunity to inspect the goods to determine if the goods conform to the requirements of the conditions of this sale. If the

City, in good faith, determines that all or a portion of the goods are non-conforming, the City may return the goods to the Seller at no cost to City. Seller is strictly liable for goods until City accepts delivery of goods.

5. **Warranties.** All goods shall be warranted as follow: As described in Exhibit A.
6. **Compliance with Applicable Laws.** Seller expressly acknowledges and agrees that nothing in this Agreement shall be deemed to relieve Seller from any obligation to comply with all applicable requirements of the City including the payment of fees and compliance with all other applicable ordinances, resolutions, regulations, policies and procedures of City, except as modified, waived or declared in this Agreement. Seller shall comply with all federal, state, and local laws, regulations, and ordinances.
7. **Conflicts.** In the event of a conflict between this Agreement and any other documents with Seller, this Agreement shall govern.
8. **No Waiver.** The failure of either Party to enforce any of this Agreement's provisions shall not be construed to be a waiver of the rights of such party to enforce such provisions.
9. **Notices.** All notices required or permitted to be made by either party in connection with this Agreement shall be in writing, and shall be deemed to have been duly given: (a) five (5) business days after the date of mailing if sent by U.S. mail, postage prepaid, (b) when transmitted if sent by facsimile, provided a confirmation of transmission is produced by the sending machine and a copy of such facsimile is promptly sent by another means specified in this Section; or (c) when delivered if delivered personally or sent by express courier service. All notices shall be sent to the other party at its address as set forth below unless written notice is given by either party of a change of address:

| | |
|-------------------------|------------------------------------|
| City of St. George | Seller: MUSCO SPORTS LIGHTING, LLC |
| Attn: Millie Cockerill | Attn: Shane White |
| 175 East 200 North | 12391 S. Dansie Way |
| St. George, Utah, 84770 | Riverton, Utah, 84065 |
10. **Governing Law and Venue.** This Agreement shall be construed according to the laws of the State of Utah. The parties agree that venue for all legal actions, unless they involve a cause of action with mandatory federal jurisdiction, shall be the Fifth District Court for the State of Utah. The parties further agree that the Federal District Court for the District of Utah shall be the venue for any cause of action with mandatory federal jurisdiction. The parties shall have all rights and remedies provided under applicable Federal or State law for a breach or threatened breach of this Agreement. These rights and remedies shall not be mutually exclusive, and the exercise of one or more of these rights and remedies shall not preclude the exercise of any other rights and remedies. Each party agree that damages at law may be an inadequate remedy for a breach or threatened breach of any provision hereof and the respective rights and obligations of the parties hereunder shall be enforceable by specific performance, injunction, or other equitable remedy. Nothing in this Agreement shall be construed to waive the sovereign immunity of the government parties.

11. **Construction.** This Agreement has been reviewed and revised by legal counsel for all the parties and no presumption or rule that ambiguities shall be construed against the drafting party shall apply to the interpretation or enforcement of this Agreement.
12. **Legal Fees.** Should any party default on any of the covenants or agreements contained herein, the defaulting party shall pay all costs and expenses, including reasonable attorney's fee, which may arise or accrue from enforcing this Agreement or in pursuing any remedy provided hereunder or by applicable law, whether such remedy is pursued by filing a lawsuit or otherwise. This obligation of the defaulting party to pay costs and expenses includes, without limitation, all costs and expenses, including reasonable attorney's fee including appeals and bankruptcy proceedings. If either party commences legal action to interpret any term of this agreement, the prevailing party shall be entitled to recover all reasonable attorneys' fees, court costs, and any other costs incurred in connection with such action.
13. **Modification Of Agreement.** City specifically reserves the right to modify or amend this Agreement and the total sum due hereunder either by enlarging or restricting the scope of the work. All modifications shall be in writing and executed by both parties. Each Work Order adopted under this Agreement shall incorporate the terms and conditions of this Agreement and shall constitute a modification to this contract. A Work Order may amend the terms and conditions of this Agreement only as they apply to that particular Work Order and shall not have any general effect on this Agreement.
14. **Reserved Legislative Powers.** Nothing in this Agreement shall limit the future exercise of the police power by City in enacting zoning, subdivision, development, transportation, environment, open space, and related land use plans, policies, ordinances, and regulations after the date of this Agreement, but which shall not be retroactively applied to or modify this Agreement.
15. **Assignment.** Neither this Agreement nor any of the provisions, terms or conditions hereof can be assigned, sublet, sold, transferred or otherwise disposed of to any other party, individual or entity without assigning the rights and the responsibilities under this Agreement and without prior written consent of City, which consent shall not be unreasonably withheld.
16. **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors, and assigns, but shall not inure to the benefit of any third party or other person.
17. **No Joint Venture, Partnership or Third Party Rights.** It is not intended by this Agreement to, and nothing contained in this Agreement shall, create any partnership, joint venture or other arrangement between the parties. No term or provision of this Agreement is intended to or shall, be for the benefit of any person, firm, organization or corporation not a party hereto, and no such other person, firm, organization or corporation shall have any right or cause of action hereunder.

18. **Integration.** This Agreement contains the entire Agreement with respect to the subject matter hereof and integrates all prior conversations, discussions or understanding of whatever kind or nature and supersedes and replaces all terms and conditions of any prior agreements, arrangements, negotiations, or representations, written or oral, with respect to this matter.
19. **Severability.** If any part or provision of this Agreement shall be determined to be unconstitutional, invalid or unenforceable by a court of competent jurisdiction, then such a decision shall not affect any other part or provision of this Agreement except that specific provision determined to be unconstitutional, invalid or unenforceable. If any condition, covenant or other provision of this Agreement shall be deemed invalid due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.
20. **Survival.** It is expressly agreed that the terms, covenants and conditions of this Agreement shall survive any legal act or conveyance required under this Agreement.
21. **Headings.** The section and other headings in this Agreement are for reference purposes only and shall not in any way affect the meaning or interpretation of this Agreement.
22. **Counterparts.** This Agreement may be executed in counterparts each of which shall be an original and shall constitute one and the same agreement.
23. **Authority of Parties.** The parties executing this Agreement hereby warrant and represent that they are duly authorized to do so in the capacity stated and that this Agreement constitutes a valid and binding Agreement.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

CITY: CITY OF ST. GEORGE

SELLER: MUSCO SPORTS LIGHTING, LLC

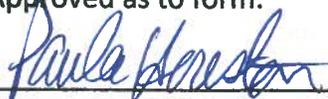
Jonathan T. Pike, Mayor

Shane White, Musco Sales Representative

ATTEST:

Approved as to form:

Christina Fernandez, City Recorder



Paula Houston, Deputy City Attorney



MY PROJECT
 Name: **Bloomington Park Retrofit Field 2**
 Location: **Saint George, UT**

GRID SUMMARY
 Name: **Field 2**
 Size: **335'/385'/335'** - basepath 90'
 Spacing: **30.0' x 30.0'**
 Height: **3.0'** above grade

CONSTANT ILLUMINATION

| SUMMARY | | HORIZONTAL FOOTCANDLES | |
|------------------------------|----------|------------------------|--|
| Guaranteed Average: | Infield | Outfield | |
| Scan Average: | 51.79 | 31.22 | |
| Maximum: | 61 | 48 | |
| Minimum: | 36 | 22 | |
| Avg / Min: | 1.43 | 1.42 | |
| Guaranteed Max / Min: | 2 | 2.5 | |
| Max / Min: | 1.69 | 2.20 | |
| UG (adjacent pts): | 1.23 | 1.70 | |
| CU: | 0.66 | | |
| No. of Points: | 25 | 115 | |

LUMINAIRE INFORMATION
 Luminaire Type: **Green Generation**
 Design Usage Hours: **5,000 hours**
 Design Lumens: **134,000**
 Avg Lamp Tilt Factor: **1.000**
 No. of Luminaires: **52**
 Avg KW: **81.33 (88.4 max)**

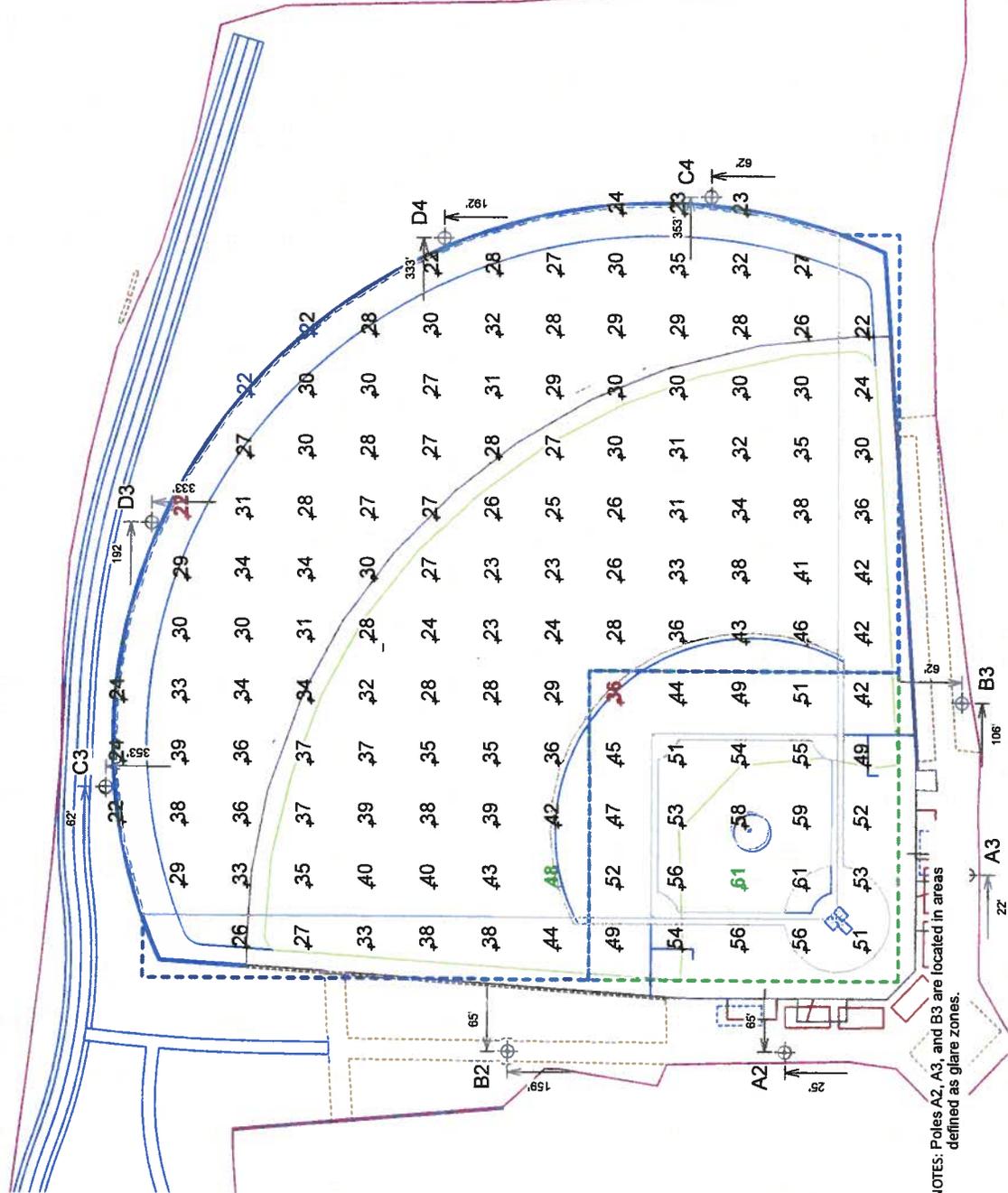
Guaranteed Performance: The Guaranteed Average CONSTANT ILLUMINATION described above is guaranteed for the design usage hours of the system.
Field Measurements: Illumination measured in accordance with IESNA LM-5-04 and CIBSE LG4. Individual values may vary. See the Warranty document for details.
Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.
Installation Requirements: Results assume +/- 3% nominal voltage at line side of the ballast and structures located within 3 feet (1m) of design locations.

ENGINEERED DESIGN
 By: **Brett Nieuwsma**
 File # / Date: **1661568** 27-Jul-15

Not to be reproduced in whole or part without the written consent of Musco Sports Lighting, LLC. ©1981, 2015 Musco Sports Lighting, LLC.

EQUIPMENT LIST FOR AREAS SHOWN

| QTY | LOCATION | POLE SIZE | MOUNTING HEIGHT | Luminaires | | |
|-----|---------------|-----------|-----------------|------------|------------|-------------------------|
| | | | | LAMP TYPE | QTY / POLE | THIS GRID / OTHER GRIDS |
| 2 | A2-A3 | 70' | 70' | 1500W MZ | 4 | 4 0 |
| 2 | B2-B3 | 80' | 80' | 1500W MZ | 12 | 12 0 |
| 4 | C3-C4 | 70' | 70' | 1500W MZ | 5 | 5 0 |
| 8 | TOTALS | | | | 52 | 52 0 |



Pole location(s) ⊗ dimensions are relative to 0,0 reference point(s) ⊗

SCALE IN FEET 1 : 80
 0 80 160

NOTES: Poles A2, A3, and B3 are located in areas defined as glare zones.

NOTES: Poles A2, A3, and B3 are located in areas defined as glare zones.



MY PROJECT

Name: Bloomington Park Retrofit Field 2
 Location: Saint George, UT

EQUIPMENT LAYOUT

INCLUDES:

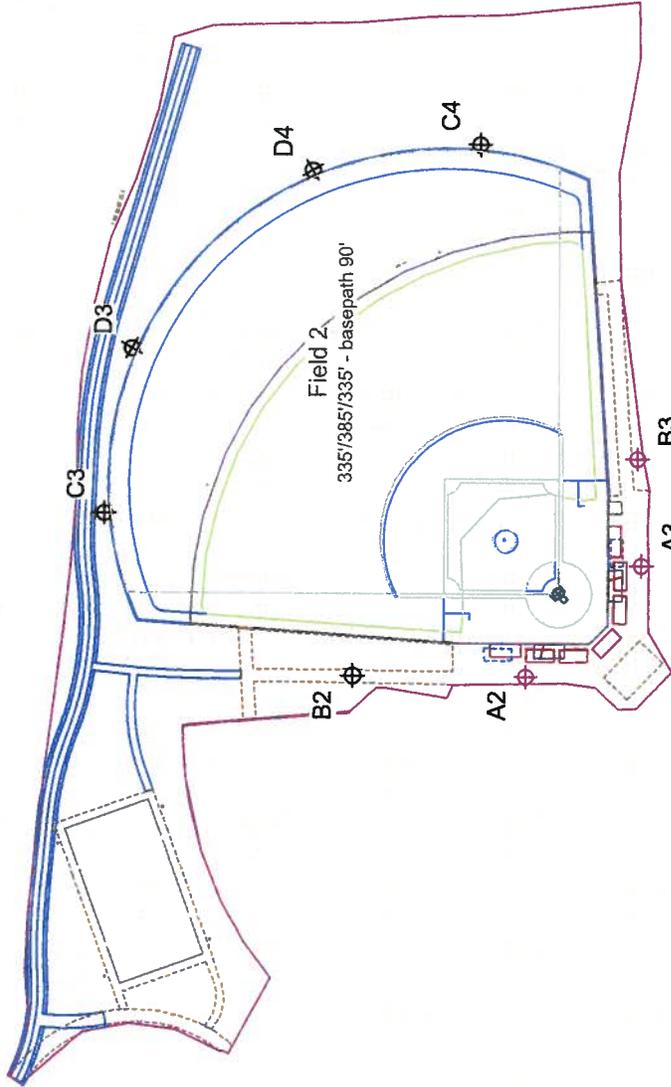
Field 2
 Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.
 Installation Requirements: Results assume +/- 3% nominal voltage at line side of the ballast and structures located within 3 feet (1m) of design locations.

EQUIPMENT LIST FOR AREAS SHOWN

| QTY | LOCATION | POLE SIZE | GRADE ELEVATION | MOUNTING HEIGHT | Luminaires LAMP TYPE | QTY/POLE |
|-----|----------|-----------|-----------------|-----------------|----------------------|----------|
| | | | | | | |
| 2 | A2-A3 | 70' | - | 70' | 1500W MZ | 4 |
| 2 | B2-B3 | 80' | - | 80' | 1500W MZ | 12 |
| 4 | C3-C4 | 70' | - | 70' | 1500W MZ | 5 |
| 8 | D3-D4 | | | | | 52 |

SINGLE LUMINAIRE AMPERAGE DRAW CHART

| Ballast Specifications (.90 min power factor) | Line Amperage Per Luminaire (max draw) | | | | |
|--|---|----------|----------|----------|----------|
| | 208 (ea) | 220 (ea) | 240 (ea) | 277 (ea) | 347 (ea) |
| Single Phase Voltage | 8.6 | 8.3 | 7.5 | 6.5 | 5.1 |
| 1500 watt MZ | | | | | |
| | | | | 4.7 | 3.7 |



SCALE IN FEET 1 : 150



Pole location(s) ⬠ dimensions are relative to 0,0 reference point(s) ⊗

ENGINEERED DESIGN

By: Brett Nieuwsma
 File # / Date: 1661568 27-Jul-15

Not to be reproduced in whole or part without the written consent of Musco Sports Lighting, LLC. ©1981, 2015 Musco Sports Lighting, LLC.



Bloomington Park Retrofit Field 2
St. George, UT
Date: August 21, 2015

Quotation Price

Musco's Light Structure Green™ lighting system as described below and delivered to the job site..... \$110,684

**Sales tax, labor, and unloading of the equipment are not included as part of this quote.
Pricing furnished is effective for 60 days unless otherwise noted and is considered confidential.**

Equipment Description

Light Structure Green™ System delivered to your site in Five Easy Pieces™

- Four (4) Pre-cast concrete bases (for the outfield poles)
- Two (2) 70' Galvanized steel poles
- UL Listed remote electrical component enclosures
- Pole length wire harnesses
- Fifty (50) Factory-aimed and assembled luminaires
- Pole top assemblies for existing poles being retrofitted

\$121,560

Also Includes:

- Energy savings of more than 50% over a standard lighting system
- 50% less spill and glare light than Musco's prior industry leading technology
- Musco Constant 25™ product assurance and warranty program that eliminates 100% of your maintenance costs for 25 years, including labor and materials
- Guaranteed constant light level of 50 footcandles on the infield and 30 footcandles on the outfield for 25 years
- Two (2) group re-lamps at the end of the lamps' rated life, 5000 hours
- Reduced energy consumption with an average of 81 kW per hour

*Quotation Price adder for new B3 pole (80' pole) and base to be located out of glare zone add \$10,876 to price above

Payment Terms as agreed upon by customer and Musco Credit Department

Delivery to the job site from the time of order, submittal approval, confirmation of order details including voltage and phase, and pole locations is approximately 30-45 days. Due to the built-in custom light control per luminaire, pole locations need to be confirmed prior to production. Changes to pole locations after the product is sent to production could result in additional charges.

Notes

Quote is based on:

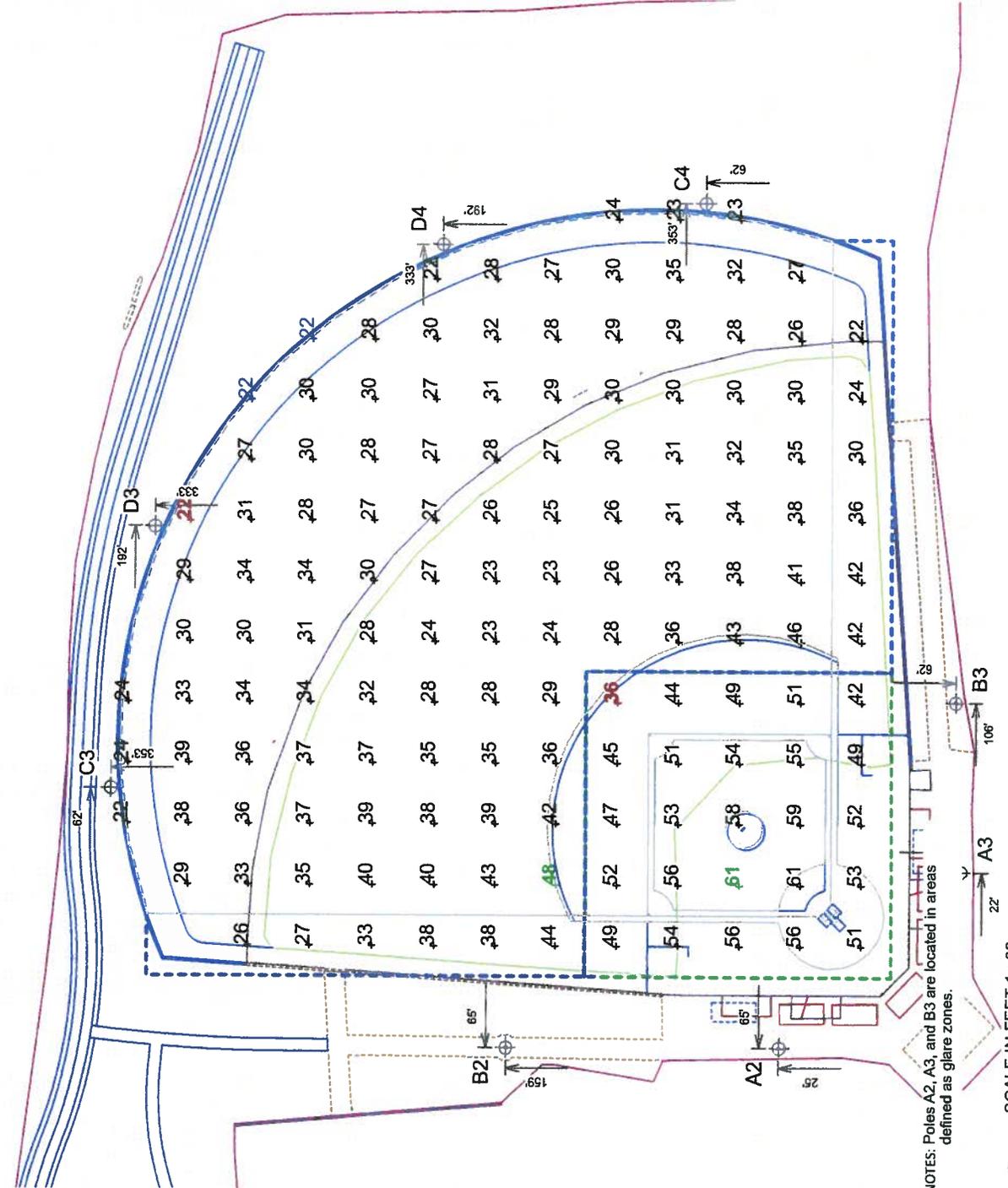
- Shipment of entire project together to one location
- Field size of 330'/380'/330' for Baseball
- Structural code and wind speed = 2012, IBC, 115 MPH.
- Confirmation of pole locations prior to production

Thank you for considering Musco for your sports lighting needs. Please contact me with any questions.

Shane White
Musco Sales Representative
Musco Sports Lighting, LLC
Phone: 801-201-2536
Email: shane.white@musco.com

EQUIPMENT LIST FOR AREAS SHOWN

| QTY | Pole | | GRADE ELEVATION | MOUNTING HEIGHT | Luminaires | | OTHER GRID |
|-----|----------|------|-----------------|-----------------|------------|-----------|------------|
| | LOCATION | SIZE | | | LAMP TYPE | THIS GRID | |
| 2 | A2-A3 | 70' | - | 70' | 1500W/MZ | 4 | 0 |
| 2 | B2-B3 | 80' | - | 80' | 1500W/MZ | 12 | 0 |
| 4 | C3-C4 | 70' | - | 70' | 1500W/MZ | 5 | 0 |
| 8 | TOTALS | | | | | 52 | 0 |



NOTES: Poles A2, A3, and B3 are located in areas defined as glare zones.



Pole location(s) ⊕ dimensions are relative to 0,0 reference point(s) ⊗



MY PROJECT

Name: **Bloomington Park Retrofit Field 2**
Location: Saint George, UT

GRID SUMMARY

Name: **Field 2**
Size: 335'/385'/335' - basepath 90'
Spacing: 30.0' x 30.0'
Height: 3.0' above grade

CONSTANT ILLUMINATION SUMMARY

| | HORIZONTAL FOOTCANDLES | |
|-----------------------|------------------------|----------|
| | Infield | Outfield |
| Guaranteed Average: | 50 | 30 |
| Scan Average: | 51.79 | 31.22 |
| Maximum: | 61 | 48 |
| Minimum: | 36 | 22 |
| Avg / Min: | 1.43 | 1.42 |
| Guaranteed Max / Min: | 2 | 2.5 |
| Max / Min: | 1.69 | 2.20 |
| UG (adjacent pts): | 1.23 | 1.70 |
| CU: | 0.66 | |
| No. of Points: | 25 | 115 |

LUMINAIRE INFORMATION

Luminaire Type: **Green Generation**
Design Usage Hours: **5,000 hours**
Design Lumens: **134,000**
Avg Lamp Tilt Factor: **1.000**
No. of Luminaires: **52**
Avg KW: **81.33 (88.4 max)**

Guaranteed Performance: The Guaranteed Average CONSTANT ILLUMINATION described above is guaranteed for the design usage hours of the system.

Field Measurements: Illumination measured in accordance with IESNA LM-5-04 and CIBSE LG4. Individual values may vary. See the Warranty document for details.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume +/- 3% nominal voltage at line side of the ballast and structures located within 3 feet (1m) of design locations.

ENGINEERED DESIGN

By: **Brett Nieuwsma**
File # / Date: **1661568**
27-Jul-15

Not to be reproduced in whole or part without the written consent of Musco Sports Lighting, LLC. ©1981, 2015 Musco Sports Lighting, LLC.

ILLUMINATION SUMMARY

NOTES: Poles A2, A3, and B3 are located in areas defined as glare zones.



MY PROJECT

Name: **Bloomington Park Retrofit Field 2**
 Location: **Saint George, UT**

EQUIPMENT LAYOUT

INCLUDES:

- Field 2

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

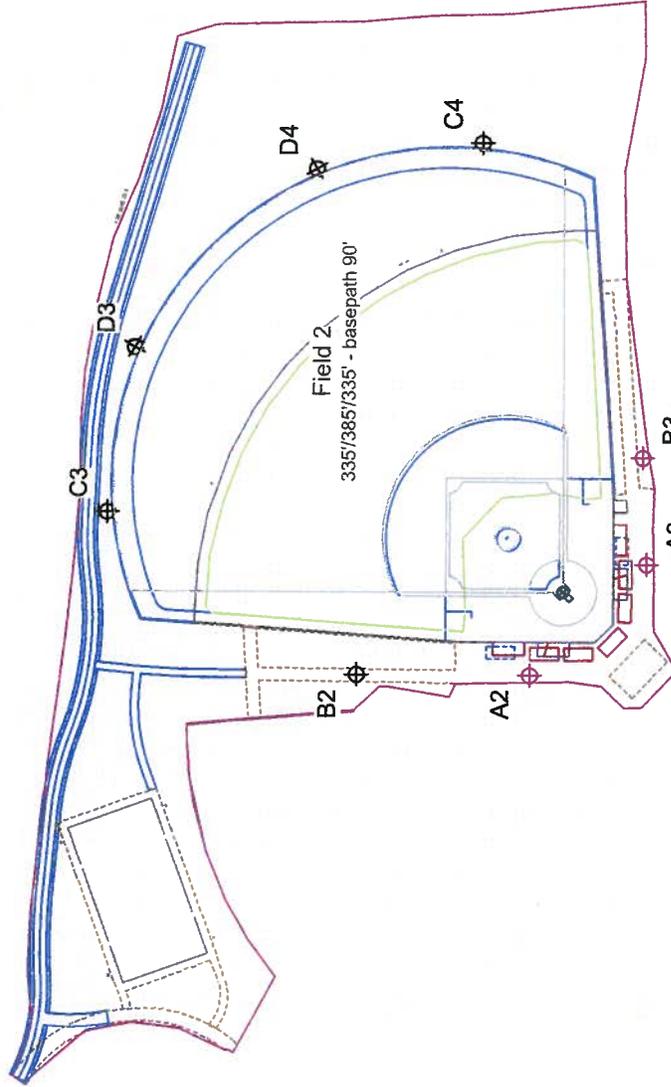
Installation Requirements: Results assume +/- 3% nominal voltage at line side of the ballast and structures located within 3 feet (1m) of design locations.

EQUIPMENT LIST FOR AREAS SHOWN

| QTY | LOCATION | POLE SIZE | GRADE ELEVATION | MOUNTING HEIGHT | Luminaires | |
|-----|----------|-----------|-----------------|-----------------|------------|------------|
| | | | | | LAMP TYPE | QTY / POLE |
| 2 | A2-A3 | 70' | - | 70' | 1500W MZ | 4 |
| 2 | B2-B3 | 80' | - | 80' | 1500W MZ | 12 |
| 4 | C3-C4 | 70' | - | 70' | 1500W MZ | 5 |
| 8 | TOTALS | | | | | 52 |

SINGLE LUMINAIRE AMPERAGE DRAW CHART

| Ballast Specifications (50 min power factor) | Line Amperage Per Luminaire (max draw) | | | | | |
|---|---|----------|----------|----------|----------|----------|
| | 208 (60) | 220 (60) | 240 (60) | 277 (60) | 347 (60) | 480 (60) |
| Single Phase Voltage | 8.6 | 8.3 | 7.5 | 6.5 | 5.1 | 4.7 |
| 1500 watt MZ | | | | | | 3.7 |



ENGINEERED DESIGN

By: **Brett Nieuwsma**
 File # / Date: **1661568** **27-Jul-15**

Pole location(s) ϕ dimensions are relative to 0,0 reference point(s) \otimes

SCALE IN FEET 1 : 150

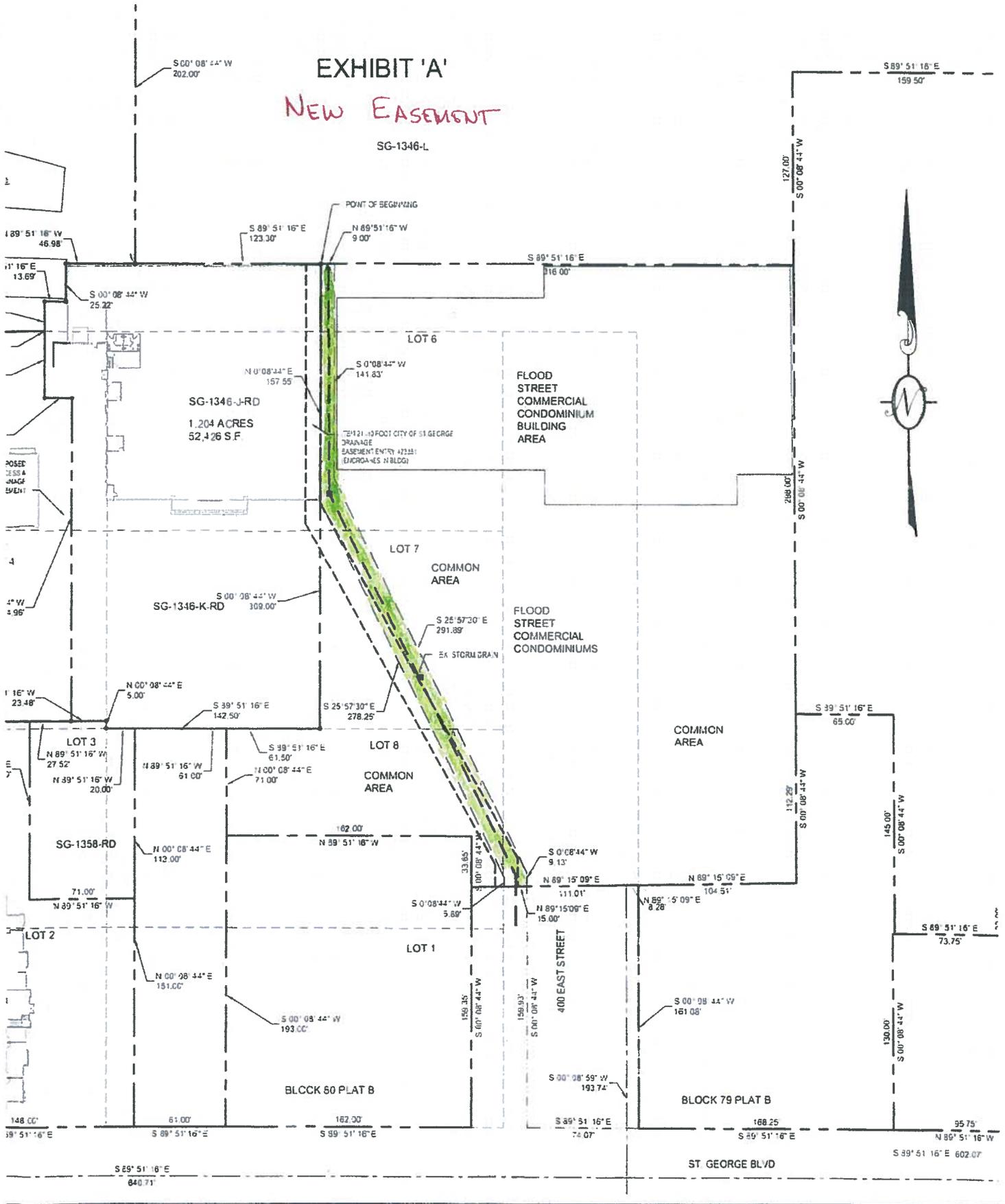


DRAFTAgenda Item Number : **4A****Request For Council Action**

Date Submitted 2015-09-29 08:58:56**Applicant** Gilbert Jennings**Quick Title** Ordinance - Easement Vacation**Subject** Consider the vacation of a Drainage Easement located at approximately 170 North 400 East Street.**Discussion** This Drainage Easement is partially located under the old Sunroc Building but the utility is actually located between the two existing buildings (Sunroc and old theater buildings), only feet apart from each other. An easement was granted many years ago for this drainage line that places the utility within the easement but this original easement location was never vacated.**Cost** \$0.00**City Manager Recommendation** Housekeeping item. Recommend approval.**Action Taken****Requested by** Todd Jacobsen**File Attachments** [400 East.pdf](#)**Approved by Legal Department?****Approved in Budget?** **Amount:****Additional Comments** This is a cleanup item.**Attachments** [400 East.pdf](#)

EXHIBIT 'A' NEW EASEMENT

SG-1346-L



When Recorded Return To:
City of St. George
City Recorder's Office
175 East 200 North
St. George, UT 84770

ORDINANCE NO.: _____

EASEMENT VACATION

Tax ID: SG-1346-J-RD & SG-1346-K-RD & SG-FSCC-COM

WHEREAS, a petition has been received by the City of St. George requesting that an existing City utility easement located at approximately 170 North 400 East Street be vacated because it is not being used, said easement is recorded in the Washington County Recorder's Office as Doc. #00423381 and is more fully described in the attached Exhibit A which exhibit is incorporated herein by reference; and

WHEREAS, the owner of the property traversed by the easement, as well as the City, have consented to this vacation; and

WHEREAS, it appears that it will not be detrimental to the general public interest or any person and that there is good cause for vacating said easement.

NOW, THEREFORE, BE IT RESOLVED by the St. George City Council:

The easement described in 'Exhibit A' is hereby vacated.

This ordinance shall become effective immediately upon adoption and recordation in executed form in the Office of the Washington County Recorder.

PASSED AND ADOPTED by the City Council of the City of St. George, this _____ day of _____, 2015.

CITY OF ST. GEORGE:

Jonathan T. Pike, Mayor

ATTEST:

Christina Fernandez, City Recorder

APPROVED AS TO FORM:



Paula Houston, Deputy City Attorney

L.R. POPE ENGINEERING INC.
1240 E 100 S #15Be
ST. GEORGE, UTAH 84790
1-435-628-1676
Email lrpope@lrpope.com

Exhibit A

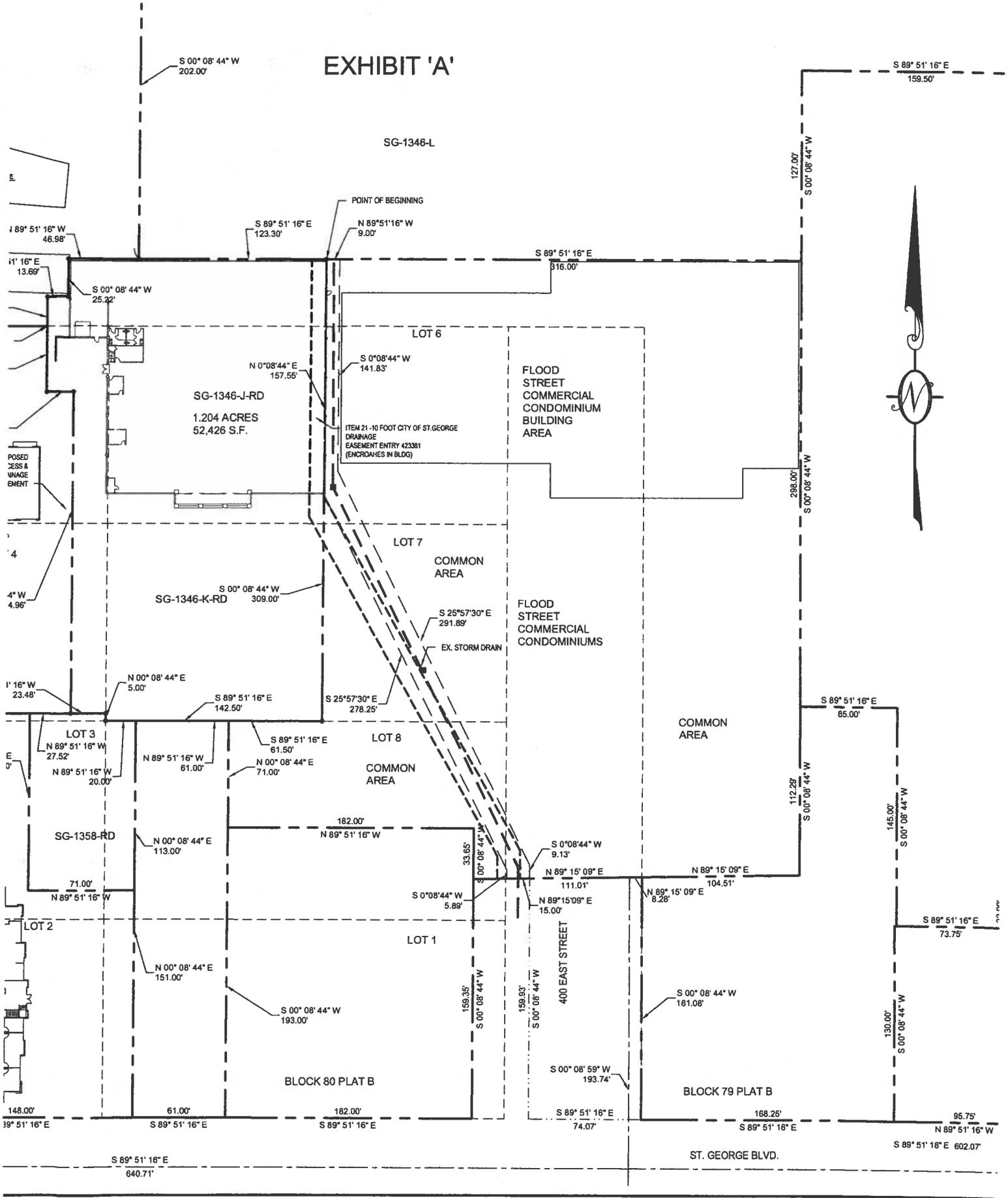
Vacating a Drainage Easement
According to Entry No. 00423381
on file in the Washington County Recorder's Office

A perpetual easement, the center line of which is described as follows, fifteen (15) feet in width beginning at a point 615.70 feet along the block line and north 159.72 feet from the Southeast corner of Block 79, Plat "B". St. George City Survey, and running North, 16.92 feet; thence N 29°07'41" W 263.92 feet; thereafter, ten (10) feet in width, and thence North 165.79 feet more or less to the North property line.

By L. Ried Pope, PE, PLS

EXHIBIT 'A'

SG-1346-L



DRAFTAgenda Item Number : **5A****Request For Council Action****Date Submitted** 2015-09-23 07:55:16**Applicant** Water Services Dept**Quick Title** Resolution to Adopt Local Limits Study for Pretreatment Program**Subject** Resolution to adopt the Technically Based Local Limits Study for the Pretreatment Program.**Discussion** The Utah Department of Environmental Quality Division of Water Quality requires periodic updates to the Technically Based Local Limits for the Pretreatment Program. Staff has completed the local limits study and has presented the study to the City Council in a previous work meeting. We would like the City Council to consider a resolution adopting the local limits study.**Cost** \$0.00**City Manager Recommendation** Necessary to meet State requirements. Recommend approval of staff study on the local limits for our pretreatment program.**Action Taken****Requested by** Scott Taylor**File Attachments****Approved by Legal Department?****Approved in Budget?** **Amount:****Additional Comments**

**CITY OF ST. GEORGE, UTAH
RESOLUTION NO. _____**

**A RESOLUTION APPROVING THE
2014 TECHNICALLY BASED LOCAL LIMITS
FOR THE WASTEWATER PRETREATMENT PROGRAM**

WHEREAS, The City of St. George Technically Based Local Limits Study, dated July 2014 has been reviewed and is attached; and

WHEREAS, the Technically Based Local Limits establish the maximum loading of pollutants that can be accepted from industrial users without causing a violation of applicable environmental standards; and

WHEREAS, the Technically Based Local Limits are developed and enforced to prevent Pass Through, Interference, protect sludge disposal practices, and prevent impacts to the health and safety of the general public,

NOW, THEREFORE, BE IT RESOLVED by the St. George City Council that The City of St. George Water Services inform the Utah Department of Environmental Quality Division of Water Quality that the above actions were taken and that the St. George City Council does hereby approve the City of St. George Technically Based Local Limit Study.

PASSED AND ADOPTED by the City Council of the City of St. George this _____ day of _____, 2015.

Jonathan T. Pike, Mayor

ATTEST:

Christina Fernandez, City Recorder

**City of St. George
Technically Based Local Limits
July, 2014**



**St. George Regional Water Reclamation Facility
3780 South 1550 West
St. George, Utah 84790
(435) 634-5849**

**St. George Regional Water Reclamation Facility
Industrial Pretreatment Program
Local Limits Revision**

Purpose

The General Pretreatment Regulations (40 CFR Part 403) require that each Publicly Owned Treatment Works (POTW) with a pretreatment program develop and enforce Technically-Based Local Limits (TBLLs) which will establish the maximum loading of pollutants that can be accepted from industrial users without causing a violation of applicable environmental standards. Local limits are developed and enforced to prevent Pass Through, Interference, protect sludge disposal practices and prevent impacts to health and safety of workers or the general public (40 CFR sections 403.2 and 403.5 (c)(1)). The St. George Regional Water Reclamation Facility (SGRWRF) used the EPA July 2004 Local Limits Guidance (EPA 833-R-04-002) as a framework for establishing limits to protect the POTW and environment (40 CFR 403.8(f)(4)). Additional guidance from the Utah Department of Environmental Quality was also used. The SGRWRF has an on-going pollutant monitoring program specified in permit UT0024686. The Approval Authority for SGRWRF Pretreatment Program is the Utah Department of Environmental Quality, Division of Water Quality.

Legal Authority

United States Code of Federal Regulations 40 CFR 403.5
St. George City Pretreatment Ordinance

City Organization

Changes to the legal authority for the City are initiated by the wastewater and pretreatment staff and managers. The City Council will review and formally approve all changes. A flow chart for the local limits revision process is included in the appendices.

St. George Regional Water Reclamation Facility

The St. George Regional Water Reclamation Facility (SGRWRF) is located in the city of St. George, Utah which is approximately 300 miles southwest of Salt Lake City. The facility has a design capacity of 17.0 MGD. The SGRWRF provides service to the City of St. George, Washington City, Santa Clara and Ivins City. The SGRWRF has a sanitary sewer collection system containing approximately 300 miles of piping and 10 lift stations. The cities of Washington, Santa Clara and Ivins have a total collection system of approximately 200 miles. Treatment of wastewater is accomplished at the regional facility in an oxidation ditch/extended aeration process. Ultraviolet light is used for disinfection and the sludge is disposed at the county landfill.

Construction of the SGRWRF was completed in 1990 and was capable of treating 5.0 MGD. The Phase 1 expansion was completed in 1996 and increased the capacity to 8.5 MGD. The Phase 2 expansion was completed in 1999 and increased the capacity to 17.0 MGD.

The SGRWRF discharges to the Virgin River and is designed to achieve water quality standards required for the protection of the environmentally sensitive river habitat.

Since 2006 the SGRWRF has operated a water re-use facility that returns approximately 3.0-3.5 MGD of treated wastewater back to the City for six to seven months during the year.

The SGRWRF pretreatment staff includes a full time pretreatment coordinator and a full time pretreatment specialist. The SGRWRF pretreatment department has a line item budget of \$22,500 per year.

Other City Contributors

The City of St. George provides wastewater treatment services for domestic, commercial and industrial users located in Washington City, Santa Clara and Ivins. Washington City, Santa Clara and Ivins have delegated all pretreatment responsibilities for implementation and enforcement of the pretreatment program to the City of St. George.

SGRWRF Treatment Process

- Wastewater flows enter the SGRWRF through a 48-inch diameter outfall line. The liquid flow then passes through the following components.
- Influent Pump Station- A combination of screw pumps and submersible pumps are used to lift the wastewater to the required elevation for gravity flow through the plant.
- Headworks- Flows into the plant are measured in a parshall flume using a sonic flow sensor. The bar screens remove large objects and rags. The aerated grit chambers remove sand, grit and other inorganic matter.
- Bioselector- The raw flow into the plant is mixed with the return flow from the clarifiers in the bioselector. The bioselector is designed to provide an environment that is conducive to the growth of beneficial microorganisms while limiting the growth of detrimental microorganisms.
- Oxidation Ditches- The oxidation ditches are the heart of the treatment process. Wastewater is aerated for 14 to 19 hours allowing microorganisms to breakdown and consume much of the organic material in the wastewater.
- Final Clarifiers- Biological organisms and other solids settle out in the final clarifiers and are removed. The clarified water and the solid material are treated in separate processes from this point.
- Ultraviolet Disinfection- Ultraviolet light is used to kill virus and bacteria in the wastewater.
- Cascade Aerator- The cascade aerator restores oxygen to the wastewater before it is discharged to the Virgin River.
- Reuse- Reuse incorporates sand filters for polishing of treated effluent. Chlorine is used as a disinfection agent after the sand filter step.
- Sludge Disposal- Sludge is pumped from the gravity thickener to the dewatering facility. Dewatered solids are transported to the county landfill.

A site plan of the SGRWRF POTW is included in the appendices.

The current design loadings for the plant are:

Flow: 17.0 mgd

Design influent BOD: 35,480 lbs/day

TSS: 39,010 lbs/day

Effluent limitations that are applicable to the development of local limits and contained in the Utah Pollutant Discharge Elimination System (UPDES) permit are:

| Parameter | Maximum Monthly Avg | Maximum Weekly Average | Daily Maximum |
|---------------------|---------------------|------------------------|---------------|
| BOD, mg/L | 17 | 24 | NA |
| BOD Min. Removal | 85 | NA | NA |
| TSS, mg/L | 25 | 35 | NA |
| TSS Min. Removal | 85 | NA | NA |
| Ammonia, mg/L as N | 3.2 | NA | 16.7 |
| Oil and Grease mg/L | NA | NA | 10 |
| Silver, mg/L | NA | NA | 0.14 |
| TDS mg/L | NA | NA | 2360 |

Other City Contributors

The City of St. George provides wastewater treatment services for domestic, commercial and industrial users located in Washington City, Santa Clara and Ivins. Washington City, Santa Clara and Ivins have delegated all pretreatment responsibilities for implementation and enforcement of the pretreatment program to the City of St. George.

Acronyms

- BOD5 Biochemical Oxygen Demand
- CFR Code of Federal Regulations
- EPA Environmental Protection Agency
- gpd gallons per day
- IU Industrial User
- lbs/day pounds per day
- MAHL Maximum Allowable Headworks Loading
- MAIL Maximum Allowable Industrial Loading
- MDL Method Detection Limit
- mg/L milligrams per Liter
- mgd million gallons per day
- POC Pollutant of Concern
- POTW Publicly Owned Treatment Works
- QA/QC Quality Assurance/ Quality Control
- SGRWRF St. George Regional Water Reclamation Facility
- SIU Significant Industrial User
- TBLL Technically Based Local Limits
- TSS Total Suspended Solids
- TDS Total Dissolved Solids
- WQS Water Quality Standard
- UPDES Utah Pollutant Discharge Elimination System

Definitions

Approval Authority means the Director, Utah Department of Environmental Quality, Division of Water Quality.

Best Management Practices or BMP's. Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 403.5(a)(1) and (b). BMP's also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty (20) degrees Celsius expressed in milligrams per liter.

City. "City" means the City of St. George, State of Utah

Daily Maximum Limit. The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

Indirect Discharge or Discharge. The introduction of pollutants into the POTW from any nondomestic source regulated under sections 307(b), (c) or (d) of the Act.

Industrial User or User. A source of Indirect Discharge.

Maximum Allowable Headworks Loading (MAHL). The maximum loading of a pollutant that can be received at the POTW's headworks without causing Pass Through, Interference, interference with the beneficial reuse of sludge, or cause an adverse effect on worker safety and health.

Maximum Allowable Industrial Loading (MAIL). The total mass of a pollutant that all industrial Users may discharge pursuant to the local limits developed under 40 CFR Section 403.5(c).

Pollutant of Concern (POC). Any pollutant that is present in concentrations or mass that may reasonably be expected to cause Pass Through, Interference, or impact another environmental criterion evaluated in the development of local limits.

Pretreatment Requirement. Any substantive or procedural requirement related to Pretreatment, other than a National Pretreatment Standard, imposed on an industrial user.

Pretreatment Standard or Standard. Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with section 307(b) and (c) of the Act, which applies to Industrial Users. This term includes prohibitive discharge limits and local limits established pursuant to 40 CFR Section 403.5 and Best management Practices.

Publicly Owned Treatment Works or POTW. A treatment works, as defined by section 212 of the Act (33 U.S.C. section 1292), which is owned by the SGRWRF. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances, which convey wastewater to a treatment plant. It also includes sewers, pipes and other conveyances if they convey wastewater to a POTW Treatment Plant. The term also means the municipality as defined in section 502(4) of the Act, which has jurisdiction over the Indirect Discharges to and the discharges from such a treatment works.

Significant Industrial User (SIU).

1. Except as provided in paragraph (2) a "Significant Industrial User" is:
 - (a). An Industrial User subject to categorical Pretreatment Standards; or
 - (b). Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);
 - (c). Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - (d). Is designated as such by SGRWRF on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.
2. Upon a finding that a User meeting the criteria in subsection (1) (b) of this part has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement, SGRWRF may at any time, on its own initiative or in response to a petition received from an Industrial User, and in accordance with procedures in 40 CFR 403.8(f) (6), determine that such User should not be considered a Significant Industrial User.

Pollutants of Concern

Local limits are based on the Maximum Allowable Headworks Loading (MAHL). Step one was to identify the pollutants that should be evaluated to allow the City to determine whether or not a pollutant should be evaluated further. Initial pollutants of concern were sampled to determine whether or not they should be included in local limits calculations. EPA 2004 Local Limits Guidance was used for this process.

The following criterion was considered when evaluating the initial POC list.

1. POC's established by EPA including Arsenic, Cadmium, Chromium, Copper, Cyanide, Lead, Mercury, Molybdenum, Nickel, Selenium, Silver, Zinc, BOD5, TSS and Ammonia.
2. Review of historical data from 2010-2013 of POTW influent, effluent and sludge values (metals, organics and conventional pollutants).
3. Influent and Effluent Metals Monitoring for the Pretreatment Program as required by the UPDES were reviewed.
4. UPDES Permit Limited Pollutants were reviewed and included in the sampling program (BOD, TSS, and Ammonia).
5. Water Quality Standards (WQS) applicable to the receiving water were identified and screened against POTW effluent sampling.
6. No inhibition has been experienced by SGRWRF since the last local limits (2007) evaluation.
7. Sludge data was compiled from 2010 to 2013. No pollutant was observed to pose a threat to interfering with land disposal options when compared to Clean Sludge Standards (Table 3) and the Ceiling Concentration (Table 1).
8. No adverse worker safety or health was observed or reported.

The following priority pollutants were evaluated for local limits

- | | | | |
|-------------|---------------|--------------|--------------|
| 1. Antimony | 7. Mercury | 13. TSS | 19. Thallium |
| 2. Arsenic | 8. Molybdenum | 14. BOD | |
| 3. Cadmium | 9. Nickel | 15. Ammonia | |
| 4. Chromium | 10. Selenium | 16. Aluminum | |
| 5. Copper | 11. Silver | 17. Boron | |
| 6. Lead | 12. Zinc | 18. Iron | |

***Aluminum, Antimony, Boron, Iron and Thallium-** These metals are included in the Utah Division of Water Quality Wasteload Analysis of the Virgin River. The SGRWRF after performing analysis of these metals will consider them to be non-pollutants of concern. These elements will continue to be routinely analyzed in the SGRWRF waste stream. Supporting documentation for non-priority pollutants status is listed below:

| | <u>Wasteload Allocation to Virgin</u> | <u>SGRWRF Effluent</u> |
|----------|---------------------------------------|------------------------|
| Aluminum | 1283.9 ug/L | 31.3 ug/L |
| Antimony | 10441.22 ug/L | 1.2 ug/L |
| Boron | 1821.14 ug/L | 435.0 ug/L |
| Iron | 1713.2 ug/L | 20.0 ug/L |
| Thallium | 15.3 ug/L | <0.1 ug/L(ND) |

Local Limits Sampling Sites

The SGRWRF chose five different sampling sites for domestic sampling. Each site was sampled three individual times.

1. Manhole Number (11475) - Sample site is located at 2170 East and 2730 South. This manhole is located in a newer residential housing development in the Little Fields area of St. George.
2. Manhole Number (5303) – Sample site is located at 2450 East and 160 South. This manhole is located in an older residential housing area in the City of St. George.
3. Manhole Number (1007) – Sample site is located at 1550 West and 3750 South. This manhole is located in an older residential area located in the Bloomington area of St. George.
4. Manhole Number (3165) – Sample site is located at 2160 West and 170 North. This manhole is the Santa Clara City regional line. No industrial users are connected to this line.
5. Manhole Number (371) – Sample site is located at 2036 West in Sun River. This manhole is located in an over fifty-five retirement community in the Sun River area of St. George.

The appendices contain an aerial photo of each sample site. The sample manhole in the photo is indicated by a blue dot. An equipment log detailing manhole ID, address and date has also been included in the appendices.

Domestic background sampling analysis included the following parameters:

| | |
|------------|----------|
| Aluminum | Antimony |
| Arsenic | Cadmium |
| Chromium | Copper |
| Lead | Mercury |
| Molybdenum | Nickel |
| Selenium | Silver |
| Zinc | TSS |
| BOD | Ammonia |

Sample monitoring equipment was placed, cleaned and maintained by the pretreatment personnel of the SGRWRF. SGRWRF pretreatment personnel collected all wastewater samples. Samples were analyzed by both CHEMTECH-Ford and the SGRWRF laboratory. Both laboratories are NELAC certified.

Note: All analytical report sheets and chain of custodies will be included with the document titled **Local Limits Technical Review 2014** that is on file at the SGRWRF.

Summarized analysis data for domestic background sampling is located in the appendices.

SGRWRF Industrial User Quick View

The industrial user quick view contains a description of the significant and categorical industrial users in the SGRWRF service area. Permitted by SGRWRF are three Categorical Users and three Significant Users.

ALSCO – American Linen Division - A commercial laundry located at 3243 East Deseret Drive in the City of St. George Utah. ALSCO is classified as a significant industrial user. ALSCO started operations in the City of St. George in 1994.

Staheli Laundry Services - A commercial laundry located at 3146 East Deseret Drive in the City of St. George Utah. Staheli Laundry Services is classified as a significant industrial user. Staheli Laundry Services started operations in the City of St. George in 2012.

Wells Enterprises/ Blue Bunny – An ice cream manufacturing facility located at 1310 East Commerce Drive in the City of St. George, Utah. Wells is classified as a significant industrial user. Wells Enterprises started operations in the City of St. George in 2003.

Berry's Manufacturing Inc. - A bullet manufacturing facility located at 401 N. 3050 East in the City of St. George, Utah. Berry's is permitted as a categorical industrial user. Berry's started operations in the City of St. George in 2002.

RAM Manufacturing Co. Inc. - An electromechanical manufacturer located at 3172 Deseret Drive South in St. George, Utah. RAM Co. applies nickel plating to manufactured solenoid parts. RAM Co. is permitted as a categorical industrial user. RAM Co. started operations in the City of St. George in 1975.

Sylarus Technologies - A Germanium wafer substrate manufacturing facility and is located at 4167 South River Road in the City of St. George. Sylarus is permitted as a categorical industrial user. Sylarus began operations in the City of St. George in 2006.

SGRWRF Commercial Quick View

The SGRWRF receives wastewater discharge from approximately 300 restaurants located within its service area and approximately 25 car washes, these facilities have either grease traps or grease interceptors installed for treatment of the discharged wastewater.

SGRWRF Influent Data

The appendices contain the following SGRWRF Influent data analysis from 2010 to 2013.

1. **Table 1 - SGRWRF Historical Headworks Loading (Values in mg/L)**
2. **Table 2 - SGRWRF Historical Headworks Loading (Values In Pounds)**
3. **Table 3- SGRWRF Flow, BOD, and TSS Summary Table**
4. **Individual year results from 2010-2013 that includes analysis, flow and calculations for influent plant loading.**
5. **Maximum Allowable Headworks Limits (MAHL) graphs (2009-2013) for pollutant of concern. The MAHL is designated by a red line on the MAHL graph. Each MAHL graph also includes a black trending line.**

Sludge Composting Management

To beneficially use sludge generated at the SGRWRF, while protecting public health and the environment.

The District shall be responsible to insure that its compost operation complies with existing local, state and federal regulations governing sludge disposal. The District shall allow the City to inspect the compost operation and maintenance records to verify compliance with sludge Disposal regulations and to retrieve compost sample required for the compliance with state and EPA regulations.

The District shall have the right to sell or otherwise dispose of all final product(s) produced by or through its composting operation, provided that both the District and the City shall have first knowledge in writing that said final product meets all requirements for sale or disposal. Compost given away or sold to the public will meet the Class A requirements. Class A compost will meet a Coliform content of less than 1000 MPN/gram

of solids. This is based on a minimum of seven (7) samples of sludge collected over a two week period. The composting will consist of using the windrow method. For Class A sludge, the temperature of the sludge is maintained at 55 degrees centigrade or higher for 15 days or longer, with a minimum of 5 turnings of the pile during those 15 days.

Class B compost will be buried in the landfill or used for Final Land Fill cover. Class B compost will meet a Coliform content of less than 2,000,000 MPN/gram or CFU/gram of total solids. This is based on a minimum of seven (7) samples of sludge collected over a two week period. The composting will consist of using the windrow method. For Class B sludge, the temperature will maintained at 40 degrees centigrade or higher for 5 days and during those 5 days the temperature in the pile will exceed 55 degrees centigrade for 4 hours.

Raw sludge disposed in the landfill will be buried in the landfill and covered daily with soil. Raw sludge will meet or exceed the paint filter test requirement.

The daily gallons of Sludge processed are listed below:

| | |
|-------------------------------------|-------------------------|
| Year: 2010= 81,204 gallons per day, | Year 2010- %Solids=2.49 |
| Year: 2011= 85,061 gallons per day, | Year 2011-% Solids=2.56 |
| Year: 2012= 69,970 gallons per day, | Year 2011-% Solids=3.06 |
| Year: 2013= 62,842 gallons per day, | Year 2012-% Solids=3.28 |

Sludge Disposal Criteria

Sludge disposal numeric evaluation has been based on the values in Table 3 of 40 CFR part 503. This table protects the quality of sludge currently being produced by the SGRWRF. The value for Molybdenum is based on the ceiling limit of 75 mg/Kg contained in 503 (Table 1) for this metal. ***(Molybdenum is not included in the Summary Effluent Limitations for Metals UPDES No. UT-0024686). Chromium also is not included in Table 3 and thus the plant removal efficiency criteria will take the place of any sludge disposal criteria. SGRWRF has in the past and will continue to sample and analyze the sludge for Chromium.*** The sludge removals show several removals over 100%. These removals efficiencies were not used directly.

Sludge analysis from the years 2010 to 2013 is located in the appendices.

SGRWRF Metal Removal Efficiencies

The SGRWRF has documented the following removal efficiencies through its treatment facility. The following methodologies were used in calculating removal efficiencies:

- Arsenic-** (MRE, ADRE, and Decile).
- Chromium-** (MRE, ADRE, and Decile).
- Copper-**(MRE, ADRE, and Decile).
- Lead-**(MRE, ADRE, and Decile).
- Mercury-**(MRE, ADRE, and Decile).
- Molybdenum-**(MRE, ADRE, and Decile).
- Nickel-**(MRE, ADRE, and Decile).
- Selenium-**(MRE, ADRE, and Decile).
- Silver-** (MRE, ADRE, and Decile).
- Zinc-**(MRE, ADRE, and Decile).
- BOD, TSS, NH₃-**(MRE).

Calculations for each method is included in the appendices

***Cadmium-** Of sixteen influent analytical results only two values were above the detection limit for Cadmium with no detections for Cadmium on the thirty-two effluent samples.

With only two detections available on the influent and none on the effluent SGRWRF believes an accurate removal efficiency for Cadmium cannot be performed. SGRWRF will chose to use the literature Median Removal Value for Cadmium found in *U.S. EPA Local Limits Development Guidance (EPA 833-R-04-002A/B) (Appendix R)*.

***Cyanide-** Cyanide values show negative removal efficiency for years 2011 and 2012. SGRWRF believes these false positive effluent values are the result of **Problems Associated with Using Current EPA Approved Total Cyanide Analytical Methods for Determining Municipal Wastewater Treatment Plant NPDES Permit Compliance**. *Documentation supporting this assumption can be found in the appendices. The SGRWRF will choose to use the literature Median Removal Value for Cyanide found in U.S. EPA Local Limits Development Guidance (EPA 833-R-04-002A/B) (Appendix R).*

Priority Pollutant Percent Removal Efficiencies through Activated Sludge Treatment can be found in the appendices.

SGRWRF has historically used the mean removal efficiency method for calculating local limits. The mean removal efficiency method has provided SGRWRF POTW with sufficient protection in preventing interference and pass through. No pollutant has exceeded the MAHL since the last local limits evaluation in 2007, SGRWRF will continue to use the mean removal efficiency method for calculating the current local limits.

Analytical Methods

All wastewater samples were collected, preserved and analyzed using methods approved under 40 CFR 136 and 40 CFR Part 403, Appendices E. Sludge sampling and analyses were performed in accordance with 40 CFR 503.8. A summary table is included in the appendices.

Sample Types

SGRWRF POTW influent and effluent samples were collected as required by the UPDES permit.

Non-Petroleum Oil and Grease Limitation

The typical wastewater treatment plant treating most domestic wastewater will reliably remove at least 90% of all oil and grease entering the system. The UPDES permit for the SGRWRF allows maximum oil and grease discharge of 10 mg/L. When using the 90% removal criteria, the influent can average 100 mg/L oil and grease and still meet the permit requirements. As such, SGRWRF chooses to continue implementation of a 100 mg/L influent standard. There have been no oil and grease detections on either effluent train 1 or effluent train 2. Influent analysis on oil and grease has shown a high value of 34 mg/L to a low value of 28 mg/L.

pH Limit

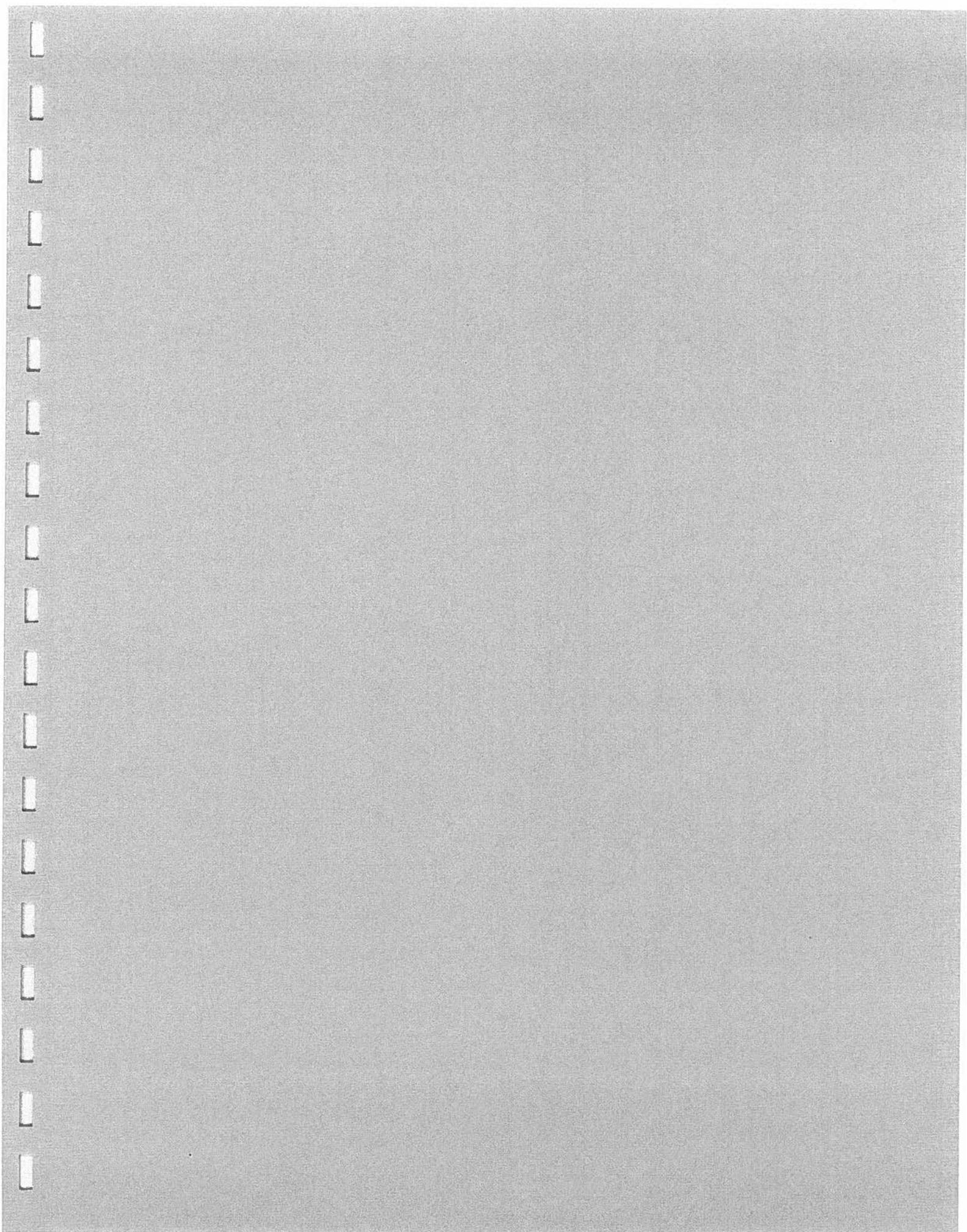
To protect worker safety and health the SGRWRF will set the lower pH limit at 5.0 and the upper pH limit at 12.0.

Implementation of Revised Local Limits

Any permitted industrial users and the public in general will be made aware of changes in the pretreatment program and local limits which must be approved by the City Council. Any industries that are anticipated to be impacted will be sent a written notice. Other parties will be notified of the meeting agenda according to the City's current process. The City welcomes any comments on the limits and will address any issues that arise or are brought to the City's attention by the public.

New Local Limit Summary Table

| Pollutant | New Local Limits | Units | Limit Type |
|------------------|------------------|---------|---------------|
| Arsenic | 1.3464 | mg/L | Daily Maximum |
| Cadmium | 0.299 | mg/L | Daily Maximum |
| Chromium (total) | 76.94 | mg/L | Daily Maximum |
| Copper | 15.12 | mg/L | Daily Maximum |
| Lead | 3.357 | mg/L | Daily Maximum |
| Mercury | 0.0563 | mg/L | Daily Maximum |
| Molybdenum | 3.6346 | mg/L | Daily Maximum |
| Nickel | 20.76 | mg/L | Daily Maximum |
| Selenium | 0.4594 | mg/L | Daily Maximum |
| Silver | 28.47 | mg/L | Daily Maximum |
| Zinc | 30.66 | mg/L | Daily Maximum |
| Cyanide | 1.573 | mg/L | Daily Maximum |
| BOD | 10605 | lbs/day | Daily Maximum |
| TSS | 13545 | lbs/day | Daily Maximum |
| NH3 | 1784 | lbs/day | Daily Maximum |



SGRWRF POTW Overview

| POTW | SGRWRF | Notes |
|---|---|--|
| POTW Flow for Local Limits (mgd) SIU Flow for Local Limits (mgd) Domestic and Commercial Flow Specific Gravity of Sludge Sludge Flow to Disposal (mgd) % Solids to Disposal Sludge Table Acute Receiving Water Flow (mgd) Chronic Receiving Water Flow(mgd) | 9.5 0.167 9.333 1.0 0.0748 2.85 1 and 3 17.0 17.0 Acute and Chronic 2B,3B and 4 | Average 2010-2013 Average 2010-2013 Molybdenum Value (Table 1) WLA -Fact Sheet -Design Flow WLA -Fact Sheet -Design Flow |

Pollutants of Concern

| 2010 to Present | Pollutant of Concern for Local Limits | Number of Samples | mg/L | <MDL | Monthly Max | Permit Limit Weekly Max | Daily Max |
|-----------------|---------------------------------------|-------------------|---|------------------|------------------------------|-------------------------|-----------|
| Aluminum | no | 16 32 | Influent- 0.8288 Effluent-0.0360 | 0<MDL 32<MDL | | | |
| Ammonia | yes | 213 | Influent- 19.0 Effluent- 0.51 | 0<MDL 42<MDL | 3.2 mg/L | | 16.7 mg/L |
| BOD | yes | 259 | Influent-212 Effluent-3.35 | 0<MDL 79<MDL | 17 mg/L Min. removal 85 % | 24 mg/L | |
| TSS | yes | 260 | Influent-244 Effluent- 4.6 | 0<MDL 2<MDL | 25 mg/L Min. removal 85 % | 35 mg/l | |
| Arsenic | yes | 16 32 | Influent-0.00826 Effluent-0.00621 | 0<MDL 0<MDL | | | |
| Cadmium* | yes | 16 32 | Influent- 0.000348 Effluent- No detections | 14<MDL 32<MDL | | | |
| Chromium(T) | yes | 16 32 | Influent- 0.00322 Effluent- 0.00206 | 3<MDL 9<MDL | | | |
| Copper | yes | 16 32 | Influent-0.03418 Effluent-0.00384 | 0<MDL 3<MDL | | | |
| Lead | yes | 16 32 | Influent-0.00163 Effluent-0.00043 | 2<MDL 32<MDL | | | |

Pollutants of Concern

| 2010 to Present | Pollutant of Concern for Local Limits [*] | Number of Samples | mg/L | <MDL | Monthly Max | Permit Limit Weekly Max | Daily Max |
|-----------------|--|-------------------|-------------------------|--------|-------------|-------------------------|-----------|
| Mercury | yes | 16 | Influent- 118.98 (ng/L) | 0<MDL | | | |
| | | 32 | Effluent - 1.705 (ng/L) | 14<MDL | | | |
| Molybdenum | yes | 16 | Influent- 0.00686 | 4<MDL | | | |
| | | 32 | Effluent- 0.00589 | 8<MDL | | | |
| Nickel | yes | 16 | Influent- 0.01046 | 0<MDL | | | |
| | | 32 | Effluent- 0.00840 | 2<MDL | | | |
| Selenium | yes | 16 | Influent- 0.00313 | 1<MDL | | | |
| | | 32 | Effluent- 0.00211 | 7< MDL | | | |
| Silver | yes | 16 | Influent-0.0079 | 10<MDL | | | 0.14 mg/L |
| | | 32 | Effluent-.00043 | 32<MDL | | | |
| Zinc | yes | 16 | Influent-0.1275 | 0<MDL | | | |
| | | 32 | Effluent-0.03213 | 0<MDL | | | |
| Cyanide** | yes | 16 | Influent-0.00158 | 13<MDL | | | |
| | | 32 | Effluent-0.003225 | 18<MDL | | | |

SGRWRF has two effluent discharge points that are required to be monitored.

^{*} On 16 samples the SGRWRF had only two detections for Cadmium on influent sampling. With so few values available to calculate a reliable removal efficiency SGRWRF will choose to use the EPA Literature values for Cadmium.

^{**}SGRWRF calculated a negative removal efficiency for Cyanide. The SGRWRF believes this to be due to false positive analysis on the effluent samples. Supporting documentation for the false positive analysis is supplied in the appendix. SGRWRF will choose to use the EPA Literature values for Cyanide.

Domestic and Commercial Data

| Domestic Commercial Data (Pollutant) | Domestic and Commercial to POTW (mg/L) | Sample Notes (Number) | Sample Notes (MDL) | Calculated Domestic and Commercial Contribution (lbs/Day) |
|--------------------------------------|--|-----------------------|--------------------|---|
| Aluminum | 0.47 | n=15 | 0 <MDL | 36.58 |
| Antimony | 0.00057 | n=15 | 10 <MDL | 0.04437 |
| Arsenic | 0.00516 | n=15 | 0 <MDL | 0.40164 |
| Cadmium | 0.0002 | n=15 | 14 <MDL | 0.01557 |
| Chromium(T) | 0.00197 | n=15 | 0 <MDL | 0.15334 |
| Copper | 0.02132 | n=15 | 0 <MDL | 1.65949 |
| Lead | 0.00109 | n=15 | 0 <MDL | 0.08484 |
| Mercury | 0.0002 | n=15 | 15 <MDL | 0.00778 |
| Molybdenum | 0.00256 | n=15 | 0 <MDL | 0.19926 |
| Nickel | 0.00705 | n=15 | 0 <MDL | 0.54875 |
| Selenium | 0.00192 | n=15 | 0 <MDL | 0.14945 |
| Silver | 0.0005 | n=15 | 15 <MDL | 0.01946 |
| Zinc | 0.09933 | n=15 | 0 <MDL | 7.73157 |
| TSS | 219 | n=15 | 0 <MDL | 17050 |
| BOD | 224 | n=15 | 0 <MDL | 17440 |
| NH3 | 21.48 | n=15 | 0 <MDL | 1672 |

Influent and Effluent Data

| Influent and Effluent Data Pollutant | Average POTW Influent mg/L | Influent Lbs | Influent Comments | Average POTW Effluent 1 mg/L | Average POTW Effluent 2 mg/L | Eff 1 & 2 Average | Effluent Comments | Effluent Lbs |
|--------------------------------------|----------------------------|--------------|-------------------|------------------------------|------------------------------|-------------------|-------------------|--------------|
| Arsenic | 0.00826 | 0.6511 | 0<MDL | 0.00609 | 0.00634 | 0.00621 | 0<MDL | 0.49092 |
| Cadmium | ***** | ***** | 14<MDL | ***** | ***** | ***** | 16<MDL | ***** |
| Chromium(T) | 0.00322 | 0.2540 | 3<MDL | 0.00203 | 0.00208 | 0.00206 | 9<MDL | 0.16346 |
| Copper | 0.0342 | 2.676 | 0<MDL | 0.00395 | 0.00373 | 0.00384 | 3<MDL | 0.30407 |
| Molybdenum | 0.00686 | 0.5416 | 4<MDL | 0.00582 | 0.00597 | 0.00589 | 8<MDL | 0.46622 |
| Mercury** | 119.0 | 0.00942 | 0<MDL | 1.90063 | 1.50875 | 1.70469 | 14<MDL | 0.00013 |
| Nickel | 0.01046 | 0.8289 | 0<MDL | 0.00841 | 0.00839 | 0.00840 | 2<MDL | 0.66763 |
| Lead | 0.00163 | 0.12670 | 2<MDL | 0.00043 | 0.00043 | 0.00043 | 16<MDL | 0.03371 |
| Selenium | 0.00313 | 0.2462 | 1<MDL | 0.00198 | 0.00225 | 0.00211 | 7<MDL | 0.16662 |
| Silver | 0.00079 | 0.0605 | 10<MDL | 0.00043 | 0.00043 | 0.00043 | 16<MDL | 0.03371 |
| Zinc | 0.1275 | 9.9320 | 0<MDL | 0.03111 | 0.03315 | 0.03213 | 0<MDL | 2.53143 |
| BOD | 212 | 16196 | n=156 | 2.90 | 3.80 | 3.35 | n=156 | 256 |
| TSS | 244 | 18640 | n=156 | 3.83 | 5.31 | 4.57 | n=156 | 349 |

* On 16 samples the SGRWRF had only two detections for Cadmium on influent sampling. With few values available to calculate a reliable removal efficiency SGRWRF will choose to use the EPA Literature values for Cadmium.

** Note :Mercury values are in ng/L

Removal Efficiency

| Removal Efficiency Calculations | MRE Mean Removal Efficiency (%) | LIT Literature Removal Efficiency (%) | Literature Removal Source | Name of Removal Used (MRE/LIT) |
|---------------------------------|---------------------------------|---------------------------------------|---------------------------|--------------------------------|
| Pollutant | | | | |
| Arsenic | 24 | 67 | EPA | MRE |
| Cadmium | 0 | | | LIT |
| Chromium(toatal) | 50 | | | MRE |
| Copper | 88 | | | MRE |
| Lead | 84 | | | MRE |
| Mercury | 98 | | | MRE |
| Molybdenum | 19 | | | MRE |
| Nickel | 19 | | | MRE |
| Selenium | 33 | | | MRE |
| Silver | 79 | 69 | EPA | MRE |
| Zinc | 74 | | | MRE |
| Cyanide | 0 | | | LIT |
| BOD | 98 | | | MRE |
| TSS | 98 | | | MRE |
| NH3 | | | | MRE |

Daily/Acute MAHL Calculations

| | MAHL Daily Loading | Class 4 Acute Agriculture ug/L | Class 3 Acute Aquatic ug/L | Toxics Acute Wildlife ug/L | Acute Most Stringent ug/L | Name of MAHL for Daily Max Limits | Design Loading for BOD,TSS,NH3 lbs/day |
|-----------------|--------------------|--------------------------------|----------------------------|----------------------------|---------------------------|-----------------------------------|--|
| Arsenic | 25.31 | 242.8 | 582.2 | | 242.8 | Class 4 | |
| Cadmium | 5.3780 | 24.2 | 22.4 | | 22.4 | Class 3 | |
| Chromium(total) | 2115.4 | | 13353.4 | | 13353.4 | Class 3 | |
| Copper | 84.908 | 484.5 | 128.6 | | 128.6 | Class 3 | |
| Lead | 119.69 | 241.7 | 1360.4 | | 241.7 | Class 4 | |
| Mercury | 1.442 | | 4.11 | 0.364 | 0.364 | Wildlife | |
| Nickel | 356.633 | | 3646.1 | 11169.7 | 3646.1 | Class 3 | |
| Selenium | 3.9142 | 119.1 | 33.1 | | 33.1 | Class 3 | |
| Silver | 52.895 | | 140.2 | | 140.2 | Class 3 | |
| Zinc | 284.44 | | 933.4 | | 933.4 | Class 3 | |
| Cyanide | 9.0514 | | 37.7 | | | Class 3 | |
| BOD | | | | | | POTW Design | 35480 |
| TSS | | | | | | POTW Design | 39010 |
| NH3 | | | | | | POTW Design | 4250 |

| | BOD | TSS | NH3 | units | units |
|--------------------------------------|-------|-------|------|---------|---------|
| Design Load | 35480 | 39010 | 4250 | lbs/day | lbs/day |
| Current Domestic and Commercial Load | 17440 | 17050 | 1672 | lbs/day | lbs/day |
| Allocated Industrial User Load | 3900 | 3900 | 200 | lbs/day | lbs/day |
| Remaining BOD Load | 14140 | 18060 | 2378 | lbs/day | lbs/day |
| Safety and Growth Factor | 25 | 25 | 25 | % | % |
| Total Allocation Available | 10605 | 13545 | 1784 | lbs/day | lbs/day |
| Available Usable Load | 10605 | 13545 | 1784 | lbs/day | lbs/day |

Monthly/Chronic MAHL Calculations

| | MAHL Daily Loading lbs/day | Chronic Class 3 Aquatic ug/L | Sludge Loading Table 1 and 3 lbs/day | Most Stringent Standard lbs/day | Name of MAHL for Monthly Limits |
|-----------------|----------------------------|------------------------------|--------------------------------------|---------------------------------|---------------------------------|
| Arsenic | 47.98 | 460.2 | 3.036 | 3.036 | Sludge |
| Cadmium | 0.5762 | 2.4 | 1.0345 | 0.5762 | WQ-Chronic |
| Chromium(total) | 143.09 | 903.1 | | 143.09 | WQ-Chronic |
| Copper | 68.14 | 103.2 | 30.29 | 30.29 | Sludge |
| Lead | 36.64 | 74.0 | 6.347 | 6.347 | Sludge |
| Mercury | 0.1149 | 0.029 | 0.30829 | 0.1149 | WQ-Chronic |
| Molybdenum | | | 7.015 | 7.015 | Sludge |
| Nickel | 56.05 | 573.2 | 39.285 | 39.285 | Sludge |
| Selenium | 1.0525 | 8.9 | 5.385 | 1.0525 | WQ-Chronic |
| Silver | | | | | No Standard |
| Zinc | 402.85 | 1322.2 | 67.24 | 67.24 | Sludge |
| Cyanide | 3.0252 | 12.6 | | 3.0252 | WQ-Chronic |
| BOD | | | | | |
| TSS | | | | | |

Daily/Acute and Chronic Standards Summary

| | Class 4 Acute Agriculture ug/L | Class 3 Acute Aquatic ug/L | Toxics Acute Wildlife ug/L | POTW Design Capacity BOD, TSS, & NH3 lbs/day | Class 3 Chronic Aquatic ug/L |
|-----------------|---|-------------------------------------|-------------------------------------|---|---------------------------------------|
| Arsenic | 242.8 | 582.2 | | | 460.2 |
| Cadmium | 24.2 | 22.4 | | | 2.4 |
| Chromium(total) | | 13353.4 | | | 903.1 |
| Copper | 484.5 | 128.6 | | | 103.2 |
| Lead | 241.7 | 1360.4 | | | 74.0 |
| Mercury | | 4.11 | 0.36 | | 0.029 |
| Nickel | | 3646.1 | 11169.7 | | 573.2 |
| Selenium | 119.1 | 33.1 | | | 8.9 |
| Silver | | 140.2 | | | |
| Zinc | | 933.4 | | | 1322.2 |
| Cyanide | | 37.7 | | | 12.6 |
| BOD | | | | 35480 | |
| TSS | | | | 39010 | |
| NH3 | | | | 4250 | |

Sludge Table

| Sludge | SGRWRF POTW Maximum Sludge to Disposal Dry Weight mg/kg | 503 Table 3 mg/kg | 503 Table 1 mg/kg |
|-------------|---|-------------------------|-------------------------|
| Pollutant | | | |
| Arsenic | 36.3 | 41 | |
| Cadmium | 0.857 | 39 | |
| Chromium(T) | 12.0 | NA | NA |
| Copper | 255 | 1500 | |
| Lead | 45.5 | 300 | |
| Mercury | 1.10 | 17 | |
| Nickel | 12.8 | 420 | |
| Selenium | 42.2 | 100 | |
| Zinc | 492 | 2800 | |
| Molybdenum | 6.86 | NA | 75 |

Qualifying Standard

| Pollutant | MAHL lbs/day | Standard for MAHL | Safety Factor | Growth Factor | MAIL lbs/day |
|-----------------|-----------------|----------------------|------------------|------------------|-----------------|
| Arsenic | 3.036 | Sludge | 15 | 10 | 1.875 |
| Cadmium | 0.5762 | WQ-Chronic | 15 | 10 | 0.4166 |
| Chromium(total) | 143.089 | WQ-Chronic | 15 | 10 | 107.2 |
| Copper | 30.293 | Sludge | 15 | 10 | 21.06 |
| Lead | 6.347 | Sludge | 15 | 10 | 4.675 |
| Mercury | 0.1149 | WQ-Chronic | 15 | 10 | 0.07838 |
| Molybdenum | 7.015 | Sludge | 15 | 10 | 5.062 |
| Nickel | 39.285 | Sludge | 15 | 10 | 28.92 |
| Selenium | 1.0525 | WQ-Chronic | 15 | 10 | 0.6399 |
| Silver | 52.895 | WQ-Acute | 15 | 10 | 39.65 |
| Zinc | 67.245 | Sludge | 15 | 10 | 42.7 |
| Cyanide | 3.0252 | WQ-Chronic | 15 | 10 | 2.191 |
| BOD | 35480 | POTW Design | 15 | 10 | 10605 |
| TSS | 39010 | POTW Design | 15 | 10 | 13545 |
| NH3 | 4250 | POTW Design | 15 | 10 | 1784 |

Test Methods

| Parameter | Container plastic/glass | Sample Type grab/composite | Preservation | Max. Holding Time | Test Method | Cooling |
|---------------------|----------------------------|-------------------------------|---|-------------------|--------------------------|---------|
| Aluminum | P | C | HNO ₃ to pH <2 | 6 months | EPA 200.7 | |
| Antimony | P | C | HNO ₃ to pH <2 | 6 months | EPA 200.8 | |
| Arsenic | P | C | HNO ₃ to pH <2 | 6 months | EPA 200.8 | |
| Boron | P | C | HNO ₃ to pH <2 | 6 months | EPA 200.7 | |
| Cadmium | P | C | HNO ₃ to pH <2 | 6 months | EPA 200.8 | |
| Chromium(Total) | P | C | HNO ₃ to pH <2 | 6 months | EPA 200.8 | |
| Copper | P | C | HNO ₃ to pH <2 | 6 months | EPA 200.8 | |
| Iron | P | C | HNO ₃ to pH <2 | 6 months | EPA 200.7 | |
| Lead | P | C | HNO ₃ to pH <2 | 6 months | EPA 200.8 | |
| Mercury | P | g/c | HNO ₃ to pH <2 | 28 days | EPA 245.1 | |
| Mercury (Low Level) | G | g/c | 5 mL/L 12N HCL | 90 days | EPA 1631 Rev. E | |
| Molybdenum | P | C | HNO ₃ to pH <2 | 6 months | EPA 200.8 | |
| Nickel | P | C | HNO ₃ to pH <2 | 6 months | EPA 200.8 | |
| Selenium | P | C | HNO ₃ to pH <2 | 6 months | EPA 200.8 | |
| Silver | P | C | HNO ₃ to pH <2 | 6 months | EPA 200.8 | |
| Thallium | P | C | HNO ₃ to pH <2 | 6 months | EPA 200.8 | |
| Zinc | P | C | HNO ₃ to pH <2 | 6 months | EPA 200.7 | |
| BOD | P | C | No additive | 48 Hours | SM 5210B | ≤6°C |
| TSS | P | C | No additive | 7 days | SM 2540D/EPA 160.4 | ≤6°C |
| Ammonia | P | g | H ₂ SO ₄ to pH <2 | 28 Days | SM4500-NH ₃ D | ≤6°C |
| Cyanide | P | g | NaOH to pH >12 | 14 Days | SM4500 CN-E | ≤6°C |
| Oil and Grease | G | g | HCL to pH <2 | 28 Days | EPA 1664A | ≤6°C |

DRAFT

Agenda Item Number : **6A**

Request For Council Action

Date Submitted 2015-09-29 12:42:01

Applicant PC

Quick Title PC Report from Sept 22, 2015

Subject Consider approval of the Planning Commission report from the meeting on September 22, 2015.

Discussion These items are the remaining plats from the September 22nd PC report that were not ready for City Council consideration on the 24th. The agenda consist of four final plats.

Cost \$0.00

City Manager Recommendation

Action Taken

Requested by John Willis

File Attachments

Approved by Legal Department?

Approved in Budget? Amount:

Additional Comments

**CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH**

PLANNING COMMISSION REPORT: SEPTEMBER 22, 2015
CITY COUNCIL MEETING: OCTOBER 1, 2015

Note: These Final Plats were reviewed by the Planning Commission at the September 22nd Planning Commission meeting, but were not ready to be scheduled for the September 24th City Council meeting due to additional legal and staff review requirements.

1. **FINAL PLATS (FP)**

- A. Consider approval of a thirty two (32) lot residential subdivision Final Plat for “**Bridle Gate Estates Phase 3.**” The property is zoned RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size) and is located 3030 East Street and approximately 2550 South (within the Little Valley area). The representative is Mr. Robbin Mullen, Region Engineering and Surveying. Case No. 2015-FP-046. (Staff – Wes Jenkins)
- B. Consider approval of a ten (10) lot residential subdivision Final Plat for “**Bridle Gate Estates Phase 4.**” The property is zoned RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size) and is located at approximately 3210 East and 2550 South (within the Little Valley area). The representative is Mr. Robbin Mullen, Region Engineering and Surveying. Case No. 2015-FP-047. (Staff – Wes Jenkins)
- C. Consider approval of a fifteen (15) lot residential subdivision Final Plat for “**Desert Plateau Phase 3.**” The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at Deserts Edge Drive at approximately 6270 South (within the Desert Canyons Development). The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-013. (Staff – Wes Jenkins)
- D. Consider approval of a twelve (12) lot residential subdivision Final Plat for “**Desert Plateau Phase 4.**” The property is zoned PD-R (Planned Development Residential) and R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at Barrel Roll Drive at approximately 3550 East (within the Desert Canyons Development). The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-014. (Staff – Wes Jenkins)

PCR ITEM 1A

Final Plat

PLANNING COMMISSION AGENDA REPORT: 09/22/2015
CITY COUNCIL MEETING: 10/01/2015

FINAL PLAT

Bridle Gate Estates Phase 3
Case No. 2015-FP-046

Request: Approval of a 32 Lot Residential Subdivision Final Plat

Representative: Robbin J. Mullen, Region Engineering and Surveying
1776 North State Street #110
Orem, UT 84057

Property: Located at 3030 East Street and approximately 2550 South (Little Valley Area)

Zone: RE-12.5

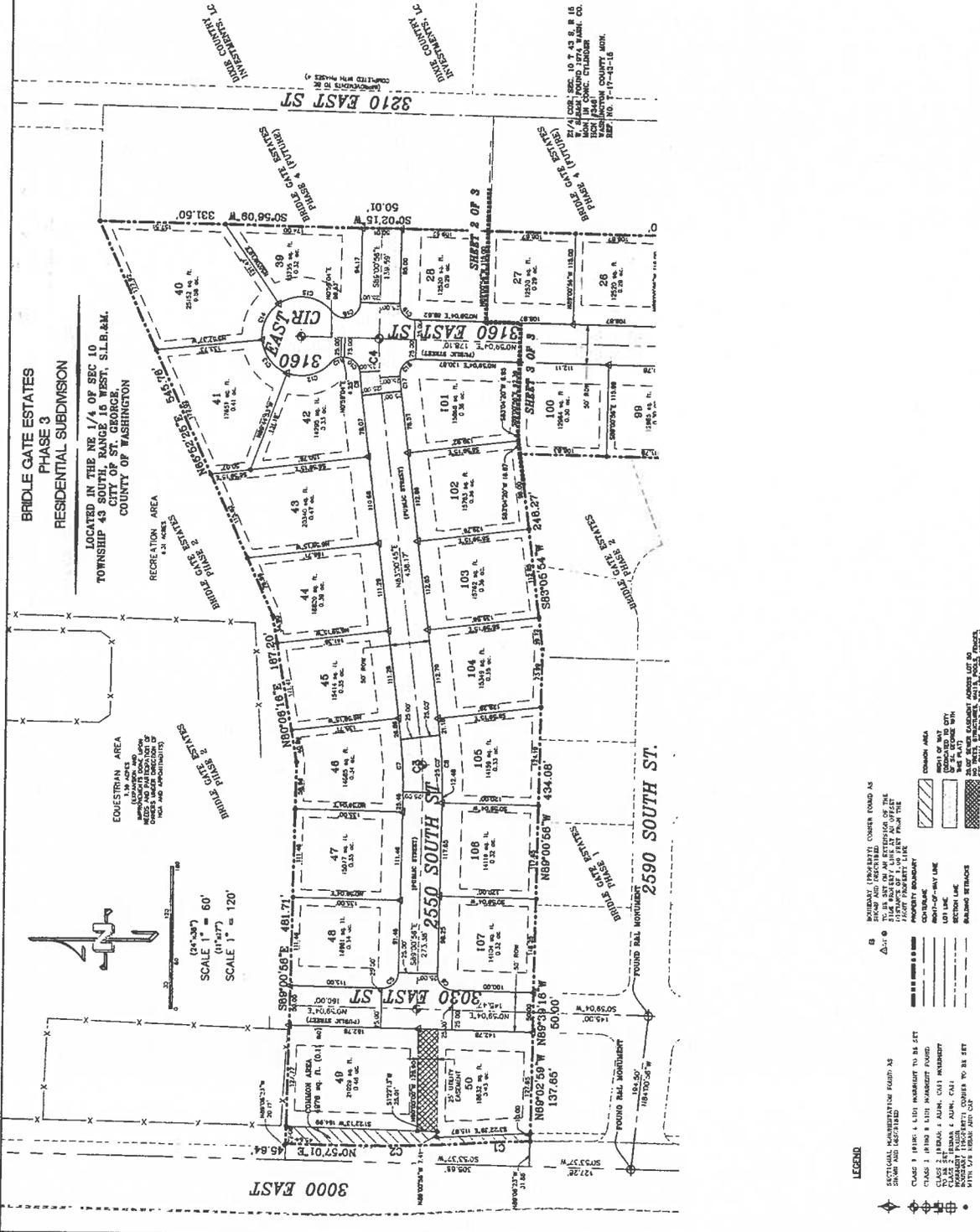
Staff Comments: All aspects of this Final Plat were carefully looked at and reviewed by the Public Works Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the Preliminary Plat conditions and approvals.

P.C.: The Planning Commission recommends approval.

General Notes and Restrictions

1. This map is a preliminary map and is not to be used for any other purpose.
2. The area shown on this map is not to be used for any other purpose.
3. The area shown on this map is not to be used for any other purpose.
4. The area shown on this map is not to be used for any other purpose.
5. The area shown on this map is not to be used for any other purpose.
6. The area shown on this map is not to be used for any other purpose.
7. The area shown on this map is not to be used for any other purpose.
8. The area shown on this map is not to be used for any other purpose.
9. The area shown on this map is not to be used for any other purpose.
10. The area shown on this map is not to be used for any other purpose.
11. The area shown on this map is not to be used for any other purpose.
12. The area shown on this map is not to be used for any other purpose.
13. The area shown on this map is not to be used for any other purpose.
14. The area shown on this map is not to be used for any other purpose.
15. The area shown on this map is not to be used for any other purpose.
16. The area shown on this map is not to be used for any other purpose.
17. The area shown on this map is not to be used for any other purpose.
18. The area shown on this map is not to be used for any other purpose.
19. The area shown on this map is not to be used for any other purpose.
20. The area shown on this map is not to be used for any other purpose.

| CURVE LENGTH | CHORD BEARING | CHORD DIST. | CHORD BEARING |
|--------------|---------------|-------------|---------------|
| C1 | 180.00 | 180.00 | 180.00 |
| C2 | 180.00 | 180.00 | 180.00 |
| C3 | 180.00 | 180.00 | 180.00 |
| C4 | 180.00 | 180.00 | 180.00 |
| C5 | 180.00 | 180.00 | 180.00 |
| C6 | 180.00 | 180.00 | 180.00 |
| C7 | 180.00 | 180.00 | 180.00 |
| C8 | 180.00 | 180.00 | 180.00 |
| C9 | 180.00 | 180.00 | 180.00 |
| C10 | 180.00 | 180.00 | 180.00 |
| C11 | 180.00 | 180.00 | 180.00 |
| C12 | 180.00 | 180.00 | 180.00 |
| C13 | 180.00 | 180.00 | 180.00 |
| C14 | 180.00 | 180.00 | 180.00 |
| C15 | 180.00 | 180.00 | 180.00 |
| C16 | 180.00 | 180.00 | 180.00 |
| C17 | 180.00 | 180.00 | 180.00 |
| C18 | 180.00 | 180.00 | 180.00 |
| C19 | 180.00 | 180.00 | 180.00 |
| C20 | 180.00 | 180.00 | 180.00 |



- LEGEND**
- SECTIONAL REPRESENTATION SHOWN AS SHOWN AND DESCRIBED
 - CLASS 1 (PINK) & LINES INDICATED TO BE SET
 - CLASS 2 (PINK) & LINES INDICATED TO BE SET
 - CLASS 3 (PINK) & LINES INDICATED TO BE SET
 - CLASS 4 (PINK) & LINES INDICATED TO BE SET
 - CLASS 5 (PINK) & LINES INDICATED TO BE SET
 - CLASS 6 (PINK) & LINES INDICATED TO BE SET
 - CLASS 7 (PINK) & LINES INDICATED TO BE SET
 - CLASS 8 (PINK) & LINES INDICATED TO BE SET
 - CLASS 9 (PINK) & LINES INDICATED TO BE SET
 - CLASS 10 (PINK) & LINES INDICATED TO BE SET
 - CLASS 11 (PINK) & LINES INDICATED TO BE SET
 - CLASS 12 (PINK) & LINES INDICATED TO BE SET
 - CLASS 13 (PINK) & LINES INDICATED TO BE SET
 - CLASS 14 (PINK) & LINES INDICATED TO BE SET
 - CLASS 15 (PINK) & LINES INDICATED TO BE SET
 - CLASS 16 (PINK) & LINES INDICATED TO BE SET
 - CLASS 17 (PINK) & LINES INDICATED TO BE SET
 - CLASS 18 (PINK) & LINES INDICATED TO BE SET
 - CLASS 19 (PINK) & LINES INDICATED TO BE SET
 - CLASS 20 (PINK) & LINES INDICATED TO BE SET
 - CLASS 21 (PINK) & LINES INDICATED TO BE SET
 - CLASS 22 (PINK) & LINES INDICATED TO BE SET
 - CLASS 23 (PINK) & LINES INDICATED TO BE SET
 - CLASS 24 (PINK) & LINES INDICATED TO BE SET
 - CLASS 25 (PINK) & LINES INDICATED TO BE SET
 - CLASS 26 (PINK) & LINES INDICATED TO BE SET
 - CLASS 27 (PINK) & LINES INDICATED TO BE SET
 - CLASS 28 (PINK) & LINES INDICATED TO BE SET
 - CLASS 29 (PINK) & LINES INDICATED TO BE SET
 - CLASS 30 (PINK) & LINES INDICATED TO BE SET
 - CLASS 31 (PINK) & LINES INDICATED TO BE SET
 - CLASS 32 (PINK) & LINES INDICATED TO BE SET
 - CLASS 33 (PINK) & LINES INDICATED TO BE SET
 - CLASS 34 (PINK) & LINES INDICATED TO BE SET
 - CLASS 35 (PINK) & LINES INDICATED TO BE SET
 - CLASS 36 (PINK) & LINES INDICATED TO BE SET
 - CLASS 37 (PINK) & LINES INDICATED TO BE SET
 - CLASS 38 (PINK) & LINES INDICATED TO BE SET
 - CLASS 39 (PINK) & LINES INDICATED TO BE SET
 - CLASS 40 (PINK) & LINES INDICATED TO BE SET
 - CLASS 41 (PINK) & LINES INDICATED TO BE SET
 - CLASS 42 (PINK) & LINES INDICATED TO BE SET
 - CLASS 43 (PINK) & LINES INDICATED TO BE SET
 - CLASS 44 (PINK) & LINES INDICATED TO BE SET
 - CLASS 45 (PINK) & LINES INDICATED TO BE SET
 - CLASS 46 (PINK) & LINES INDICATED TO BE SET
 - CLASS 47 (PINK) & LINES INDICATED TO BE SET
 - CLASS 48 (PINK) & LINES INDICATED TO BE SET
 - CLASS 49 (PINK) & LINES INDICATED TO BE SET
 - CLASS 50 (PINK) & LINES INDICATED TO BE SET
 - CLASS 51 (PINK) & LINES INDICATED TO BE SET
 - CLASS 52 (PINK) & LINES INDICATED TO BE SET
 - CLASS 53 (PINK) & LINES INDICATED TO BE SET
 - CLASS 54 (PINK) & LINES INDICATED TO BE SET
 - CLASS 55 (PINK) & LINES INDICATED TO BE SET
 - CLASS 56 (PINK) & LINES INDICATED TO BE SET
 - CLASS 57 (PINK) & LINES INDICATED TO BE SET
 - CLASS 58 (PINK) & LINES INDICATED TO BE SET
 - CLASS 59 (PINK) & LINES INDICATED TO BE SET
 - CLASS 60 (PINK) & LINES INDICATED TO BE SET
 - CLASS 61 (PINK) & LINES INDICATED TO BE SET
 - CLASS 62 (PINK) & LINES INDICATED TO BE SET
 - CLASS 63 (PINK) & LINES INDICATED TO BE SET
 - CLASS 64 (PINK) & LINES INDICATED TO BE SET
 - CLASS 65 (PINK) & LINES INDICATED TO BE SET
 - CLASS 66 (PINK) & LINES INDICATED TO BE SET
 - CLASS 67 (PINK) & LINES INDICATED TO BE SET
 - CLASS 68 (PINK) & LINES INDICATED TO BE SET
 - CLASS 69 (PINK) & LINES INDICATED TO BE SET
 - CLASS 70 (PINK) & LINES INDICATED TO BE SET
 - CLASS 71 (PINK) & LINES INDICATED TO BE SET
 - CLASS 72 (PINK) & LINES INDICATED TO BE SET
 - CLASS 73 (PINK) & LINES INDICATED TO BE SET
 - CLASS 74 (PINK) & LINES INDICATED TO BE SET
 - CLASS 75 (PINK) & LINES INDICATED TO BE SET
 - CLASS 76 (PINK) & LINES INDICATED TO BE SET
 - CLASS 77 (PINK) & LINES INDICATED TO BE SET
 - CLASS 78 (PINK) & LINES INDICATED TO BE SET
 - CLASS 79 (PINK) & LINES INDICATED TO BE SET
 - CLASS 80 (PINK) & LINES INDICATED TO BE SET
 - CLASS 81 (PINK) & LINES INDICATED TO BE SET
 - CLASS 82 (PINK) & LINES INDICATED TO BE SET
 - CLASS 83 (PINK) & LINES INDICATED TO BE SET
 - CLASS 84 (PINK) & LINES INDICATED TO BE SET
 - CLASS 85 (PINK) & LINES INDICATED TO BE SET
 - CLASS 86 (PINK) & LINES INDICATED TO BE SET
 - CLASS 87 (PINK) & LINES INDICATED TO BE SET
 - CLASS 88 (PINK) & LINES INDICATED TO BE SET
 - CLASS 89 (PINK) & LINES INDICATED TO BE SET
 - CLASS 90 (PINK) & LINES INDICATED TO BE SET
 - CLASS 91 (PINK) & LINES INDICATED TO BE SET
 - CLASS 92 (PINK) & LINES INDICATED TO BE SET
 - CLASS 93 (PINK) & LINES INDICATED TO BE SET
 - CLASS 94 (PINK) & LINES INDICATED TO BE SET
 - CLASS 95 (PINK) & LINES INDICATED TO BE SET
 - CLASS 96 (PINK) & LINES INDICATED TO BE SET
 - CLASS 97 (PINK) & LINES INDICATED TO BE SET
 - CLASS 98 (PINK) & LINES INDICATED TO BE SET
 - CLASS 99 (PINK) & LINES INDICATED TO BE SET
 - CLASS 100 (PINK) & LINES INDICATED TO BE SET

PCR ITEM 1B

Final Plat

PLANNING COMMISSION AGENDA REPORT: 09/22/2015
CITY COUNCIL MEETING: 10/01/2015

FINAL PLAT

Bridle Gate Estates Phase 4

Case No. 2015-FP-047

Request: Approval of a ten (10) Lot Residential Subdivision Final Plat

Representative: Robbin J. Mullen, Region Engineering and Surveying
1776 North State Street #110
Orem, UT 84057

Property: Located at approximately 3210 East and 2550 South (Little Valley Area, east of Phase 3)

Zone: RE-12.5

Staff Comments: All aspects of this Final Plat were carefully looked at and reviewed by the Public Works Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the Preliminary Plat conditions and approvals.

P.C.: The Planning Commission recommends approval.

PCR ITEM 1C

Final Plat

PLANNING COMMISSION AGENDA REPORT: 09/22/2015
CITY COUNCIL MEETING: 10/01/2015

FINAL PLAT

Desert Plateau Phase 3
Case No. 2015-FP-013

Request: Approval of a 15 Lot Residential Subdivision Final Plat

Representative: Brad Petersen, Development Solutions
120 East St. George Blvd, Suite #300
St. George, UT 84770

Property: Located at Deserts Edge Drive at approximately 6270 South
(Desert Canyons Development)

Zone: R-1-10

Staff Comments: All aspects of this Final Plat were carefully looked at and reviewed by the Public Works Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the Preliminary Plat conditions and approvals.

P.C.: The Planning Commission recommends approval.

PCR ITEM 1D

Final Plat

PLANNING COMMISSION AGENDA REPORT: 09/22/2015
CITY COUNCIL MEETING: 10/01/2015

FINAL PLAT

Desert Plateau Phase 4
Case No. 2015-FP-014

Request: Approval of a 12 Lot Residential Subdivision Final Plat

Representative: Brad Petersen, Development Solutions
120 East St. George Blvd, Suite #300
St. George, UT 84770

Property: Located at Barrel Roll Drive at approximately 3550 East (Desert Canyons Development)

Zone: R-1-10 and PD-R

Staff Comments: All aspects of this Final Plat were carefully looked at and reviewed by the Public Works Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the Preliminary Plat conditions and approvals.

P.C.: The Planning Commission recommends approval.

NOTIFICATION AND CONSENT TO IMPACT FEE OBLIGATION:

THE OWNER AND MORTGAGEE, BY SIGNING THIS PLAT, DO HEREBY CONSENT THAT NOTWITHSTANDING ANY SUBSEQUENT INSTRUMENT RECORDED WITH RESPECT TO SAID TRACT, UPON THE FIRST TO OCCUR OF THE FOLLOWING EVENTS:

- 1) THE DATE OF THE LOT TO A THIRD PARTY BY THE OWNER, OR ANY SUCCESSOR IN INTEREST
- 2) THE DATE OF THE RECORDING OF THE INSTRUMENT FOR THE FIRST TIME
- 3) THREE YEARS FROM THE DATE OF THE RECORDING OF THIS PLAT AS SET FORTH IN A SUBSEQUENT PLAT.

ACKNOWLEDGEMENT BY WASHINGTON COUNTY WATER CONSERVANCY DISTRICT:

THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT HEREBY ACKNOWLEDGES THE NOTIFICATION AND CONSENT TO IMPACT FEE OBLIGATION ON THIS PLAT.

STATE OF UTAH }
WASHINGTON COUNTY } s.s.
COUNTY CLERK }
BY: _____
TITLE: _____

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, _____, COUNTY CLERK OF WASHINGTON COUNTY, UTAH, _____, GENERAL MANAGER OF WASHINGTON COUNTY WATER CONSERVANCY DISTRICT, WHO BEING BY ME DULY SWORN IN AND SAYING THAT SHE IS THE PRESIDENT OF SAID DISTRICT, AND HER NAME IS SHARED IN THE FOREGOING DOCUMENT AND ACKNOWLEDGED BEFORE ME THAT SHE SIGNED THE FOREGOING DOCUMENT FOR THE PURPOSES STATED THEREIN.

NOTARY PUBLIC

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF WASHINGTON } s.s.

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, _____, COUNTY CLERK OF WASHINGTON COUNTY, UTAH, _____, COUNTY CLERK OF WASHINGTON COUNTY, UTAH, WHO BEING BY ME DULY SWORN IN AND SAYING THAT HE IS THE PRESIDENT OF SAID CORPORATION, AND HER NAME IS SHARED IN THE FOREGOING DOCUMENT AND ACKNOWLEDGED BEFORE ME THAT SHE SIGNED THE FOREGOING DOCUMENT FOR THE PURPOSES STATED THEREIN.

NOTARY PUBLIC

OWNER'S ACKNOWLEDGEMENT OF WATER IMPACT FEES:

THE OWNER OF THE PROPERTY DESCRIBED IN THIS PLAT, _____, COUNTY CLERK OF WASHINGTON COUNTY, UTAH, HEREBY ACKNOWLEDGES AND CONSENTS TO THE TERMS AND CONDITIONS OF THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT IMPACT FEE OBLIGATION AS STATED HEREON, FOR THE USES AND PURPOSES STATED THEREIN.

STATE OF UTAH }
COUNTY OF WASHINGTON } s.s.

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, _____, COUNTY CLERK OF WASHINGTON COUNTY, UTAH, _____, COUNTY CLERK OF WASHINGTON COUNTY, UTAH, WHO BEING BY ME DULY SWORN IN AND SAYING THAT HE IS THE PRESIDENT OF SAID CORPORATION, AND HER NAME IS SHARED IN THE FOREGOING DOCUMENT AND ACKNOWLEDGED BEFORE ME THAT SHE SIGNED THE FOREGOING DOCUMENT FOR THE PURPOSES STATED THEREIN.

NOTARY PUBLIC

MORTGAGEE CONSENT TO RECORD

WE, STATE OF UTAH, COUNTY CLERK OF WASHINGTON COUNTY, UTAH, HEREBY ACKNOWLEDGE THAT WE HAVE NO RECORD OF ANY OTHER CONSENT TO RECORD THIS PLAT AS SET FORTH IN A SUBSEQUENT PLAT.

STATE OF UTAH }
COUNTY OF WASHINGTON } s.s.

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, _____, COUNTY CLERK OF WASHINGTON COUNTY, UTAH, _____, COUNTY CLERK OF WASHINGTON COUNTY, UTAH, WHO BEING BY ME DULY SWORN IN AND SAYING THAT HE IS THE PRESIDENT OF SAID CORPORATION, AND HER NAME IS SHARED IN THE FOREGOING DOCUMENT AND ACKNOWLEDGED BEFORE ME THAT SHE SIGNED THE FOREGOING DOCUMENT FOR THE PURPOSES STATED THEREIN.

NOTARY PUBLIC

CORPORATE ACKNOWLEDGMENT (CONSENT)

STATE OF UTAH }
COUNTY OF WASHINGTON } s.s.

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, _____, COUNTY CLERK OF WASHINGTON COUNTY, UTAH, _____, COUNTY CLERK OF WASHINGTON COUNTY, UTAH, WHO BEING BY ME DULY SWORN IN AND SAYING THAT HE IS THE PRESIDENT OF SAID CORPORATION, AND HER NAME IS SHARED IN THE FOREGOING DOCUMENT AND ACKNOWLEDGED BEFORE ME THAT SHE SIGNED THE FOREGOING DOCUMENT FOR THE PURPOSES STATED THEREIN.

NOTARY PUBLIC

TO OWNER'S CONSENT OF WATER IMPACT FEES

THE OWNER OF THE PROPERTY DESCRIBED IN THIS PLAT, _____, COUNTY CLERK OF WASHINGTON COUNTY, UTAH, HEREBY ACKNOWLEDGES AND CONSENTS TO THE TERMS AND CONDITIONS OF THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT IMPACT FEE OBLIGATION AS STATED HEREON, FOR THE USES AND PURPOSES STATED THEREIN.

STATE OF UTAH }
COUNTY OF WASHINGTON } s.s.

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, _____, COUNTY CLERK OF WASHINGTON COUNTY, UTAH, _____, COUNTY CLERK OF WASHINGTON COUNTY, UTAH, WHO BEING BY ME DULY SWORN IN AND SAYING THAT HE IS THE PRESIDENT OF SAID CORPORATION, AND HER NAME IS SHARED IN THE FOREGOING DOCUMENT AND ACKNOWLEDGED BEFORE ME THAT SHE SIGNED THE FOREGOING DOCUMENT FOR THE PURPOSES STATED THEREIN.

NOTARY PUBLIC

CORPORATE ACKNOWLEDGMENT (WATER IMPACT FEES)

STATE OF UTAH }
COUNTY OF WASHINGTON } s.s.

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, _____, COUNTY CLERK OF WASHINGTON COUNTY, UTAH, _____, COUNTY CLERK OF WASHINGTON COUNTY, UTAH, WHO BEING BY ME DULY SWORN IN AND SAYING THAT HE IS THE PRESIDENT OF SAID CORPORATION, AND HER NAME IS SHARED IN THE FOREGOING DOCUMENT AND ACKNOWLEDGED BEFORE ME THAT SHE SIGNED THE FOREGOING DOCUMENT FOR THE PURPOSES STATED THEREIN.

NOTARY PUBLIC

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
JUNE 25, 2015, 4:00 P.M.
CITY COUNCIL CHAMBERS**

PRESENT:

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

EXCUSED:

Councilmember Gil Almquist

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Administrative Services Director Deanna Brklacich and the invocation was offered by Reverend Alex Wilkie.

Prior to the start of the meeting, City Recorder Christina Fernandez provided the City's documents to the Mayor, Councilmembers and Attorney Aaron Prisbrey.

HEARING FOR AN EMPLOYEE APPEAL ON A DEMOTION WHICH INCLUDED A REDUCTION IN ANNUAL SALARY:

Mayor Pike mentioned that one hour is allocated for Attorney Aaron Prisbrey and the same for City Attorney Shawn Guzman with one half hour for the Council to deliberate.

Aaron Prisbrey, attorney for Michael Jewell, explained ^{that} he did not know there was a time limit. With the number of witnesses he has, he is not in the position to adhere to the one hour.

City Attorney Shawn Guzman stated that the time limit is acceptable.

Mayor Pike explained that per policy, the Council is referred to as a board.

MOTION: A motion was made by Councilmember Hughes to set the time limit to one hour for each side.

SECOND: The motion was seconded by Councilmember Randall.

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

Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye

1 Councilmember Arial – aye

2
3 The vote was unanimous and the motion carried.

4
5 Deputy City Attorney Paula Houston explained that this is a hearing for an employee
6 appeal on a demotion which included a reduction in annual salary. The Council's
7 decision will be to either affirm or overturn the decision of the City Manager.
8 Referring to a question asked by Councilmember Hughes, she explained that the
9 recommendation came from the Department Head to City Manager to make a
10 determination.

11
12 City Attorney Shawn Guzman asked Councilmember Hughes to clarify if he was
13 asking if it was the City Manager's or Department Head's recommendation to demote
14 Mr. Jewell.

15
16 Councilmember Hughes clarified that he was asking who made the decision to demote
17 Mr. Jewell.

18
19 City Attorney Shawn Guzman clarified the process. In this case, the Department
20 Head recommended to the City Manager that Mr. Jewell be terminated. The City
21 Manager agreed with the termination; however, after Mr. Jewell's appeal to the City
22 Manager, he made the decision to demote the employee instead.

23
24 Councilmember Bowcutt asked what happens if the Council does not approve the City
25 Manager's recommendation.

26
27 Deputy City Attorney Paula Houston explained that if the Council does not agree with
28 the decision made by the City Manager, the employee would be reinstated to his
29 position as Parks Supervisor Support Services.

30
31 Mr. Prisbrey began his case at 4:30. He asked that the witnesses be excluded per the
32 exclusionary rule.

33
34 Deputy City Attorney Paula Houston stated City policy specifically states that those
35 rules do not apply to administrative hearings.

36
37 Mayor Pike asked City Attorney Shawn Guzman if he is okay with Mr. Prisbrey's
38 request to exclude the witnesses.

39
40 City Attorney Shawn Guzman stated that although he agrees that rules of evidenced
41 do not apply here, he has no objection to excluding witnesses for testimony. He
42 requested that Assistant Parks Manager Cody Schmitt, Leisure Services Director Kent
43 Perkins, Parks Manager Larry Shane, City Manager Gary Esplin and Human Resources
44 Director remain in the council chambers as they are clients in this matter.

45
46 Mr. Prisbrey had no objections to Mr. Guzman's request.

47
48 Councilmember Bowcutt commented that doing this, bringing people in and out will
49 take time. He believes it should still count for the hour time limit.

50
51 Councilmember Hughes asked what the point is for removing them.

52
53 Deputy City Attorney Paula Houston explained the theory behind the exclusionary
54 rule. It is not required.

1 **MOTION:** A motion was made by Councilmember Hughes to exclude those that
2 were not mentioned by City Attorney Shawn Guzman, removing them
3 from the room until they are called.

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

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

6
7 Councilmember Hughes – aye

8 Councilmember Randall – aye

9 Councilmember Bowcutt – nay

10 Councilmember Arial – aye

11
12 The motion carried.

13
14 The witnesses left the meeting.

15
16 City Attorney Shawn Guzman asked if Mr. Prisbrey is going to make an opening
17 statement.

18
19 Mr. Prisbrey stated that he has a preliminary issue.

20
21 City Attorney Shawn Guzman noted that the City would like to make a short opening
22 statement; therefore he asked that the time limit start. He then asked if the opening
23 statement would be counted toward the one hour time limit. Additionally, he asked if
24 the time will be counted separately.

25
26 Mr. Prisbrey provided Exhibit 1 and referred to page 2 paragraph 7, UCA 10-36-1106
27 which says that the procedure for conducting an appeal and the standard of review
28 shall be prescribed by the governing body of each municipality by ordinance. He
29 then referred to City Code 2-2-1, which is silent as to the procedure that is going to
30 be used in this hearing. HR policy 4.50 is where the procedures for this hearing are
31 coming from; the rules have not been set by ordinance. He asked who has the
32 burden of proof. The policy says that he has the burden of proof; however, that is
33 not what the ordinance states. He asked which standard will be used for the standard
34 of review on the appeal. It is inappropriate for the City and the Executive Branch
35 saying that they have the burden of proof; it should rest with the City.

36
37 Mr. Hughes asked if Mr. Prisbrey disagrees with the procedure and how long he has
38 had the question about the standard.

39
40 Mr. Prisbrey stated that he does not agree with the procedure and spoke with City
41 Attorney Shawn Guzman several times who told him the HR policy will be used. He
42 told City Attorney Shawn Guzman that it is unacceptable to follow the HR policy.

43
44 City Attorney Shawn Guzman stated he was never told that it was unacceptable.
45 He and Mr. Prisbrey had phone conversations in which Mr. Prisbrey spoke about
46 having additional witnesses and that he did not agree with the burden of proof.
47 Currently, City Policy states that the burden of proof is on the appellant which is not
48 abnormal. The Council's action will be reviewed for reasonableness. This is an
49 internal procedure for the City. The City's position is that Mr. Jewell was offered
50 another position, a demotion. Mr. Jewell was given additional time and decided to
51 resign, requesting to be paid out all of his accrued time, including a percentage of his
52 sick leave, which is not paid out unless you have worked for the City for 20 years.
53 The City took an extra step in the due process in having the hearing tonight. Rather
54 than taking the position and appealing the demotion, Mr. Jewell resigned. He

1 explained that the City cannot compel witnesses. When he explained that to Mr.
2 Prisbrey, he asked if Mr. Prisbrey would need more time to find additional witnesses.
3

4 Mr. Prisbrey explained there was a recommendation from the Department Head to
5 terminate Mr. Jewell. City Manager Gary Esplin assigned him to a different position
6 with a reduction in pay. Mr. Jewell was given approximately 48 hours to take the
7 position or he would be deemed to no longer be a City employee. He did not accept
8 the offer within the 48 hours. He stated that he does not understand where City
9 Attorney Shawn Guzman is in a position to give the Council advice as he does on a
10 routine basis. Is he arguing as a litigant to this case? The only way the City can set
11 the protocol in the standard of review to be used in this hearing is by ordinance. That
12 has not been done by ordinance; it has been done by the Human Resources
13 Department.
14

15 Councilmember Hughes asked City Attorney Shawn Guzman if all of the City's policies
16 and procedures are in ordinance form.
17

18 City Attorney Shawn Guzman explained that policies and procedures are not in
19 ordinance form. He looked at state code and did not see anything that changes the
20 burden of proof. While he is here making arguments on the side of the City, he will
21 leave it up to Deputy City Attorney Paula Houston to opine on what the review
22 standard would be and on all points that Mr. Prisbrey brought up. He disputes that
23 Mr. Jewell had 48 hours to decide if he wanted to take the job offered to him. There
24 was a request for more time for Mr. Jewell to make a decision and it was granted. In
25 the end, Mr. Jewell resigned by requesting to be paid out all of his accrued time. If
26 he continued to work for the city, he would have the same opportunity to appeal the
27 demotion.
28

29 Deputy City Attorney Paula Houston explained that her role is to give the board legal
30 advice, not to argue the case. It is appropriate for both parties to make their
31 statement on what they believe is the position of the law. The hearing should
32 continue and the board should make their decision as they deem appropriate.
33

34 Mayor Pike commented that the hearing will move forward based on City policy.
35

36 Mr. Prisbrey called City Manager Gary Esplin. He asked if there is someone that will
37 swear him in.
38

39 Deputy City Attorney Paula Houston explained that it has not been the City's practice
40 to swear in witnesses for a hearing.
41

42 Mr. Prisbrey stated that stature requires the creation of an appellate record. He
43 asked how that will be done if witnesses are not sworn in.
44

45 Deputy City Attorney Paula Houston explained that a record is being created. A court
46 reporter is present. A witness does not have to be sworn in to make a record. She
47 asked if City Attorney Shawn Guzman has an objection.
48

49 City Attorney Shawn Guzman noted that it is not his decision on what to do. He
50 objected because Mr. Prisbrey proved a list of 10 witnesses. City Manager Gary
51 Esplin is not on that list.
52

53 Mr. Prisbrey stated it should not make a difference. Every court has rules of
54 evidence. Rules of civil procedure indicate that any individual who is present in the
55 courtroom can be called to testify as a witness.
56

1 City Attorney Shawn Guzman disagreed. Attorneys exchange witness lists all the
2 time. Court rules are not being followed here. He contacted Mr. Prisbrey and to let
3 him know if additional witnesses would be called. At that time, he provided a witness
4 list to Mr. Prisbrey; they exchanged witness lists there. Mr. Esplin is on the list as a
5 witness for the City; therefore it is up to the City if he is called or not.
6

7 Councilmember Hughes asked if Mr. Prisbrey and his client would rather not be going
8 through this process.
9

10 Mr. Prisbrey clarified that he feels it is inappropriate to go forward with rules that
11 were drafted by the City Attorney's office, not the City Council.
12

13 Mayor Pike asked how the Council wanted to proceed. He then asked if they have
14 any objections to allowing Mr. Prisbrey to call on City Manager Gary Esplin even
15 though he is not on his witness list.
16

17 Deputy City Attorney Paula Houston explained that the policy allows for Council to
18 require a prehearing outline; however, it was not required in this case. Rather, the
19 attorneys exchanged witness lists. Policy does not address whether or not they are
20 limited by the lists, it would be up to the Council.
21

22 City Attorney Shawn Guzman stated that the City listed City Manager Gary Esplin as
23 one of its witnesses. He is concerned that there will be additional witnesses called
24 that are not on Mr. Prisbrey's list.
25

26 Mayor Pike asked Deputy City Attorney Paula Houston if the opposing counsel will
27 have the opportunity to cross examine a witness.
28

29 Deputy City Attorney Paula Houston replied yes.
30

31 Mayor Pike asked if the hearing can continue sticking to the witness lists as provided
32 by each attorney and use the cross examination opportunity.
33

34 **MOTION:** A motion was made by Councilmember Hughes to continue with the
35 witness lists as provided by each attorney and use the cross
36 examination opportunity.

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

38 **VOTE:** Mayor Pike called for a vote, as follows:
39

40 Councilmember Hughes – aye
41 Councilmember Randall – aye
42 Councilmember Bowcutt – aye
43 Councilmember Arial – aye
44

45 The vote is unanimous and the motion carried.
46

47 Mr. Prisbrey asked to clarify that he can only question City Manager Gary Esplin
48 during cross examination. What if City Attorney Shawn Guzman does not call him?
49

50 Mayor Pike stated that is correct.
51

52 Mr. Prisbrey noted that he was told by City Attorney Shawn Guzman if there were any
53 witnesses who work for the City, he would make every attempt to get them to the
54 hearing. He explained that the reason you object to a witness is because they are a
55 surprise. If City Attorney Shawn Guzman does not call him, he cannot cross examine

1 him. As the City had him on their list, they are not surprised. There is no rule that
2 requires him to provide a list.
3

4 City Attorney Shawn Guzman read portions of a letter from Mr. Prisbrey dated June
5 19th. As he has stated previously, his only concern is that there will be other
6 witnesses who are not on Mr. Prisbrey's list as they cannot be compelled to testify.
7 He concern is not that Mr. Esplin will testify, rather that there will be other witnesses.
8 Mr. Esplin will testify.
9

10 Councilmember Hughes asked Mr. Prisbrey if he plans on calling any other witnesses
11 that are not on his list.
12

13 Mr. Prisbrey explained that every witness he plans to call is either on his list or the
14 City's.
15

16 **MOTION:** A motion was made by Councilmember Hughes to allow either side to
17 call a witness for them any of the witnesses on either list.

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

19 **VOTE:** Mayor Pike called for a vote, as follows:
20

21 Councilmember Hughes – aye
22 Councilmember Randall – aye
23 Councilmember Bowcutt – aye
24 Councilmember Arial – aye
25

26 The vote is unanimous and the motion carried.
27

28 Mr. Prisbrey called City Manager Gary Esplin.
29

30 City Manager Gary Esplin testified that all employees, except for Department Heads
31 and appointed employees are subordinate to him. The issues with Mr. Jewell's
32 performance came to his attention by the normal process followed through Human
33 Resources. Employees submitted letters, performance issues were brought up by the
34 department, employees, supervisors and Parks Manager Larry Shane. At that time
35 the Human Resources Director called the employee and his supervisor. There was a
36 pre-determination hearing to look at the information that was brought up. He
37 approved their recommendation for termination; however, Mr. Jewell appealed the
38 decision. After looking at the evidence that was submitted and speaking to some of
39 the witnesses, he decided to give Mr. Jewell an opportunity to stay with the City in a
40 different position. At the appeal hearing, Mr. Jewell who worked for the City for 22
41 1/2 years, indicated that he wanted to stay until he had 25 years in, if there was a
42 position available where he could provide services outside, but not as a supervisor.
43 Regarding the letter dated April 23, 2015 included in the agenda packet, the
44 information he was referring to were letters received from the concerned employees.
45 Additionally, he spoke with Kent Perkins, Larry Shane, David Oxendine, Cody Schmitt
46 and Judith Mayfield. Performance evaluations did not come into consideration at this
47 time as they are done in November. He explained that performance scales are made
48 up of different factors. The last evaluation would have been done in November of
49 2014. He is not disputing that that evaluation indicated that Mr. Jewell was
50 proficient; however, his decision was based upon the information received from
51 employees and the fact that Mr. Jewell was on a performance evaluation plan for
52 some of the same issues. His decision was also based upon the way he treats his
53 employees, how he schedules his work and performance related issues that deal with
54 him in his job as a supervisor. Those issues include insubordination, changing
55 instructions given by his supervisor and others he does not recall.

1
2 Mr. Prisbrey had no further questions.
3

4 City Attorney Shawn Guzman stated that he reserves the right call City Manager Gary
5 Esplin when the City presents its case. He then cross examined him.
6

7 City Manager Gary Esplin testified that he did review Mr. Jewell's recent performance
8 improvement plan evaluation; however, his decision was not based upon that. He
9 met with Human Resources Manager Judith Mayfield and Leisure Services Director
10 Kent Perkins, as well as, Parks Manager Larry Shane and Assistant Parks Manager
11 Cody Schmitt because he wanted to get as much information as he could to make the
12 correct decision. They discussed Mr. Jewell's past performance. Additionally, the
13 information he reviewed when making his decision included letters from parks
14 employees David Oxendine and Bobby Randall.
15

16 City Attorney Shawn Guzman had no further questions.
17

18 Mr. Prisbrey had an additional question.
19

20 City Manager Gary Esplin explained that the performance improvement plan process.
21 He testified that Mr. Jewell came off the plan; however, the issues brought up by
22 those individuals were current and still existing issues. The improvement plan did not
23 work and the situation deteriorated to the point that it could not continue. He stated
24 that the letters received from Mr. Oxendine and Mr. Randall were two of the main
25 issues when making his decision.
26

27 City Attorney Shawn Guzman had additional questions.
28

29 City Manager Gary Esplin testified that Mr. Jewell's treatment of employees and co-
30 workers was his concern. He tried to take all of the information received from all
31 involved, including Mr. Jewell, and make the best possible decision for the employees,
32 the City and Mr. Jewell. Another option could have been to put Mr. Jewell on another
33 performance improvement plan, but it did not work the first time. While considering
34 his decision, he had information provided by several individuals including comments
35 from Mr. Jewell during his appeal hearing. He took all of the information and tried to
36 make the best possible decision for the employees as well as Mr. Jewell by offering
37 him another position.
38

39 City Attorney Shawn Guzman had no further questions.
40

41 Mr. Prisbrey had an additional question.
42

43 City Manager Gary Esplin testified that he believed the information received from Mr.
44 Schmitt, Mr. Oxendine and Mr. Randall was truthful.
45

46 Mr. Prisbrey had no further questions. He then called David Oxendine and provided
47 Exhibits 2 and 3.
48

49 City Attorney Shawn Guzman objected to the summary prepared by Mr. Prisbrey as
50 the evaluations were provided in the City's packet. There is no way to evaluate
51 whether the summary is truthful or not.
52

53 David Oxendine arrived.
54

1 Mr. Oxendine testified that he has worked in the St. George Parks Department for
2 approximately 4 1/2 years and is currently on the tech crew. He has known Mr.
3 Jewell for approximately 20 years and has no personal feelings against him.
4

5 Mr. Prsbrey provided Exhibit 8.
6

7 Mr. Oxendine testified that he wrote the email from his home computer. No one told
8 him to write it. He explained a situation that occurred at Tonaquint Cemetery while
9 he was digging there with Mr. Jewell and Mr. Randall as mentioned in Exhibit 8.
10 Additionally, he mentioned another issue that occurred at Art Around the Corner. He
11 explained that he is aware of the City's harassment policy. Previously, he worked for
12 the City for six years. He then explained situations that occurred while working at
13 Worthen Park and another instance while digging at Tonaquint Cemetery. Although
14 he knows that issues should be reported within 24 hours, he did not report the issues
15 until he and Mr. Randall finally had enough of Mr. Jewell. Mr. Jewell has always been
16 difficult to get along with. He knew of personality issues between Mr. Shane and Mr.
17 Jewell. At one time, he joked about eating dinner with Mr. Shane often. It was funny
18 because Mr. Jewell could not stand Mr. Shane. He is aware of the City's open door
19 policy for reporting harassment; he sent a letter to the Human Resources Director
20 approximately two years ago. During a meeting he attended in 2013, Mr. Shane
21 asked to let him know if he was having problems with Mr. Jewell. It did not seem like
22 Mr. Shane was trying to get information he could use against Mr. Jewell. He told Mr.
23 Shane that everything was good because Mr. Jewell had calmed down a bit. This was
24 after the letter submitted to the Human Resources Director. It did not seem like Mr.
25 Shane was hunting for information he could use against Mr. Shane. Mr. Shane has
26 not given him any special privileges. He testified that he lives in a home owned by
27 the City and that he takes care of the landscape. His wife talked with someone at the
28 City and was told about a program; she contacted Housing & Development Director
29 Matt Loo. That had nothing to do with Mr. Shane. He then explained a situation in
30 which Mr. Jewell got after him for grinding sparks in front of kids while at Main Street
31 Plaza. The kids he saw were approximately 50 yards away with his mom, standing by
32 picnic tables. The way Mr. Jewell went about it angered him.
33

34 Mr. Prsbrey provided Exhibit 6.
35

36 Mayor Pike noted that Mr. Prsbrey is almost at one hour.
37

38 City Attorney Shawn Guzman asked for clarification as there is a discrepancy on the
39 exhibits provided by Mr. Prsbrey. He asked if Deputy City Attorney Paula Houston is
40 keeping track of them.
41

42 Mr. Prsbrey stated that his exhibits are not in order because he was notified that he
43 only has one hour; there are some that he will skip.
44

45 City Recorder Christina Fernandez stated that she has the exhibits listed in the
46 minutes.
47

48 City Attorney Shawn Guzman requested the Deputy City Attorney Paula Houston keep
49 track of them.
50

51 Mr. Prsbrey continued.
52

53 Mr. Oxendine testified, pertaining to the photos in Exhibit 6, he can see his truck and
54 he is not sure if that is Mr. Randall with him. While he can see the woman and small
55 child walking near them in the photo, he does not remember them walking past him
56 while he was grinding, but it is reasonable to assume that she did. He would expect

1 to be reprimanded if his supervisor saw him grinding sparks onto the mother and
2 young child. He testified that Mr. Jewell may have put the follower kit on the PVC
3 pipe at Tonaquint Cemetery; he cannot remember and identified Mr. Jewell in another
4 one. In the past, they have used a backhoe to move statues with no problems. He
5 explained an incident that took place at Town Square. They were preparing to pour
6 concrete and Mr. Schmitt told them to remove over 10 inches of clay; Mr. Jewell told
7 them to only remove 6 inches. In the meeting with City Manager Gary Esplin, he told
8 him that there was no way he could compact the wet clay and pour concrete. It was
9 his opinion that the concrete was going to fail and did not want to be associated with
10 that job. When pouring concrete, you should never pour over clay. You try to
11 remove as much clay as you can because it is going to shrink and expand, making
12 the concrete crack. He explained that they put mesh down at Little Valley, but
13 because it was the wrong one, they had to put the correct one on top.

14
15 City Attorney Shawn Guzman stated that he is concerned with the time frame. It
16 appears that Mr. Prisbrey has run out of time and he does not see the relevance in
17 this line of questioning.

18
19 Mayor Pike agreed and asked if the Council if they wanted to grant additional time.

20
21 Councilmember Randall asked Mr. Prisbrey how many witness he has.

22
23 Mr. Prisbrey advised that he has no other questions for Mr. Oxendine. He plans to
24 call Bobby Randall, Larry Shane and Cody Schmitt.

25
26 Councilmember Randall commented that she thinks they need to allow the witnesses
27 to be heard so that Mr. Jewell gets a fair process.

28
29 Mayor Pike stated that this could take all night. The line of questioning is not helping
30 the Council. Under City ordinance, it is a hearing, not a court of law.

31
32 Councilmember Arial stated that she wanted to keep to the hour time limit.

33
34 Councilmember Randall commented that she hasn't learned anything.

35
36 Councilmember Bowcutt commented that they seem to be laying groundwork but not
37 asking questions that pertain to the decision they have to make tonight.

38
39 Councilmember Hughes asked Mr. Prisbrey to get to specific points. He suggested
40 giving an additional 15 minutes to get to the "meat". He wants to know what
41 happened.

42
43 Mr. Prisbrey stated that part of the problem is with whoever decided it would be a
44 good thing for the Council to hear this.

45
46 **MOTION:** A motion was made by Councilmember Hughes to allow 15 more
47 minutes for both sides.

48
49 **SECOND:** The motion was seconded by Councilmember Arial.

50
51 Councilmember Bowcutt said to give each side 15 minutes, move on and get the
52 answers.

53
54 Mr. Prisbrey asked if he can ask leading questions to try to move things along.

55
56 Councilmember Hughes told Mr. Prisbrey not to lead them around in a circle, just ask
the questions.

1
2 Mayor Pike recognized that Mr. Prisbrey has already gone 15 minutes over; therefore,
3 City Attorney Shawn Guzman would then have 1 1/2 hours to present his case.
4

5 **VOTE:** Mayor Pike called for a vote, as follows:
6

7 Councilmember Hughes – aye
8 Councilmember Randall – aye
9 Councilmember Bowcutt – aye
10 Councilmember Arial – aye

11
12 The vote is unanimous and the motion carried.
13

14 The time is 5:57 p.m.
15

16 City Attorney Shawn Guzman advised that he has refrained from objecting to what he
17 feels are leading questions as this is a hearing and they are not bound by the rules of
18 evidence; however, he objects that things are getting far from what is relevant.
19

20 Mr. Prisbrey continued.
21

22 Mr. Oxendine testified that he did not lie when providing information to City Manager
23 Gary Esplin; backhoes are used to move statues. Whether or not it is safe depends
24 on where you are moving the statue to. Further, he did not lie when he said that Mr.
25 Jewell was not working in the trenches at Tonaquint Cemetery. When he needed a
26 spotter, Mr. Jewell would not get in the ditch.
27

28 Mr. Prisbrey had no further questions. He asked if the cross counts on his 15
29 minutes.
30

31 Mayor Pike replied yes and his cross will count towards City Attorney Shawn
32 Guzman's time as well.
33

34 City Attorney Shawn Guzman cross examined Mr. Oxendine.
35

36 Mr. Oxendine testified that the statue at the Main Street and Diagonal round-a-bout
37 was loaded into a pickup truck using a backhoe. In his letter, he talked about moving
38 a statue during Art Around the Corner. That statue was moved about two blocks
39 away. When Mr. Jewell saw the trailer in place, he said that he did not need a trailer
40 and jumped on the backhoe, saying that he would just take the statue down the road
41 as he can have it down the road quicker than putting it on the trailer. Mr. Jewell
42 talked to him in an angry manner, raising his voice. Although there were straps on
43 the statue, it could swing back and forth. Mr. Jewell decided to have the employee
44 walk behind the statue to steady it, in the middle of the street, which he did not
45 agree with. He felt that was unsafe because the straps could have broken and there
46 were cars present; he was afraid that employee could be injured. At City Attorney
47 Shawn Guzman's request, Mr. Oxendine stood up and demonstrated how the
48 employee steadied the statue as he observed it being moved. He stated that he
49 worked with Mr. Jewell when he was previously employed by the City. After speaking
50 with his wife, he decided to apply because he thought Mr. Jewell's demeanor and
51 attitude may have changed in the eight years that he had been gone. He had
52 concerns with Mr. Jewell's treatment when he worked for the City previously. This
53 time is worse; you cannot ask Mr. Jewell a question without him jumping down your
54 throat. While installing rock at Hela Seegmiller Farm, Leisure Services Kent Perkins
55 overheard him use the "f" word. He did not hear Mr. Perkins address the situation.

1 Regarding the issue at Tonaquint Cemetery, the crew was told by Mr. Schmitt to dig
2 down 10 inches; however, Mr. Jewell told them to only take out 6 inches because
3 "Cody doesn't know shit". Regarding the issue at Town Square, he was concerned
4 that Mr. Jewell had instructed them to only dig 6 inches when they were told to dig
5 further. Without Mr. Jewell knowing, he tried to call Mr. Schmitt, but there was no
6 answer. He did not let Mr. Jewell know because in his opinion, he would have been
7 angry for going above his head as he has done in the past. Mr. Jewell talks to them
8 in a rude manner, gets mad when they ask questions, and hangs up on them.
9

10 Mr. Prisbrey noted that he only has 15 minutes remaining. He stated that City
11 Attorney Shawn Guzman is going over ground that has already been covered.
12

13 City Attorney Shawn Guzman stated that he does not believe he is going over things
14 that have already been covered. In the interest of time, since he plans on calling Mr.
15 Oxendine as a witness; therefore he will save his questions and reserved the right to
16 call Mr. Oxendine.
17

18 Mr. Prisbrey redirected.
19

20 Mr. Oxendine testified that he did not know if Blue Stake was called when they dug
21 the 10 inches. When moving the statue, he did not know if encroachment permits
22 were obtained; however, they did have signs present.
23

24 Mr. Prisbrey called Mr. Randall noting that his 15 minutes are up.
25

26 Mayor Pike suggested, due to time constraints, that the Council make a motion to
27 allow another 15 minutes then take a recess and reconvene at 7:00 p.m. He advised
28 that the case cannot be discussed during the recess.
29

30 **MOTION:** A motion was made by Councilmember Randall to allow 15 more
31 minutes, then recess and return at 7:00 p.m.

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

33 **VOTE:** Mayor Pike called for a vote, as follows:
34

35 Councilmember Hughes – aye

36 Councilmember Randall – aye

37 Councilmember Bowcutt – aye

38 Councilmember Arial – aye
39

40 The vote is unanimous and the motion carried.
41

42 The time is 6:16 p.m.
43

44 Mr. Prisbrey called Bobby Randall.
45

46 Robert (Bobby) Randall testified that he has worked for the City for 3 1/2 years; Mr.
47 Jewell is his supervisor. In the past, he has reported issues with Mr. Jewell to the
48 Human Resources Department. The issues he addressed were Mr. Jewell's demeanor
49 and a situation he was concerned about where he felt Mr. Jewell threatened him. He
50 mentioned an occurrence that took place when the City switched phone companies.
51 At that time, Mr. Jewell told him that he better watch his back and that he didn't
52 know who he was dealing with. That took place approximately a year and a half ago.
53 He was not scared of Mr. Jewell, rather the threat as he didn't know where it was
54 coming from. He didn't mind spending time with Mr. Jewell while at work. While he
55 and Mr. Oxendine were fishing at Otter Creek, Mr. Jewell happened to be there. Last

1 year he invited Mr. Jewell to go hunting. He explained a situation that occurred
2 recently when the crew was sealing concrete; because of the noise, he threw a roller
3 at a fence to get the employee's attention. He later apologized to the employee
4 because the employee did not know why he threw it. When he explained, the
5 employee stated that he understood what he was doing. Coarse language is not a
6 problem for him; however, being derogatory is different. Mr. Jewell told them
7 numerous times that he does not like Mr. Shane. He did not tell Mr. Jewell that he
8 holds his job in his hands and that he could go to the Human Resources Director and
9 get him fired. He has complained twice about Mr. Jewell to Human Resources. Mr.
10 Jewell was mad at him and Mr. Oxendine for grinding near people. He stated that Mr.
11 Jewell belittles them all the time. He spoke to Mr. Schmitt because something
12 needed to be done. There have been discrepancies on what Mr. Schmitt tells them
13 compared to Mr. Jewell; he wanted to know who he should listen to. Mr. Jewell tells
14 the employees that he doesn't care what Mr. Schmitt says - he doesn't know
15 anything about construction. The way Mr. Jewell talks to them and treats them
16 intensifies during Art Around the Corner.

17
18 Mayor Pike noted that Mr. Prisbrey has approximately five minutes left. He reminded
19 Mr. Prisbrey that he will have the opportunity to cross examine other witnesses if
20 called by City Attorney Shawn Guzman.

21
22 Mr. Randall testified that they rarely see Mr. Jewell on a jobsite which is a blessing as
23 things go smoother. Regarding the issue with creating sparks around a child, when
24 grinding, they had shields and everything was coned off. Referring to photo labeled
25 6A, he cannot see very much since he did not have his glasses. He did not lie when
26 he said there were shields while grinding. The final event in making the decision to
27 report the issues was when the statue was moved using a backhoe rather than the
28 trailer. In his eyes, it was a safety violation. He did not know if there was an
29 encroachment permit and stated that there were no cones.

30
31 Mr. Prisbrey had no further questions.

32
33 Mayor Pike called for a recess. He reminded the Council not to discuss the case.

34
35 Deputy City Attorney advised that the witnesses should not discuss the case either.

36
37 The meeting reconvened at approximately 7:05 p.m.

38
39 Mayor Pike stated that according to his clock, City Attorney Shawn Guzman has 1
40 hour and 45 minutes which includes cross examination by Mr. Prisbrey.

41
42 City Attorney Shawn Guzman called Bobby Randall. He objected to the photos
43 submitted by Mr. Prisbrey because there are no dates and you cannot determine what
44 they purport to be. He doesn't think there is a foundation for them to be used as
45 evidence.

46
47 Mr. Randall testified that he has been employed by the City for 3 1/2 years; prior to
48 that, he worked for Ence Homes pouring concrete, 10 years in management. When
49 supervising employees, he did not use foul language. He objected to Mr. Jewell's foul
50 language when it was used in a demeaning way when speaking to him and observed
51 him speaking that way to other employees. At one point, Mr. Jewell called Curtis
52 Bradshaw stupid. Mr. Jewell was on the jobsite based upon how much he liked the
53 job he was doing, normally it was about 1 1/2 hours a day. It felt differently when
54 Mr. Jewell was on the job site, he explained how. Regarding the Town Square
55 incident, he was present when Mr. Schmitt told the employees to dig 10 inches. He
56 did not like that Mr. Jewell told them to dig less; he told Mr. Jewell that he objected

1 but Mr. Jewell didn't care. Mr. Jewell said that he didn't care how Mr. Schmitt told
2 them to do it; do it the way he said to. Because Mr. Jewell would have gotten upset,
3 as he has done in the past, he did not try to contact Mr. Schmitt.
4

5 Mr. Prisbrey objected to City Attorney Shawn Guzman's question regarding whether
6 or not Mr. Jewell would have gotten upset.
7

8 Mayor Pike stated that Deputy City Attorney Paula Houston has already explained that
9 this hearing does not follow the rules of evidence.
10

11 Deputy City Attorney Paula Houston advised that the Council can apply the
12 information provided in the way they deem appropriate.
13

14 Mr. Prisbrey asked that it be noted that City Attorney Shawn Guzman is Deputy City
15 Attorney Paula Houston's boss.
16

17 City Attorney Shawn Guzman continued.
18

19 Mr. Randall testified about an incident in which Leisure Services Director Kent Perkins
20 overheard Mr. Jewell using the "f" word. One of the reasons he wrote the letter to
21 Human Resources was Mr. Jewell's treatment.
22

23 City Attorney Shawn Guzman entered into exhibit the binder he submitted to the
24 Council and Mr. Prisbrey. He continued.
25

26 Mr. Randall testified that they could not multi task because Mr. Jewell told them to
27 concentrate on one job at a time. His concern was that they had to wait until being
28 told to start another job. Since Mr. Jewell has left, they are doing 2 or 3 jobs at a
29 time; people are happier and he enjoys going to work. He was concerned with the
30 way the concrete was poured at Town Square for two reasons. One was because of
31 his experience in working with concrete and the other because Mr. Schmitt directed
32 them to do it differently than Mr. Jewell did. He believes Mr. Jewell thought that Mr.
33 Shane and Mr. Schmitt were out to get him. When around Mr. Schmitt, Mr. Jewell
34 showed him respect, but when Mr. Schmitt was not there it was different. Mr. Jewell
35 showed no respect for Mr. Shane. Regarding the incident with the Cremation
36 Gardens at Tonaquint, Mr. Schmitt instructed him and another employee to dig 18
37 inches and put in mulch; but Mr. Jewell told him to do it differently. They didn't know
38 who to listen to. He was present when the Lincoln statue was moved and was
39 concerned for the safety of the employee walking and holding the statue.
40 Additionally, he was concerned about Mr. Jewell's comments that he could have the
41 statue where it needs to go before they can put it on the trailer. In his experience,
42 because of the way Mr. Jewell speaks to them, employees avoid talking to him;
43 instead they call him or Mr. Oxendine. He added that he would not want to work with
44 Mr. Jewell right now.
45

46 City Attorney Shawn Guzman had no further questions.
47

48 Mr. Prisbrey questioned Mr. Randall.
49

50 Mr. Randall testified that although he was concerned for the employee's safety when
51 moving the statue, he did not immediately call Mr. Schmitt. The final event was that
52 incident and the way Mr. Jewell talked to them.
53

54 Mr Prisbrey referred to the photos in Exhibit 6.
55

1 City Attorney Shawn Guzman objected to the photos as you cannot determine when
2 they were taken. Additionally, they he does not necessarily agree that they depict
3 what Mr. Prisbrey claims.
4

5 Mr. Randall testified that he can see people in the photo and that they have probably
6 performed grinding in that area. Mr. Jewell did not tell him that he took the photo,
7 but told them that while grinding at Town Square, they were throwing sparks in a
8 child's face. When asked about photos 6B, 6C and 6D he stated that he did not know
9 where they were taken. Every once in a while, Mr. Jewell would get in the trenches
10 and help a bit. Mr. Schmitt asked him a while ago how often Mr. Jewell was present.
11 In his letter to Human Resources Director, he wrote that Mr. Jewell was never at the
12 job site, which was a blessing. In his meeting with City Manager Gary Esplin he told
13 him that 50% of Mr. Jewell's work was poor quality. He heard Mr. Jewell say that Mr.
14 Schmitt has no construction knowledge; he's just book smart.
15

16 Mr. Prisbrey had no further questions.
17

18 City Attorney Shawn Guzman called Cody Schmitt.
19

20 Mr. Schmitt testified that he has worked for the City for approximately 6 years, 2 of
21 which he has been the Assistant Parks Manager. That is when he became Mr.
22 Jewell's supervisor. During one of their first meetings, Mr. Jewell asked if he was on
23 their side or his side. He told him that he is on the City of St. George's side. He
24 asked Mr. Jewell who "they" are; Mr. Jewell replied "Larry Shane and Shane Moore".
25 Mr. Jewell told him that Mr. Shane didn't know anything and was incapable of being a
26 parks manager and that Mr. Moore is Mr. Shane's buddy; kissing his ass. They held
27 staff meetings every Wednesday at 8:30. Mr. Jewell always made up excuses to
28 remove himself from the meeting. When he was present, he would barely say
29 anything. When supervisors were asked of their opinions on issues, Mr. Jewell never
30 said anything; he was always texting on his phone or doing something else. Mr.
31 Jewell didn't want to be a team player. When Mr. Jewell responded, he was abrupt
32 and to the point. There was an instance when he went off on a staff member in front
33 of all of the supervisors; they were all taken aback. He discussed the situation with
34 Mr. Jewell either right after or in the near future. Regarding changing the depth at
35 Town Square; Mr. Jewell did not talk to him. After the employees confronted him
36 about the situation, he talked to Mr. Jewell. He would have not been against Mr.
37 Jewell discussing the changes as he has always had an open door policy with all
38 employees. Mr. Jewell frequently expressed an opinion that he didn't think that he
39 and his crew belonged in the Parks Department. He told Mr. Jewell that they are a
40 team and they need to be cohesive. When he first took the position he looked at the
41 job descriptions. Mr. Jewell's job description required him to have a playground
42 safety inspector certification. When he confronted Mr. Jewell about the certification,
43 Mr. Jewell felt there was no relevance for him to do that. Because Mr. Jewell installs
44 playground equipment, he told him that it is very important for the safety and liability
45 of the City of St. George. He stated that he heard about issues that occurred when
46 installing playground equipment at Firehouse Park; however he always told Mr. Jewell
47 that he wanted to start fresh and the past is the past. Getting his playground safety
48 inspector permit was part of Mr. Jewell's performance plan. A short time later, he
49 sent Mr. Jewell a link to the website where the certificate can be obtained. Mr. Jewell
50 received the email but did not act on it until the end of his probationary period. At
51 that time, he confronted Mr. Jewell who said that maybe he shouldn't even be there;
52 he asked if getting the certificate was worth it. The improvement plan was extended
53 one month in which time Mr. Jewell obtained the certificate. Mr. Jewell was placed
54 on a performance improvement plan because he wanted him to succeed. Mr. Jewell's
55 evaluations from 2012 and 2013 stated that Mr. Jewell needs to increase his level of
56 sensivity and that he needed to understand other's points of view. They also stated

1 that Mr. Jewell needed to increase respect for other supervisors and to stop
2 questioning everybody's ability in their job role. Additionally, they stated that Mr.
3 Jewell needed to help other supervisors with projects and work orders that relate to
4 the field of work and team attitude needed to increase. After his evaluations, Mr.
5 Jewell improves for a bit and then something happens and he goes backwards.
6 When Mr. Jewell knows he is on an improvement plan, he will do what it takes to get
7 off the plan. He read comments from Mr. Jewell's most recent evaluation pertaining
8 to communication, which was done after Mr. Jewell completed the improvement plan.
9 His goal was to encourage Mr. Jewell to do better. He explained that his
10 recommendation was not to terminate Mr. Jewell, rather that he no longer be a
11 supervisor as he believed Mr. Jewell was not supervisor material. One of the reasons
12 for his recommendation was the way Mr. Jewell treated him during Art Around the
13 Corner while installing the statue with the artist present. He explained that Mr. Jewell
14 talked to him in a demeaning manner as he has done with his employees. After
15 reading the letters that Mr. Randall and Mr. Oxendine wrote to Human Resources, he
16 gave Mr. Jewell an opportunity to explain the situation. Mr. Jewell responded by
17 saying that he never said Mr. Schmitt didn't know what he was talking about. A few
18 days later Mr. Jewell stated that he may have said that. It is still his opinion that Mr.
19 Jewell cannot be a supervisor.

20
21 City Attorney Shawn Guzman had no further questions.

22
23 Mr. Prisbrey cross examined Mr. Schmitt.

24
25 Mr. Schmitt testified that evaluations are used to let employees know what areas they
26 can improve in. He explained that employees are concerned with the number they
27 are given on their evaluation; Mr. Jewell was upset with the number he was given.
28 Evaluations have objective criteria to grade employees. Mr. Jewell's most recent
29 evaluation stated that he had improved from the prior year and that he was barely
30 proficient.

31
32 Because Mr. Schmitt did not know what the rating scale indicated on evaluations,
33 Mayor Pike asked that someone clarify.

34
35 City Attorney Shawn Guzman stated that Human Resources Director Judith Mayfield
36 can explain that when she is called.

37
38 Mr. Prisbrey continued.

39
40 Mr. Schmitt testified that Mr. Jewell's actions would fluctuate, that is why he was
41 rated barely proficient. He could have rated him lower, but he wanted Mr. Jewell to
42 know that he was happy that he obtained the required certificate. Since that
43 evaluation, issues that arose are the things that he, Mr. Oxendine and Mr. Randall
44 testified to. He does not know what everyone else talked about during their
45 meetings; however, his recommendations were specific and based upon the way Mr.
46 Jewell treated him, his employees, the lack of participation of teamwork as a
47 supervisor in staff meetings. It had nothing to do with the playground safety
48 inspector permit. Mr. Jewell never told him that he had photographs; he always told
49 him that he had stuff and can nail anybody. He explained that he did not include that
50 in any of the information provided to his supervisors because he did not feel it was
51 viable.

52
53 Mr. Prisbrey had no further questions.
54

1 City Attorney Shawn Guzman called Leisure Services Director Kent Perkins; however,
2 because he was not present in the room, therefore, he called Human Resources
3 Director Judith Mayfield.
4

5 Human Resources Director Judith Mayfield testified that she has been in her position
6 approximately 10 years and has been in the Human Resources field for over 40. She
7 explained the 1-5 scale on evaluations; 1 is the lowest and 5 the highest.
8 Evaluations are kept in the employee's personnel files in Human Resources; she is the
9 custodian of the records. The evaluations included in the binder are Mr. Jewell's prior
10 performance evaluations. She explained that with the 2010 evaluation, Mr. Jewell
11 was very upset about the rating. Although she did not recall who contacted her, they
12 held a meeting to discuss the evaluation. Mr. Jewell was very defensive and abrupt
13 when Mr. Shane tried to explain. She asked Mr. Jewell to stay after the meeting at
14 which time she told him that if he does not change his behavior, he is in jeopardy of
15 losing his job. She explained that an employee improvement plan typically lasts 6
16 months and tries to help the employee become successful. Mr. Jewell's plan was
17 extended to give him the opportunity to obtain the playground safety certification.
18 She believes the plan modified Mr. Jewell behavior for a time; however, his behavior
19 reverted back. After meeting with several staff members, Leisure Services Kent
20 Perkins recommended Mr. Jewell be terminated; she concurred because over the past
21 10 years, she had several discussions with Mr. Jewell regarding his behavior towards
22 other employees. To her, it seemed like they were going back to the same behavior
23 of Mr. Jewell treating his employees in an unprofessional, disrespectful and
24 unproductive manner. She, Mr. Perkins and Mr. Jewell met for a predetermination
25 meeting. Mr. Perkins was in control of the meeting; Mr. Jewell was emotional and felt
26 as though things were blown out of proportion and that people were out to get him.
27 He made a very emotional appeal to Kent. Mr. Jewell focused on the fact that he had
28 worked for the City for 23 1/2 years and that he only had 2 1/2 more years until he
29 could buy out his years and have full retirement. At one time, Mr. Perkins asked him
30 if he was giving 100%; to her recollection, Mr. Jewell said no, not since the
31 reorganization because he did not agree with it. After Mr. Jewell's comments, it was
32 still her recommendation to terminate him. A few days later, she and Mr. Perkins
33 met with Mr. Jewell at the Parks building. At that time, they told him that they were
34 making the recommendation to the City Manager. Mr. Jewell was also told that if he
35 wanted to appeal to recommendation to the City Manager, he needed to call the City
36 Recorder, which he did. She was present at the meeting with the City Manager.
37 Again, Mr. Jewell mentioned that he worked at the City for 23 1/2 years and how he
38 saved the City a lot of money. Mr. Jewell commented that he did not give 100% over
39 the past year and that he is not cut out to be a supervisor. Additionally, he stated
40 that he could not go back to the Parks Department because of what had occurred
41 over the past few days.
42

43 City Attorney Shawn Guzman had no further questions.
44

45 Mr. Prisbrey cross examined Ms. Mayfield.
46

47 Ms. Mayfield testified that Mr. Jewell told her there were issues between him and Mr.
48 Shane. She did not recall employees coming to her stating that they had issues with
49 Mr. Shane. The issue Mr. Jewell had was that he was not happy when Mr. Shane was
50 given the position during the reorganization. He did not agree with Mr. Shane's
51 management style and didn't feel Mr. Shane had the experience.
52

53 Mr. Prisbrey asked for a moment to speak to his client. He then continued.
54

55 Ms. Mayfield testified that Mr. Randall and Mr. Oxendine came to her approximately 2
56 1/2 years ago regarding the way Mr. Jewell talked to them and the way Mr. Jewell

1 acting when he was present. Someone talked to Mr. Jewell, she cannot recall who;
2 however, she believes there was some improvement. There was no performance plan
3 implemented at that time. As the Human Resources Director, her job is to be
4 involved if there is a problem with an employee.
5

6 Mr. Prisbrey had no further questions.
7

8 City Attorney Shawn Guzman had additional questions.
9

10 Ms. Mayfield testified that after the appeal meeting with City Manager Gary Esplin, it
11 was still her recommendation to terminate Mr. Jewell. She felt as though City
12 Manager Gary Esplin was very understanding of the years of service that Mr. Jewell
13 gave to the City and appreciative of the fact that he was so close to being able to buy
14 out his retirement years. In her opinion, City Manager Gary Esplin's decision to allow
15 Mr. Jewell to continue his employment in a non-supervisory position and in another
16 department was very generous. After the City Manager sent the offer to Mr. Jewell,
17 she met with him on a Saturday at the Parks building because he wanted to pick up
18 his personal belongings. At that time, Mr. Jewell asked for additional time to make a
19 decision. City Manager Gary Esplin's response was to give him as much time as he
20 needed. When she talked with Mr. Jewell the following Monday, he asked about
21 getting paid out his accrued PTO, comp time and sick hours. She told him that he
22 needed to speak with Heather Dutton, who processes the payroll, which he did
23 Tuesday morning. When he met with Ms. Dutton, he told her that he wanted to be
24 paid out his accrued time. Because of his request, it is her opinion is that Mr. Jewell
25 resigned his position with the City. When asked to turn to page 46 of the City's
26 exhibit, she stated that although the document (dated 2001) is before her
27 employment with the City, it is a performance improvement plan for Mr. Jewell. She
28 read number 3.
29

30 City Attorney Shawn Guzman had no further questions.
31

32 Mr. Prisbrey had additional questions
33

34 Ms. Mayfield read portions of the letter sent to Mr. Jewell on April 23, 2014. She
35 testified that initially Mr. Jewell was a day, but was then granted an additional
36 weekend. If he did not choose to accept the position offered, he was considered to
37 have resigned his position with the City.
38

39 Mr. Prisbrey had no further questions.
40

41 City Attorney Shawn Guzman called City Manager Gary Esplin.
42

43 City Manager Gary Esplin testified that at the appeal hearing, he asked Mr. Jewell if
44 he was able to function as a supervisor. Mr. Jewell didn't think he could, he is too old
45 school and could not accommodate the new programs and could probably not be a
46 supervisor. Mr. Jewell also felt he could not go back to Parks in that organization.
47 Mr. Jewell commented that he has not given 100% since the reorganization as he did
48 not agree with it. At the meeting, Mr. Jewell's years of service were discussed. When
49 making his decision, Mr. Esplin said he looked the years of service Mr. Jewell gave to
50 the City. He felt Mr. Jewell could probably be successful in a non-supervisory position
51 with the City if he took it seriously and wanted to complete his years to get to
52 retirement as he mentioned in the meeting. He thought this would be an opportunity
53 for Mr. Jewell to continue employment with the City in a setting that would not be
54 confrontational, using his skills to help a department. He told other departments to
55 freeze hiring to see if there was an opportunity to employee Mr. Jewell. He stated
56 that these types of decisions are the most difficult part of his job. Based upon Mr.

1 Jewell's appeal to him, he modified the original decision that he made concurring
2 with termination. He told Ms. Mayfield to give Mr. Jewell as much time as he needed
3 to make his decision.
4

5 City Attorney Shawn Guzman had no further questions.
6

7 Mr. Prisbrey had no questions.
8

9 City Attorney Shawn Guzman called Leisure Services Director Kent Perkins.
10

11 Leisure Services Director Kent Perkins testified that he has worked for the City nearly
12 33 years. There have been concerns with Mr. Jewell's treatment of employees in the
13 past. Referring to page 46 of the City's exhibit, he stated that it was a performance
14 improvement plan that former supervisor Douglas Wulfenstein put Mr. Jewell on.
15 Referring to page 23 of the same exhibit, he stated that it was a memorandum from
16 Mr. Wulfenstein dated April 23, 1993. He read portions relating to Mr. Jewell's
17 communication skills. Referring to page 25 of the same exhibit, he stated that it was
18 a memorandum from former supervisor Terry Schramm dated June 3, 1994. He read
19 portions regarding Mr. Jewell's attitude towards his work and employees. He recalled
20 having conversations with Mr. Wulfenstein as well as other employees regarding
21 problems with Mr. Jewell's interaction with other employees. A predetermination
22 meeting was held regarding his contemplated recommendation of Mr. Jewell's
23 termination. He and Human Resources Director Judith Mayfield explained to Mr.
24 Jewell why they were there and what they wanted to talk about. Ms. Mayfield made
25 clear that the opportunity was to share anything that would shed light on the
26 concerns brought forth. At this meeting, Mr. Perkins stated that he referred to the
27 bottom of the performance improvement plan which indicated that if Mr. Jewell did
28 not abide by the tenets of the plan or fell back into not making improvement, there
29 were grounds for additional discipline, including termination. During the meeting, he
30 talked a lot about Mr. Jewell's treatment of the people he worked with. Mr. Jewell
31 indicated that he was old school and that his style was straight forward. Ms. Mayfield
32 made it clear that Mr. Jewell's language and treatment is not acceptable. Mr. Jewell
33 commented that he knew; he said that was who he was, he gets in trouble if he says
34 something or not. Additionally, Mr. Jewell stated that he had given 100% in the
35 beginning, but not the last couple of years. In his opinion, Mr. Schmitt made an
36 effort to work with Mr. Jewell to improve his performance; in fact, Mr. Schmitt asked
37 if he could give Mr. Jewell additional time to obtain the playground safety
38 certification. He discussed that with Mr. Jewell at the predetermination meeting also.
39 Mr. Jewell did receive the certification; Mr. Perkins remembered sending an email to
40 congratulate him. He believes Mr. Jewell has a lot of good talent and skills, but does
41 not believe he is a supervisor. He wanted to see if there was another position Mr.
42 Jewell can be demoted to and make it work. There was no place for Mr. Jewell to go
43 as there were no open positions. Because of Mr. Jewell's comments of not giving
44 100% over the last couple of years, he felt that Mr. Jewell did not care anymore;
45 therefore, he went forward with the recommendation for termination to the City
46 Manager.
47

48 City Attorney Shawn Guzman had no further questions.
49

50 Mr. Prisbrey had no questions.
51

52 Mayor Pike called for a 5 minute recess, at which time each attorney will have 5
53 minutes for a closing statement.
54

55 The meeting reconvened.
56

1 Mayor Pike suggested giving each attorney five minutes for a closing statement.
2 After the closing statements, the Council will deliberate in the Administrative
3 Conference Room for up to 30 minutes.
4

5 Mr. Prisbrey asked if he has the opportunity to present additional evidence.
6

7 Mayor Pike stated that the Council has already given him time. He explained that he
8 will have 5 minutes for a closing statement.
9

10 City Attorney Shawn Guzman stated that the City was prepared to call additional
11 witnesses, but with the time constraints, they were not able to.
12

13 Mr Prisbrey asked if he could offer proof as to what a witness would testify as
14 opposed to closing statement.
15

16 Deputy City Attorney Paula Houston explained that they have done that in other
17 cases where the sides will proffer evidence, but typically that is when both sides
18 agree that they are willing to proffer. She explained the process.
19

20 Mayor Pike commented that should have been during the allotted time.
21

22 Deputy City Attorney Paula Houston stated that it is evidentiary, so it would have
23 been in the original hour plus what was given.
24

25 City Attorney Shawn Guzman stated that he would object as it is additional time. If
26 they proffer evidence now, it could take all night.
27

28 Mayor Pike stated that the Council will not allow that unless they feel otherwise.
29

30 Mr. Prisbrey submitted.
31

32 Deputy City Attorney Paula Houston explained that in court this typically happens if
33 counsel does not feel it is necessary to argue. The Council can make their own
34 decisions.
35

36 City Attorney Shawn Guzman presented his closing statement. Referring to policy
37 4.50, Discipline and Employee Appeal, it outlines what behaviors can lead to
38 disciplinary action. Performance evaluations are evidence showing there has been a
39 continual problem with Mr. Jewell as far as interaction and mistreatment of fellow
40 employees. Mr. Schmitt attempted to work with Mr. Jewell and most importantly, the
41 City Manager offered him another position within the City rather than termination as
42 was recommended, acknowledging his work with the City. The Council has to weigh
43 the evidence and then say if the concur with the demotion or do they place him back
44 in his position as a supervisor in the Parks Department.
45

46 Mr Prisbrey asked to rebut.
47

48 Mayor Pike replied no.
49

50 Mr. Prisbrey stated that traditionally, that is what happens, but he understood.
51

52 Deputy City Attorney Paula Houston explained that traditionally in a court you would
53 reserve the right to rebut when you submit, but Mr. Prisbrey did not.
54

1 Mayor Pike asked if the Council had any questions. He recommended they adjourn to
2 the conference room for deliberations. He told the Council to take all of their
3 information including the ballot.
4

5 Mr. Prisbrey asked what the ballot was.
6

7 Mayor Pike explained what the ballot simply indicates whether each Councilmember
8 affirms or reverses the City Manager's decision. He mentioned that it is part of the
9 record.
10

11 Mr. Prisbrey asked if the ballots would be submitted to the court.
12

13 Mayor Pike stated that they will be given to him.
14

15 The Council left Council Chambers to deliberate in the Administrative Conference
16 Room. They returned after deliberating.
17

18 Mayor Pike stated that as required in City policy, each Councilmember filled out a
19 ballot. He read the ballots as follows:
20

21 Councilmember Randall – affirm the City Manager's decision
22 Councilmember Arial – affirm the City Manager's decision
23 Councilmember Bowcutt – affirm the City Manager's decision
24 Councilmember Hughes – affirm the City Manager's decision
25

26 The vote was unanimous and the decision was upheld.
27

28 Mr. Prisbrey stated that the policy says the decision is final; however, statute says
29 the court of appeals. He asked if the City has a position.
30

31 Deputy City Attorney Paula Houston explained that she will have to look at the
32 ordinance. She thought it also says court of appeals.
33

34 **ADJOURN:**

35 **MOTION:** A motion was made by Councilmember Bowcutt to adjourn from the
36 meeting.

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

38 **VOTE:** Mayor Pike called for a vote, as follows:
39

40 Councilmember Hughes – aye
41 Councilmember Randall – aye
42 Councilmember Bowcutt – aye
43 Councilmember Arial – aye
44

45 The vote was unanimous and the motion carried.
46
47
48
49
50
51

52
53 _____
54 Christina Fernandez, City Recorder

DRAFT

1 **ST. GEORGE CITY COUNCIL MINUTES**
2 **REGULAR MEETING**
3 **JULY 30, 2015, 5:00 P.M.**
4 **ADMINISTRATIVE CONFERENCE ROOM**
5

6 **PRESENT:**

7 **Mayor Pro Tem Gil Almquist**
8 **Councilmember Jimmie Hughes**
9 **Councilmember Michele Randall**
10 **Councilmember Joe Bowcutt**
11 **Councilmember Bette Arial**
12 **City Manager Gary Esplin**
13 **Deputy City Attorney Paula Houston**
14 **City Recorder Christina Fernandez**
15

16 **EXCUSED:**

17 **Mayor Jon Pike**
18

19 **OPENING:**

20 Mayor Pro Tem Almquist called the meeting to order and welcomed all in attendance.
21 The Pledge of Allegiance to the Flag was led by Councilmember Hughes and the
22 invocation was offered by Pastor Jimi Kestin.
23

24 **PRESENTATION FROM THE WASHINGTON COUNTY SCHOOL DISTRICT REGARDING**
25 **THE NEW ELEMENTARY SCHOOL IN THE DOWNTOWN AREA:**
26

27 Craig Hammer with the Washington County School District stated the proposed
28 elementary school is going to be good for the community. He updated the Council on
29 schools that are currently being remodeled. He explained the timeline for the new
30 elementary school. This will be the first two-story elementary school. He handed out
31 a site plan of the proposed elementary school and explained that parents will enter
32 from 200 South and exit by a right turn only onto 100 South. A block wall will be
33 installed on the west side. The school will have a full-sized gym with wood floors, an
34 outside entrance and restrooms. He explained that this school will be the same size
35 as the other elementary schools and stated that there are over 700 children within
36 walking distance. The Washington County School District Board has not named the
37 school yet, St. George Elementary School was used just in the planning process. He
38 provided a simulated photo of the school and explained that they have spent
39 approximately one year designing it. The play field will be along 200 South.
40

41 City Manager Gary Esplin stated that anyone coming off 300 East can access the
42 school. There have been talks about a plan for Worthen Park. Staff is waiting to see
43 what the school District is going to do first. The idea is to leave an access through to
44 the parking lot.
45

46 Mr. Hammer stated that it is a safety issue too as the children will go to the park. All
47 schools have space for portables if needed. He commented that you will not find a
48 school district and a city that have a better relationship than the Washington County
49 School District and the City of St. George have.
50
51
52

1 **PRESENTATION FROM THE FIRE DEPARTMENT REGARDING THE UPGRADE OF A**
2 **FIRE PUMPER TRUCK:**
3

4 Councilmember Arial arrived.
5

6 Fire Chief Robert Stoker showed photos of the City's ladder trucks. He explained that
7 they have a new aerial truck in their five year plan; however, because of the cost,
8 they keep pushing it back. He explained the issues with the different lengths of the
9 ladders. Just after the budget was completed, Pearce Manufacturing introduced a
10 with a new ladder truck and brought a demo for staff to look at. He showed a photo
11 of the model comparing it to one of the City's trucks. As the truck was impressive, he
12 believes it would be advantageous to go this route. The cost will be \$300,000 more
13 than what was approved. Rather than buying a pumper truck now and spending
14 another \$1 million in a few years, this would be a better way to go. This truck fits the
15 pumper use and gives them the capabilities of a ladder. If this would have been
16 introduced before the budget, he would have requested this truck instead.
17

18 City Manager Gary Esplin stated that he watched the demonstration. He asked Chief
19 Stoker if this gets approved, if he will run the truck as a pumper. Since the start of
20 the department, only one rig purchased has been surplusd out; all others are still in
21 use. This is a great opportunity to service a few needs. It is recommended that the
22 truck be purchased out of capital project funds. Funds in the impact funds are being
23 used for a new station in Little Valley. Staff is currently looking for a site. He
24 recommended amending the budget to pay for the truck and explained that staff will
25 design the truck to fit their needs. It will take approximately nine months to build the
26 truck.
27

28 The consensus of the Council is to move forward.
29

30 **PRESENTATION FROM ENERGY SERVICES REGARDING AN UPDATE ON THE NET**
31 **METERING POLICY:**
32

33 Laurie Mangum explained staff has spent a lot of time researching this topic.
34

35 Water & Energy Conservation Coordinator Rene Fleming presented a PowerPoint
36 presentation covering the following topics: Renewable Net Metering; Issues; Options
37 to Address the Issues; Items Included in the kWh Cost; How the Options Compare;
38 Addressing Unrecovered Costs; Solar Reliability Charge; Proposed SRC; Compare Two
39 Cities; Other Considerations; and In Summary.
40

41 Councilmember Hughes asked if a customer wants to, can they completely disconnect
42 from the grid.
43

44 Ms. Fleming explained that customers can disconnect from the grid; this proposal is
45 strictly for people who want to have solar. Under the proposed change, he customer
46 who chooses not to or cannot afford solar, they are no longer subsidizing their
47 neighbor who has solar on their home.
48

49 City Manager Gary Esplin advised that staff will return for formal approval at a later
50 date.
51

52 **PRESENTATION FROM ADMINISTRATIVE SERVICES REGARDING AN UPDATE ON**
53 **THE CURBSIDE RECYCLING PROGRAM:**
54

55 Administrative Services Director Deanna Brklacich mentioned that staff has been
56 meeting to discuss the curbside recycling program. She and Support Services

1 Manager Marc Mortensen presented a PowerPoint presentation covering the following
2 topics: Curbside Recycling Update; Scope; Program & Opt Out Notification; 3 Ways to
3 Opt Out; Logistics and Challenges; and Monthly Charge.
4

5 Councilmember Bowcutt commented that he is a bit concerned on the closeness of
6 the opt out date and the effective date.
7

8 Administrative Services Director Deanna Brklacich explained that is when the
9 participation rate is determined. The estimated start date is actually January 1st.
10

11 Mayor Pro Tem Almquist noted that if customers do not opt out, they are in. Staff is
12 going the extra mile to inform all customers.
13

14 Support Services Manager Marc Mortensen commented that there may be some
15 confusion because all municipalities will be different. He explained that HOA's with
16 common dumpsters will not have the ability to have a recycling bin.
17

18 Administrative Services Director Deanna Brklacich explained if they have curbside
19 pick up they can participate. The responsible party will be the individual whose name
20 is on the utility account. If a customer opts out, that decision goes with the person.
21 There is a challenge with tracking that.
22

23 Councilmember Randall commented that everyone pays for the recycling bins; even if
24 they do not use them.
25

26 **PRESENTATION FROM ADMINISTRATIVE SERVICES REGARDING UTILITY PAYMENT**
27 **PROCESSING, PRESENTMENT AND NOTIFICATION:**
28

29 Administrative Services Director Deanna Brklacich explained what the interactive
30 voice recognition (IVR) is. Additionally, she explained that the City only allows those
31 on the shut off to pay their bill over the phone. The City currently uses two
32 companies to process credit card payments. She suggests using a new company
33 called Paymentus to facilitate payments. Approximately \$22 million in utility bills are
34 paid annually by credit cards.
35

36 City Treasurer Aaron Olsen presented a PowerPoint presentation covering the
37 following topics: Utility Customer Service; What Our Citizens are Saying; Paymentus;
38 What is the Paymentus Platform?; Interactive Voice Response (IVR); Outbound
39 Customer Notifications; Customer Web Portal; Mobile & Pay-by-Text; Benefits; and
40 More Benefits.
41

42 Councilmember Bowcutt inquired about the credit card fee.
43

44 Administrative Services Director Deanna Brklacich explained the current \$1.25 fee
45 was for to a third party provider to pay utility bills online.
46

47 Mr. Olsen continued with his PowerPoint presentation covering the following topics:
48 Challenges; and Future Customer Service Roadmap. The program can be
49 implemented around November 1st.
50

51 Administrative Services Director Deanna Brklacich added that this proposal is for
52 utility payments only. Any of the big credit card companies will abide by the utility
53 discount rate. Staff hopes to go out for bid for other payments.
54
55

1 **CONSIDER APPROVAL ON AN AMENDMENT TO THE CITY PARK ORDINANCE**
2 **REGARDING FIREARMS:**
3

4 City Manager Gary Esplin suggested amending City code to conform with state law.
5 He explained that state law dictates what can be carried, used and prohibited in city
6 parks; citizens can go into a park with a weapon.
7

8 Deputy City Attorney Paula Houston advised the proposed amendments clean up the
9 definitions so that they are in line with state law. The City has never filed charges
10 against someone for carrying a weapon. The signs will be changed; some of which
11 have already been changed.
12

13 **MOTION:** A motion was made by Councilmember Bowcutt to approve the
14 amendment to the City park ordinance regarding firearms as
15 presented.

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

17 **VOTE:** Mayor Pro Tem Almquist called for a roll call vote, as follows:
18

19 Councilmember Almquist – did not vote
20 Councilmember Hughes – aye
21 Councilmember Randall – aye
22 Councilmember Bowcutt – aye
23 Councilmember Arial – aye
24

25 The motion carried.
26

27 Councilmember Arial inquired if the City is looking at possible change in crime. She
28 asked if this ordinance will make a difference.
29

30 City Manager Gary Esplin stated that he does not see this helping that much. He
31 believes there will be more calls about people carrying guns in parks.
32

33 **ADJOURN TO CLOSED SESSION:**

34 **MOTION:** A motion was made by Councilmember Hughes to adjourn to a closed
35 session to discuss a possible property acquisition.

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

37 **VOTE:** Mayor Pro Tem Almquist called for a roll call vote, as follows:
38

39 Councilmember Almquist – did not vote
40 Councilmember Hughes – aye
41 Councilmember Randall – aye
42 Councilmember Bowcutt – aye
43 Councilmember Arial – aye
44

45 The motion carried.
46

47 **ADJOURN:**

48 **MOTION:** A motion was made by Councilmember Randall to adjourn.

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

50 **VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:
51
52

1
2
3
4
5
6
7
8
9
10
11
12
13
14

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

The motion carried.

Christina Fernandez, City Recorder

DRAFT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
AUGUST 6, 2015, 5:00 P.M.
CITY COUNCIL CHAMBERS**

17
18
19
20
21

PRESENT:

22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39

**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**

40
41
42
43
44
45
46
47
48
49
50
51
52
53

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Scout Pack 1829 and the invocation was offered by Elder Jim Hetrick with the Community of Christ.

COMMENTS FROM THE PUBLIC:

Jerry Campbell, citizen, stated that he has a 3-year old son who was recently diagnosed with Autism. He took him to Vernon Worthen Park for the 4th of July event and had to leave because his son does not like waiting in line. He handed out a list of major theme parks that have separate lines for special needs children.

Archie Iverson, citizen, mentioned that a couple of years ago, he talked to the Council to change City codes because some of them do not abide by the Constitution. The Constitution is master law and all other laws should follow it. The City's code officers have harassed him for the last 15 years. He wants them to leave him alone. Things were a lot more peaceful before the City had code officers. People should have the right to have an unlicensed car on their property as long as they do not drive it.

Mayor Pike stated that specific issue is being looked at. On tonight's agenda, there are ordinance changes pertaining to inspections of property. Code officers are not there to make trouble, rather to make the City look nice. He and Councilmembers receive phone calls asking them to enforce the laws pertaining to code enforcement.

AWARD OF BID:

Consider award of bid for the Flood Street 69kv Transmission Line.

City Manager Gary Esplin advised the low bidder for the flood street 69kv transmission line is TAPP in the amount of \$110,241. He explained that the funds are included in the current budget and the bidder meets the specification requirements.

MOTION: A motion was made by Councilmember Almquist to award the bid for steel poles and structures requirements for the 69kv transmission line to TAPP in the amount of \$110,241.

SECOND: The motion was seconded by Councilmember Bowcutt.

Councilmember Almquist inquired if the price includes delivery.

1 City Manager Gary Esplin replied yes.

2
3 **VOTE:** Mayor Pike called for a vote, as follows:

- 4
5 Councilmember Almquist – aye
6 Councilmember Randall – aye
7 Councilmember Bowcutt – aye
8 Councilmember Arial – aye
9

10 The vote was unanimous and the motion carried.

11
12 **AWARD OF CONTRACT:**

13 **Consider award of contract to Rosenberg Associates for Canyon View Drive**
14 **realignment project construction management services.**

15
16 City Manager Gary Esplin stated this item is for the engineering, surveying and
17 related services for the Canyon View Drive realignment project. The amount of the
18 bid is \$27,905 and will include construction management services as well.

19
20 Councilmember Almquist noted that the agenda packet does not include a list of
21 requirements.

22
23 City Manager Gary Esplin explained that staff can circulate the contract. It is a typical
24 contract and all items have been addressed.

25
26 **MOTION:** A motion was made by Councilmember Randall to award the bid for the
27 Canyon View Drive realignment project management services to
28 Rosenberg Associates in the amount of \$27,905.

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

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

- 31
32 Councilmember Almquist – aye
33 Councilmember Randall – aye
34 Councilmember Bowcutt – aye
35 Councilmember Arial – aye
36

37 The vote was unanimous and the motion carried.

38
39 **AWARD OF CONTRACT:**

40 **Consider award of contract to Bowen Collins and Associate for engineering**
41 **design services for Indian Hills Storm Drain improvements.**

42
43 City Manager Gary Esplin explained that improvements with portions of Indian Hills
44 Drive have just been completed. Because of drainage concerns, staff recommends
45 hiring Bowen Collins and Associates to look at the drainage in the vicinity of Indian
46 Hills Drive between 1210 West and Hidden Bend Drive. The amount of the contract is
47 \$45,360.

48
49 Councilmember Almquist pointed out that the packet mentions drainage in the
50 Whisper Ridge area and working on the east side of Indian Hills Drive. There are
51 quite a few petroglyphs in the area; he wants them to take that into consideration.

52
53 City Manager Gary Esplin commented that staff can relocate the rocks if necessary.
54

1 **MOTION:** A motion was made by Councilmember Almquist to award the contract
2 to Bowen Collins and Associates for engineering design services for the
3 Indian Hills storm drain improvements, including the proposal in the
4 packet, in the amount of \$45,360.

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

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

7
8 Councilmember Almquist – aye

9 Councilmember Randall – aye

10 Councilmember Bowcutt – aye

11 Councilmember Arial – aye

12
13 The vote was unanimous and the motion carried.

14
15 **COMMENTS FROM THE PUBLIC:**

16 Diane Robinson, resident, stated that she did not know she had to fill out a form to
17 comment. She would like to propose a way residents can use their homes as airbnb's
18 without infringing on neighbor's rights. Those who would like to use their home as a
19 rental should have to keep the home in pristine condition. There is competition for
20 homes and hotels. People who rent homes want a homelike setting that brings
21 together families in larger groups; they cannot do that in a hotel. Santa Clara allows
22 vacation rentals under certain conditions and other municipalities are looking at that
23 as well. She outlined her recommendations. Homeowners should be required to
24 obtain a business license; policies should be written and followed. This will help
25 boom transient and sales tax revenue.

26
27 Mayor Pike mentioned that vacation home rentals are allowed under certain criteria.
28 He mentioned the meeting that took place last month on this topic. The Council's
29 concern is citizens that are having issues with vacation rental homes and feel that it
30 is ruining their neighborhood.

31
32 **PUBLIC HEARING/GENERAL PLAN AMENDMENT/ORDINANCE:**

33 **Public hearing to consider a general plan amendment from Medium Density
34 Residential to Commercial on approximately 0.6 acres generally located at
35 the northwest corner of the intersection of 300 North Street and 500 West
36 Street. Bruce Cunningham, applicant.**

37
38 Planner Ray Snyder presented a PowerPoint presentation covering the following
39 topics: aerial site of the property; general plan; zoning; photos of the proposed use;
40 and site plan. Planning Commission recommends approval; he read the motion made
41 by the Planning Commission. If approved, the applicant will return with a site plan
42 for review.

43
44 Mayor Pike opened the public hearing. There being no comment, he closed the public
45 hearing.

46
47 **MOTION:** A motion was made by Councilmember Arial to approve the general
48 plan amendment from Medium Density Residential to Commercial on
49 approximately 0.6 acres generally located at the northwest corner of
50 the intersection of 300 North Street and 500 West Street.

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

52
53 Councilmember Bowcutt asked if the 0.6 acres included the auto shop.

1 Mr. Snyder replied yes.
2

3 **VOTE:** Mayor Pike called for a roll call vote, as follows:
4

5 Councilmember Almquist – aye

6 Councilmember Randall – aye

7 Councilmember Bowcutt – aye

8 Councilmember Arial – aye
9

10 The vote was unanimous and the motion carried.
11

12 **PUBLIC HEARING/ZONE CHANGE/ORDINANCE:**

13 **Public hearing to consider zone change request to rezone 6.04 acres from**
14 **Planned Development Commercial/Residential to Planned Development**
15 **Residential generally located at 415 South Dixie Drive. Dennis Garr,**
16 **applicant.**
17

18 Assistant Public Works Director Wes Jenkins explained that since the Planning
19 Commission meeting, the applicant has revised the request and is now requesting
20 four additional units for a total of 54, when the second access is constructed on Dixie
21 Drive. He stated that the current zone is PD-R and the proposed density falls within
22 the general plan. They will be required to provide two parking stalls per unit, one of
23 which is covered and one guest stall per every three units, for a total of 18. The
24 applicant meets the landscaped open space requirements. He presented a
25 PowerPoint presentation covering the following topics: aerial site of the area; general
26 plan; site plan. As part of the PD, the second access will be required. He showed
27 renderings; elevations, layout and photos of the area. Planning Commission
28 recommended denial. Some residents were concerned about traffic; however, a
29 traffic study done by UDOT in 2013 shows that traffic is less than what constitutes an
30 issue.
31

32 Councilmember Bowcutt inquired if the applicant has to return for approval to build
33 the other building once the other access is there.
34

35 City Attorney Shawn Guzman explained that if approved as presented tonight, the
36 applicant would not have to come back for Council approval. He prefers it be
37 approved for the 50 units and allow them to go up to 54 units if that access is
38 constructed.
39

40 Councilmember Bowcutt stated that there were some concerns about the property
41 owner near there regarding his parking stalls.
42

43 Mr. Jenkins stated that he will lose some of the parking stalls. Staff has not looked
44 into whether he would still meet the parking requirements.
45

46 City Attorney Shawn Guzman pointed out that the plan approved for the PD included
47 those accesses. It acknowledged that there would be roadways and impact parking.
48 He clarified that this entire piece was included in the original PD proposed by the
49 property owner with the accesses and uses.
50

51 Mr. Jenkins noted the only thing that changed from the original request was where it
52 tied into Dixie Drive. The original amount of units was approximately 140.
53

54 City Manager Gary Esplin explained that this project's density is a 1/3 less than what
55 could be built today.
56

57 Mayor Pike opened the public hearing.

1
2 Marvin Blosch who represents MBA Properties LLC and Sunbrook Ranch LLC,
3 commented that 140 units was originally approved for this property, 136 is the new
4 plan. He is in favor of the project; it will be a nice improvement for the area. There
5 are several things that will impact him. He then read a letter and provided a site plan
6 which is included in the agenda packet.
7

8 City Attorney Shawn Guzman inquired if the plan he referring to is the approved 136
9 units.
10

11 Mr. Blosch replied yes and continued reading his letter. Other subdivisions have more
12 units with only one access, 54 seems to be an arbitrary number.
13

14 City Attorney Shawn Guzman noted that Mr. Blosch is still proposing two accesses
15 onto Dixie Drive. He explained the City's role is to approve, deny or modify the
16 request and would not get involved with rights of the easement. Construction and
17 building standards of the City will still apply.
18

19 Mr. Blosch clarified that if they put in a high back curb on the left side, they would be
20 cut off from any access.
21

22 City Attorney Shawn Guzman stated that the high back curb would not prevent him
23 from developing the property. The current tenants should still have the access.
24

25 City Manager Gary Esplin commented that this is a private street; therefore this is a
26 civil issue between the two parties as the easement is not the City's. He understands
27 Mr. Blosch's concerns; however, the City is not a party to the easement.
28

29 City Attorney Shawn Guzman stated that the proximity to the access to Dixie Drive
30 from the first access may be something that falls under the City's access policy. All
31 other issues in Mr. Blosch's letter relate to issues with a private property owner; the
32 City would not be involved in any of them.
33

34 Chris Brownburger, resident, stated that he is concerned because they have a hard
35 time pulling out on the roadway. He is in favor of the request; however, he is
36 concerned about the number of cars trying to access the street while they are trying
37 to merge.
38

39 City Manager Gary Esplin noted that this project is not changing the access.
40

41 Mr. Brownburger asked if the City can provide a merging lane.
42

43 City Manager Gary Esplin commented that there is a visual problem with the
44 landscaping. Staff has plans to meet with the property owner and will look at the
45 median. A possible solution would be to install a traffic signal in the area.
46

47 Bob Secudo, resident, stated that he is in favor of the project; however, he is also
48 concerned with traffic. If a traffic signal is installed, it would have to be synchronized
49 with other lights in the area. He asked if the median is taken out, would it budgeted
50 for.
51

52 Councilmember Hughes arrived.
53

54 Mayor Pike explained that the median would be budgeted for.
55

56 Dennis Garr, applicant, stated that he has been working with Mr. Blosch. He clarified
57 that the way the road sits on the easement, some of the trees may have to be

1 removed. If so, they will plant more trees when they are done. He commented that
2 they want this project to work for everybody.
3

4 City Manager Gary Esplin stated that if the road is built and Mr. Bosch loses access,
5 he hopes that the Council will give the staff the latitude to save trees as it provides a
6 buffer for the residents. He feels it would be better to save the trees than lose 5-10
7 stalls.
8

9 Mr. Garr stated that Mr. Blosch will lose the same amount of stalls either way. He
10 would like to save the trees as well.
11

12 Mr. Blosch stated that he has been told by staff that he would then be non-
13 conforming when he loses the parking stalls; he would lose about half of them.
14

15 City Manager Gary Esplin stated that is the current problem as Mr. Garr has an
16 easement to build the road. He would like to see this issue worked out.
17

18 Mr. Blosch commented that he would be willing to restructure the parking to bring it
19 into conformance. They have more stalls than they have ever needed. He proposes
20 it will take approximately a year to come into compliance.
21

22 Mayor Pike closed the public hearing.
23

24 **MOTION:** A motion was made by Councilmember Almquist to approve the zone
25 change request to rezone 6.04 acres from Planned Development
26 Commercial/Residential to Planned Development Residential to
27 accommodate a townhouse development consisting of 14 dwelling
28 structures, 50 units with the caveat that 4 additional may be built with
29 the second access.

30 **SECOND:** The motion was seconded by Councilmember Arial noting that all of
31 those with valid concerns supported the project.
32

33 **AMENDED**

34 **MOTION:** Councilmember Almquist added to his motion the flexibility on the
35 roadway based upon the tree issue as well as the year to come into
36 compliance with the parking issues.

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

38 **VOTE:** Mayor Pike called for a roll call vote, as follows:
39

40 Councilmember Almquist – aye
41 Councilmember Hughes – aye
42 Councilmember Randall – aye
43 Councilmember Bowcutt – aye
44 Councilmember Arial – aye
45

46 The vote was unanimous and the motion carried.
47

48 City Manager Gary Esplin commented that staff will return to address the issues with
49 the median.
50

51 **PUBLIC HEARING/ZONE CHANGE/ORDINANCE:**

52 **Public hearing to consider a zone change request to rezone 10.83 acres from**
53 **Single Family Residential 10,000 sq. ft. minimum lot size to Planned**
54 **Development Commercial located along the west side of River Road at**
55 **approximately 1450 South Street. River Road Investments, applicant.**

1
2 Planner Ray Snyder presented a PowerPoint presentation covering the following
3 topics: Zoning; and Requested. He stated that the parking and landscaping
4 requirements will be addressed when the applicant returns with each zone change
5 amendments. He continued with his PowerPoint presentation covering the following
6 topics: Aerial Map, Properties; General Plan-before recent GPA; Vicinity Map; Current
7 Zoning; Conceptual Site Plan; Renderings; Written Text; Materials & Colors; Site
8 Plan; Proposed Uses and Car Wash Elevations. He read the recommend conditions of
9 the Planning Commission and staff comments as listed in the agenda packet.

10
11 Councilmember Bowcutt inquired if the traffic study has been done and approved.

12
13 Assistant Public Works Director Wes Jenkins stated that it has been done and
14 approved; however, staff needs to discuss it with the applicant.

15
16 City Manager Gary Esplin explained that staff is trying to merge this traffic study with
17 the one that was done on River Road.

18
19 Councilmember Arial commented that she believes this is an inappropriate use near
20 Bundy Lane. She believes this is the wrong use for the end of a subdivision;
21 however, this is wonderful project.

22
23 Councilmember Bowcutt commented even if the two lots were zoned residential, they
24 would most likely still have commercial adjacent to it.

25
26 Councilmember Almquist stated that on the use list, the automotive indoor only
27 section, the applicant should address this as that does not always stay indoors.

28
29 Mayor Pike opened the public hearing. There being no comment, he closed the public
30 hearing.

31
32 Councilmember Almquist commented that he was surprised there were no comments
33 at Planning Commission.

34
35 Councilmember Randall noted that she does not think that many of the home owners
36 are opposed to commercial at this location.

37
38 City Manager Gary Esplin commented that thinking long term, if he was a resident on
39 Bundy Lane, he would want access to the commercial development. If they had
40 access to that parking lot, they could go to 1450 South from there and avoid the
41 traffic.

42
43 Councilmember Arial stated that she believes there was not an issue with traffic, but
44 that they are commercial buildings and not homes

45
46 Mike Sheffield, applicant, as far as the access and safe egress, they are working on
47 an agreement with the Taylor's and Bundy's to allow access to 1450 South the back
48 way. He noted that they appreciate and understand the concerns of the residents.
49 They have hired engineers and architects to determine the best uses. He met with
50 Tom Durrant this afternoon and feels that they are in a good place.

51
52 City Manager Gary Esplin agreed with Councilmember Almquist regarding the uses.
53 He has not seen an auto shop that does not have cars waiting in the parking lot.
54 How can they guarantee the cars will be inside the business?
55

1 Mr. Sheffield explained that they do not have a client that would like to have that use.
2 They are not particularly attached to that use and are not opposed to altering that
3 use.
4

5 **MOTION:** A motion was made by Councilmember Arial to approve the zone
6 change request to rezone 10.83 acres from Single Family Residential
7 10,000 sq. ft. minimum lot size to Planned Development Commercial,
8 eliminating the auto repair use option but including the car wash, with
9 the recommendations of staff and Planning Commission.

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

11 **VOTE:** Mayor Pike called for a roll call vote, as follows:
12

13 Councilmember Almquist – aye

14 Councilmember Hughes – aye

15 Councilmember Randall – aye

16 Councilmember Bowcutt – aye

17 Councilmember Arial – aye
18

19 The vote was unanimous and the motion carried.
20

21 **PUBLIC HEARING/GENERAL PLAN AMENDMENT/ORDINANCE:**

22 **Public hearing to consider a general plan amendment from Employment and**
23 **Medium Density Residential to High Density Residential on approximately**
24 **51.95 acres generally located at 1280 West 4700 South. SunRiver St.**
25 **George Development, applicant.**
26

27 Planner Ray Snyder presented a PowerPoint presentation covering the following
28 topics: vicinity map; aerial map; general plan; zoning. Planning Commission
29 recommended approval.
30

31 Mayor Pike opened the public hearing.
32

33 Guy Bourgois, resident, stated that he is not opposed this development; however he
34 is concerned with the density. They do not know what type and how many units will
35 be built. Additionally, he is concerned with water.
36

37 Mayor Pike mentioned that this is a general plan amendment, not a zone change.
38

39 Mr. Bourgois commented that 2,200 residents would create high traffic. He asked the
40 Council to consider an appropriate alternative.
41

42 Judy Boseman, resident, referenced a document that was sent to residents of
43 SunRiver. The letter states that there will be twin homes which are approximately 7
44 units per acre. If they plan to rent these homes, a property management company
45 should be used. She stated that she is in favor of the project.
46

47 Barbara McGoughlin, resident of SunRiver, stated that she is in favor of medium
48 density residential. She mentioned that high density is up to 22 units per acre, which
49 would be about 1,100 units. She has a concern in the process; only four members of
50 the Planning Commission were present at the meeting, two of which had concerns
51 with high density. One of the Planning Commission members turned to another
52 Planning Commission member who is a resident of SunRiver and asked how she felt
53 about high density. She is okay with her comments as a Planning Commission
54 member, but she is not an elected representative of the SunRiver residents. At the
55 Planning Commission meeting several residents stated that they were not in favor of
56 the request. She felt that Planning Commission member swayed the others.

1
2 Mayor Pike commented that she is free to do that. The Planning Commission is a
3 recommending body; the City Council makes the final decision. If she were on this
4 Council, he would have asked her as well. In every decision that is made, some
5 people will be happy and some won't.
6

7 Ms. McGoughlin mentioned that she has been to many meetings and has never seen
8 the Planning Commission recommended something that was not approved by the City
9 Council.
10

11 City Manager Gary Esplin noted that earlier tonight, the Council approved an item
12 that was denied by the Planning Commission.
13

14 Gavin Ferguson, resident, stated that he looked at the general plan and read what it
15 does. All of SunRiver is medium density; this request would be a big exception to the
16 whole community of SunRiver. He feels the preservation of the plan should be the
17 norm. The developer wants to change the zone so they can sell more houses than
18 what is allowed under the general plan. Increasing the density does not preserve the
19 quality of life for the SunRiver residents. This will increase traffic and demand for
20 water. He understands that approving high density does not mean that they will
21 build high density; however, once the plan is amended to allow for high density, it
22 cannot be denied. A change in the master plan runs with the land. There is no
23 guarantee this will be 55+ housing. He stated that he believes there should be a
24 public hearing and that this request is premature as there is not a plan as to what will
25 be built. He suggests the request be tabled.
26

27 Janelle Kesner, resident of SunRiver, stated that when she decided to move to St.
28 George, the Chamber of Commerce suggested they look at SunRiver. Her concern is
29 Arrowhead Parkway; it will not accommodate high density. She explained that she
30 believes that in the future, commercial developments will be built in the area. She is
31 worried about safety and the quality of life.
32

33 Mayor Pike closed the public hearing.
34

35 Scott McCall, applicant, explained that they are asking for a general plan amendment
36 so they can break the 10 barrier. They have a large piece of property that is medium
37 density. The majority of the project will be twin homes; about 7 of them per acre.
38 All concerns will be addressed during the zone change.
39

40 City Manager Gary Esplin stated that staff believes high density is premature as well.
41 He mentioned the medium/density item on tonight's agenda that would handle this
42 proposal. If the general plan amendment is approved, going to 22 units does not fit
43 the property. If the developer is true to their intent, the proposed ordinance change
44 to add medium high density would relieve the problem - they could have 10-15 units.
45

46 Mr. McCall stated that 10-15 units are appropriate for their proposal.
47

48 City Manager Gary Esplin suggested waiting as there is not enough water to do the
49 development at this time. He does not feel that apartments should be kept out of
50 SunRiver. It is not fair to say that all apartments should be in one part of the City.
51 He asked if the general plan would have to be changed to accommodate medium high
52 density residential.
53

54 City Attorney Shawn Guzman replied yes, they would have to change the general
55 plan. He noted that the medium high density option was not available for the
56 Planning Commission to recommend.
57

1 Councilmember Bowcutt commented that new density was discussed at the Planning
2 Commission.
3

4 City Manager Gary Esplin explained that this is medium high density. The issue
5 tonight is if high density should be allowed in this area. If the Council would rather
6 have 10-15 units, the applicant would have to return to the Planning Commission to
7 request the zone change to medium high density.
8

9 Councilmember Bowcutt commented that he cannot see 22 units there. He feels the
10 applicant should request medium high density.
11

12 Mr. McCall stated that he has been working on a zone change for two weeks. They
13 plan to develop similar to what they have done.
14

15 City Attorney Shawn Guzman explained that anything zoned as medium density
16 under the general plan currently, if the ordinance for medium high density passes
17 tonight, they will have that option available. With the Planning Commission
18 approving up to 20 units, they would be okay in approving a lower number of units.
19 He suggested tabling this request.
20

21 City Manager Gary Esplin stated that they will not get water for about 18 months.
22 The Planning Commission should have an opportunity to say if medium density is
23 okay in the area with the new zone. The general plan would have to be amended.
24 He asked what the Planning Commission would have voted for if they had the
25 proposed medium high density zone option.
26

27 **MOTION:** A motion was made by Councilmember Hughes to table the request.

28 **SECOND:** The motion was seconded by Councilmember Arial.
29

30 Councilmember Bowcutt asked that this get resolved as quickly as possible.
31

32 City Attorney Shawn Guzman that going back to the Planning Commission and
33 changing the designation would be the preferred way.
34

35 City Manager Gary Esplin pointed out that general plan amendments are only heard
36 every quarter. He suggested the Council instruct staff to waive the quarterly
37 requirement so that this can move quickly.
38

39 **AMENDED**

40 **MOTION:** Councilmember Hughes amended his motion to include the instructions
41 to staff.

42 **SECOND:** Councilmember Arial seconded the amended motion.
43

44 Mr. McCall noted that a traffic study would determine the improvements and water
45 issues would be resolved. The zone change controls how many units are approved.
46

47 Councilmember Hughes commented that he does not like high density; however, this
48 area is the place for it.
49

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

51 Councilmember Almquist – aye

52 Councilmember Hughes – aye

53 Councilmember Randall – aye
54

1 Councilmember Bowcutt – aye
2 Councilmember Arial – aye

3
4 The vote was unanimous and the motion carried.
5

6 City Manager Gary Esplin stated that he feels the request should be denied rather
7 than tabled.

8
9 Councilmember Bowcutt clarified that the developer will probably end up with the new
10 medium high density zoning. There will probably not be a public hearing.

11
12 City Manager Gary Esplin stated that there will be a public hearing on the zone
13 change.

14
15 Mayor Pike explained that he can allow a public hearing even if they are not obligated
16 to.

17
18 City Manager Gary Esplin commented that the next public hearing may be the zone
19 change and the new medium high density will only allowed in a PD zone.
20

21 **PUBLIC HEARING/ZONE CHANGE AMENDMENT/ORDINANCE:**

22 **Public hearing to consider a zone change amendment to amend the Atkinville**
23 **Master Plan in the Planned Development Commercial zoning district. SITLA,**
24 **applicant.**

25
26 Planner Ray Snyder presented a PowerPoint presentation covering the following
27 topics: Request; Background; Amended Zone Change Application No. 3; History of
28 Amendments to the Atkinville Interchange Zone Plan; Amendment 2 (approved March
29 19, 2015); Proposed 3rd Amendment; Proposed Plan Change; Site Plan; Modified
30 Master Plan; A Letter from Horrocks Engineering; and Maps. He read staff reports as
31 listed in the agenda packet.
32

33 Councilmember Arial stepped out.
34

35 City Manager Gary Esplin noted that the Council is not discussing uses tonight. The
36 original plan there was a road that went through the parcel. The applicant is not
37 amending uses.
38

39 Kyle Paisley with SITLA explained that they are requesting to change the circulation
40 for a proposed travel center.
41

42 Mayor Pike opened the public hearing. There being no comment, he closed the public
43 hearing.
44

45 **MOTION:** A motion was made by Councilmember Almquist to approve the zone
46 change amendment to amend the Atkinville Master Plan in the Planned
47 Development Commercial zoning district located east of the I-15
48 freeway and north of the Southern Parkway as well as the ordinance
49 language changes in Exhibit A.

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

51 **VOTE:** Mayor Pike called for a roll call vote, as follows:
52

53 Councilmember Almquist – aye
54 Councilmember Hughes – aye
55 Councilmember Randall – aye

1 Councilmember Bowcutt – aye

2 The vote was unanimous and the motion carried.

3
4
5 **PUBLIC HEARING/GENERAL PLAN AMENDMENT/ORDINANCE:**

6 **Public hearing to consider an amendment to the general plan land use**
7 **designations to provide a new category, Medium High Density Residential,**
8 **with a density range of 10 – 15 dwelling units per acre. City of St. George,**
9 **applicant.**

10 Councilmember Arial returned.

11
12
13 Planner Ray Snyder presented a PowerPoint presentation covering the following
14 topics: Request; Pages from the General Plan; General Plan Map; Little Valley
15 SubArea MP; and Density Examples. The Planning Commission discussed this
16 proposal a number of years ago.

17
18 Mayor Pike opened the public hearing. There being no comment, he closed the public
19 hearing.

20
21 Assistant Public Works Director Wes Jenkins explained that Planning & Zoning
22 Manager John Willis looked at projects throughout the City to better define what the
23 10 or 15 units represents.

24
25
26 **MOTION:** A motion was made by Councilmember Hughes to amend the general
27 plan land use designations to provide a new category, Medium High
28 Density Residential, with a density range of 10 – 15 dwelling units per
29 acre.

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

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

- 32
33 Councilmember Almquist – aye
34 Councilmember Hughes – aye
35 Councilmember Randall – aye
36 Councilmember Bowcutt – aye
37 Councilmember Arial – aye

38
39 The vote was unanimous and the motion carried.

40
41 City Manager Gary Esplin asked that item 5B be heard prior to the remaining public
42 hearings.

43
44 **RESOLUTION:**

45 **Consider, by resolution, whether to accept or deny the Petition for**
46 **Annexation for the Brookfield Addition. HETTSA Group, LLC. (Steven Hall),**
47 **applicant.**

48
49 City Manager Gary Esplin advised that the applicant does not have to present plans
50 on what they will do. This is the first step in the annexation process.

51
52 **MOTION:** A motion was made by Councilmember Almquist to accept the Petition
53 for Annexation for the Brookfield Addition.

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

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

1
2 Councilmember Almquist – aye
3 Councilmember Hughes – aye
4 Councilmember Randall – aye
5 Councilmember Bowcutt – aye
6 Councilmember Arial – aye
7

8 The vote was unanimous and the motion carried.
9

10 **PUBLIC HEARING/AMEND CITY CODE/ORDINANCE:**

11 **Public hearing to consider amending Title 9, Chapter 13 of City code**
12 **pertaining to off premises signs. City of St. George, applicant.**
13

14 City Attorney Shawn Guzman recommended tabling this item. He explained that staff
15 has had discussions with billboard companies and there are some minor changes
16 regarding on premises signs. There will be an opportunity to have input from
17 businesses regarding the proposed changes. The Council should not take action on
18 part of the request because of the definitions; however, comments can be taken
19 tonight.
20

21 Councilmember Arial commented that she is pleased that staff has listened to the
22 business owners.
23

24 Mayor Pike opened the public hearing.
25

26 Thayne Houston, business owner, met with other business owners regarding the
27 proposed changes. He is concerned with the changes pertaining to reader boards and
28 automated signage. His business had a reader sign in front of their building which
29 they may not be able to add that back with the proposed changes. Additionally, he
30 does not understand why it was of such concern to have automation or flashing
31 lights. In his position, their building has been pushed back and hidden from public
32 view because of changes to St. George Boulevard. He will continue to monitor and
33 watch this topic.
34

35 City Attorney Shawn Guzman stated that this is not an ordinance that intends to
36 restrict the use of reader boards. The proposed ordinance says that if a business
37 wants to change a non-conforming sign, they now have to bring it into conformance
38 with City code. Flashing and changing is an industry-wide standard; it is not
39 changing much of what has been practiced. He noted that off premises are regulated
40 by state law.
41

42 Mr. Houston explained that at his business in another city, they have had to put in a
43 new sign because the engineering could not be verified. He feels that if a sign has
44 been in place for a number of years, it should not have to be done all over again.
45

46 City Attorney Shawn Guzman advised that just changed in the last couple of years;
47 that is a building code requirement. Just because a pole has been in place for 20
48 years does not mean adding the new sign does not mean the pole is adequate in the
49 first place. The business owner can hire an engineering firm to say whether the pole
50 will meet the loads required currently.
51

52 Brad Harr, business owner, mentioned the sign he has on St. George Boulevard which
53 cost him quite a bit of money. He is concerned that he will have to change it.
54

55 Deputy City Attorney Paula Houston explained that after discussions on the proposed
56 ordinance, she and Planning & Zoning Manager John Willis removed language

1 pertaining to on premises signs. The language remaining pertains to the standards
2 for billboards and the definitions regarding alterations and non-conforming uses.
3

4 City Attorney Shawn Guzman noted that with regards to brightness, LED lights are
5 now less bright than traditional billboards.
6

7 Mayor Pike commented that anyone who would like to make comments or give input
8 offline are welcome to do so.
9

10 Mike Helm, with YESCO Outdoor, stated that he has been working with staff regarding
11 off premises signs. The proposed ordinance is good for the City and for them as well.
12

13 Jared Johnson, with YESCO Electronics, stated that they discussed this ordinance with
14 staff. He acknowledges the affect that some of the definitions may have on those
15 with on premises signs; therefore, he is okay with waiting until that is cleared up.
16

17 Councilmember Almquist commented that some digital displays are not as heavy as
18 the traditional sign if the backing structure is replaced.
19

20 Mr. Johnson explained that weight is not always the concern, rather it is wind loads.
21 Staff can calculate to see whether a reduction in area of signage is sufficient to meet
22 current codes.
23

24 Daniel Wittwer, business owner, commented that he is concerned that slight changes
25 in the past have not been slight changes. He asked that the Council be respectful of
26 business owners. They have been warned for having signs with things the City feels
27 is inappropriate. He believes the trees were planted where they were to block their
28 signs so they would be forced to have monument signs.
29

30 **MOTION:** A motion was made by Councilmember Almquist to continue the public
31 hearing.

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

33 **VOTE:** Mayor Pike called for a vote, as follows:
34

35 Councilmember Almquist – aye

36 Councilmember Hughes – aye

37 Councilmember Randall – aye

38 Councilmember Bowcutt – aye

39 Councilmember Arial – aye
40

41 The vote was unanimous and the motion carried.
42

43 Mayor Pike called for a short recess.
44

45 **FEE WAIVER:**

46 **Consider approval of a fee waiver for the use of Vernon Worthen Park for the**
47 **Looking Upward 2015 event. John Shaw, applicant.**
48

49 City Manager Gary Esplin stated that staff has no concerns with this request.
50

51 John Shaw, applicant, explained that Calvary Chapel has been holding the Church in
52 the Park event for years. This year, they are changing the day and name and
53 requesting a fee waiver for the use of Vernon Worthen Park.
54

55 City Manager Gary Esplin asked that since the City is waiving fees, he requested they
56 clean up after the event.
57

1 **MOTION:** A motion was made by Councilmember Randall to approve the fee
2 waiver for the use of Vernon Worthen Park for the Looking Upward
3 2015 event noting that the applicant will clean up the park after the
4 event.

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

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

7
8 Councilmember Almquist – aye
9 Councilmember Hughes – aye
10 Councilmember Randall – aye
11 Councilmember Bowcutt – aye
12 Councilmember Arial – aye

13
14 The vote was unanimous and the motion carried.

15
16 **FEE WAIVER:**

17 **Consider approval of a fee waiver for the use of Hela Seegmiller Historic**
18 **Farm for the Round Up Days Barn Dance event. Gregg McArthur, applicant.**

19
20 City Manager Gary Esplin stated that the Chamber of Commerce would like to hold a
21 Round Up Days Barn Dance event at Hela Seegmiller Farm. Per policy, a staff
22 member is required to be present during special events; therefore, he suggested the
23 applicant cover the cost of that staff member.

24
25 Councilmember Bowcutt noted that the idea is to have different events in conjunction
26 with the Dixie Round Up Rodeo to increase awareness and have fun.

27
28 **MOTION:** A motion was made by Councilmember Arial to approve the fee waiver
29 for the use of Hela Seegmiller Historic Farm for the Round Up Days
30 Barn Dance event with the exception of the staff member who is
31 required to be present and that they clean up after the event.

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

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

34
35 Councilmember Almquist – aye
36 Councilmember Hughes – aye
37 Councilmember Randall – aye
38 Councilmember Bowcutt – aye
39 Councilmember Arial – aye

40
41 The vote was unanimous and the motion carried.

42
43 **ROAD CLOSURE:**

44 **Consider approval of a request for partial road closures in the Ft. Pierce**
45 **Industrial Park and a temporary crossing of River Road at two locations for**
46 **the Ham It Up Against Hunger 5k event. Kelly Ochsenhirt, applicant.**

47
48 City Manager Gary Esplin explained that staff supports the request; however, they
49 are concerned with the proposed road closures on River Road as there is heavy truck
50 traffic in that area.
51

1 Angela Lopez, with the Utah Food Bank, explained that their development manager
2 worked with staff on the traffic control plan. They are happy to address any concerns
3 with regard to the traffic concerns.
4

5 Councilmember Almquist suggested they look at a different route.
6

7 City Manager Gary Esplin commented that staff suggested a different route; however,
8 the applicant wanted to have the runners cross the road.
9

10 A discussion took place on proposed route changes.
11

12 Ms. Lopez will pass the Council's concerns to the development manager.
13

14 City Manager Gary Esplin noted that changing the route to not cross River Road would
15 save them in costs as they will not have to have as much traffic control.
16

17 Ms. Lopez mentioned that they plan on making this an annual event.
18

19 City Manager Gary Esplin stated if they can come up with an alternate route, it can
20 return for a discussion at the next work meeting.
21

22 **REPEAL CITY CODE/ORDINANCE:**

23 **Consider approval of an ordinance repealing Title 4, Chapter 3 of City code**
24 **pertaining to the inspection and cleaning of property.**
25

26 Deputy City Attorney Paula Houston advised this is an ordinance repealing Title 4,
27 Chapter 3 of City code pertaining to the inspection and cleaning of property.
28 It has some conflicts with some of the newer provisions and has not been used in
29 years.
30

31 **MOTION:** A motion was made by Councilmember Arial to repeal Title 4,
32 Chapter 3 of City code pertaining to the inspection and cleaning
33 of property.

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

35 **VOTE:** Mayor Pike called for a roll call vote, as follows:
36

37 Councilmember Almquist – aye
38 Councilmember Hughes – aye
39 Councilmember Randall – aye
40 Councilmember Bowcutt – aye
41 Councilmember Arial – aye
42

43 The vote was unanimous and the motion carried.
44

45 **AMEND CITY CODE/ORDINANCE:**

46 **Consider approval of an ordinance amending Title 1, Chapter 12A, Section 16**
47 **of City code pertaining to inspections of property.**
48

49 Deputy City Attorney Paula Houston stated that this ordinance is to amend Title 1,
50 Chapter 12A, Section 16 of City code pertaining to inspections of property. Language
51 has been added to clarify the right to inspect, making it represent how the City
52 actually handles cases, how officers enter onto property and how inspections are
53 done. Additionally, it adds in the provision that officers comply with Utah law and the
54 Fourth Amendment. It does not change anything that is currently being done.
55

56 Councilmember Hughes noted that some of the concerns in the past have been that
57 although the City followed the law, the ordinance currently states that officers were

1 authorized to inspect a property. It did not clarify that officers need to follow and
2 comply with Utah law and the Fourth Amendment.

3
4 City Attorney Shawn Guzman stated that a federal judge ruled that the current
5 language is constitutional; however, staff wanted to make that clear.

6
7 **MOTION:** A motion was made by Councilmember Hughes to approve the
8 amendments to the language to Title 1, Chapter 12A, Section 16 of City
9 code regarding inspections of property.

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

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

12
13 Councilmember Almquist – aye

14 Councilmember Hughes – aye

15 Councilmember Randall – aye

16 Councilmember Bowcutt – aye

17 Councilmember Arial – aye

18
19 The vote was unanimous and the motion carried.

20
21 **AMEND CITY CODE/ORDINANCE:**

22 **Consider approval of an ordinance amending Title 4, Chapter 4 of City code**
23 **adopting the recycling waste collection program with a limited time opt-out**
24 **provision.**

25
26 City Attorney Shawn Guzman explained that this ordinance pertains to the recycling
27 program. The proposed ordinance has some technical changes and outlines the
28 recycling program and opt out procedures. Residents who are utility customers as of
29 October 31, 2015 have until November 1, 2015 to notify the City that they wish to
30 opt out in a manner specified in the ordinance. There is a provision for those that
31 have extraordinary circumstances in the future to be able to possibly opt out if they
32 make the request to the review board. The review board shall consist of one
33 employee from the finance department, one employee from the public works
34 department and one employee at large.

35
36 Councilmember Bowcutt asked if there would be an advantage to have one board
37 member who is not an employee of the City.

38
39 City Attorney Shawn Guzman replied that the Council can structure the board as they
40 wish.

41
42 Mayor Pike explained that if someone who opts out wants to opt back in they can.

43
44 City Attorney Shawn Guzman explained that he and Administrative Services Director
45 Deanna Brklacich worked on the ordinance with staff input. There was no input from
46 the Solid Waste Board.

47
48 Councilmember Hughes noted that there have been talk in the community about
49 mandatory versus opt out. People cannot be forced to recycle; however, the City
50 wants to encourage people to do so. It would have been much easier on City staff to
51 make this mandatory.

52
53 Administrative Services Director Deanna Brklacich explained that staff has been
54 working with the Solid Waste District on the campaign. The goal is to educate
55 customers as to why they should recycle and the benefits of recycling. The "Blu"

1 stands for better landfill utilization. She explained how customers will be notified and
2 given information about the program.
3

4 Support Services Marc Mortensen stated that a new website was launched about
5 tonight. The opt out period begins September 1st. He showed the website –
6 www.blucan.org which includes a link to opt out. Additionally customers can opt out
7 by calling 627-4226 or in person at the utility office.
8

9 Administrative Services Director Deanna Brklacich explained that to opt in, customers
10 do not need to do anything. She encouraged customers to use the website to opt out
11 as it will be easier for staff.
12

13 City Attorney Shawn Guzman stated that curbside recycling is exclusively with
14 Washington County Solid Waste. Under the agreement with the District, the City
15 cannot allow other companies to offer curbside recycling.
16

17 Mayor Pike commented that Republic Services offers curbside recycling now,
18 privately. They have 2,500 customers throughout the County.
19

20 Administrative Services Director Deanna Brklacich clarified when the curbside
21 recycling contract was being negotiated, Republic Waste Services advised to stop
22 sending new customers their way as they have stopped taking new applications. Per
23 Neil Schwendiman with the Washington County Solid Waste District, stated that they
24 will coordinate if there are customers using Republic Waste Services for curbside
25 recycling. Curbside recycling will be exclusive to the Solid Waste District.
26

27 Mayor Pike added that the recycling "binnies" will stay in place for now. Glass will not
28 be included in curbside recycling; customers will have to take them to the "binnies".
29 He added that this will lengthen the life of the landfill by a decade or more.
30

31 **MOTION:** A motion was made by Councilmember Almquist to approve the
32 ordinance amending Title 4, Chapter 4 of City code, adopting the
33 recycling waste program, with the limited time opt out provision as
34 explained.

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

36 **VOTE:** Mayor Pike called for a roll call vote, as follows:
37

38 Councilmember Almquist – aye

39 Councilmember Hughes – aye

40 Councilmember Randall – aye

41 Councilmember Bowcutt – aye

42 Councilmember Arial – aye
43

44 The vote was unanimous and the motion carried.
45

46 **AGREEMENT/RESOLUTION:**

47 **Consider approval of a resolution approving an agreement between the**
48 **Washington County Special Services District No. 1 and the City of St. George**
49 **and between the Washington County Special Services District No. 1 and Dixie**
50 **Waste Services, Inc. for curbside residential recycling collection.**
51

52 City Attorney Shawn Guzman explained the resolution is to approve an agreement
53 between the Washington County Solid Waste District (Washington County Special
54 Services District No. 1) and the City for curbside residential recycling collection
55 services. It also approves an agreement between Dixie Waste Services, Inc. and the
56 Washington County Special Services District No. 1. He and Administrative Services

1 Director Deanna Brklacich met with attorney for the Solid Waste District. They have
2 reviewed the agreement as has staff.
3

4 Councilmember Hughes excused himself, since his brother is the President and
5 majority owner of Dixie Waste.

6 Councilmember Arial asked if he needs to step out or if he can just declare the
7 possible conflict of interest.
8

9 City Attorney Shawn Guzman advised that Councilmember Hughes does not need to,
10 but can if he chooses to.
11

12 Councilmember Hughes stepped out.
13

14 City Attorney Shawn Guzman added that the agreement is for 5 years. At that time,
15 the District will put the services out to bid again.
16

17 **MOTION:** A motion was made by Councilmember Arial to approve the resolution
18 approving an agreement between the Washington County Special
19 Services District No. 1 and the City of St. George and between the
20 Washington County Special Services District No. 1 and Dixie Waste
21 Services, Inc. for curbside residential recycling collection.

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

23 **VOTE:** Mayor Pike called for a roll call vote, as follows:
24

25 Councilmember Almquist – aye

26 Councilmember Randall – aye

27 Councilmember Bowcutt – aye

28 Councilmember Arial – aye
29

30 The vote was unanimous and the motion carried.
31

32
33 **SALE OF CITY PROPERTY:**

34 **Consider approval to sell City property located in the Virgin River and also at**
35 **the rear of the lot located at 2850 South Palm Circle. Nathan Hendrickson,**
36 **applicant.**
37

38 City Manager Gary Esplin explained that the property is located near the Ft. Pearce
39 Wash, not the Virgin River. The title report shows that the previous owner has
40 encroached onto City property significantly. Staff met with Mr. Hendrickson and is
41 recommending selling the property at \$1.50 a square foot as the City has done
42 previously in the Bloomington Hills area; however, the owner is requesting it be
43 lower. He referred the Council to the map to see the size of the encroachment.
44

45 **MOTION:** A motion was made by Councilmember Randall to approve the sale of
46 City property located in the Ft. Pearce wash area, the lot located at
47 2850 South Palm Circle in the amount of \$1.50 a square foot.

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

49 **VOTE:** Mayor Pike called for a vote, as follows:
50

51 Councilmember Almquist – aye

52 Councilmember Randall – aye

53 Councilmember Bowcutt – aye

54 Councilmember Arial – aye

1
2 The vote was unanimous and the motion carried.
3
4

5 **FINAL PLAT:**

6 Assistant Public Works Director Wes Jenkins presented the final plat for Aspen Estates
7 Phase 1, an 18-lot residential subdivision located at approximately 2930 South and
8 3000 East Street; zoning is R-1-10.
9

10 Councilmember Hughes returned.
11

12 **MOTION:** A motion was made by Councilmember Randall to approve the final plat
13 for Aspen Estates Phase 1.

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

15 **VOTE:** Mayor Pike called for a vote, as follows:
16

17 Councilmember Almquist – aye

18 Councilmember Hughes – aye

19 Councilmember Randall – aye

20 Councilmember Bowcutt – aye

21 Councilmember Arial – aye
22

23 The vote was unanimous and the motion carried.
24

25 **FINAL PLAT:**

26 Assistant Public Works Director Wes Jenkins presented the final plat for Desert Crest
27 Phase 1, a 16-lot residential subdivision located at approximately 5980 South Desert
28 Canyons Parkway; zoning is PD-R.
29

30 **MOTION:** A motion was made by Councilmember Almquist to approve the final
31 plat for Desert Crest Phase 1.

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

33 **VOTE:** Mayor Pike called for a vote, as follows:
34

35 Councilmember Almquist – aye

36 Councilmember Hughes – aye

37 Councilmember Randall – aye

38 Councilmember Bowcutt – aye

39 Councilmember Arial – aye
40

41 The vote was unanimous and the motion carried.
42

43 **FINAL PLAT:**

44 Assistant Public Works Director Wes Jenkins presented the final plat for SunRiver St.
45 George Phase 40, a 19-lot residential subdivision located at Grapevine Drive and
46 Pearl Vista Drive (at approximately 1360 West and 5210 South); zoning is PD-R.
47

48 **MOTION:** A motion was made by Councilmember Randall to approve the final plat
49 for SunRiver St. George Phase 40.

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

51 **VOTE:** Mayor Pike called for a vote, as follows:
52

53 Councilmember Almquist – aye

1 Councilmember Hughes – aye
2 Councilmember Randall – aye
3 Councilmember Bowcutt – aye
4 Councilmember Arial – aye
5

6 The vote was unanimous and the motion carried.
7

8 **FINAL PLAT:**

9 Assistant Public Works Director Wes Jenkins presented the final plat for SunRiver St.
10 George Phase 41, a 22-lot residential subdivision located at Grapevine Drive (at
11 approximately 1500 West and 5250 South); zoning is PD-R.
12

13 **MOTION:** A motion was made by Councilmember Hughes to approve the final plat
14 for SunRiver St. George Phase 41.

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

16 **VOTE:** Mayor Pike called for a vote, as follows:
17

18 Councilmember Almquist – aye
19 Councilmember Hughes – aye
20 Councilmember Randall – aye
21 Councilmember Bowcutt – aye
22 Councilmember Arial – aye
23

24 The vote was unanimous and the motion carried.
25

26 Councilmember Almquist asked what the existing density is in SunRiver.
27

28 Mr. Jenkins stated that the density is approximately four units per acre with the golf
29 course.
30

31 **COOPERATIVE AGREEMENT:**

32 **Consider approval of a cooperative agreement between the Aeronautical
33 Operations Division of the State of Utah and the City of St. George.**
34

35 City Manager Gary Esplin explained that this is a housekeeping item and will be the
36 last payment from the federal government.
37

38 **MOTION:** A motion was made by Councilmember Almquist to approve the
39 agreement between the Aeronautical Operations Division of the State of
40 Utah and the City of St. George.

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

42 **VOTE:** Mayor Pike called for a vote, as follows:
43

44 Councilmember Almquist – aye
45 Councilmember Hughes – aye
46 Councilmember Randall – aye
47 Councilmember Bowcutt – aye
48 Councilmember Arial – aye
49

50 The vote was unanimous and the motion carried.
51

52 **APPOINTMENTS:**
53

1 Mayor Pike recommended appointing Bill Western, an architect and Gary Colf, a
2 plumber with fire expertise to the Board of Appeals. Additionally, he recommended
3 appointing Melanie Hinton to the Museum Board.
4

5 **MOTION:** A motion was made by Councilmember Randall to approve the
6 appointments.

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

8 **VOTE:** Mayor Pike called for a vote, as follows:
9

10 Councilmember Almquist – aye

11 Councilmember Hughes – aye

12 Councilmember Randall – aye

13 Councilmember Bowcutt – aye

14 Councilmember Arial – aye
15

16 The vote was unanimous and the motion carried.
17

18 **MINUTES:**

19 **Consider approval of the minutes from the meeting held on May 21, 2015.**
20

21 **MOTION:** A motion was made by Councilmember Randall to approve the minutes
22 for May 21, 2015.

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

24 **VOTE:** Mayor Pike called for a vote, as follows:
25

26 Councilmember Almquist – aye

27 Councilmember Hughes – aye

28 Councilmember Randall – aye

29 Councilmember Bowcutt – aye

30 Councilmember Arial – aye
31

32 The vote was unanimous and the motion carried.
33

34 **MINUTES:**

35 **Consider approval of the minutes from the meeting held on June 4, 2015.**
36

37 **MOTION:** A motion was made by Councilmember Bowcutt to approve the minutes
38 for June 4, 2015.

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

40 **VOTE:** Mayor Pike called for a vote, as follows:
41

42 Councilmember Almquist – aye

43 Councilmember Hughes – aye

44 Councilmember Randall – aye

45 Councilmember Bowcutt – aye

46 Councilmember Arial – aye
47

48 The vote was unanimous and the motion carried.
49

50 **MINUTES:**

51 **Consider approval of the minutes from the meeting held on June 18, 2015.**
52

ST. GEORGE CITY COUNCIL MINUTES
WORK MEETING
AUGUST 13, 2015, 4:00 P.M.
ADMINISTRATIVE CONFERENCE ROOM

PRESENT:

Mayor Jon Pike
Councilmember Jimmie Hughes
Councilmember Michele Randall
Councilmember Bette Arial – Arrived at 5:05 PM
City Manager Gary Esplin
City Attorney Shawn Guzman
Deputy City Recorder Annette Hansen

ABSENT:

Councilmember Gil Almquist
Councilmember Joe Bowcutt
City Recorder Christina Fernandez

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Councilmember Jimmie Hughes and the invocation was led by Jonathan Hendren with New Beginning Christian Fellowship.

Mayor Pike mentioned that the RAM Company is considering expanding their facilities but in order to do so they are looking at securing state and local tax incentives which would require another CDA. He mentioned owner Ray Ganowsky's desire to highlight their company which has remained in business locally for 30 years and is a great success story of entrepreneurship with currently over 200 employees.

1. TOUR OF THE RAM MANUFACTURING COMPANY:

Councilmembers were greeted at the facility by owners Ray and Melzie Ganowsky. They were then ushered into a conference room where they were shown a Powerpoint presentation which

included the following topics: Overview, Product Lines, Specialty Solenoids, Rotary Solenoid and Butterfly Valves, Hydraulic Valves, Major Customer Listing, Commercial Aircraft, Commercial Engines, Commercial and Marine Equipment, Engineering Capabilities, Quality Assurance and Inspection, Modern 55,00 Square Foot Facility, Machine Shop, Approvals, Average Annual Wage Growth for 2005-2014, RAM Employee Benefits, Projected Employee Growth 2015-2025, Annual Sales for 2005-2014, Projected Annual Sales for 2015-2025, Annual R&D Spending, 2010-2015, Local Spending 2010-2015, Looking to the Future 2016-2025. Mr. Ganowsky mentioned that this year would be the 30th Anniversary of their company. Discussion ensued on the possibilities of tax incentives from the City, and it was noted that as long as the applicant is receiving incentives from the State the City tries to help with incentives when they can. Mr. Ganowsky mentioned that they have outgrown their current facilities and are constantly being urged to build large facilities elsewhere in order to expand their production to meet demand for this specialized product, but he prefers to keep the company here in St. George if possible but needs the tax break in order to do so. They would like to begin expansion of their company by 2016, so they are anxious to secure the needed assistance by this time.

Councilmembers were then taken on a tour of the facilities.

Upon completion of the tour, Mayor Pike thanked Mr. and Mrs. Ganowsky for their hospitality and congratulated them on their business doing so well for 30 years.

2. TOUR OF THE CREMATION GARDEN AT TONAQUINT CEMETERY:

Councilmembers arrived at the Tonaquint Cemetery at approximately 6:20 PM and were met by Leisure Services Director Kent Perkins and selected staff who presented and explained aspects of the All Abilities Park currently under construction. Councilmembers discussed the train that was planning on arriving sometime within the next week, as well as water features and placement of various items. Councilmembers then walked over to the recently completed Cremation Garden and viewed the recently installed columbarium. They discussed the plans and implementation for this space-saving element for use of cremated remains within the Tonaquint Cemetery. Councilmembers discussed with the Sexton and staff about other options that may be needed or implemented in the future. Council thanked and complemented staff for the beautiful job done there at the Cemetery.

Councilmembers then returned to City Hall, Administrative Conference Room at approximately 6:53 PM.

3. PRESENTATION OF THE ROUND UP DAYS FESTIVAL HELD IN CONJUNCTION

WITH THE DIXIE ROUND UP RODEO:

Dixie Round-Up Days event coordinators Kathie Thayne and Brittany Dell from the Old World Historical Council, addressed the Council. Brittany explained that they are the faction who puts on the Dickens Festival every year. She presented the Council with the plan to implement what she hopes to be an annual event held from 10 am - 7 pm each day before the Dixie Round-Up Rodeo each year. She presented a Powerpoint which included the following topics: When/where, events, games, contests, entertainment, vendors, crafts, farmers market, food, sponsors.

Kathie Thayne explained that they are having a struggle getting the farmers market arranged and asked for Council help. Councilmember Bette Arial suggested asking the directors of the farmers market at Ancestors Square to move their location to this event for these two days. Council agreed to help with this as best they could.

Mayor Pike asked what other things the committee needs help from the Council on. Kathie stated that they will need extensive advertising as this is their first year doing this event and they would like the City's help in getting the word out to the community. She stated that with having the success of the Dickens Festival behind them they have many vendors willing to participate because they know this event will be done efficiently and is sure to be well planned. She mentioned the fact that there will not be admission charged to this event, so there will be no recuperating costs and therefore more sponsors are needed to help fund this.

Councilmember Bette Arial suggested that the Washington County School District have a booth there explaining where the new school is going to be placed by the Sun Bowl and educate the public about what is happening with this area because of all the publicity and controversy from public in this regard.

Kathie also expressed the need from Council to help with overnight security at the park and if Police could possibly help with this.

Waste removal and bathroom needs for the event were also discussed.

Mayor and Councilmembers thanked the organizers for their work and were excited to see this event unfold this year.

4. REPORT FROM MAYOR, COUNCILMEMBERS AND CITY MANAGER:

Councilmember Jimmie Hughes briefly reported on the St. George Housing Authority meeting that he was unable to attend. Mayor Pike mentioned the new pantry and laundry facilities at SwitchPoint and stated that things are running well there, and he is pleased with the cooperation between agencies to keep this facility running smoothly.

Councilmember Michele Randall reported on the Veterans Board meeting she attended. They are planning on doing a “stand-down” at SwitchPoint on October 17 where they will be providing lunches not only for veterans, but all those who choose to attend this event. The purpose of this event is to bring attention to homeless veterans. SwitchPoint and director Carol Holloway have been good in cooperating with this event. She also mentioned that the board is working with the VA to get bundles with hats, coats and blankets to hand out to any homeless veterans.

Councilmember Bette Arial reported on the Children’s Museum and noted that they have now hired a part-time assistant that they are able to fund. She mentioned the completed restrooms there and expressed great appreciation to the Council for their help in this aspect. She mentioned that the Art Around the Corner Committee has hired a part-time person to run it and is pleased with its success. She also mentioned that the Arts Museum is planning on coordinating a Western Art exhibit in conjunction with the Dixie Round-Up Rodeo. She mentioned that the Arts Commission is excited about the Electric Theatre progress and feels that this will be a great asset to the Arts community. She also mentioned that the Arts Commission has recently gone through the granting process for arts groups and was overwhelmed by the tremendous response from so many diverse groups applying for these grants. She stated that in total the Arts Commission awarded 35 grants.

Councilmember Michele Randall reminded Council that they needed more people on the Shade Tree Board. Different options of possible candidates were briefly discussed.

Mayor Pike mentioned that the County has hired a new Economic Development Director because Scott Hirschi is retiring. Mayor Pike commended Mr. Hirschi for all his help and hard work and Councilmember Randall mentioned that the City should do something to show appreciation for all he has done in helping the city throughout the years. Mayor and Councilmembers also briefly discussed the structure of this position.

Mayor Pike brought up the issue of the RAP tax and mentioned that there were some recent developments on this subject. Council discussed the issue of how much funding this would bring to the City and where the proposed funds would be allocated. Council also discussed at length the issue of funding Tuacahn and the large amount of revenue that facility generates for the County and State in sales tax alone, among other areas. Councilmembers expressed their concern with the lack of support from legislature for this viable arts facility. Councilmembers also discussed the need for more soccer fields and the need for the County to help in this regard with a possible complex that benefits all residents of the County, as all residents currently use St. George City’s facilities and the need has increased greatly for county facilities.

5. ADJOURN TO CLOSED SESSION:

MOTION: A motion was made by Councilmember Michele Randall to adjourn to a closed session to discuss pending litigation and land purchases.

SECOND: The motion was seconded by Councilmember Bette Arial.

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

Councilmember Hughes – aye

Councilmember Randall – aye

Councilmember Arial – aye
The vote was unanimous and the motion carried.

Council met in closed session to discuss pending litigation and land purchases.

MOTION: A motion was made by Councilmember Bette Arial to adjourn the closed session portion of the City Council meeting.

SECOND: The motion was seconded by Councilmember Jimmie Hughes.

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

Councilmember Hughes – aye

Councilmember Randall – aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.

ADJOURN:

MOTION: A motion was made by Councilmember Jimmie Hughes to adjourn.

SECOND: The motion was seconded by Councilmember Michele Randall.

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

Councilmember Hughes – aye

Councilmember Randall – aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.

The meeting was then adjourned at 8:46 PM.

Annette Hansen, Deputy City Recorder

1 **ST. GEORGE CITY COUNCIL MINUTES**
2 **REGULAR MEETING**
3 **AUGUST 20, 2015, 5:00 P.M.**
4 **CITY COUNCIL CHAMBERS**
5

6 **PRESENT:**

7 **Mayor Pro Tem Gil Almquist**
8 **Councilmember Jimmie Hughes**
9 **Councilmember Joe Bowcutt**
10 **Councilmember Bette Arial**
11 **City Manager Gary Esplin**
12 **City Attorney Shawn Guzman**
13 **City Recorder Christina Fernandez**
14

15 **EXCUSED:**

16 **Mayor Jon Pike**
17 **Councilmember Michele Randall**
18

19 **OPENING:**

20 Mayor Pro Tem Almquist called the meeting to order and welcomed all in attendance.
21 The invocation was offered by Pastor Jimi Kestin and the Pledge of Allegiance to the
22 Flag was led by Scout Daniel Bowman.
23

24 **CANVASS ELECTION RETURNS:**

25 **Canvass of the 2015 Municipal Primary Election votes.**
26

27 Melanie Abplanalp, Washington County Election Clerk, explained the reports included in
28 the packet that she provided. She then presented the final election results, as follows:
29

30 **Total Votes Percentage:**

| | | | |
|----|------------------|-------|--------|
| 31 | | | |
| 32 | Jimmie B. Hughes | 1,753 | 17.66% |
| 33 | Bette. O. Arial | 1,616 | 16.28% |
| 34 | Ed Baca | 1,398 | 14.08% |
| 35 | Gregg McArthur | 1,139 | 11.47% |
| 36 | N. Craig Hammer | 962 | 9.69% |
| 37 | Brian Thiriot | 780 | 7.86% |
| 38 | Lane Ronnow | 588 | 5.92% |
| 39 | Michelene Perez | 550 | 5.54% |
| 40 | Kendall Clements | 436 | 4.39% |
| 41 | Eric Hovland | 377 | 3.80% |
| 42 | Marc Stallings | 330 | 3.32% |
| 43 | | | |

44 **MOTION:** A motion was made by Councilmember Hughes to accept the 2015
45 primary election results.

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

47 **VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:
48

49 Councilmember Almquist - did not vote

50 Councilmember Hughes - aye

51 Councilmember Bowcutt - aye

52 Councilmember Arial - aye
53

1 The vote was unanimous and the motion carried.

2
3 City Manager Gary Esplin advised that items 6G and 6F will be removed from the
4 agenda.

5
6 **AWARD OF BID:**

7 **Consider award of bid for improvements adjacent to the Dixie Center.**

8
9 City Manager Gary Esplin stated that this bid is for improvements adjacent to the Dixie
10 Center. Under the terms of the sale, the City was required to make certain there are
11 erosion protection controls. Additionally, the City will landscape the frontage. Because of
12 endangered species in the River, the project needs to begin quickly.

13
14 Purchasing Manager Connie Hood advised that the low bidder is Progressive Contracting in
15 the amount of \$655,944.36.

16
17 City Manager Gary Esplin stated that when this project is complete, all of the tamarisks
18 will be gone and trees will be planted to help with flooding. All of the costs will be
19 received back from the EDA when development is complete.

20
21 **MOTION:** A motion was made by Councilmember Hughes to award the bid to
22 Progressive Contracting for \$655,944.36.

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

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

25
26 Councilmember Almquist – did not vote

27 Councilmember Hughes – aye

28 Councilmember Bowcutt – aye

29 Councilmember Arial – aye

30
31 The vote was unanimous and the motion carried.

32
33 **AWARD OF BID:**

34 **Consider award of bid for the lease of 35 Police SUV's.**

35
36 City Manager Gary Esplin stated that this is approved in current budget. There is a need
37 to replace several vehicles in the Police Department. A local company whose bid was
38 within 5% declined to match the low bid.

39
40 Purchasing Manager Connie Hood advised that the low bidder is Larry Miller Ford at
41 \$30,740 each to purchase; however, they will be leased.

42
43 City Manager Gary Esplin explained the City will have the option to purchase them at the
44 end of the lease. With all of the options, the total cost per vehicle is approximately
45 \$38,000; the total amount is approximately \$1.4 million. The \$1,075,900 is the cost to
46 lease the vehicles. Staff has discussed the mileage limit with the Police Department –
47 they believe they can stay within the limit.

48
49 **MOTION:** A motion was made by Councilmember Arial to award Larry Miller Ford
50 the lease of 35 SUV's at a cost of \$1,075,900.

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

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

53
54 Councilmember Almquist – did not vote

55 Councilmember Hughes – aye

56 Councilmember Bowcutt – aye

1 Councilmember Arial – aye

2
3 The vote was unanimous and the motion carried.
4

5 **OFF PREMISES BEER LICENSE:**

6 **Consider approval of a request for an off premise beer license for JB’s Market**
7 **Express Mart located at 1148 South Bluff Street. Jordan Eric Jenkins, applicant.**
8

9 City Manager Gary Esplin advised this is not a new license, but a change of ownership.
10 The application meets requirements.
11

12 **MOTION:** A motion was made by Councilmember Hughes to approve the off
13 premise beer license for JB’s Express Mart.

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

15 **VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:
16

17 Councilmember Almquist – did not vote
18 Councilmember Hughes – aye
19 Councilmember Bowcutt – aye
20 Councilmember Arial – aye
21

22 The vote was unanimous and the motion carried.
23

24 **SPECIAL EVENT:**

25 **Consider approval of the Ham It Up Against Hunger 5k event. Kelly Ochsenhirt,**
26 **applicant.**
27

28 City Manager Gary Esplin explained that the original request was to cross River Road;
29 however, the applicant has altered the route and will remain in the west side.
30

31 **MOTION:** A motion was made by Councilmember Bowcutt to approve the Ham It
32 Up Against Hunger 5k event as prevented.

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

34 **VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:
35

36 Councilmember Almquist – did not vote
37 Councilmember Hughes – aye
38 Councilmember Bowcutt – aye
39 Councilmember Arial – aye
40

41 The vote was unanimous and the motion carried.
42

43 **FINAL PLAT:**

44 Assistant Public Works Director Wes Jenkins presented the final plat for The Ledges of St.
45 George Hidden Pinyon Phase 1, an 11-lot residential subdivision, located at approximately
46 1350 West Ledges Parkway; zoning is PD-R. He presented and reviewed the final plat.
47

48 **MOTION:** A motion was made by Councilmember Hughes to approve the final plat
49 for The Ledges of St. George Hidden Pinyon Phase 1.

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

51 **VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:
52

53 Councilmember Almquist – did not vote

1 Councilmember Hughes – aye
2 Councilmember Bowcutt – aye
3 Councilmember Arial – aye

4
5 The vote was unanimous and the motion carried.

6 **FINAL PLAT:**

7 Assistant Public Works Director Wes Jenkins presented the final plat for The Ledges of St.
8 George Northgate Peaks Phase 1, a 10-unit residential subdivision, located at
9 approximately 1370 West and north of Ledges Parkway; zoning is PD-R. He presented
10 and reviewed the final plat.
11

12 **MOTION:** A motion was made by Councilmember Bowcutt to approve the final
13 plat for The Ledges of St. George Northgate Peaks Phase 1.

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

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

16
17 Councilmember Almquist – did not vote
18 Councilmember Hughes – aye
19 Councilmember Bowcutt – aye
20 Councilmember Arial – aye

21
22 The vote was unanimous and the motion carried.

23 **FINAL PLAT:**

24 Assistant Public Works Director Wes Jenkins the final plat for Hawthorne Phase 1, a 16-lot
25 residential subdivision, located at approximately 3420 South and 3000 East Street; zoning
26 is R-1-10. He presented and reviewed the final plat.
27

28 City Attorney Shawn Guzman inquired about lot sizes.
29

30 Mr. Jenkins explained when the preliminary plat was approved, lot size averaging worked
31 out correctly. Now that are going into phases, a couple of them won't; however, Planning
32 & Zoning Manger John Willis checked they do meet the requirements overall.
33

34 **MOTION:** A motion was made by Councilmember Arial to approve the final plat
35 for Hawthorne Phase 1 with the minimum approved lot size.

36 **SECOND:** The motion was seconded by Councilmember

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

38
39 Councilmember Almquist – did not vote
40 Councilmember Hughes – aye
41 Councilmember Bowcutt – aye
42 Councilmember Arial – aye

43
44 The vote was unanimous and the motion carried.
45

46 **FINAL PLAT:**

47 Assistant Public Works Director Wes Jenkins presented the final plat for Hawthorne Phase
48 2. A 14-lot residential subdivision, located at approximately 3420 South and 3170 East;
49 zoning is R-1-10. He presented and reviewed the final plat.
50

51 City Attorney Shawn Guzman stated that this is okay as long as both phases meet lot size
52 averaging.
53

1 **MOTION:** A motion was made by Councilmember Arial to approve the final plat
2 for Hawthorne Phase 2 with the minimum approved lot size.

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

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

5
6 Councilmember Almquist – did not vote

7 Councilmember Hughes – aye

8 Councilmember Bowcutt – aye

9 Councilmember Arial – aye

10
11 The vote was unanimous and the motion carried.

12
13 **FINAL PLAT AMENDMENT:**

14 Assistant Public Works Director Wes Jenkins presented a final plat amendment for The
15 Vistas at Entrada Phase 1, 2nd Amended and Extended, a 10-lot residential amended
16 subdivision located at approximately 2055 West and 2600 North; zoning is PD-R.
17 Originally, when this came in, there was a 10 foot gap between the property line and
18 the right of way line they were going to give to the HOA. The HOA decided they did
19 not want to maintain that, they wanted that in the lots themselves. He presented and
20 reviewed the final plat amendment.

21
22 **MOTION:** A motion was made by Councilmember Hughes to approve The Vistas
23 at Entrada Phase 1, 2nd Amended and Extended.

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

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

26
27 Councilmember Almquist – did not vote

28 Councilmember Hughes – aye

29 Councilmember Bowcutt – aye

30 Councilmember Arial – aye

31
32 The vote was unanimous and the motion carried.

33
34 **PRELIMINARY PLAT:**

35 Assistant Public Works Director Wes Jenkins presented the preliminary plat for Sunbrook
36 Hollow Town Homes, which consists of 14 buildings with 54 town home units, located at
37 415 South Dixie Drive; zoning is PD-R. The Council recently approved a zone change on
38 this property. They have amended the plat, eliminating one of the accesses with a second
39 access in the future. He presented and reviewed the preliminary plat.

40
41 Mayor Pro Tem Almquist commented that he looked at the site following the previous
42 discussion. It would be nice to keep as much of the foliage as possible.

43
44 Councilmember Arial asked if all of the concerns from the previous meeting have been
45 met.

46
47 Councilmember Bowcutt explained that not all were met, but they were addressed. There
48 is a challenge of getting in and out on Dixie Drive.

49
50 City Manager Gary Esplin stated that there were two issues that the property owners had
51 with regard to access on Dixie Drive. What they are asking is to narrow the median.
52 Staff is looking at that from a traffic standpoint. Eventually, when the property to the
53 south is developed, a traffic signal will be installed. The neighbors were more vocal and
54 concerned at the Planning Commission meeting until they found out that the previous
55 proposal had a higher density.

1
2 **MOTION:** A motion was made by Councilmember Arial to approve the preliminary
3 plat for 14 buildings with 54 townhome units for Sunbrook Hollow Town
4 Homes.

5 **SECOND:** The motion was seconded by Councilmember Bowcutt.
6

7 Councilmember Bowcutt inquired if they are approving phase 1 with the option of
8 phase 2.
9

10 Mr. Jenkins clarified there are four phases; the first three will contain the 50 units,
11 the last will contain the 4 units.
12

13 **VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:
14

15 Councilmember Almquist – did not vote
16 Councilmember Hughes – aye
17 Councilmember Bowcutt – aye
18 Councilmember Arial – aye
19

20 The vote was unanimous and the motion carried.
21

22 **PRELIMINARY PLAT:**

23 Assistant Public Works Director Wes Jenkins presented the preliminary plat for The South
24 Rim at Foremaster Ridge, a 95-lot residential subdivision located at the west of the
25 existing Foremaster Ridge subdivision in the vicinity of Foremaster Drive and 1740 East
26 Street; zoning is R-1-10. He presented and reviewed the preliminary plat. The developer
27 is requesting lot size averaging. There is a 30 foot ridgeline setback in which structures or
28 accessory structures are not allowed. Some of the lots will be walkout basements and
29 others will require access on interior streets. Because there is a fair amount of traffic on
30 Foremaster Drive, they are looking at the possibility of providing a narrow road down to
31 Riverside Drive.
32

33 City Manager Gary Esplin inquired if the policy requires a second access with a certain
34 amount of units. He commented that needs to be addressed prior to the final plat being
35 approved. An additional access will be needed.
36

37 Mr. Jenkins believes the property on the south side is owned by the City. He will look at
38 that. He stated there is not access from Howard Lane; all access comes from Foremaster
39 Drive.
40

41 City Attorney Shawn Guzman stated that it appears that the City parcel is a bit to the
42 west. Notes on plats will have to be clarified. Staff is trying to figure out a way to better
43 notify the lot owners that the building envelope is smaller than it appears to be.
44

45 City Manager Gary Esplin suggested putting the buildable pad on the plat itself when it is
46 approved.
47

48 Mr. Jenkins commented that he will have the building envelope put on the final plat and
49 staff will work with the developer on a second access.
50

51 **MOTION:** A motion was made by Councilmember Arial to approve the preliminary
52 plat for The South Rim at Foremaster Ridge which includes a 30 foot
53 setback, requiring a second access to the subdivision.

54 **SECOND:** The motion was seconded by Councilmember Hughes.
55

1 Mayor Pro Tem Almquist asked that the motion include that the plat have a better
2 description of the building envelope as suggested by City Attorney Shawn Guzman.

3
4 Councilmember Arial added that to her motion. Councilmember Hughes was okay
5 with the addition.

6
7 **VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

8
9 Councilmember Almquist – did not vote

10 Councilmember Hughes – aye

11 Councilmember Bowcutt – aye

12 Councilmember Arial – aye

13
14 The vote was unanimous and the motion carried.

15
16 **PRELIMINARY PLAT:**

17 Assistant Public Works Director Wes Jenkins presented the preliminary plat for The Cove
18 at Little Valley, a 35-lot residential subdivision located at Horseman Park Drive and Little
19 Valley Drive; zoning is R-1-12 and RE-20. They are proposing double frontage lots along
20 Little Valley Road which will require a privacy wall and a 10 foot landscape strip. The
21 developer is requesting that the City own and maintain the landscape along Little Valley
22 Road; they will pay the landscape maintenance fee for a 10 year period. This has been
23 done with other developments in that area. Horseman Park Drive will be a 60 foot right of
24 way with a trail on the southern side. He mentioned that there is a low spot on Little
25 Valley Road that flooded during the last rainstorm. They will install a drainage corridor to
26 handle the water. Additionally, there is a power pole that Dixie Power does not have good
27 access to. They are asking for access along one of the bigger lots. The engineer is
28 drawing something up which will be shown on the final plat.

29
30 Councilmember Hughes recommended they go bigger than what the study shows as there
31 is not enough drainage in the area.

32
33 City Manager Gary Esplin commented that staff is aware of the issues and has met with
34 the developer. Right now, a 10-year storm is required, anything over that has to be
35 maintained in the roads. If you get more than a 100-year storm at one time in one
36 location, the water will go from the curbs to the front yards. Hopefully as the developer
37 builds, they build the homes elevated a bit. Staff is looking at another pipe that goes
38 down Horseman Park Drive.

39
40 Councilmember Bowcutt noted that the far north piece looks like it has a separate tax id.

41
42 Mr. Jenkins stated that is correct. That piece will not be a part of this subdivision. An
43 agreement with the property owner indicates that the curb and gutter will be built all the
44 way around the lot. He explained that there is not a buffer shown on the master plan;
45 therefore, it will not be required. The plat notes that it is an agricultural area.

46
47 **MOTION:** A motion was made by Councilmember Bowcutt to approve the
48 preliminary plat for The Cove at Little Valley, subject to the easement
49 needed for drainage and the power line.

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

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

52
53 Councilmember Almquist – did not vote

54 Councilmember Hughes – aye

55 Councilmember Bowcutt – aye

1 Councilmember Arial – aye

2
3 The vote was unanimous and the motion carried.

4
5 **PRELIMINARY PLAT:**

6 Assistant Public Works Director Wes Jenkins presented the preliminary plat for Boulder
7 Creek Crossing, a 3-lot commercial subdivision located at approximately 1450 South River
8 Road; zoning is PD-C. They have a 20 foot easement that staff is requesting they change
9 to 25 feet. They will build a deceleration lane on River Road. He explained that each of
10 the pads will be individually owned; the car wash will be built on lot 1. The developer will
11 return for approval as each lot is developed.

12
13 **MOTION:** A motion was made by Councilmember Hughes the preliminary plat for
14 Boulder Creek Crossing.

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

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

17
18 Councilmember Almquist – did not vote
19 Councilmember Hughes – aye
20 Councilmember Bowcutt – aye
21 Councilmember Arial – aye

22
23 The vote was unanimous and the motion carried.

24
25 **CONDITIONAL USE PERMIT:**

26 **Consider approval of a conditional use permit to construct a detached garage**
27 **with an approximate height of 18' on the property located at 2484 East 3670**
28 **South. Jeff Eggertz, applicant.**

29
30 Planner Ray Snyder presented the request for a conditional use permit to construct a
31 detached garage with an approximate height of 18 feet on the property located at 2484
32 East 3670 South. He showed a map of the area, outline of the project, an aerial view of
33 the home, zoning map, plot plan, site plan, elevation, photos of the area, floor plan and
34 site plan showing the height of the garage.

35
36 **MOTION:** A motion was made by Councilmember Hughes to approve the
37 conditional use permit to exceed the 15 foot height for the detached
38 garage up to 18 feet.

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

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

41
42 Councilmember Almquist – did not vote
43 Councilmember Hughes – aye
44 Councilmember Bowcutt – aye
45 Councilmember Arial – aye

46
47 The vote was unanimous and the motion carried.

48
49 City Manager Gary Esplin introduced the new Human Resources Director Sharon
50 Hokanson.

51
52 Ms. Hokanson provided a bit of information about herself.

1
2 **PUBLIC HEARING/ROADWAY AND ROAD STUB VACATION/ORDINANCE:**

3 **Public hearing to consider vacating a portion of a public roadway and road stub**
4 **located on Canyon View Drive.**

5
6 City Manager Gary Esplin stated that this ordinance is to vacate a portion of public
7 roadway on Canyon View Drive. The Council recently approved a bid to realign the road.
8 With the new right of way, a portion of the road is no longer necessary.
9

10 City Attorney Shawn Guzman mentioned that per the agreement with Leland Bird, in
11 exchange for them giving the City the right of way, they get the stub.
12

13 Mayor Pro Tem Almquist opened the public hearing. There being no comment, he closed
14 the public hearing.
15

16 **MOTION:** A motion was made by Councilmember Hughes to vacate the portion of
17 the public roadway and road stub located on Canyon View Drive.

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

19 **VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:
20

21 Councilmember Almquist – did not vote

22 Councilmember Hughes – aye

23 Councilmember Bowcutt – aye

24 Councilmember Arial – aye
25

26 The vote was unanimous and the motion carried.
27

28 **PUBLIC COMMENT/PROPOSED SALE OF CITY PROPERTY:**

29 **Take public comment on the proposed sale of approximately 200 acres of City**
30 **owned property with a value of \$500,000 or more; the property is at and near**
31 **the former airport site and is located at approximately 200 South – 600 South**
32 **Airport Road and west of Donlee Drive along 265 South Street.**
33

34 City Manager Gary Esplin explained that state law requires public comments to be taken if
35 the City proposes to sell property with a value of \$500,000 or more.
36

37 Mayor Pre Tem Almquist called for a short recess.
38

39 City Manager Gary Esplin explained that the Council has discussed this proposal several
40 times. He then reviewed a map of the property being proposed to sell. Staff will return
41 with proposed uses for the property. As discussed previously, the intent is to create a
42 business park. He noted that several inquiries have been made on the property. The City
43 has an agreement to sell 30 acres to the DXATC and will look into other requests to
44 purchase the rest of the property. The City purchased the Flower's property to protect the
45 rest of the area from being cut. The action tonight will be to take public comment on
46 whether the property should be sold or not.
47

48 Mayor Pro Test Almquist invited the public to comment.
49

50 A gentleman named Rick asked to show where the City park is and if that is part of the
51 sale.
52

53 City Manager Gary Esplin showed the park on the map and explained that it is not part of
54 the proposal. He explained that there is an existing road at the edge of the hill; staff
55 proposed anything outside of that roadway be dedicated as open space. The proposal is
56 to build the road on the existing runway and have a 50 foot buffer on the hillside that will
57 not have any buildings. There may be a trail built all the way around the top. The road
58 along 250 West will be built up so it does not violate the hillside ordinance.

1
2 **CONTRACT:**

3 **Consider approval of a contract with Paymentus for utility credit card payment**
4 **processing.**

5
6 City Manager Gary Esplin advised this proposal was discussed in the last work meeting.
7

8 Deanna Brklacich explained this is for utility payments only. This company is a sole
9 source company as no other company can combine services. Paymentus will take the
10 place of some of the other credit card companies used. This will allow staff to take
11 payments, by phone or a mobile device. Staff recommends entering into a contract. She
12 explained that the costs were included in this year's budget and that staff expects to have
13 some savings by using this company. There are so many ways to make a payment, this
14 will give more options. The implementation will take approximately 90 days; hopefully,
15 the process can begin by the end of the year. An \$80,000 savings is expected across the
16 board.
17

18 **MOTION:** A motion was made by Councilmember Hughes to approve the contract
19 with Paymentus for utility credit card payment processing.

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

21 **VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:
22

23 Councilmember Almquist – did not vote
24 Councilmember Hughes – aye
25 Councilmember Bowcutt – aye
26 Councilmember Arial – aye
27

28 The vote was unanimous and the motion carried.
29

30 City Manager Gary Esplin noted that the ordinance approved earlier should have been
31 a roll call vote.
32

33 **VOTE:** Mayor Pro Tem Almquist called for a roll call vote, as follows:
34

35 Councilmember Almquist – aye
36 Councilmember Hughes – aye
37 Councilmember Bowcutt – aye
38 Councilmember Arial – aye
39

40 The vote was unanimous and the motion carried.
41

42 **MINUTES:**

43 **Consider approval of the minutes from the meeting held on May 28, 2015.**
44

45 **MOTION:** A motion was made by Councilmember Arial to approve the minutes
46 from May 28, 2015.

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

48 **VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:
49

50 Councilmember Almquist – did not vote
51 Councilmember Hughes – aye
52 Councilmember Bowcutt – aye
53 Councilmember Arial – aye
54

1 The vote was unanimous and the motion carried.
2

3 **MINUTES:**

4 **Consider approval of the minutes from the work meeting held on July 9, 2015.**
5

6 **MOTION:** A motion was made by Councilmember Arial to approve the minutes
7 from July 9, 2015.

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

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

10
11 Councilmember Almquist – did not vote

12 Councilmember Hughes – aye

13 Councilmember Bowcutt – aye

14 Councilmember Arial – aye
15

16 The vote was unanimous and the motion carried.
17

18 **REPORTS FROM MAYOR, COUNCILMEMBERS AND CITY MANAGER:**

19 No reports were given.
20

21 **ADJOURN TO CLOSED SESSION:**

22 **MOTION:** A motion was made by Councilmember Hughes to adjourn to a closed
23 session to discuss property.

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

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

26
27 Councilmember Almquist – did not vote

28 Councilmember Hughes – aye

29 Councilmember Bowcutt – aye

30 Councilmember Arial – aye
31

32 The vote was unanimous and the motion carried.
33

34 **RECONVENE AND ADJOURN:**

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

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

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

39
40 Councilmember Almquist – did not vote

41 Councilmember Hughes – aye

42 Councilmember Bowcutt – aye

43 Councilmember Arial – aye
44

45 The vote was unanimous and the motion carried.
46
47
48
49
50
51
52

DRAFT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
AUGUST 27, 2015, 4:00 P.M.
ADMINISTRATIVE CONFERENCE ROOM**

PRESENT:

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

ALSO PRESENT:

**Planning Commission Members Ro Wilkinson, Diane Adams, Julie Hullinger,
Don Buehner and Todd Staheli**

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Youth City Council Mayor Gabriel Weese and the invocation was offered by Reverend Alex Wilkie.

Mayor Pike mentioned that the Electric Theater Grand Opening is taking place on Friday and Saturday, August 27 and 28, 2015.

Councilmember Bowcutt mentioned the Round Up Rodeo and other events that are taking place in conjunction with the rodeo.

Mayor Pike mentioned additional events that will be taking place throughout the City in the near future. He then introduced the Youth City Council.

Councilmember Arial commented that they are a great group of kids that will represent the City well.

Members of the Youth City Council introduced themselves after which they were sworn in by Mayor Pike.

RESOLUTION:

Consider approval of a resolution regarding contributions to the Tuacahn Center for the Arts.

Mayor Pike stated that the Council discussed this item a couple of weeks ago. He introduced representatives from Tuacahn and explained that ticket revenues from Tuacahn go to the State, County, St. George City and Ivins City. Many of Tuacahn's visitors come from out of the area. It is estimated that Tuacahn provides a \$75 million economic impact. He explained that Tuacahn opened in 1995 and they are in great need of expanding and repairing the facility. Tuacahn asked the City for more than the City can commit to; however, he hopes that this can help, noting that Hurricane, Ivins and Santa Clara have pledged to contribute. He read the proposed

1 resolution. Although this is a large scale contribution, the City supports other events
2 similarly.

3
4 Councilmember Hughes inquired about the interlocal agreement.

5
6 Mayor Pike explained that would be separate from the resolution. City Attorney
7 Shawn Guzman will work with the attorney and city manager for Ivins City.

8
9 City Attorney Shawn Guzman noted that the agreement will probably be with Ivins
10 rather than between all of the cities in the County.

11
12 Mayor Pike stated that much of the tax revenue that comes in from hotels,
13 restaurants, etc. goes to the County. Additionally, the County gets a significant
14 portion of the RAP tax. He hopes that the County will follow the intent.

15
16 **MOTION:** A motion was made by Councilmember Hughes to approve the
17 resolution for the City's intent to contribute to the expansion and
18 upgrade for the Tuacahn Center for the Arts in the amount of \$25,000
19 per year for 20 years, even if the RAP tax is not renewed.

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

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

22
23 Councilmember Almquist – aye
24 Councilmember Hughes – aye
25 Councilmember Randall – aye
26 Councilmember Bowcutt – aye
27 Councilmember Arial – aye

28
29 The vote was unanimous and the motion carried.

30
31 Jeff Fisher with Tuacahn stated that the City has the greatest Council that he has ever
32 worked with. He thanked the Mayor and Council for their support.

33
34 **SALES AGREEMENT:**

35 **Consider authorizing the Mayor to sign a sales agreement with Michael D.**
36 **Hughes, trustee of the MDHCT Trust.**

37
38 City Manager Gary Esplin explained that this was discussed previously. The property,
39 which is 4/10 of an acre, is located off Riverside Drive; the cost is \$5.50 per sq. foot.
40 He noted that no one else can use the property.

41
42 **MOTION:** A motion was made by Councilmember Arial to authorize the Mayor to
43 sign a sales agreement with Michael D. Hughes, trustee of the MDHCT
44 Trust, at \$5.50 per sq. foot.

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

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

47
48 Councilmember Almquist – aye
49 Councilmember Hughes – aye
50 Councilmember Randall – aye
51 Councilmember Bowcutt – aye
52 Councilmember Arial – aye
53

1 The vote was unanimous and the motion carried.
2

3 **DISCUSSION REGARDING STORAGE CONTAINERS IN RESIDENTIAL ZONES:**

4 City Manager Gary Esplin explained the Council discussed this topic months ago.
5 Staff recently received a request to allow this type of use.
6

7 Mayor Pike introduced the Planning Commission Members who are present.
8

9 Planning & Zoning Manager John Willis presented a PowerPoint presentation covering
10 the following topics: Cargo Containers; Residential; Commercial; Commercial Use;
11 and Residential Use. The presentation contained photos of cargo containers currently
12 in place.
13

14 Planning Commission Member Wilkinson commented that when this was first
15 discussed, the container could not be in the front yard; it needed to be in the rear on
16 a certain sized lot.
17

18 Mr. Willis mentioned the ordinances that he researched had limitations on lot sizes
19 and addressed visuals. One thing that was consistent in residential was allowing
20 them for temporary uses in disaster situations or with construction permits.
21

22 Councilmember Arial commented that there are some lots that were originally farms,
23 some of which have storage containers. These residents will be affected if there is a
24 blanket restriction. She believes they should be able to keep them.
25

26 Scott Roper, owner of Kustom Containers, stated that they understand the concerns
27 and needs. He believes that the current Planning Commission understands the need
28 for storage containers as they haven't in the past. There is a tuff shed ordinance that
29 regulates them; storage containers fall into that category of use.
30

31 Mr. Willis advised there is an accessory structure ordinance; staff views these as
32 cargo containers, not a structure. They are both being used for storage, but the
33 structures are different because of the way they are built.
34

35 Mr. Roper stated that he does not understand the difference as they are used for the
36 same thing. When this process started, they did as much as they could to keep them
37 nicer looking. He commented that containers are being modified for many different
38 uses.
39

40 Councilmember Randall explained that they had to remodel their home years ago due
41 to a fire. At that time, she does not think her neighbors would have been against
42 having a container rather than the dumpster. There should not be a blanket ban
43 across the board; it should depend on the size of the lot. She would rather see a
44 cargo container than a pile of junk.
45

46 Councilmember Almquist commented that the containers are not the worst looking
47 things in the pictures presented by Mr. Willis. He asked that color be considered
48 when drafting the ordinance.
49

50 Councilmember Arial stated that she feels strongly that if the lot size is appropriate
51 and the container is in the back of the lot, people should be able to have them.
52

53 Mr. Willis explained that the accessory structure ordinance limits to 25% of the rear
54 yard, from the back of the building to the property line, not including the sides.
55

1 Mr. Roper asked how many complaints have been received. He noted that he has
2 never had to purchase one back from a customer.
3

4 Assistant City Attorney Paula Houston stated that she does not know how many
5 complaints have been received. It is only in residential zones that they are
6 prohibited. Staff has not objected to them being there on a temporary basis for
7 remodeling or disaster cleanup.
8

9 Planning Commission Member Wilkinson explained when the Planning Commission
10 recommended approval; it was on the condition, that if permanent, it needed to be
11 on the side on a certain sized lot, hidden from the street view.
12

13 Planning Commission Member Adams stated that in Kane County, some subdivisions
14 allow them and some won't. The general thought process there is that it needs to be
15 3/4 acres and have to be the color of the house or the same color of the nearest
16 building. She noted that her container is used for toy storage and is rodent proof.
17

18 Planning Commission Member Wilkinson commented that all verbiage should be
19 removed from the containers.
20

21 Jonathan Zundel, resident, stated that he owns a storage container on his property.
22 They are built out of the strongest material known to man and can withstand
23 anything. They are engineered to be tough. The question is why people don't like
24 them; some have bad paint jobs. Ever since this became an issue, he noticed that
25 there are so many in the area that are good looking structures. Containers are not a
26 building, but they are built better than any building. He was told that he has to
27 remove his; he then passed out a packet of pictures of the container on his home.
28 His property is 1/5 of an acre. He mentioned City ordinance that addresses these
29 containers as accessory building or detached garages. His requested the Council give
30 direction. The City has an ordinance that addresses shipping containers.
31

32 Assistant City Attorney Paula Houston stated, by definition, that they could be
33 included as part of the storage sheds or accessory buildings; however, the fact is that
34 they are cargo containers by federal definition. They have this classification and
35 many cities throughout the country do not allow them in residential areas. Because
36 they can be modified to look differently, some cities now allow them.
37

38 Councilmember Almquist commented that he can legally build a structure that looks
39 just like a storage container.
40

41 Kimball Gardner, owner of OnSite Storage, stated that there a number of containers
42 in the County. He and Mr. Roper spent a lot of money making them look good. This
43 is a business that will never go away. He asked that the Council be open minded of
44 what they are trying to do.
45

46 Ed Baca, citizen, asked if Mr. Willis got a definition of temporary means in other cities
47 and if there are mechanisms for residents who would like an extension.
48

49 Mr. Willis stated that in most cases, they are tied to a permit of some sort and can be
50 extended under certain circumstances.
51

52 Planning Commission Member Staheli explained that the problem is with the people
53 who have the old containers that do not care about what they look like or what the
54 neighbors think. He mentioned a situation in which a storage container is being used
55 as a chicken coup in the Bloomington area. Now that the chickens are in there, all of
56 the stored items are in the back yard.

1
2 Mr. Roper stated that they sell mostly reconditioned or brand new containers. In ten
3 years the containers will look the same as they do now. He explained that the yellow
4 sticker shown in the pictures is their logo.
5

6 Planning Commission Member Wilkinson commented that some containers draw
7 graffiti artists.
8

9 Planning Commission Member Buehner inquired about the home Commissioner
10 Staheli brought up; is the container the problem or is it that it is unsightly. He asked
11 if there were ordinances to addresses unsightly homes.
12

13 Assistant City Attorney Paula Houston replied no, there are for weeds, but not for
14 unsightly buildings.
15

16 A discussion took place regarding the fact that cargo containers are not built as
17 accessory structures and where they can be put.
18

19 Councilmember Hughes noted there are some citizens that have complained as they
20 feel they are ugly. The City needs to have an ordinance that addresses the
21 temporary issue of storage containers and refer permanent containers back to the
22 accessory structures guidelines. He doesn't think it needs to pinpoint a lot size.
23

24 Mr. Roper asked why the neighbors have more rights than the person who owns the
25 container.
26

27 Assistant City Attorney Paula Houston explained it would be easy to add language to
28 the current ordinance. They will come up with a proposal and bring it back to the
29 Planning Commission for their recommendation.
30

31 **DISCUSSION REGARDING AMENDING THE TRADITIONAL NEIGHBORHOOD**
32 **DISTRICT ZONE:**

33 Stacy Young with Development Solutions presented a PowerPoint presentation
34 covering the following topics: Discussion Outline; Traditional Neighborhood
35 Development Characteristics; Housing Needs: St. George Community Profile; Housing
36 Needs: Affordability; "Missing Middle" Housing; Missing Middle: Duplex; Missing
37 Middle: Bungalow Court; Missing Middle: Other; and Implementing TND: Proposed
38 Pilot Project.
39

40 City Manager Gary Esplin mentioned the Council visited Kentlands, Maryland years
41 ago to look at a project there. He commented that economy of the area sometimes
42 trumps the project. For a long time, the traditional desire was to have a large house
43 and property. As the costs go up, this project becomes more feasible from the
44 standpoint of affordability. He believes this proposal should be tried out in a smaller
45 property. In this location, the key is to be walkable to churches, schools and stores.
46

47 Mr. Young commented that the cost would be much lower than a traditional home.
48

49 City Manager Gary Esplin explained that the TND was structured to look at the Little
50 Valley area.
51

52 Planning & Zoning Manger added that the location of this site makes sense.
53

54 Mr. Baca asked what relationship mixed use has as part of commercial. He asked if
55 that plays into this proposal.
56

1 Mr. Young explained that the code encourages a mixture of uses. He showed a video
2 simulation and continued with his PowerPoint presentation covering the following
3 topics: Neighborhood Overview; Entry to Neighborhood from 3000 East; Mix of
4 Residence Types; Bungalow Court; and Street Section View.
5

6 The consensus of the Council is to move forward.
7

8 Mayor Pike called for a short recess.
9

10 **DISCUSISON REGARDING THE POSSIBLE CREATION OF A CDA IN THE DOWNTOWN**
11 **AREA. JOULE PLAZA, APPLICANT.**

12 City Manager Gary Esplin commented that staff has been meeting with Mr. Wilkinson
13 and Mr. Davis. Council is aware of their proposed project in the downtown area.
14 They are trying to figure how to approach the creation of a CDA for those projects
15 that need help getting off the ground. Is it feasible or is the Council interested in
16 creating a CDA. A CDA is an area that can encourage development done through an
17 interlocal agreement between the taxing entities. If the Council wishes to create the
18 CDA, they will have to decide the encompassing area and if they want to offer
19 incentives to developers. The City has never done this through actual
20 reimbursements to the entity but through common public improvements. There has
21 never been a project like this mixed use project. He asked both of the potential
22 developers to submit a 'but for' proposal, which is common when cities are asked to
23 give back property taxes. The tax base is taken as of the day the district is created.
24 He explained how the process will work and his suggested boundaries. Both of the
25 contemplated projects are within the suggested boundaries.
26

27 Councilmember Bowcutt commented that the tax base is limited in the Ft. Pearce
28 area. In this area, there will be some tax base from what is already there.
29

30 City Manager Gary Esplin explained that local entities such as the School District,
31 Water Conservancy, City and County will have to look at how long the development
32 will take without a CDA. He commented that the number one need in the downtown
33 area is housing. Creating a CDA will take approximately six months.
34

35 Councilmember Hughes commented that he wants to see development in the
36 downtown area.
37

38 Mayor Pike stated that down the road, he would like to discuss property further down
39 Main Street.
40

41 The consensus of the Council is to move forward.
42

43 **DISCUSSION WITH LEISURE SERVICES REGARDING THE USE OF CITY FIELDS:**

44 City Manager Gary Esplin commented that there are issues with available City fields,
45 including how many fields the City be obligated to build. Staff has done research and
46 the City has put a lot on money into keeping the fields looking good. He commented
47 that a policy needs to be established regarding the use of City fields. The biggest
48 demand is for practice fields. Tonight's issue is what the City needs to do for its
49 residents.
50

51 Recreation Manager Steve Bingham introduced Nikelle Pledger, the new Recreation
52 Coordinator for Youth Sports. He presented a PowerPoint presentation covering the
53 following topics: Field Use Challenges; Issues; Facility Demand; Facility Availability
54 Multiuse Fields; Facility Availability Competition Softball/Baseball; Practice Space
55 Needs and Processes; Sports Fields - What We Currently Have; Scheduling Policy and
56 Process; User Fees Statewide study and Philosophy; Philosophy and Procedures on

1 Permits to Use Facilities; Priority Groups Classifications; and Trends Toward Youth
2 Sports Businesses.
3

4 A discussion took place on non-profit sports organizations that actually make money
5 and different fees for sports clubs.
6

7 Parks Manager Larry Shane presented a PowerPoint presentation covering the
8 following topics: Parks Maintenance Challenges; Sports Turf; Little Valley Drainage;
9 Steps Taken to Improve the Fields; Overseeding; SunBowl 8/29/14; 4th of July After
10 Heavy Rain on July 3rd and Pumping All Night; and Steps That Could Be Taken.
11

12 Mr. Bingham commented that you cannot underestimate the value of having fences
13 around the softball fields. Soccer and football fields have a higher wear factor than
14 softball fields.
15

16 Leisure Services Director Kent Perkins presented a PowerPoint presentation covering
17 the following topics: Sports Field – What We Currently Have; Sports Fields – Future
18 Needs; Sports Field Master Plan; Sports Field Programming and Infrastructure;
19 Artificial Turf Pros & Cons; Lights Pros & Cons; RAP Tax – Parks & Recreation
20 Proposed Project List; Fields Phase V – Concept Plan; Tonaquint Heights Soccer –
21 Phase 1 of 3; South Block Regional Park; and RAP Tax Project Priority List.
22

23 City Manager Gary Esplin suggested taking the middle option listed on the RAP Tax
24 project priority list.
25

26 Kyle Paisley stated that he and Travis Wilkinson have been working on this issue for a
27 long time. There a couple of issues - local use and tournament use. Tournament use
28 builds the overuse. He commented that staff is headed in the right direction with the
29 number of fields. Other cities need to contribute to building the needed fields.
30 Regarding the regional park on the south block, it needs to be done by the County.
31 You can't ask large events to come here without releasing the majority of the money
32 back to fund the events. Fields at Tonaquint and Little Valley would give enough to
33 rotate and keep all of the fields in play for field sports. On the local level, money has
34 been put aside for field development; the state board is where regional play comes
35 in. In his opinion, he would rather see more fields than fewer fields so there is less of
36 a fight for them. Also there is a better chance of keeping them maintained properly.
37

38 Travis Wilkinson stated that the Council has to consider a couple of artificial turf
39 fields. Unless all fields are fenced, it will be hard to maintain them.
40

41 Mayor Pike commented that if turf fields are built, the City may only be able to build
42 two fields instead of four.
43

44 City Manager Gary Esplin noted it is important to understand that RAP tax funds are
45 the only funds available for these fields. He commented that parks are not built to be
46 sports fields.
47

48 Jared Atkins stated there are not enough fields. If you research multi use grass, it is
49 not the same grass as a baseball field or golf course.
50

51 Mayor Pike commented that the City is not behind on fields for its residents; it does
52 not have enough fields to accommodate neighboring cities.
53

54 Councilmember Randall commented that she doesn't understand how one turf field is
55 enough for all teams that may want to use it.

1 Recreation Coordinator Nikelle Pledger handed out a list of the number of participants
2 per sport.
3

4 City Manager Gary Esplin asked what the City's requirement is. He inquired if the
5 City should provide fields for all of the City's programs as well as competition league
6 programs, which are creating a demand that was not there before.
7

8 Mayor Pike explained that to replace the Elks Baseball Field, one of the softball fields
9 at Bloomington Park will be removed. Additionally, the horseshoe pits have been
10 relocated. This is where a regional approach could be nice. He stated that the way
11 sports groups can help best is by saying how many and types of fields would work
12 best.
13

14 Mr. Wilkinson stated that four fields with better grass works best.
15

16 Mr. Bingham explained that one of the issues is what has changed in the
17 specialization in youth sports. The softball programs have tremendous support
18 because of the economic impact. They have 15 teams in the 10 & under division;
19 soccer has at least 350 teams. The economic impact is \$6.5 million annually from
20 softball events; soccer events can be approximately \$32 million annually.
21

22 Mr. Paisley commented that soccer has a bigger economic driver than most youth
23 sports. They can commit to get together to see what types and how many fields
24 would be better.
25

26 Leisure Services Director Kent Perkins asked that different types of sports
27 organizations get together to discuss field needs.
28

29 Mayor Pike advised that the City is going to proceed with a \$7 million bond against
30 the RAP tax revenue. Staff is ready to pursue projects, getting input from other
31 sports organizations would help.
32

33 A discussion took place regarding professional organizations passing additional costs
34 on to the parents.
35

36 City Manager Gary Esplin stated that he hopes that this discussion shows that the
37 City is doing something. Two extra fields are needed in order to rotate use.
38

39 Leisure Services Director Kent Perkins asked if the Council would give their okay on
40 some of the other proposed RAP tax projects.
41

42 The consensus of the Council is to proceed with the proposed projects.
43

44 **REPORTS FROM MAYOR, COUNCILMEMBERS AND CITY MANAGER:**

45 Councilmember Bowcutt reported that the Planning Commission is having challenges
46 with the proposed SunRiver development.
47

48 City Manager Gary Esplin advised the applicant withdrew his application and is
49 working with staff on other options.
50

51 Councilmember Arial mentioned that she went to the Fire Department promotions
52 ceremony; it was very nice. The northern corridor was heavily discussed at the recent
53 DTEC meeting.
54

55 A short discussion took place regarding BLM management plan and water in the HCP.
56

1 Mayor Pike mentioned that he and City Manager Gary Esplin met with Commissioner
2 Gardner this morning to express their thoughts; more discussion will take place. He
3 reminded the Council the Electric Theater dedication will take place tomorrow night
4 and mentioned employee meetings that will take place next Tuesday and Wednesday
5 at the Electric Theater.
6

7 **ADJOURN TO CLOSED SESSION:**

8 **MOTION:** A motion was made by Councilmember Almquist to discuss property
9 purchase.

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

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

12
13 Councilmember Almquist – aye

14 Councilmember Hughes – aye

15 Councilmember Randall – aye

16 Councilmember Bowcutt – aye

17 Councilmember Arial – aye

18
19 The vote was unanimous and the motion carried.
20

21 **ADJOURN:**

22 **MOTION:** A motion was made by Councilmember Randall to adjourn.

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

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

25
26 Councilmember Almquist – aye

27 Councilmember Hughes – aye

28 Councilmember Randall – aye

29 Councilmember Bowcutt – aye

30 Councilmember Arial – aye

31
32 The vote was unanimous and the motion carried.
33
34
35
36
37
38

39 _____
Christina Fernandez, City Recorder

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52

**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.

1 Councilmember Arial mentioned that they had a tremendous amount of requests for
2 grants. It is nice to see how alive and well the arts are in the City. She provided an
3 update on the Electric Theater grand opening.
4

5 Councilmember Bowcutt clarified that over the years, many bleachers have been brought
6 into the SunBowl and rodeo attendance numbers have not declined. He mentioned an
7 article in the National Lions magazine about the St. George Lions, Dixie Round Up Rodeo
8 and the building of the SunBowl.
9

10 **FINANCIAL REPORT:**
11 **Consider approval of the financial report for July, 2015.**

12
13 City Manager Gary Esplin explained that there is not much to report as this is the first
14 month in the new fiscal year.
15

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

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

19 **VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:
20

21 Councilmember Almquist – did not vote

22 Councilmember Randall – aye

23 Councilmember Bowcutt – aye

24 Councilmember Arial – aye
25

26 The vote was unanimous and the motion carried.
27

28 **AWARD OF BID:**
29 **Consider award of bid for Cobra Head LED light structures and photo cells.**

30
31 City Manager Gary Esplin explained this is a purchase made every fiscal year.
32

33 Purchasing Manager Connie Hood advised Electrical Wholesale Supply was the low bidder
34 at \$156,740 for 400 each of the light structures and photo cells.
35

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

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

40 **VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:
41

42 Councilmember Almquist – did not vote

43 Councilmember Randall – aye

44 Councilmember Bowcutt – aye

45 Councilmember Arial – aye
46

47 The vote was unanimous and the motion carried.
48

49 **AWARD OF BID:**
50 **Consider award of bid for two (2) 2015 1/2 ton pickup trucks for Energy**
51 **Services.**

52
53 City Manager Gary Esplin explained that St. George Ford is the low bidder at \$58,406 for
54 both trucks and that the funds are included in the current budget.
55

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

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

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

5
6 Councilmember Almquist – did not vote

7 Councilmember Randall – aye

8 Councilmember Bowcutt – aye

9 Councilmember Arial – aye

10
11 The vote was unanimous and the motion carried.

12
13 **AWARD OF BID:**

14 **Consider award of bid for the annual purchase of bulk fuel.**

15
16 City Manager Gary Esplin explained this is the annual purchase of bulk fuel at \$1,500,000.
17 He reviewed the actual cost to the City for specific types of fuel, which are less than last
18 year. It is recommended to award the bid to Overland Petroleum.

19
20 Purchasing Manager Connie Hood advised that the amount is an estimated cost based
21 upon usage in the prior year.

22
23 **MOTION:** A motion was made by Councilmember Randall to award the bid for the
24 bulk fuel from Overland Petroleum in the amount of \$1,500,000.

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

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

27
28 Councilmember Almquist – did not vote

29 Councilmember Randall – aye

30 Councilmember Bowcutt – aye

31 Councilmember Arial – aye

32
33 The vote was unanimous and the motion carried.

34
35 **AWARD OF BID:**

36 **Consider award of bid for the 2015 slurry seal project.**

37
38 City Manager Gary Esplin explained this is for the annual slurry seal project as part of
39 the overall pavement management program. The apparent low bidder is M&M
40 Asphalt Services.

41
42 Purchasing Manager Connie Hood advised three bids were received; the low bid
43 submitted by M&M Asphalt Services was \$160,520.

44
45 City Manager Gary Esplin commented that the bid was 25% less than last year.

46
47 **MOTION:** A motion was made by Councilmember Arial to award the bid to M&M
48 Asphalt Services for the 2015 slurry seal project in the amount of
49 \$160,520.

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

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

52
53 Councilmember Almquist – did not vote

1 Councilmember Randall – aye
2 Councilmember Bowcutt – aye
3 Councilmember Arial – aye
4

5 The vote was unanimous and the motion carried.
6

7 City Manager Gary Esplin commented that the agenda packet shows which streets will
8 be sealed. He will have staff put the information on the City's website.
9

10 **AWARD OF BID:**

11 **Consider award of bid for the 2015 asphalt repair project.**
12

13 Purchasing Manager Connie Hood advised three bids were received; Western Rock
14 was the low bidder at \$305,860.
15

16 City Manager Gary Esplin noted that the list of projects is included in the agenda
17 packet.
18

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

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

23 **VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:
24

25 Councilmember Almquist – did not vote
26 Councilmember Randall – aye
27 Councilmember Bowcutt – aye
28 Councilmember Arial – aye
29

30 The vote was unanimous and the motion carried.
31

32 City Manager Gary Esplin explained that every street is evaluated and ranked based
33 on their need.
34

35 **AWARD OF BID:**

36 **Consider award of bid for the design and construction management for the**
37 **Riverside Drive/Lizzy Lane Outfall Line project.**
38

39 City Manager Gary Esplin explained that agreement this allows to connect and get more
40 capacity in the regional outfall line to the Regional Wastewater Treatment Plan; it is
41 included in the current budget. It is recommended that Alpha Engineering be awarded the
42 contract.
43

44 Purchasing Manager Connie Hood advised that the amount of the contract is \$104,173.
45

46 Mayor Pro Tem Almquist asked if they can use the same topographic work as was used in
47 the major regional outfall line.
48

49 Water Services Director Scott Taylor explained the engineers will go there and spot check.
50

51 City Manager Gary Esplin stated this regional project is anticipated to be \$1.2 million.
52

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

1 **SECOND:** The motion was seconded by Councilmember Bowcutt.
2 **VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

3
4 Councilmember Almquist – did not vote
5 Councilmember Randall – aye
6 Councilmember Bowcutt – aye
7 Councilmember Arial – aye

8
9 The vote was unanimous and the motion carried.

10
11 **AWARD OF BID:**

12 **Consider award of bid for the Ledges Well #1 equipment replacement.**

13
14 City Manager Gary Esplin explained this is for improvements at the Ledges Well. Over the
15 last couple of years, there have been issues with keeping the motors and pumps running.
16 Staff decided to go with a different program, replacing the submersible pump and motor
17 with a vertical line shaft pump and motor.

18
19 Purchasing Manager Connie Hood advised the low bidder was Gardner Brothers Drilling at
20 \$135,132.12; the three bids received were close.

21
22 **MOTION:** A motion was made by Councilmember Bowcutt to award the bid to
23 Gardner Brothers Drilling for the Ledges Well #1 equipment
24 replacement in the amount of \$135,132.12.

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

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

27
28 Councilmember Almquist – did not vote
29 Councilmember Randall – aye
30 Councilmember Bowcutt – aye
31 Councilmember Arial – aye

32
33 The vote was unanimous and the motion carried.

34
35 **FEE WAIVER:**

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

39
40 Darren Nuttall, applicant, introduced Bonnie Webb and Kyle Bringhurst. They have come
41 together to put hold a first responders appreciation car show and an all abilities walk. The
42 event will be held in the Town Square west parking lot. He explained that this event is a
43 fundraiser for Project Lifesaver; he then explained the Project Lifesaver program.
44 Approximately 200 classic cars will be on display.

45
46 Ms. Webb, the President of Southern Utah Autism Support Group, explained the all
47 abilities walk will take place at Town Square. The walk will be on Halloween beginning at
48 10:00 a.m. She mentioned that her four children are autistic, two of them wander. The
49 bracelets are made so they are not easily removed.

50
51 City Manager Gary Esplin stated that the City is a partial sponsor; therefore, the event can
52 be advertised on the digital boards on Bluff Street and by the hospital as well as through a
53 link on the City's website. He explained that the All Abilities Park will be secure to prevent
54 those with special abilities from wandering away from the park.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57

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 October10, 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.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55

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.

1
2 **FINAL PLAT:**

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

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

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

10 **VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:
11

12 Councilmember Almquist – aye

13 Councilmember Randall – aye

14 Councilmember Bowcutt – aye
15

16 The vote was unanimous and the motion carried.
17

18 **FINAL PLAT AMENDMENT:**

19 Assistant Public Works Director Wes Jenkins presented the final plat amendment for
20 Escapes at the Ledges Phase 1 Amended, a 31-lot amended residential subdivision located
21 at approximately 2055 West 2600 North; zoning is RD-R. The purpose of the amendment
22 is to amend lots 106 – 108, 112, 119, 123, 126, 130 and 131. Lots 106, 112, 120, 123,
23 126 and 131 were increased in size to accommodate a larger building footprint and the
24 others were adjusted to account for that.
25

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

28 **SECOND:** The motion was seconded by Councilmember

29 **VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:
30

31 Councilmember Almquist – aye

32 Councilmember Randall – aye

33 Councilmember Bowcutt – aye
34

35 The vote was unanimous and the motion carried.
36
37

38 **FINAL PLAT AMENDMENT:**

39 Assistant Public Works Director Wes Jenkins presented the final plat amendment for
40 Escapes at the Ledges Phase 2 Amended, a 21-lot amended residential subdivision located
41 at Caledonia Dunes Drive and Escapes Drive; zoning is RD-R. The purpose of the
42 amendment is to amend lots 204 – 208, 212 and 219. Lots 204, 205, 212 and 219 were
43 increased in size to accommodate a larger building footprint.
44

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

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

48 **VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:
49

50 Councilmember Almquist – aye

51 Councilmember Randall – aye

52 Councilmember Bowcutt – aye
53

54 The vote was unanimous and the motion carried.
55

56 **FINAL PLAT AMENDMENT:**

1 Assistant Public Works Director Wes Jenkins presented the final plat amendment for Villa
2 Highlands at Hidden Valley Phase 1 Amended, a 15-unit residential amended subdivision
3 located at London Lane and Athens Drive; zoning is PD-R. The purpose of the amendment
4 is to enlarge the private ownership areas of units 1- 4, 14 and 15.
5

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

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

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

10
11 Councilmember Almquist – aye

12 Councilmember Randall – aye

13 Councilmember Bowcutt – aye
14

15 The vote was unanimous and the motion carried.
16

17 **PRELIMINARY PLAT:**

18 Assistant Public Works Director Wes Jenkins presented the preliminary plat for Sienna
19 Park Condominiums at Stone Bridge, a 60-lot residential subdivision development located
20 at 271 North Country Lane; zoning is PD-R. These lots are in addition to the ten that have
21 already been developed in Stone Bridge. In 2005, it was approved subject to the first unit
22 adjacent to Country Lane and a maintenance easement agreement. Per the agreement,
23 they were allowed to reduce the setback on some of the units.
24

25 City Manager Gary Esplin noted there is a tee on number 6 at Black Rock. The setback is
26 a lot more than 20 feet from the golf course. When the first development occurred, the
27 developer was granted the right to reduce the setback and deed the lava to the City since
28 the City did not want to disturb the lava along the edge. They do not need the setback
29 reduction on the other lots, only the ones by the tees.
30

31 Mayor Pro Tem explained that he was on the Planning Commission at the time and he
32 remembers it the same as City Manager Gary Esplin.
33

34 **MOTION:** A motion was made by Councilmember Randall to approve the
35 preliminary plat for Sienna Park Condominiums at Stone Bridge.

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

37 **VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:
38

39 Councilmember Almquist – aye

40 Councilmember Randall – aye

41 Councilmember Bowcutt – aye
42

43 The vote was unanimous and the motion carried.
44

45 **MEMORANDUM OF UNDERSTANDING:**

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

48 City Manager Gary Esplin explained this is an agreement that allows the City to sign an
49 interlocal agreement for the Washington County Drug Task Force as has been done in the
50 past.
51

52 Chief Stratton explained that this agreement is with the St. George Police Department and
53 the Drug Task Force.
54
55

1 **MOTION:** A motion was made by Councilmember Bowcutt to approve the Mayor
2 to sign the Drug Task Force MOU.

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

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

5
6 Councilmember Almquist – aye

7 Councilmember Randall – aye

8 Councilmember Bowcutt – aye

9
10 The vote was unanimous and the motion carried.

11
12 **MINUTES:**

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

14
15 Councilmember Bowcutt mentioned that in this meeting, the Council suggested
16 tabling the food services proposal for the airport and submitting an RFP to see if there
17 are any other interested. He asked if the RFP has been done.

18
19 City Manager Gary Esplin explained that there are no funds available in the current
20 budget; however, if monies are found, an RFP would be submitted.

21
22 **MOTION:** A motion was made by Councilmember Almquist to approve the
23 minutes for July 9, 2015.

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

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

26
27 Councilmember Almquist – aye

28 Councilmember Randall – aye

29 Councilmember Bowcutt – aye

30
31 The vote was unanimous and the motion carried.

32
33 **MINUTES:**

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

35
36 **MOTION:** A motion was made by Councilmember Randall to approve the minutes
37 from July 16, 2015.

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

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

40
41 Councilmember Almquist – aye

42 Councilmember Randall – aye

43 Councilmember Bowcutt – aye

44
45 The vote was unanimous and the motion carried.

46
47 Mayor Pro Tem Almquist called for a short recess.

48
49 Mayor Pike returned. He mentioned that he attended a ribbon cutting for Tonaquint
50 Networks at Shadow Mountain Park.

51
52 **PUBLIC HEARING/AMEND CITY CODE/ORDINANCE:**

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

1
2 Planning & Zoning Manager John Willis stated this has been discussed at previous
3 Council meetings. Since then, staff has worked with sign companies to address their
4 concerns. He presented a PowerPoint presentation outlining some of the proposed
5 amendments; potential structure color options; photos of different billboards
6 throughout the City; and potential colors.
7

8 Councilmember Almquist noted that the options for potential structure colors are all
9 dark; he noted that having a lighter option may be a good idea.
10

11 The Council agreed to add Pantone 465 to the potential structure colors suggested by
12 staff.
13

14 Councilmember Bowcutt inquired about the 5-member review board as shown on line
15 794.
16

17 Mr. Willis explained that the sign review board is in place; however, there have not
18 been any meetings. He is not sure who is on the board.
19

20 Councilmember Bowcutt suggested a board member be a representative from the
21 sign industry.
22

23 Mayor Pike opened the public hearing.
24

25 Ray Draper with Young Electric Sign Company asked that the Council approve what
26 has been proposed. Currently, they are limited with billboard space; the proposed
27 ordinance will give them additional space to install signs.
28

29 Ed Baca, citizen, inquired if the proposed ordinance will impact the University or
30 DXATC signs with regards to toning down the brightness.
31

32 City Manager Gary Esplin explained that the DXATC will not have a sign and the Dixie
33 State University sign will have to be looked at as he does not know if it will meet the
34 proposed standards. Additional signs will have to be discussed at a later time as it
35 was not listed on the agenda. He stated that staff supports the proposed
36 amendments as presented.
37

38 Mike Helm with YESCO Outdoor thanked the City for their working with them. He
39 explained the distance requirements and how the lights illuminate.
40

41 Deputy City Attorney Paula Houston explained that with regards to lighting, staff
42 looked at percentages; however, it was easier to create a box for the sign view area.
43

44 Mayor Pike closed the public hearing.
45

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

49 **SECOND:** The motion was seconded by Councilmember Bowcutt.
50

51 Councilmember Bowcutt commented that there are other areas of the sign ordinance
52 that need to be addressed quickly.
53

54 Councilmember Randall noted that previous and present Council's have different
55 views on signs. She suggested discussing other possible changes at a work meeting.
56

1 City Manager Gary Esplin explained that the past Council did not dislike signs.
2 Caution needs to be taken when looking at the rest of the ordinance. He asked that
3 the Council give staff specific changes they would like to see.
4

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

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

11 Councilmember Almquist – aye

12 Councilmember Randall – aye

13 Councilmember Bowcutt – aye
14

15 The vote was unanimous and the motion carried
16

17
18 **REPORTS FROM MAYOR, COUNCILMEMBERS AND CITY MANAGER:**

19 No reports were given.
20
21

22 **ADJOURN TO CLOSED SESSION:**

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

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

26 **VOTE:** Mayor Pike called for a roll call vote, as follows:
27

28 Councilmember Almquist – aye

29 Councilmember Randall – aye

30 Councilmember Bowcutt – aye
31

32 The vote was unanimous and the motion carried.
33

34 **ADJOURN:**

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

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

37 **VOTE:** Mayor Pike called for a vote, as follows:
38

39 Councilmember Almquist – aye

40 Councilmember Randall – aye

41 Councilmember Bowcutt – aye
42

43 The vote was unanimous and the motion carried.
44
45
46
47
48
49
50

51 _____
Christina Fernandez, City Recorder

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
SEPTEMBER 10, 2015, 4:00 P.M.
ADMINISTRATIVE CONFERENCE ROOM**

PRESENT:

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

EXCUSED:

**Councilmember Gil Almquist
Councilmember Bette Arial**

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Councilmember Hughes and the invocation was offered by Pastor Jimi Kestin.

CONDITIONAL USE PERMIT:

Consider approval of a conditional use permit to construct a 41' high volcano structure (pavilion) at the All Abilities Park.

City Manager Gary Esplin advised that the Planning Commission recommended approval of the volcano height.

Planner Ray Snyder explained the Planning Commission recommended approval with findings.

MOTION: A motion was made by Councilmember Bowcutt to approve the conditional use permit to construct a 41' high volcano structure pavilion) at the All Abilities Park, including the findings found by staff.

SECOND: The motion was seconded by Councilmember Randall.

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

Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

INTERLOCAL AGREEMENT/RESOLUTION:

Consider approval of a resolution authorizing the execution of the Washington County Drug Task Force Amended Interlocal Agreement.

City Manager Gary Esplin advised that the agreement was approved at the last meeting; however, it should have done by resolution.

1 **MOTION:** A motion was made by Councilmember Randall to approve the
2 resolution authorizing the execution of the Washington County Drug
3 Task Force Amended Interlocal Agreement.

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

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

6
7 Councilmember Hughes – aye

8 Councilmember Randall – aye

9 Councilmember Bowcutt – aye

10
11 The vote was unanimous and the motion carried.

12
13 **PRESENTATION FROM DAWN EIDE-ALBRECHT WITH LEISURE SERVICES ON AFTER**
14 **SCHOOL PROGRAMS:**

15 Leisure Services Director Kent Perkins introduced Dawn Eide-Albrecht, a Recreation
16 Coordinator, who oversees after school programs.

17
18 Ms. Eide-Albrecht presented a PowerPoint presentation covering the following topics:
19 After-School Programs 2015-2016; Mission; Number of Participants; Program
20 Participations; On-Site Program Locations; Program Elements; Off-Site Program
21 Locations; Program Elements & Activities; Field Trip Options at Tonaquint Nature
22 Center; Continuing Education Options; Community & City Department Involvement;
23 and Program Goals for 2015-2016.

24
25 Leisure Services Director Kent Perkins noted that these programs reach kids that are
26 typically not reached in other ways. Many of them have two working parents or live
27 in a single parent household. He mentioned that Ms. Eide-Albrecht has won the
28 award for the most creative program in the state seven years in a row.

29
30 Mayor Pike thanked Ms. Eide-Albrecht for what she does. He then mentioned the
31 Electric Theater grand opening and the DocUtah movie that was shown there.

32
33 Leisure Services Director Kent Perkins updated the Council on the construction of the
34 All Abilities Park. On September 23rd, they will take the train on the track and make
35 a full loop making sure that everything is running smoothly. He mentioned the
36 Mayor's Walk that will be taking place on October 3rd. Additionally, he updated and
37 mentioned other projects that are being done.

38
39 **DISCUSSION ON THE SANDTONE QUARRY TRAIL PROPOSAL:**

40 Support Services Director Marc Mortensen presented a PowerPoint presentation
41 covering the following topics: Sandstone Quarry Trail Proposal; Trail Alignment;
42 Outline of Proposed Alignment; Sons of the Utah Pioneers; and City of St. George.

43
44 City Manager Gary Esplin commented his concern as a golfer, is when they get to the
45 top. If they can make a turn to walk to the south, they are not as exposed from a
46 visual standpoint. He suggested there be hand rails or steps to assist walkers.

47
48 A discussion took place regarding parking.

49
50 City Manager Gary Esplin stated that he is also concerned that the trail will go behind
51 the maintenance facility as there is a lot of stuff stored behind it. Staff will have to
52 figure out how to buffer the view.

53
54 Support Services Director Marc Mortensen displayed a map of the area and showed a
55 site plan.

1
2 City Manager Gary Esplin suggested a slightly alternate route at the beginning of the
3 proposed trail.
4

5 The consensus of the Council is to move forward.
6

7 City Manager Gary Esplin commented that if the City's cost is more than what was
8 budgeted further discussion may be needed.
9

10 Mayor Pike introduced McKenzie Mast, who donated \$1,200 she raised to the All
11 Abilities Park. She will be able to have her handprints done to be displayed at the
12 Park.
13

14 **PRESENTATION FROM MCKINSTRY ON THE RESULTS OF THE CITY ENERGY AUDIT**
15 **AND PROPOSED FACILITY IMPROVEMENT MEASURES:**

16 Support Services Director Marc Mortensen presented a PowerPoint presentation
17 covering the following topics: Energy Performance Contracting; Brief History;
18 Facilities Audited (478,000 Sq. Ft.); Range of Magnitude (403,000 Sq. Ft.); Facility
19 Improvement Measures (FIMS); Annual City Energy Data; Cost Includes; and Project
20 Cost & Savings Summary.
21

22 City Manager Gary Esplin explained that each budget includes funds for utility lighting
23 and air conditioning for all of the buildings. McKinstry is guaranteeing a 30%
24 savings; however, bonds may have to be issued to pay for the improvements. He
25 explained how the two year monitoring works for the guaranteed annual savings.
26 The items included in the proposal are tasks that staff cannot complete or would
27 rather outsource. He stated that there are additional savings beyond the \$158,000.
28

29 Support Services Director Marc Mortensen continued with his PowerPoint presentation
30 covering the following topics: Next Steps.
31

32 City Manager Gary Esplin explained that under state law, if this is financed, the City
33 can bond. He recommended taking dollars from the Energy Services fund to finance
34 this, which will be repaid each year from the General Fund. Additionally, he
35 suggested using these funds to do the air handling units at the Sand Hollow Aquatic
36 Center.
37

38 The consensus of the Council is to move forward with City Manager Gary Esplin's
39 recommendations and suggestions.
40

41 **DISCUSSION ON THE LOCAL LIMITS STUDY FOR THE WASTEWATER TREATMENT**
42 **PLANT RETREATMENT PROGRAM:**

43 Water Services Director Scott Taylor introduced Daniel Morrison, the Pretreatment
44 Coordinator.
45

46 Mr. Morrison presented a PowerPoint presentation covering the following topics: St.
47 George Regional Waste Reclamation Facility Technically Based Local Limits; What is
48 the Pretreatment Program?; Objectives of the Pretreatment Program; SGRWRG Local
49 Limits; What are Local Limits?; When to Set/Revise Local Limits?; What do Local
50 Limits Protect?; How are Local Limits Developed?; Preliminary Data Collection;
51 Development of a Sampling Plan; Determining Pollutants of Concern; Compiling Data;
52 Calculating Local Limits; SGRWRF Local Limits; and What is Next?.

53
54 Water Services Director Scott Taylor explained the state has studied the Virgin River
55 and determined how much contaminates it can handle. Mr. Morrison has figured how

1 much is contributed by residents and determined how much is available for industry.
2 Staff can allocate a concentration that facilities can discharge.
3

4 Mr. Morrison advised that prior to the next meeting, staff will send letters to each
5 industry to inform them and give them the opportunity to make comment.
6

7 Water Services Director Scott Taylor mentioned that the EPA is looking to change the
8 limits in the amount of mercury that can be discharged. Currently, this is not a
9 problem with the discharge from the treatment plant; however, it will be an issue for
10 dentists in the future.
11

12 **ADJOURN TO CLOSED SESSION:**

13 **MOTION:** A motion was made by Councilmember Hughes to adjourn to a closed
14 session to discuss property and litigation.

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

16 **VOTE:** Mayor Pike called for a roll call vote, as follows:
17

18 Councilmember Hughes – aye

19 Councilmember Randall – aye

20 Councilmember Bowcutt – aye
21

22 The vote was unanimous and the motion carried.
23

24 **ADJOURN:**

25 **MOTION:** A motion was made by Councilmember Randall to adjourn.

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

27 **VOTE:** Mayor Pike called for a vote, as follows:
28

29 Councilmember Hughes – aye

30 Councilmember Randall – aye

31 Councilmember Bowcutt – aye
32

33 The vote was unanimous and the motion carried.
34
35
36
37
38
39

40 _____
Christina Fernandez, City Recorder