

**ST. GEORGE CITY COUNCIL MINUTES  
REGULAR MEETING  
MARCH 3, 2016, 5:00 P.M.  
CITY COUNCIL CHAMBERS**

**PRESENT:**

**Mayor Jon Pike  
Councilmember Jimmie Hughes  
Councilmember Michele Randall  
Councilmember Ed Baca  
City Manager Gary Esplin  
City Attorney Shawn Guzman  
City Recorder Christina Fernandez**

**EXCUSED:**

**Councilmember Joe Bowcutt  
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 City Attorney Shawn Guzman and the invocation was offered By Carmella Fitzpatrick with the Unity Center for Positive Living.

Mayor Pike mentioned that the Dixie Elks Lodge recently donated a check for \$8,000 to the All Abilities Park so that 320 disabled children can have their handprints at the Park.

Mayor Pike asked the University of Utah Master's Social Work Program students to come forward.

The students introduced themselves and explained that they are in the Distance Program. One of the students explained that the program is a 2-year program with an emphasis on mental health.

Mayor Pike mentioned that Councilmembers Arial and Bowcutt are out of town as they are heading to Washington, DC for a national convention. Since a unanimous vote will be required, staff contacted some of the applicants who have rescheduled their item.

**COMMENTS FROM THE PUBLIC:**

Resident Mark Woodbury mentioned that on January 29, he sent an appeal to the Review Board. He read his letter which stated that when he tried to opt out, the website was not available. The Review Board denied his appeal. He mentioned notices on the bottom of the utility bills – he did not see a notice about the recycling program.

Mayor Pike showed Mr. Woodbury a sample of the envelope and the back of the utility bill which showed the notice of the recycling program and the opt out period being September 2, 2015 – October 31, 2015. He asked Mr. Woodbury to look at the bills for August and September to see if the notice was on the back. If the board missed something, he suggests the appeal be reconsidered. He outlined the advertisements regarding the recycling program and explained that the reason for the recycling program is to lengthen the life of the landfill. Glass cannot be put in the BluCan; however, they can still be recycled using the binnies. The binnies at Harmon's were recently removed and Lins removed them before the BluCan program started.

City Manager Gary Esplin advised that items 2K and 2L will be removed from tonight's agenda.

**AWARD OF BID:**

**Consider award of bid for the Biosolids roof replacement project.**

City Manager Gary Esplin reminded the Council that the roof collapsed at the Wastewater Treatment Plant. Only one bid was received.

Purchasing Manager Connie Hood advised the bid was from Hughes General Contractors in the amount of \$288,100. Some of the contractors called to say they didn't respond because they are too busy at this time.

**MOTION:** A motion was made by Councilmember Randall to approve the contract with Hughes Contracting for the Biosolids roof in the amount of \$288,100.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**PROFESSIONAL SERVICES CONTRACT:**

**Consider approval of a professional services contract with Bowen Collin & Associates for the Commerce Drive Road project.**

City Manager Gary Esplin explained the professional services contract is for Commerce Drive. The Council previously discussed connecting Little Valley to Commerce Drive across the Ft. Pierce Wash. This is a critical part of the transportation plan. The contract would be for Bowen Collins to design the roadway and culvert crossing.

Purchasing Manager Connie Hood advised the amount of the contract is \$130,244.

**MOTION:** A motion was made by Councilmember Hughes to award the contract to Bowen Collins in the amount of \$130,244.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**AWARD OF BID:**

**Consider award of bid for testing, water sampling and reports for remediation of Wastewater Treatment Plant tank.**

City Manager Gary Esplin stated this contract is for the remediation of the Wastewater Treatment Plant tank. He explained that Stantec will be providing the services and is required under the state program.

Purchasing Manager Connie Hood advised the amount is not to exceed \$38,150.

**MOTION:** A motion was made by Councilmember Hughes to award the bid for the water sampling testing to Stantec, not to exceed \$38,150.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**AWARD OF BID:**

**Consider award of bid for furniture for the Energy Services Control building.**

City Manager Gary Esplin explained the furniture is for the new Energy Services control building. Only one bid was received.

Purchasing Manager Connie Hood explained this is a custom design; staff looked for vendors who can supply this and only found two. The amount for the modular furniture and installation is \$43,925.60. Additionally, Southern Utah Office Machines & Supplies will be providing items that are not custom. The total cost for all items \$66,051.66.

**MOTION:** A motion was made by Councilmember Randall to approve the bid for furniture and the fixtures to Right Line and Southern Utah Office Machines & Supplies in the amount of \$66,051.66

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**AWARD OF BID:**

**Consider award of bid for traffic signal construction at Dixie Drive and 1600 South.**

City Manager Gary Esplin advised this bid is for installation of the traffic signal at Dixie Drive and 1600 South. This will be the connection to Plantations Drive as well as the connection with the Cemetery and the All Abilities Park. The low bid was \$106,922.05.

Purchasing Manager Connie Hood stated the low bidder was Interstate Rock Products.

**MOTION:** A motion was made by Councilmember Hughes to award the bid to Interstate Rock Products for the traffic signal at Dixie Drive and 1600 South in the amount of \$106,922.05.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**AWARD OF BID:**

**Consider award of bid for the City Commons Building re-roofing project.**

City Manager Gary Esplin explained this item is included in the current budget.

Purchasing Manager Connie Hood advised three formal bids received; Heritage Roofing was the low bidder at \$112,734.

**MOTION:** A motion was made by Councilmember Randall to approve the bid for the re-roofing of the City Commons building to Heritage Roofing in the amount of \$112,734.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

Councilmember Jimmie Hughes noted the other bids were quite a bit higher.

**AWARD OF BID:**

**Consider award of bid for the River Road/Ft. Pierce Bridge and roadway widening project.**

City Manager Gary Esplin stated that the next three items are for the River Road project and are included in the current budget.

Purchasing Manager Connie Hood advised that Interstate Rock Products was the low bidder at 2,891,673.30. There were quite a few bidders, some of which were really close.

Mayor Pike read what is included in the project as follows: installation of a new bridge, roadway widening that includes curb and gutter, sidewalk, drainage structures and pipe and a traffic signal at River Road and Horseman Park Drive.

Purchasing Manager Connie Hood explained that the engineers estimate was \$3,703,775.

**MOTION:** A motion was made by Councilmember Randall to award the bid to Interstate Rock Products to complete the River Road/Ft. Pierce Bridge and roadway project in the amount of \$2,891,673.30.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**AWARD OF CONTRACT:**

**Consider award of contract for construction management services for the River Road/Ft. Pierce Bridge and roadway widening project.**

City Manager Gary Esplin explained this contract is for the construction management services. The recommendation is to use Jviation who did the design work.

Purchasing Manager Connie Hood advised the amount of the contract is \$234,600.

**MOTION:** A motion was made by Councilmember Hughes to approve the construction management services for the River Road/Ft. Pierce Bridge and roadway widening project with Jviation in the amount of \$234,600.

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

Mayor Pike mentioned that the item it also includes public outreach so residents know what is going on.

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**AWARD OF BID:**

**Consider award of contract for testing services for the River Road/Ft. Pierce Bridge and roadway widening project.**

City Manager Gary Esplin stated part of the project is testing of the material being put in. It is recommended to award the contract to Landmark.

Purchasing Manager Connie Hood advised the amount of the contract is \$25,325.

**MOTION:** A motion was made by Councilmember Hughes to award the testing contract to Landmark Testing and Engineering in the amount of \$25,325.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**AWARD OF BID:**

**Consider award of bid for Millcreek Park.**

City Manager Gary Esplin explained the City has been waiting on federal approval to build the park. The project is included in the current budget.

Purchasing Manager Connie Hood mentioned who the other bidders were. The low bidder was JP Excavating at \$609,081.54

**MOTION:** A motion was made by Councilmember Randall to approve the bid JP Excavating for Millcreek Park in the amount of \$609,081.54.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**AWARD OF BID:**

**Consider award of bid for the All Abilities Park treehouse and fort.**

City Manager Gary Esplin explained that the next two items are for the All Abilities Park and should be subject to the City Manager seeing that the funds are within the approved budget.

Parks Planner Mark Goble showed a map of the park and where the treehouse and fort will be located. There are two openings in the volcano where visitors will be able to access the playground. He then showed photos of the structures included in the proposal. The fort has a stainless steel slide because plastic slides interfere with cochlear implants. He then showed a spreadsheet outlining the RFP Rating. Staff's recommendation is award the bid to Great Western.

Mayor Pike mentioned that although fundraising efforts are going well, there is still a need for additional donations.

**MOTION:** A motion was made by Councilmember Randall to award the bid to Great Western Park and Playground for the All Abilities Park treehouse and fort in the amount of \$229,975, subject to the City Manager making sure the funds are within the proposed budget.

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

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

Councilmember Hughes – aye

Councilmember Randall - aye

Councilmember Baca – aye

The vote was unanimous and the motion carried.

**AWARD OF BID:**

**Consider award of bid for the All Abilities Park playground; playground surfacing.**

Parks Planner Mark Goble presented a PowerPoint presentation covering the following topics: Playground Surfacing; Surfaceplay/Nottsport Surfacing; Surfaceplay/Nottsport Surfacing Silkwood Park 2015; Surfaceplay/Nottsport Surfacing Silkwood Park 2016; Surfaceplay/Nottsport Surfacing Lifecycle Comparison; and RFP Rating.

**MOTION:** A motion was made by Councilmember Hughes to approve the bid for the All Abilities Park playground surfacing to Sontagg Recreation in the amount of \$249,866.40.

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

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

Councilmember Hughes – aye

Councilmember Randall - aye

Councilmember Baca – aye

The vote was unanimous and the motion carried.

City Manager Gary Esplin mentioned that the 450 North project will be rescheduled at the request of the applicant. It was going to be heard tonight; however, the applicant chose to wait since there were only three Councilmembers present.

**BOND RESOLUTION:**

**Consideration for adoption of a resolution of the City Council of the City of St. George City, Utah, authorizing the issuance and sale of not more than \$65,000,000 aggregate principal amount of electric revenue refunding bonds, Series 2016 and related matters.**

City Manager Gary Esplin advised the Council approved electric revenue refunding bond at \$51 million recently. There are two bonds for the Millcreek Generation Plant. Direct Placement bonds can be refunded if the market holds. The market lost ground in the past two weeks; but still in a good spot. The bond is higher because the City may have to provide a debt reserve fund. Additional bonds are not being issued. The City may be able to obtain bond insurance, if that is successful, the debt reserve fund will not be necessary.

**MOTION:** A motion was made by Councilmember Hughes to approve the resolution refunding the bonds not more than \$65,000,000 for the electric revenue bonds.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**ADJOURN TO THE NEIGHBORHOOD REDEVELOPMENT AGENCY MEETING:**

**MOTION:** A motion was made by Councilmember Baca to adjourn to the Neighborhood Redevelopment Agency meeting.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

The City Council meeting reconvened after the Neighborhood Redevelopment Agency meeting.

**ADOPT THE CENTRAL BUSINESS DISTRICT COMMUNITY DEVELOPMENT PROJECT AREA PLAN/ORDINANCE:**

**Consider approval of an ordinance adopting the Central Business District Community Development Project Area Plan, as approved by the Redevelopment Agency of the City of St. George, as the official Community Development Project Area Plan, and directing that notice be given.**

**MOTION:** A motion was made by Councilmember Randall to approve an ordinance adopting the Central Business District Community Development Project Area Plan.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye

Councilmember Baca – aye

The vote was unanimous and the motion carried.

**ADOPT THE MILLCREEK COMMUNITY DEVELOPMENT PROJECT AREA PLAN/ORDINANCE:  
Consider approval of an ordinance adopting the Millcreek Community  
Development Project Area Plan, as approved by the Redevelopment Agency of  
the City of St. George, as the official Community Development Project Area Plan,  
and directing that notice be given.**

**MOTION:** A motion was made by Councilmember Hughes to approve an ordinance adopting the Millcreek Community Development Project Area Plan.

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

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

Councilmember Hughes – aye

Councilmember Randall - aye

Councilmember Baca – aye

The vote was unanimous and the motion carried.

City Attorney Shawn Guzman noted that both of the ordinances included direction that notice be given.

**SET PUBLIC HEARINGS:**

Planner Ray Snyder stated that at their meeting held on February 23, 2016, the Planning Commission recommended setting public hearings on March 17, 2016 to consider: 1) A request to rezone approximately 12.36 acres generally located at 3025 South River Road from Open Space, R-1-10 and A-1 to Planned Development Commercial; 2) A request to amend the Planned Development Commercial on approximately 1.5 acres generally located at the northwest corner of River Road South and 1450 South Street to develop a Rite Aid Pharmacy; and 3) A request to amend the Hidden Valley Master Plan for a 4.77 acre commercial neighborhood development at the corner of Brigham Road and Desert Hills Drive.

**MOTION:** A motion was made by Councilmember Randall to set the public hearings for March 17, 2016.

Councilmember Baca commented that it is important to have the master sign plan on the agenda.

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

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

Councilmember Hughes – aye

Councilmember Randall - aye

Councilmember Baca – aye

The vote was unanimous and the motion carried.

**CONDITIONAL USE PERMIT:**

**Consider approval of a conditional use permit to construct a detached accessory structure 18' in height on property located at 2556 East 2300 South Circle.  
Dustin Dell, applicant.**

Planner Ray Snyder presented a PowerPoint presentation covering the following topics: reason for request; vicinity aerial map; site aerial map; photos – google maps; elevations; site plan; foot print and floor plan. He reviewed staff comments and the ordinance pertaining to residential accessory buildings. As part of the building permit process, the JUC will have to provide written approval. The property is an interior lot with frontage and access on 2300 South. According to the applicant, the garage will be for personal ATV, auto and RV storage. The proposed height is 18’ and will be constructed of materials similar to the home. No home occupation permit may be given for any business in the work shop or garage area. He then mentioned the findings of the Conditional Use Permit most of which are not applicable. The Planning Commission recommended approval.

**MOTION:** A motion was made by Councilmember Hughes to approve the conditional use permit to construct a detached accessory structure 18’ in height to include the conditions from staff including JUC approval.

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

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

Councilmember Hughes – aye

Councilmember Randall - aye

Councilmember Baca – aye

The vote was unanimous and the motion carried.

#### **CONDITIONAL USE PERMIT:**

**Consider approval of a conditional use permit to manage and operate a tattoo shop on property located at 987 South Bluff Street, Suite E. Matt Pehrson, applicant.**

Planning & Zoning Manager John Willis presented a PowerPoint presentation covering the following topics: aerial map; current zoning map; photo of the existing building; floor plan; sample of the applicant’s work. According to the applicant, three tattoo artists will be at the business which will be open from 12:00 – 8:00 p.m. Tuesday through Saturday. The Planning Commission recommended approving with the following conditions: 1) No smoke shop items shall be sold on the premises; and 2) Must obtain a city business license and applicable health and state licenses. Tattoo parlors are not permitted in Commercial zones unless a Conditional Use Permit is approved; they are permitted in M-1 zones.

**MOTION:** A motion was made by Councilmember Hughes to approve the conditional use permit for the Zion Tattoo Parlor in a C-3 zone.

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

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

Councilmember Hughes – aye

Councilmember Randall - aye

Councilmember Baca – aye

The vote was unanimous and the motion carried.

#### **EASEMENT VACATION/LOT LINE ADJUSTMENT:**

Assistant Public Works Director Wes Jenkins presented the request for a lot line adjustment on property located on the south side of Riverside Drive at approximately 2050 East; zoning is C-3. The purpose of the adjustment is to accommodate the construction of several commercial buildings. He showed maps of the proposed lot line adjustment.

**MOTION:** A motion was made by Councilmember Randall to approve the easement vacation/lot line adjustment on the commercial property located at 2050 East and Riverside Drive.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**AMENDED PRELIMINARY PLAT:**

Assistant Public Works Director Wes Jenkins presented the amended preliminary plat for Blackberry Court Phase 3 Amended, a 3-lot residential subdivision located along Blackberry Circle at approximately 750 North at approximately 1150 West; zoning is R-1-10. He showed the plat and explained that the developer believes the cul-de-sac needs to extend further to the west which extended the westerly property line further to the west. The applicant also owns the adjacent property.

**MOTION:** A motion was made by Councilmember Hughes to approve the amended preliminary plat for Blackberry Court Phase 3.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**PRELIMINARY PLAT:**

Assistant Public Works Director Wes Jenkins presented the preliminary plat for Desert Heights, a 51-lot residential subdivision located along the west side of Desert Edge Drive, north of Broken Mesa Drive and south of Rimrunner Drive; zoning is R-1-10. None of the roads extend to future development since there is a grade change. The developer would provide access from Rim Runner and at Broken Mesa Drive. Additionally, they are requesting lot size averaging as some of the lots will be below 10,000 sq. ft.

**MOTION:** A motion was made by Councilmember Hughes to approve the preliminary plat for Desert Heights.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**PRELIMINARY PLAT:**

Assistant Public Works Director Wes Jenkins presented the preliminary plat for Maple Estates, a 15-lot residential subdivision located at 3000 East and 3580 South; zoning is R-1-10. He showed and reviewed the plat. The developer is proposing lot size averaging. Since lot 1 will be a double fronting lot along 3000 East, it will require a landscape strips

and privacy wall along 3000 East. There are a couple of drainage areas the developer will need to route to around the development into a road to protect the homes.

**MOTION:** A motion was made by Councilmember Randall to approve the preliminary plat for Maple Estates.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

**APPOINTMENT:**

Mayor Pike recommended appointing Larry Stevens to the Sign Review Board.

**MOTION:** A motion was made by Councilmember Randall to appoint Larry Stevens to the Sign Review Board.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.

Mayor Pike commented that January was a great month in terms of water; however, February wasn't so good.

**ADJOURN TO CLOSED SESSION:**

**MOTION:** A motion was made by Councilmember Randall to discuss litigation.

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

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

Councilmember Hughes – aye  
Councilmember Randall - 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 and adjourn.

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

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

Councilmember Hughes – aye  
Councilmember Randall - aye  
Councilmember Baca – aye

The vote was unanimous and the motion carried.