

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
DECEMBER 6, 2018, 5:00 PM
CITY COUNCIL CHAMBERS**

PRESENT:

**Mayor Jon Pike
Councilmember Jimmie Hughes
Councilmember Michele Randall
Councilmember Joe Bowcutt
Councilmember Bette Arial
Councilmember Ed Baca
City Manager Adam Lenhard
City Attorney Shawn Guzman
City Recorder Christina Fernandez**

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The invocation was offered by George Whitehead with the St. George Interfaith Council and The Pledge of Allegiance was led by Scouts.

Mayor Pike introduced students Sara Jamison, Sally Sorenson, Nicholas Renstrom, and Whitney Thomas who attended Ibigawa, Japan on behalf of the City in conjunction with the St. George Marathon. Each of the students shared their experiences about the trip. Patrick Gasko noted he has been involved with student exchanges from Japan for about 30 years. Ibigawa is the only group that is done with a true exchange. He thanked the Mayor and Council, as well as Marathon staff, for their support. Employee Emilie Pinkelman spoke about her experience while in Ibigawa.

Mayor Pike introduced Kyle Case with the Huntsman World Senior Games who thanked the Mayor and Council for their support and outlined the 2018 statistics for the Games.

The Southern Utah University's acapella group, Red Harmony, performed for the Mayor and Council.

COMMENTS FROM THE PUBLIC:

No comments were given.

CONSENT CALENDAR:

- a. Consider approval of a Purchase and Sale Agreement for road right-of-way at Quarry Ridge Drive and 3670 South.**
- b. Consider approval of a Purchase and Sale Agreement for road right-of-way at Quarry Ridge Drive and 3670 South.**
- c. Consider approval of a Purchase and Sale Agreement for road right-of-way at Quarry Ridge Drive and 3670 South.**
- d. Consider approval of a Purchase and Sale Agreement for the purchase of a portion of future 2450 South and a portion of Crimson Cliffs Way.**

- e. Consider approval of a Lease Agreement between Gather at Town Square and the City for the Andrus home at 164 West 100 South.**
- f. Consider approval of a communications site lease agreement with Tri-Star Media for a 15' x 20' parcel of property near the Millcreek Power Generation Plant.**
- g. Consider approval of the financial report for October, 2018.**
- h. Consider approval to award bid to Trapp Construction for the Pioneer Park Loop Road project.**
- i. Consider approval of the minutes from the meetings held on September 27, 2018, October 18, 2018, October 25, 2018, November 1, 2018, November 15, 2018, and November 29, 2018.**

City Manager Adam Lenhard stated these items are administrative in nature and have been reviewed by staff after which he asked the Council if they would like to remove any of the items from the Consent Calendar to discuss, if not he suggested making a single motion to approve all of the items. He stated that item e has been pulled and will not be considered and the amount listed on the agenda for item h is incorrect, it should read \$144,871.50.

MOTION: A motion was made by Councilmember Arial to approve items on the consent calendar.

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.

COMPREHENSIVE ANNUAL FINANCIAL REPORT:

Presentation regarding the audited Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2018.

Administrative Services Director Trevor Coombs explained that no action is actually required. He then introduced Steve Palmer with Hinton Burdick.

Mr. Palmer highlighted the audit his firm has been conducting. They are nearly completed in the process; the report is due by the end of the calendar year. The independent auditor's report will show the City will receive a clean opinion on its financial statements. Additionally, there are no significant issues with regard to internal control over financial reporting and compliance. With regard to state legal

compliance matters there were two funds that went over budget slightly. The report for the federal single audit will have a clean opinion on the City's compliance.

PUBLIC HEARING/ORDINANCE:

Public hearing and consideration of an ordinance amending Title 1, Chapter 6, Article 5 of City Code pertaining to Compensation and Benefits for elected officials.

City Manager Adam Lenhard explained per section 10-3-818 Utah Code Annotated, the City Council is required to approve a compensation schedule for elected officials. This ordinance would set salaries for the Mayor and City Council. Salaries for elected officials have not been adjusted since 1996; currently the annual compensation for Councilmembers is \$12,000 and \$30,000 for Mayor. It is proposed to increase compensation to \$20,000 for Councilmember and \$50,000 for Mayor.

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

Mayor Pike commented that 22 years is a long time to not have an adjustment. It is not easy for the Council to give themselves a raise. This change is not only for the current Council, but for future Councils as well.

City Attorney Shawn Guzman noted that state law requires municipalities to set their salaries every year which will be done during the budget process.

Councilmember Baca commented that he believes things have been made right with employees who suffered during the recent recession.

MOTION: A motion was made by Councilmember Randall to approve the ordinance amending Title 1, Chapter 6, Article 5 of City Code.
SECOND: The motion was seconded by Councilmember Hughes.
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 and consideration of an ordinance changing the zone from C1 (Neighborhood Commercial) on 5.65 acres and C2 (Highway Commercial) on 2.36 acres to PD-C (Planned Development Commercial) on approximately 8.01 acres generally located on the northwest corner of the intersection of Snow Canyon Parkway and Dixie Downs Road and to approve the proposed use list.

Planner Ray Snyder presented the request to change the zone from C1 (Neighborhood Commercial) on 5.65 acres and C2 (Highway Commercial) on 2.36 acres to PD-C (Planned Development Commercial) on approximately 8.01 acres generally located on the northwest corner of the intersection of Snow Canyon Parkway and Dixie Downs Road and to approve the proposed use list. Previously the applicant requested a C-2 zone change on a portion of this property which was tabled by the City Council. The applicant has returned with a PD-C request with a use list. Each future project for consideration will require the submission of a Zone Change Amendment with a site plan, landscape plan, elevations, renderings, and color and materials board. He provided and outlined a PowerPoint presentation covering the following topics: vicinity map; zoning map; site plan; use list; zone change map; and Snow canyon Com PD-C map. He noted a letter sent in opposing the proposed zone change. The Planning Commission recommended approval.

Applicant Neal Walter explained they were here recently and after discussions they applied for a Planned Development Commercial zoning. The proposed use list they are recommending is substantially less than those approved in a C-2 use list. He noted the Planning Commission recommended changes to the uses for hospitality. He asked to keep hospitality as part of the approved list. He feels there is a need for hospitality on the west side. Additionally, he mentioned storage use was excluded; he noted it is not part of the application, but they have a specific user in mind. He asked the Council to think about how a storage use may look. The commercial uses they are looking at cater to neighborhood service and tourists travelling down Snow Canyon Parkway.

A discussion took place regarding the request for hospitality and height of a potential hotel. Mr. Walter commented that he is aware of concerns regarding buildings towering over residents and diminishing view. They are more than willing to accommodate residents are sensitive to their needs and concerns.

City Attorney Shawn Guzman noted with regard to height, the current Council can restrict it; however, a future Council can amend it.

After being asked by Councilmember Baca, Mr. Walter explained they have not yet contemplated all of the details. They are looking at the uses and trying to identify those the Council is not favorable to. When they say hospitality, they are thinking a smaller, boutique-style hotel.

Mayor Pike opened the public hearing.

Gary Free noted self-storage has changed over the years. He showed pictures of self-storage facilities in Washington County; these facilities are an excellent buffer.

Mayor Pike closed the public hearing.

Councilmember Hughes asked for clarification on the request.

Mr. Snyder clarified the request is to approve Planned Development Commercial. Although the Planning Commission lined through hospitality and storage on the use list; the applicant is requesting they be allowed.

Community Development Director John Willis stated the current ordinance allows for storage units to be 12' located behind a storefront.

MOTION: A motion was made by Councilmember Hughes to approve the ordinance changing the zone from C1 (Neighborhood Commercial) on and C2 (Highway Commercial to PD-C (Planned Development Commercial) on approximately 8.01 acres generally located on the northwest corner of the intersection of Snow Canyon Parkway and Dixie Downs Road and to approve the proposed use list shown, adding back in hospitality and storage with a restriction of 35' in height.

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 and consideration of an ordinance changing the zone from R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) to PD-C (Planned Development Commercial) for Prado Commercial on 2.31 acres located at the southwest corner of Dixie Drive and 600 West Street.

Planner Ray Snyder presented the request to change the zone from R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) to PD-C (Planned Development Commercial) for Prado Commercial on 2.31 acres located at the southwest corner of Dixie Drive and 600 West Street. The applicant is requesting a PD-C zone change in order to accommodate a commercial project. The request is a PD and per Section 10-8-6 of City code, the review includes the proposed commercial center's design, site plan, elevations, landscaping, and parking. He provided and outlined a PowerPoint presentation covering the following topics: use of land; vicinity map; general plan and zoning maps; photos of the area; ownership; photos; site plan; conceptual rendering; proposed buildings; colors & materials; existing roadway striping; and final layout with 7-lane build out on Dixie & 5-lane layout on 600 West.

A discussion took place regarding the request. There is a 20" waterline where the parking area would be. The applicant is requesting the right-of-way, owned by the City, to be abandoned. Assistant Public Works Director Wes Jenkins outlined the proposed widening of the roads in the area. Additionally, a discussion took place regarding potential issues exiting the proposed development.

City Manager Adam Lenhard explained along with the concerns, 600 West could undergo a massive reconfiguration as Tonaquint develops. He commented that he is concerned with the water line mentioned. It is not an average water line; it would right through the parking lot. If it needed to be repaired, it would shut the businesses down for a while.

Water Services Director Scott Taylor added this water line is unique. The parking lot is a good location, but it has a potential to make a big mess.

Mr. Jenkins noted without the City property, the development would not work for the property adjacent to Dixie Drive.

City Manager Adam Lenhard noted that he is worried; he believes a separate request should be considered as to whether or not the City would like to contribute this property. The Council can table the request and have staff work out the issues.

Councilmember Bowcutt commented that staff and the property owner need to agree on all of the issues prior to the Council changing the zone.

City Attorney Shawn Guzman asked staff if the parcel along 600 West can be independently approved. Mr. Willis replied yes.

Councilmember Hughes suggested to table the item after which he commented that he is against the proposal; it looks good on paper, but he feels it is too much. He does not want to see residential there either.

City Attorney Shawn Guzman advised that what comes back may be different; therefore, he suggested continuing the public hearing.

Councilmember Arial suggested denying the request rather than tabling it.

Applicant George Prado noted they are giving up land along Dixie Drive to accommodate the six (6) lanes. They have been working on this approval for over a year. To realign Dixie Drive would cost more money.

Kim Prado explained this property has been an eyesore for over 30 years; she believes it is time to update it. She believes commercial is the best use for the property. If traffic is the problem, she feels the City needs to step in. Her understanding is that the right-of-way was a dedicated roadway. Now that it is not being used as a roadway, they are asking it to be abandoned. She knows the water line is a concern; however, she met with Scott Taylor; she believed he was okay with the parking lot being over the line.

Mayor Pike opened the public hearing.

Resident Rob Price asked for clarification of what is being proposed and what the Planning Commission recommended.

Mayor Pike explained the request and stated that the Planning Commission recommended approval. He commented that someday, there will be something developed on this property. Right now, the general plan was changed contemplating commercial.

Resident Fred Dungan explained he has no problems with the development; however, he is concerned that the project be done prior to widening the roads. He feels there have not been many accidents at the round-a-bout due to the openness of the area.

Resident Terry Massoth noted he is concerned that 600 West is going to be 5-lanes, taking away part of the golf course. He would rather see this as residential or an extension of Thunder Junction or the golf course.

City Manager Adam Lenhard noted that two (2) comments received in opposition.

Mrs. Prado noted the Planning Commission put a night restriction on the proposal.

Mr. Snyder commented the Planning Commission recommended approval with conditions regarding lighting, but nothing about a sound wall.

Mayor Pike closed the public hearing.

Councilmember Randall commented that she likes the project and that she believes this property should be commercial; however, she is concerned with traffic and working out the property concerns with regard to the applicants wanting the City to give it to them. She noted that the City would request that the developer dedicate the right-of-way regardless.

Mayor Pike noted that he believes 600 West should be resolved concurrent with the project being built.

City Manager Adam Lenhard asked for guidance regarding the City divesting itself of the property.

City Attorney Shawn Guzman stated that City typically requires the developer to acquire property for a right-of-way in order to dedicate it to the City. This developer already owns the portion of the property that would be required to be dedicated for the right turn lane.

The Council briefly discussed whether or not they would be willing to sell the property. City Manager Adam Lenhard does not feel it would be wise to sell the property. He values what the planning staff has said.

Mayor Pike commented without the property sale, he does not feel the project works.

MOTION: A motion was made by Councilmember Arial to deny the request.
SECOND: The motion was seconded by Councilmember Hughes.
VOTE: Mayor Pike called for a roll call vote, as follows:

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

The motion carried.

Mayor Pike noted the applicant can propose a significant change before a year; if not, they can return for approval in a year.

PUBLIC HEARING/ZONE CHANGE/ORDINANCE:

Public hearing and consideration of an ordinance changing the zone from R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) to PD-R (Planned Development Residential) on approximately 0.80 acres located at 1757 and 1741 West Canyon View Drive.

Planner Carol Davidson presented the request to change the zone from R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) to PD-R (Planned Development Residential) on approximately 0.80 acres located at 1757 and 1741 West Canyon View Drive. The applicant's plan is to build two (2) twin homes on the two (2) existing lots for a total of four (4) dwelling units. Eventually, the four (4) dwelling units will be platted as four (4) separate lots for separate ownership. To create these units the applicant is requesting to change the zone to PD-R. He provided and outlined a PowerPoint presentation covering the following topics: aerial map; general plan map; zoning map; site plan; floor plans; elevations; renderings; materials board; photos of the area. The Planning Commission recommended approval based on a deed restriction limiting the development to two (2) units per property.

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

MOTION: A motion was made by Councilmember Randall to approve the ordinance changing the zone from R-1-10 to PD-R on approximately 0.80 acres located at 1757 and 1741 West Canyon View Drive.
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/VACATE A PORTION OF A POWER LINE EASEMENT/ORDINANCE:
Public hearing and consideration of an ordinance vacating a portion of an existing power line easement owned by the City of St. George that is no longer needed at approximately 1850 West Canyon View Drive.

Assistant Public Works Director Wes Jenkins presented the request to consider vacating an existing power line easement that is owned by the City of St. George and is no longer in use; zoning is PD-R (Planned Development Residential 5,000 SQ/FT minimum lot size). The easement encumbers existing property by running over the top of existing buildings; therefore, the property owner is requesting a portion of this easement be vacated to clear this encumbrance as there are no existing power lines in this easement. He showed the plat and outlined the proposed vacation.

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

MOTION: A motion was made by Councilmember Baca to approve the ordinance vacating a portion of an existing power line easement as presented.

SECOND: The motion was seconded by Councilmember Hughes.

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.

FINAL PLAT:
Consider approval of the final plat for Tuscan Hills Phase 4 Subdivision.

Assistant Public Works Director Wes Jenkins presented the final plat for Tuscan Hills Phase 4 Subdivision, a 14-lot residential subdivision located at 1310 West and 1690 South; zoning is PD-R (Planned Development Residential). He showed and outlined the final plat.

MOTION: A motion was made by Councilmember Randall to approve the final plat for Tuscan Hills Phase 4 Subdivision.

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.

AMENDED FINAL PLAT:

Consider approval of amending the final plat for Coral Desert Subdivision Phase 2 Amended and Extended.

Assistant Public Works Director Wes Jenkins presented the request to amend the final plat for Coral Desert Subdivision Phase 2 Amended and Extended. The subdivision is located at 1450 East at approximately 800 South; zoning is PD-C (Planned Development Commercial). The purpose of the amendment is to decrease the size of Lot 2, to add Lots 3 and 4, and to realign the public roadway. He showed the final plat and outlined the proposed amendments.

MOTION: A motion was made by Councilmember Arial to amend the final plat for Coral Desert Subdivision Phase 2 Amended and Extended.

City Attorney Shawn Guzman commented there needs to be further discussion regarding the alignment and the proposed trail to the south. Additionally, there is the completion of the roadway on both sides that staff believes the developer would be responsible for.

Mayor Pike asked Councilmember Arial to withdraw her motion and table the request.

Councilmember Arial withdrew her motion.

MOTION: A motion was made by Councilmember Arial to table the item
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.

AMENDED FINAL PLAT:

Consider approval of amending the final plat for Lot 63 of the Bloomington Hills No. 2 Subdivision Amended.

Assistant Public Works Director Wes Jenkins presented the request to amend the final plat for Lot 63 of the Bloomington Hills No. 2 Subdivision Amended. The property is located at 3073 South Ninebark Circle; zoning is R-1-8 (Single Family

Residential 8,000 sq. ft. minimum lot size). The purpose of this amendment is to subdivide Lot 63 into (2) lots. He showed the final plat and outlined the proposed amendments.

MOTION: A motion was made by Councilmember Randall to amend the final plat for Lot 63 of the Bloomington Hills No. 2 Subdivision Amended.

SECOND: The motion was seconded by Councilmember Baca.

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

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

The motion carried.

PRELIMINARY PLAT:

Consider approval of the preliminary plat for Mooreland Park Phases 3–9.

Assistant Public Works Director Wes Jenkins presented the preliminary plat for Mooreland Park Phase 3–9; a 131-unit residential subdivision located west of 3000 East, north of 1140 South; zoning is PD-R (Planning Development Residential). He showed and outlined the preliminary plat including the landscape strip and privacy wall.

MOTION: A motion was made by Councilmember Hughes to approve the preliminary plat for Mooreland Park Phases 3-9 with a landscape strip on the west side, along 2780 East.

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:

Consider approval of the preliminary plat for Woodland Townhomes.

Assistant Public Works Director Wes Jenkins presented the preliminary plat for Woodland Townhomes; a 173-unit townhome subdivision located at approximately 2780 East and Mall Drive; zoning is PD-R (Planning Development Residential). He showed and outlined the preliminary plat.

MOTION: A motion was made by Councilmember Hughes to approve the preliminary plat for Woodland Townhomes.
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:

Consider approval of the preliminary plat for Woodland Patio Homes.

Assistant Public Works Director Wes Jenkins presented the preliminary plat for Woodland Patio Homes; a 92-unit townhome subdivision located at approximately 2780 East and Mall Drive; zoning is PD-R (Planning Development Residential). He showed and outlined the preliminary plat.

MOTION: A motion was made by Councilmember Randall to approve the preliminary plat for Woodland Patio Homes.
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:

The Council discussed City boards and commissions.

Mayor Pike mentioned the Pearl Harbor event taking place tomorrow and the budget taking place tomorrow as well.

ADJOURN:

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

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Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

Christina Fernandez, City Recorder