

**ST. GEORGE CITY COUNCIL MINUTES  
REGULAR MEETING  
JANUARY 7, 2016, 5:00 P.M.  
CITY COUNCIL CHAMBERS**

**PRESENT:**

**Mayor Jon Pike  
Councilmember Jimmie Hughes  
Councilmember Michele Randall  
Councilmember Joe Bowcutt  
Councilmember Bette Arial  
Councilmember Ed Baca  
City Manager Gary Esplin  
City Attorney Shawn Guzman  
Deputy City Recorder Annette Hansen**

**OPENING:**

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Councilmember Baca and the invocation was offered by Reverend Jimi Kestin.

Mayor Pike commented that there was a wonderful interfaith "Prayer over the City" event that took place on New Year's Day. He mentioned that there was excellent attendance and felt like the event was a great success.

Mayor Pike read and signed a Proclamation declaring the month of January as Remembrance Month in the City of St. George. Upon signing he presented it to Nina Heck who Mayor Pike mentioned has put lot of work into putting this together. Ms. Heck explained the reason for this proclamation is to implement a special time to honor and remember all those who have passed away. She stated that there is a candlelight vigil scheduled on January 25 at 6:00 pm and there will be speakers, along with grief counselors, and representatives from different faiths participating. This event is planning on being held at Hughes Mortuary and the entire community is invited to attend what she hopes to make an annual event.

Mayor Pike also mentioned that with Gil Almquist leaving the Council there becomes a vacancy and a need to appoint a new Mayor ProTem to stand in for the Mayor when he is unavailable and he suggested nominating Councilmember Hughes for this position.

**MOTION:** A motion was made by Councilmember Bowcutt to appoint Councilmember Hughes as Mayor ProTem.

**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  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**COMMENTS FROM THE PUBLIC:**

Mayor Pike then opened the meeting to the public for comments.

St. George City resident Bob Hart addressed the Council and handed them each a flyer in regards to the BluCan Project. He explained that he has lived in St. George as a full time resident since 2013. He commented that he was impressed with the management of the City and the pride that they take in keeping this a beautiful place to live. He thanked the Council for bringing the BluCan recycling program to the City. He expressed his concern with the city not making this mandatory for all residents because he has noticed that many people have opted out of this program which he felt was unfortunate. Mayor Pike stated that when adding services to the public utilities bills it is always a tough call to make, but felt with a large portion of the population in the area of part time residents that it would not be feasible for some to participate in this program. He thanked Mr. Hart and appreciated his concern and feedback.

Sun River resident Michael McFarland addressed the Council in regards to issues he has seen that need to be addressed at Sun River. He mentioned that the residents of Sun River retirement community generate around 10 million dollars for the city and they don't require much as far as city services go other than emergency services, as there are no public parks or schools in the area. He mentioned that there was a need to have city maintenance crews come out there more often, and he told of an area at the Angel Arch bridge where a friend of his tripped and fell and broke some ribs due to what he felt was lack of maintenance of the area. He also mentioned the need to have the sidewalks looked at, as many of them have settled and he feels are a danger to residents because of the uneven surfaces. He also mentioned the need to have public transportation out to Sun River, as many of the residents are elderly and could use the service. He also mentioned the need to see more police regularly patrolling the area.

Mayor Pike mentioned that he would love to see transit services expanded to that area, but this particular service is subsidized heavily by the Federal government and because of the numbers and funding issues it is too costly to do so. He hopes to be able to find a way to do this at some time in the near future.

Councilmember Baca mentioned that it is important for all citizens to be the eyes and ears of the community and encouraged all citizens to report any concerns that they may have to either the police department or the city.

Mayor Pike thanked Mr. McFarland for his input and assured him that his concerns would be addressed by Council and staff.

**AWARD OF BID:**

**Consider award of bid for a 60' Bucket XT Pro for the Parks Division.**

City Purchasing Manager Connie Hood presented the bid for a bucket that will be placed on the Parks department Freightliner Chassis Cab Forestry truck. She request to award to the only responsive bidder, FEVA-Utility Source Company for the amount of \$80,228.00, which was under the current budget price for this item.

**MOTION:** A motion was made by Councilmember Randall to award the bid for a 60' Bucket XT Pro to FEVA-Utility Source Company for the amount of \$80,228.00.

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

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

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

Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**AWARD OF BID:**

**Consider award of bid for a chassis cab for a 60' bucket truck for the Parks Division.**

City Purchasing Manager Connie Hood presented the bid for a chassis cab for a 60' bucket truck for the parks division. She mentioned that this is the cab that goes along with the previously approved bucket attachment. She requested that the bid be awarded to Freightliner of Utah off the State contract bid MA1460 for the amount of \$73,089.00, which was under the budgeted amount for this item.

**MOTION:** A motion was made by Councilmember Hughes to award the bid for a chassis cab for a 60' bucket truck to Freightliner of Utah for the amount of \$73,089.00.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**AWARD OF BID:**

**Consider award of bid for the Millcreek Park playground equipment.**

City Purchasing Manager Connie Hood presented the bid for the Millcreek Park playground equipment. City Manager Gary Esplin explained that the park planning division solicited a Request for Qualifications (RFQ) for playground equipment for the Millcreek Park on February 2, 2015. Park planning, in coordination with the design consultant MGB+A, were seeking an innovative and creative design to fit the location and provide a high play value with a specific budget. There were a total of six (6) design proposals. Each were reviewed and ranked by both Park Planning staff and MGB+A and the design by Play Space Design was chosen for the project. The play equipment includes rope style climbing structures as well as a rubberized surfacing under the playground.

Councilmember Hughes asked about the time frame in the building of this park. It was stated that they hope to be able to begin within the next few weeks.

Councilmember Baca asked if the shade was included in this project, park planner Millie Cockerill stated that is was not.

**MOTION:** A motion was made by Councilmember Arial to award the bid for the Millcreek Park playground equipment to KOMPAN Play Space Design for the amount of \$200,000.00.

**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  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**AUDIT REPORT FISCAL YEAR ENDED JUNE 30, 2015:**

**Presentation of the audit report for the Fiscal Year ended June 30, 2015.**

Steve Palmer with Hinton Burdick CPA's presented the 2014-15 fiscal year audit. He mentioned that they encountered a few challenges with the retirement of Philip Peterson, but Tiffany LaJoyce did an excellent job as his replacement and he commended her for her help and efforts. He also mentioned that this past year that the Governmental Accounting Standards had changed and with that change came a greater amount of disclosure needed. Mr. Palmer then read off the findings and stated that it was the opinion of their firm that the City has presented all their financial documents in a legal and fair fashion and have complied and submitted all the required reports. He stated that all the departments and employees he worked with were very cooperative and accommodating.

Mayor Pike thanked Mr. Palmer for his patience and appreciated all the hard work gone into completing this audit. Mayor Pike also commended Tiffany LaJoyce, Deanna Brklacich and Aaron Olsen for their hard work and many hours spent in helping this audit run as smoothly as possible.

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

**Public hearing to consider a zone change amendment to change the Desert Canyons Planned Development Master Plan from PD-8 to R-1-10 on 5.96 acres located at approximately Rim Runner Drive and Church Rocks Drive (east of Deserts Edge Phase 1). Development Solutions Group, applicant.**

Planning and Zoning Manager John Willis presented the zone change as outlined in the Council packet. He explained that the developer is revising the Desert Canyons Master Plan in order to reflect how they anticipate development to occur in the area.

Mayor Pike opened the meeting to public hearing for comments, hearing none he closed the public hearing.

**MOTION:** A motion was made by Councilmember Hughes to approve the Ordinance amending the city zoning map for Desert Canyons Planned Development Master Plan from PD-8 to R-1-10 on approximately 5.96 acres.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

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

**Public hearing to consider rezoning 3.64 acres from R-1-10 to PD-C for Boulder Creek Commons North and 13 acres from R-1-10 to PD-C for Boulder Creek Commons South; properties are located north and south of 1450 South Street and River Road. Shefco LLC, applicant.**

City Planner Ray Snyder presented the zone change request to the Council as outlined in the Council packet. He explained that this is a request to rezone to PD-C on the north and south side of 1450 south. This zone change includes a request for approval of the conceptual layout with an additional change of the applicant's that was added to the packet to remove a deceleration lane because the area is not owned by the applicant. He showed the Council the change that was made. (North & South), the written text and the use list as submitted for the total area of 16.64 acres. Conceptual building elevations have been provided, however each building will require City Council approval. He stated that the Planning Commission recommended approval of the zone change with conditions as outlined in the Council packet.

Applicant Mike Sheffield addressed the Council. He pointed out the section on the plan that was marked "future development undetermined" and stated that this parcel was no longer included in the proposal because they were hopeful at one point to attain that, but they were unable to so they revised their plan to exclude this section.

Mayor Pike then opened the meeting to the public hearing.

Resident Laurie Kocinski-Puchlik addressed the Council and thanked them for the recent installation of the traffic light at the Boulders/ St. James/River Road intersection. She stated that it has greatly enhanced transportation and safety in that area. She also commended them on the completion of the Mall Drive Bridge, as it makes it much more palpable to neighbors of commercial developments such as the one being proposed as it addressed traffic concerns. She expressed her appreciation to City staff for their patience, professionalism, and willingness to work with her and others and address her concerns as she presented them. She stated that, in general she is in favor of approval of the zone change with a few exceptions made by Council. She asked that City Planner Ray Snyder show the conceptual site plan and pointed out the "future development undetermined" section of the plan. She expressed concern for the future of this section of development as she felt strongly that it should not become an "orphaned" piece of land and that it won't automatically become a commercial zone due to the zoning changes made around it, as it is adjacent to a residential zone. She stated that good planning is when you have two zones that are incompatible such as this with higher density commercial up against lower density residential, that there be a buffer zone between the two. She suggested something like professional office space. She asked the Council for some reassurance that this area of the conceptual plan will not automatically become commercial.

Her second concern addressed was in regards to the use list for the development. She stated that currently the use list allows for 56 specific retail services with a potential for more that are not possibly listed there. She asked that only one of those uses is eliminated from the list that she felt would have the most significant and detrimental impact on the area, and that was the elimination of the drive-thru fast food restaurant use. She pointed out that her main concern is just for the Boulder Creek Commons South area only. She pointed out that on the conceptual plan there are currently 7 stand-alone pads which are designed for drive-thru/restaurants in that commercial area. She felt like this would be the equivalent of a drive-thru fast food court. She expressed deep concern for the quality of business tenants that would locate to the area if this were to happen, as she felt that is was a real probability. She mentioned that the in the narrative text of the developers application he states that "the goal is to provide an environment that is upscale, timeless and inviting for long tern appeal. She thought the pictures the developer presented show that nicely and applauded this goal and agreed with this goal. However, she stated that the

conceptual site plan and use list have the potential to deviate far from this goal, and in her mind she doesn't equate "upscale, timeless, and long term appeal" to a concentration of fast food drive thru restaurants. She presented statistics on numbers of cars that frequent drive-thrus a day and pointed out the many adverse effects it would have on the area such as air quality, increased traffic, and its proximity to the adjacent residential area. She thanked the Council for their time and asked that they seriously address these concerns before making a decision.

Resident Hal Hickman addressed the Council with his concerns with the residential area of the Villas that is adjacent to the proposed commercial area and the "future development undetermined" area not be included in the zone change because it still shows as residential on the General Plan and he feels that it should remain so. He made the point that if this was included in the zone change to commercial it would cut off residential access to the area of the Villas and he and many other residents are highly opposed to this. He also expressed concerns about not receiving the proper notice for the zone change and said that he called neighbors and they said did not receive notice either. Staff assured Mr. Hickman that notice was indeed sent out at least 10 days prior to the meeting. Council discussed the boundary lines that were concerning Mr. Hickman and City Manager Gary Esplin stated that the

Council did have the option of excluding this portion from the zone change if they wanted to.

Resident Jinx Dabney addressed the Council with his noticing concerns. He stated that this was not the first time there was a problem with noticing regarding this development and he felt that the Council should be aware that there is a problem and that something needs to be done about it.

Mike Sheffield addressed the Council. He stated that he had no idea that individuals did not receive notice letters and assured those present that it had nothing to do with their process, as all noticing is handled by the City.

City Manager Gary Esplin remarked that staff indeed did send out all notices required by law to residents within 500 feet of this development, and in fact they went beyond that requirement by a couple hundred feet just to make sure public was aware. Why some residents didn't receive notice and some did is not known, but he reiterated that the City and its staff did everything required and in no way tried to inhibit public opinion or participation in this issue.

Mike Sheffield addressed the area marked "future development undetermined" and the concern of what it would be. The master plan currently talks about this area being commercial development on the northern portion of this location. He stated that the area was determined to go along the property lines of the adjacent owner and thought it would make this area contiguous to the intent. He mentioned that this area was approved by engineers and the without any complaints. He also stated that it's marked as "future development undetermined" because it is just that. They honestly do not know if they will develop this area commercially or residentially, it would depend on supply and demand. So to say that it would be set in stone as commercial would be inaccurate. Councilmember Hughes asked how many acres this mentioned area contains. Mr. Sheffield stated it is about 5 1/2 to 6 acres.

Councilmember Bowcutt asked Mr. Sheffield if the Council were to put a stipulation on the number of drive-thru restaurants, would that impede his commercial plans significantly.

Mr. Sheffield stated that when they commissioned the traffic study they asked that the worst case scenario be presented so that they would be overly cautious in their numbers. In their opinion and that of the traffic engineer, this is sufficient for the needs. He mentioned that although there are obviously those here today that do not want these types of

businesses in this location, he has had contact with numerous people who are excited to have these businesses in this location. They want to provide what the people want. Don't intend to have 7 but show that many to provide options for future businesses who wish to locate there.

City Manager Gary Esplin explained that the Council would be within their rights to exclude the portion of land discussed from the zone change, as it has been stated that this area is not part of the development plan at this point. He also expressed his concerns with the access to The Villas through this area. He mentioned that although it has not been done before, they could also limit the number of uses in the commercial development if they wanted to.

Resident Mike Vissar addressed the Council and stated that he represents several fast food companies interested in this location, some drive-thrus and some not. All are concerned with the number of drive-thrus proposed and stated that nobody he works with commercially wants to see 7 drive-thrus in this area. It isn't economically sound. He stated that he lives within 3 miles of this area and he wouldn't want to see the area any more congested than it is either due to a high concentration of fast food drive-thrus.

Hearing no further comment, Mayor Pike closed the Public Hearing portion of the meeting.

Council discussed the different options and legalities of excluding portions of land from the proposal. The portion in question was discussed at length and it was determined by Council that they would exclude this portion due to the discussions and concerns brought up. Council also discussed the legal options of limiting the number of drive-thru fast food restaurants. Mr. Sheffield mentioned that if the Council were to do this, he would prefer that they not go below 4.

The issue of traffic and median installation was discussed at length and it was stated that planning was already in the works for that in this location.

**MOTION:** A motion was made by Councilmember Hughes to approve the zone change from R1-10 to PD-C with the following changes: That the property line come across from the south end of the cul-de-sac straight across to the northeast corner of river road as outlined on the City's General Plan map; and that the number of restaurant, fast food drive-thrus on the south side of 1450 be limited to three (3), along with the other conditions as outlined by the Planning Commission.

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

**DISCUSSION:** City Attorney Shawn Guzman wished to clarify the property line a bit more. The City General Plan map was reviewed and it was determined that the property line was from the south end of the cul-de-sac straight across to the northeast corner at river road.

Mayor Pike wished to clarify for the applicant that limiting the number of restaurant drive-thrus does not mean that they can't come back to the Council to ask for an amendment to increase the drive-thrus if needed in the future.

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

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

Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

Mayor Pike called for a 5 minute recess.

**CLASS C BEER LICENSE AND LOCAL CONSENT:**

**Consider approval of a Class C Beer License and Local Consent for the Twisted Noodle Café located at 20 North Main Street, #108. Cameron Payne, applicant.**

City Manager Gary Esplin explained that the previous restaurant had the same license, and the applicant meets all requirements.

**MOTION:** A motion was made by Councilmember Arial to approve the Class C Beer license and local consent for the Twisted Noodle Café.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**SET PUBLIC HEARINGS:**

City Planner Ray Snyder stated that at its meetings held on December 22, 2015, the Planning Commission recommended setting public hearings on January 21, 2016 to consider: 1) a zone change request to rezone approximately 4.62 acres located at the southeast intersection at 3589 South and 3000 East Street from A-1 (Agriculture) to R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size); 2) a zone change request to rezone approximately 3.614 acres located at the logical extension of Shady Springs Drive from M&G (Mining & Grazing) to R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size).

**MOTION:** A motion was made by Councilmember Bowcutt to set the public hearings for January 21, 2016 as requested by Planning Commission.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**FINAL PLAT:**

**Consider approval for final plat for Carey Lane Subdivision, a 15-lot residential subdivision located between Tuweap Drive and 2100 West Street at approximately 1900 north; zoning is R-1-10.**

Assistant Public Works Director Wes Jenkins presented the final plat as detailed in the packet.

**MOTION:** A motion was made by Councilmember Randall to approve the final plat for Carey Lane Subdivision as presented.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**FINAL PLAT:**

**Consider approval for a final plat for Meadow Valley Farms Phase 5, a 20-lot residential subdivision located at approximately 2420 East and 4040 South; zoning is RE-20.**

Assistant Public Works Director Wes Jenkins presented the final plat as detailed in the packet.

**MOTION:** A motion was made by Councilmember Hughes to approve the final plat for Meadow Valley Farms Phase 5 as presented.

**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  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**FINAL PLAT AMENDMENT:**

**Consider approval to amend the final plat for Gentry Lane Subdivision 2<sup>nd</sup> Amendment located at 2545 East 2960 South Circle; zoning is RE-12.5. The purpose of the amendment is adjust lot line between 23 and 24 home currently built on 23 too close to property line.**

Assistant Public Works Director Wes Jenkins presented the request as detailed in the packet.

**MOTION:** A motion was made by Councilmember Arial to approve the final plat for Gentry Lane Subdivision located at 2545 East 2960 South Circle as presented.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**LOT LINE ADJUSTMENT/SPLIT:**

**Consider approval for a Lot Line Split located at 55 East 200 North Street that extends through to 250 North Street.**

Assistant Public Works Director Wes Jenkins presented the adjustment as outlined in the packet. He explained the purpose for this lot split is to utilize property to its fullest by allowing a house to be built at the rear of the lot. In order to accomplish this, the lot needs to be split.

**MOTION:** A motion was made by Councilmember Hughes to approve the lot line adjustment at 55 East 200 North as presented.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**LOT LINE ADJUSTMENT/SPLIT:**

**Consider approval of a Lot Line Adjustment on commercial property located at the northwest corner of 400 East Street and Sunland Drive.**

Assistant Public Works Director Wes Jenkins presented the lot line adjustment as outlined in the packet. He explained that this was to adjust the current lot layout which included one big lot and one smaller lot to make them two lots of a more equal size.

**MOTION:** A motion was made by Councilmember Randall to approve the lot line adjustment as presented.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**PRELIMINARY PLAT:**

**Consider approval of the preliminary plat for a one (1) lot subdivision for the new St. George Elementary School.**

Assistant Public Works Director Wes Jenkins presented the proposal as outlined in the packet.

- MOTION:** A motion was made by Councilmember Randall to approve the preliminary plat for the St. George Elementary as presented.
- SECOND:** The motion was seconded by Councilmember Hughes.
- VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**PRELIMINARY PLAT:**

**Consider approval of a preliminary plat for a one (1) lot subdivision located at 2200 East and 450 South for the Grayhawk Apartment project.**

Assistant Public Works Director Wes Jenkins presented the preliminary plat for approval as outlined in the packet. He mentioned that a PD zone change was approved by the Planning Commission and City Council in 2015. The developer will be responsible to contribute to the cost of the future traffic signal at 2450 East and Riverside Drive as well as dedicate Dinosaur Crossing Drive along the property frontage with this plat and construct all of this drive along their frontage.

- MOTION:** A motion was made by Councilmember Arial to approve the preliminary plat for Grayhawk apartments as presented.
- SECOND:** The motion was seconded by Councilmember Baca.
- VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**PRELIMINARY PLAT AMENDMENT:**

**Consider approval a preliminary plat amendment for Red Cliffs Park located at Colorado Drive and 2200 East.**

Assistant Public Works Director Wes Jenkins presented the plat amendment as outlined in the packet. He explained that the amendment is to change 8 lots and 14 pads to 21 pads with limited common areas and mentioned that the density for this project would not increase with the proposed change. He also explained that the developer is proposing to use the 41 foot roadway cross-section allowed in the Hillside Overlay Zone and to eliminate the sidewalk on the one side of the road. Developer is also requesting that a 20 foot front yard setback for each dwelling unit with the garage setback at 25 feet.

Council discussed with developer James Sullivan about the reason for eliminating the sidewalk on one side of the street. Mr. Sullivan explained that due to driveway issues and road width in that area he felt it would be more in line with the developer's concept for this area.

**MOTION:** A motion was made by Councilmember Bowcutt to approve the preliminary plat amendment for the Red Cliffs Park as presented with approval for the developer to construct sidewalk on their preferred side of the roadway.

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

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

Councilmember Hughes - aye  
Councilmember Randall - aye  
Councilmember Bowcutt - aye  
Councilmember Arial - aye  
Councilmember Baca - aye

The vote was unanimous and the motion carried.

**ACKNOWLEDGEMENT OF NON CONFORMING USE AND AGREEMENT:**

**Consider approval an Acknowledgement of Nonconforming Use and Agreement for Construction of a barn on property adjacent to the Dixie Riding Club.**

Assistant Public Works Director Wes Jenkins presented the agreement as outlined in the packet. City Manager Gary Esplin explained that this concept fits in well with the intent of the area.

**MOTION:** A motion was made by Councilmember Hughes to approve the nonconforming use agreement for the construction of a barn on property adjacent to the Dixie Riding Club as presented.

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

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

Councilmember Hughes - aye  
Councilmember Randall - aye  
Councilmember Bowcutt - aye  
Councilmember Arial - aye  
Councilmember Baca - aye

The vote was unanimous and the motion carried.

**SERVICES AGREEMENT:**

**Consider approval of a services agreement for the Transit System Plan. Nelson/Nygaard Consulting Associates, applicant.**

City Manager Gary Esplin explained that this agreement will provide SunTran with recommendations to improve efficiency and coverage using the current number of bus routes. The plan will also provide recommendations for future phases of possible new bus routes and stop locations such as at Sun River as previously mentioned in public comments.

He also mentioned that this is a budgeted item, and that the Dixie MPO as agreed to participate in 49% of the cost of the plan or up to \$75,000.

**MOTION:** A motion was made by Councilmember Randall to approve the services agreement for the Transit System Plan as discussed.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

#### **AGREEMENT FOR REIMBURSEMENT OF COSTS BY THE DIXIE MPO:**

**Consider approval of an agreement for reimbursement of costs by the Dixie MPO.**

City Manager Gary Esplin explained that this agreement provides reimbursement to the City by the Dixie MPO (Metropolitan Planning Organization) of up to \$75,000 as mentioned previously.

**MOTION:** A motion was made by Councilmember Hughes to approve the agreement for reimbursement of costs by the Dixie MPO and authorizing the Mayor to sign the agreement.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

#### **REPORTS FROM MAYOR, COUNCILMEMBERS AND CITY MANAGER:**

City Manager Gary Esplin explained that City Attorney Shawn Guzman has been negotiating with the businesses at the eastern Red Hills Parkway between Middleton and the freeway regarding billboards being blocked by city vegetation. According to State law, this is not legal and the City needs to either cut the trees down or allow them to raise their signs.

Councilmembers discussed this issue and the different legal options. City Attorney Guzman stated that he would continue to follow up with this issue and bring to Council any actions needed by them.

City Attorney Shawn Guzman asked for the approval of the Public Official Bonds as required by State law and ordinance that the Mayor approves the Councilmembers bonds, and the

Councilmembers approve the Mayor's bond. He explained that this only involves any newly elected or re-elected Councilmembers; all other bonds are still in effect.

**MOTION:** A motion was made by Councilmember Hughes to approve the \$10,000 Public Officials Bond for Mayor Jonathan T. Pike.

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

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

Councilmember Hughes - aye  
Councilmember Randall - aye  
Councilmember Bowcutt - aye  
Councilmember Arial - aye  
Councilmember Baca - aye

The vote was unanimous and the motion carried.

Mayor Pike then wished to officially approve the bonds of all five Councilmembers.

Councilmember Arial mentioned that the Art Around the Corner has received notice that the sculptor of the guitar that was previously displayed on the round-about on Main and Tabernacle, would like to display it once again within the city if there is a place to display it. Mayor Pike and Councilmembers welcomed the idea, and Mayor Pike asked that Councilmember Arial have the Arts Commission make recommendations as to where they would like to have it displayed and bring those recommendations back to the Council.

Mayor Pike stated that he would like to state on record the assignments of Councilmembers on Boards and Committees. He mentioned that although some of the boards are not necessarily City sponsored, it is good to have City representation on those boards. He also stated that all Councilmembers will be appointed to the Solid Waste Board and may have to make formal motions to that appointment at a later time if needed. He asked that each Councilmember be assigned a specific City department and get to know the staff and workings or concerns of that department. He read the board appointments and City department assignments as follows:

Councilmember Hughes: Animal Shelter, Flood Control, Housing Authority, Local Homeless Coordinating Committee, MPO and the Solid Waste Board. City Department: Water & Energy

Councilmember Randall: Lower Virgin River Fuels & Fire Board, Shade Tree Board, Solid Waste Board, Veterans Advisory Commission, Doctors Volunteer Clinic, Solid Waste Board and mentioned another he was looking into but unsure of, the Community Education Channel Board. City Department: Police & Fire

Councilmember Bowcutt: Red Hills Golf Course Clubhouse Ad Hoc Committee, Planning Commission, Snow Canyon Joint Management Commission, Solid Waste Board and Airport Board. City Department: Public Works

Councilmember Arial: Art Around the Corner, Arts Commission, Art Museum Board, Historic Preservation Commission, MPO, Dixie Center Board, Children's Museum Board and Solid Waste Board. City Department: Arts

Councilmember Baca: Air Quality Task Force, Dinosaur Track Advisory Board, Flood Control Board, Hillside Review Board, Mosquito Abatement and Solid Waste Board. City Department: Leisure Services

**ADJOURN TO CLOSED SESSION:**

**MOTION:** A motion was made by Councilmember Baca to adjourn to a closed session to discuss proposed property purchases and sale.  
**SECOND:** The motion was seconded by Councilmember Randall.  
**VOTE:** Mayor Pike called for a roll call vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**RECONVENE AND ADJOURN:**

**MOTION:** A motion was made by Councilmember Randall to reconvene the meeting and adjourn.  
**SECOND:** The motion was seconded by Councilmember Arial.  
**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

Meeting was adjourned at 9:23 PM.

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Annette Hansen, Deputy City Recorder