

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
JULY 11, 2019, 5:00 PM
CITY COUNCIL CHAMBERS**

PRESENT:

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

EXCUSED:

**Councilmember Michele Randall
Councilmember Joe Bowcutt**

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The invocation was offered by Reverend Luigi with the St. George Interfaith Council and The Pledge of Allegiance was led by Administrative Services Director Trevor Coombs.

Mayor Pike mentioned that all items on the agenda would need to be approved unanimously as there are only three (3) Councilmembers present; if there is a concern, the item can be rescheduled.

A discussion took place regarding the 4th of July events.

COMMENTS FROM THE PUBLIC:

Resident Mike McKee stated he has recently had interactions with City staff; he believes they do a fantastic job in assisting citizens.

Resident Laura Ikuta explained she is concerned that some of the Animal Shelter vehicles have kennels in the bed of trucks without air conditioning. She asked the Council to consider trucks for the animals to be transported in. Additionally, she asked the Council to consider requesting emissions tests for vehicles to help control air quality.

Mayor Pike stated that staff will investigate the concerns with the Animal Shelter vehicle. On the second matter, he does not believe the City can do much to require emissions testing; however, staff does monitor air quality.

City Manager Adam Lenhard noted he will speak to Chief Farnsworth about her concern.

Resident Wayne Briggs inquired about requesting a conditional use permit to help the DSU wrestlers room together. He will speak with City Attorney Shawn Guzman soon.

Planner Carol Davidson mentioned that the applicants for items 5 and 10 would like to be rescheduled.

CONSENT CALENDAR:

- a. Consider approval of a Professional Services Agreement with Landmark Testing for the materials testing of the Gunlock Water Treatment Plant Project.**
- b. Consider approval of an Agricultural Water Connection Agreement with Jace King.**
- c. Consider approval of the minutes from the meeting held on June 20, 2019.**

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

SECOND: The motion was seconded by Councilmember Hughes.

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

Councilmember Hughes – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

SET DATE FOR PUBLIC COMMENT:

Set date for public comment regarding the sale of a significant parcel of real property by the City.

City Attorney Shawn Guzman explained per City ordinance 1-13-1, staff requests to set the date, time, and place for public comment on the City sale of two significant parcels of real property with an estimated fair market value over \$500,000 each. The properties are located at 60 West St. George Blvd, parcel SG-459-B-CB, and 70 West St. George Blvd, parcel SG-459-A-CB. Staff recommends taking public comment at the August 1, 2019 City Council meeting.

MOTION: A motion was made by Councilmember Hughes to set the public comment regarding the sale of a significant parcel of real property by the City on August 1, 2019.

SECOND: The motion was seconded by Councilmember Arial.

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

Councilmember Hughes – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

ORDINANCE:

Consider approval of an ordinance prohibiting the consumption of alcohol in areas open to the public.

City Attorney Shawn Guzman advised the City had a similar ordinance in the business license provisions for alcohol establishments; however, it was repealed when the City changed the licensing laws to make them more uniform with the state laws. This law was unintentionally left out.

MOTION: A motion was made by Councilmember Arial to approve the ordinance prohibiting the consumption of alcohol in areas open to the public.

SECOND: The motion was seconded by Councilmember Hughes.

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

Councilmember Hughes – aye

Councilmember Arial – aye

Councilmember Baca – aye

The vote was unanimous and the motion carried.

ZONE CHANGE/ORDINANCE:

Consider approval of an ordinance changing the zone for Teakwood Phase 5 from A-1 (Agricultural, minimum lot size 40,000 square feet) and ASBP (Airport Supporting Business Park) to R-1-8 (Single Family Residential, minimum lot size 8,000 square feet) on approximately 55.22 acres generally located east of 3350 East Street and north of the existing Teakwood subdivision.

Planner Carol Davidson presented the request to change the zone for Teakwood Phase 5 from A-1 (Agricultural, minimum lot size 40,000 square feet) and ASBP (Airport Supporting Business Park) to R-1-8 (Single Family Residential, minimum lot size 8,000 square feet) on approximately 55.22 acres generally located east of 3350 East Street and north of the existing Teakwood subdivision. This request is for a portion of the property that is not located in the steep slopes and rockfall hazard areas. She provided a PowerPoint presentation covering the following topics: zoning map; general plan map; hillside overlay map; zone change map; slope map; slope table and boundary notice map. The Planning Commission recommended approval.

MOTION: A motion was made by Councilmember Arial to approve the ordinance changing the zone for Teakwood Phase 5 from A-1 (Agricultural, minimum lot size 40,000 square feet) and ASBP (Airport Supporting Business Park) to R-1-8 (Single Family Residential, minimum lot size 8,000 square feet) on approximately 55.22 acres generally located east of 3350 East Street and north of the existing Teakwood subdivision.

SECOND: The motion was seconded by Councilmember Baca.

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

Councilmember Hughes – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

ZONE CHANGE/ORDINANCE:

Consider approval of an ordinance changing the zone from R-1-10 (Single Family Residential, minimum lot size 10,000 square feet) to R-1-7 (Single Family Residential, minimum lot size 7,000 sq ft) for Divario PA 13 (Planning Area 13) on approximately 61.67 acres generally located west of Plantations Drive and north of 730 South Street on the City border in the Divario Ridge subdivision.

Planner Carol Davidson presented the request to change the zone from R-1-10 (Single Family Residential, minimum lot size 10,000 square feet) to R-1-7 (Single Family Residential, minimum lot size 7,000 sq ft) on approximately 61.67 acres generally located west of Plantations Drive and north of 730 South Street on the City border in the Divario Ridge subdivision. The request is consistent with the general plan for this area. She provided a PowerPoint presentation covering the following topics: vicinity map; aerial map; general plan map; zoning map; hillside overlay map; overview of Divario development. The Planning Commission recommended approval.

MOTION: A motion was made by Councilmember Baca to approve the ordinance changing the zone from R-1-10 (Single Family Residential, minimum lot size 10,000 square feet) to R-1-7 (Single Family Residential, minimum lot size 7,000 sq ft) for Divario PA 13 (Planning Area 13) on approximately 61.67 acres generally located west of Plantations Drive and north of 730 South Street on the City border in the Divario Ridge subdivision.

SECOND: The motion was seconded by Councilmember
VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

AMEND PD-R ZONE/ORDINANCE:

Consider approval of an ordinance amending the PD-R (Planned Development Residential) zone to add a commercial use list for the Green Valley Spa Building generally located at 1871 West Canyon View Drive on approximately 4.55 acres.

Planner Carol Davidson presented the request to amend the PD-R (Planned Development Residential) zone to add a commercial use list for the Green Valley Spa

Building generally located at 1871 West Canyon View Drive on approximately 4.55 acres. The existing Green Valley Spa Building has been used for commercial uses for over 25 years. However, this request is to officially establish a 'use list' of uses which may occur in this building as part of the existing PD zoning. She provided a PowerPoint presentation covering the following topics: aerial map; photos of the area; plan; general plan map; zoning map; applicant's requested uses; and staff's suggested uses. The Planning Commission recommended approval.

MOTION: A motion was made by Councilmember Arial to approve the ordinance amending the PD-R (Planned Development Residential) zone to add a commercial use list for the Green Valley Spa Building generally located at 1871 West Canyon View Drive on approximately 4.55 acres.

SECOND: The motion was seconded by Councilmember Hughes.

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

Councilmember Hughes – aye

Councilmember Arial – aye

Councilmember Baca – aye

The vote was unanimous and the motion carried.

AMEND PD-C ZONE/ORDINANCE:

Consider approval of an ordinance amending the PD-C (Planned Development Commercial) zone to develop a professional commercial building for retail or office use at Boulder Creek Crossing Lot 5 located at approximately 1455 South River Road on approximately 0.61 acres.

Planner Carol Davidson presented the request to amend the PD-C (Planned Development Commercial) zone to develop a professional commercial building for retail or office use at Boulder Creek Crossing Lot 5 located at approximately 1455 South River Road on approximately 0.61 acres. She provided a PowerPoint presentation covering the following topics: site map; aerial map; general plan map; zoning map; site plan for lot 5; elevations; renderings; colors and materials board; Boulder Creek Crossing Phase 1 use list; and noticing map. The Planning Commission recommended approval

Mayor Pike noted the site plan, colors and materials, etc., not uses.

MOTION: A motion was made by Councilmember Arial to approve the ordinance amending the PD-C (Planned Development Commercial) zone to develop a professional commercial building for retail or office use at Boulder Creek Crossing Lot 5 located at approximately 1455 South River Road on approximately 0.61 acres.

SECOND: The motion was seconded by Councilmember Baca.

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

Councilmember Hughes – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

HILLSIDE DEVELOPMENT PERMIT:

Consider approval of a request for a Hillside Development Permit to allow the installation of a pool in the rear yard of Lot 604 in the Stone Cliff subdivision.

Assistant Public Works Director Wes Jenkins presented the request for a Hillside Development Permit to build a pool within the 75-foot no build area on the plat for lot 604 in the Stone Cliff subdivision; zoning is PD-R (Planned Development Residential). The Hillside Review Board observed there were no significant rock outcroppings on this lot. He provided a PowerPoint presentation covering the following topics: vicinity map; general plan map; zoning map; aerial map; photos of the area; plans; and renderings. He discussed a note on the final plat that states all of the lots in phase 6 shall have a 75' setback from the street, he cannot find anything as to why the note is there. The Planning Commission recommended approval with the following conditions:.

1. Add Note to Plat - A building permit shall not be approved until the "Stone Cliff – Phase 6" subdivision plat is amended by adding a note which states Lot 604 (only) may have the pool constructed in the area requested and reduce the 75 ft. no build no access to accommodate said construction.
2. HOA Approval – A building permit shall not be approved until a letter in support is received from the HOA for the "Stone Cliff – Phase 6" Lot 604 pool project.
3. Retaining Wall – Material - Only stone cliff boulders shall be installed for the retaining wall for the pool which will match those used in the immediate area.
4. Ordinance - The hillside board finds the area may be disturbed because it is insignificant and is not contiguous (per Section 10- 13A-5).
5. Pool Fencing – In compliance with required the Building and Fire Codes, a protective fence shall be installed to in-close the pool yard. Note that a 6 ft. fence is required, however consideration may be given for a shorter stucco coated solid wall on the north side when placed in combination with the rock retaining wall.
6. Construction Fencing - The applicant shall provide construction fencing to protect the limits of disturbance.

MOTION: A motion was made by Councilmember Arial to approve the Hillside Development Permit to allow the installation of a pool in the rear yard of Lot 604 in the Stone Cliff subdivision.

SECOND: The motion was seconded by Councilmember Hughes

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

Councilmember Hughes – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

AMENDED FINAL PLAT:

Consider approval of an amended final subdivision plat for Lot 604, Stone Cliff Phase 6 by reducing the internal lot restriction for the No Build and No Lot Access Area from 75 feet to 30 feet for said lot.

Assistant Public Works Director Wes Jenkins presented the request to amend the final plat for Stone Cliff Phase 6 located at 1740 South View Point Drive. The purpose of this amendment is to reduce the internal lot restriction for the “No Build and No Lot Access Area” from 75 feet to 30 feet; zoning is PD-R. He showed the final plat and outlined the proposed amendment. He noted the HOA is comfortable with the change.

A discussion took place regarding why there needed to be a no build area.

MOTION: A motion was made by Councilmember Hughes to approve the amended final subdivision plat for Lot 604, Stone Cliff Phase 6 by reducing the internal lot restriction for the No Build and No Lot Access Area from 75 feet to 30 feet for said lot.

SECOND: The motion was seconded by Councilmember Arial.

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

Councilmember Hughes – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

FINAL PLAT:

Consider approval of a final subdivision plat for Redhawk.

Assistant Public Works Director Wes Jenkins presented the final plat for Redhawk, a 19-lot residential subdivision located at 2409 East Dinosaur Crossing Drive; zoning is Planned Development Residential. He showed and outlined the final plat.

MOTION: A motion was made by Councilmember Hughes to approve the final plat for Redhawk.

SECOND: The motion was seconded by Councilmember Baca.

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

Councilmember Hughes – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

SUBORDINATION AGREEMENT:

Consider approval of a Subordination Agreement between the City of St. George and Rocky Mountain Community Reinvestment Corporation for the Riverwalk development.

City Attorney Shawn Guzman explained the purpose of the subordination agreement is to provide the long-term lender on the Riverwalk property the right to foreclose the property if Riverwalk defaults on the loan. It preserves the rent restrictions and obligates the lender to notify the City of any default, which would allow the City to evaluate whether to step in and cure the default to preserve the City's right to foreclose in case of a violation of the rent restrictions. The lender will not lend without this subordination. Staff recommends approval.

MOTION: A motion was made by Councilmember Hughes to approve the Subordination Agreement between the City of St. George and Rocky Mountain Community Reinvestment Corporation for the Riverwalk development.

SECOND: The motion was seconded by Councilmember Arial.

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

Councilmember Hughes – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

APPOINT ELECTION WORKERS:

Appoint election workers for the primary election to be held on August 13, 2019.

MOTION: A motion was made by Councilmember Arial to appoint election workers for the primary election to be held on August 13, 2019.

SECOND: The motion was seconded by Councilmember Hughes.

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

Councilmember Hughes – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

City Manager Adam Lenhard mentioned the CIB board meeting he and others attended today. The City requested loan funding for the City campus project; the loan was approved with an excellent interest rate.

REPORTS FROM CITY MANAGER, COUNCILMEMBERS, AND MAYOR:

Councilmember Arial mentioned Arts Commission working on the RAP tax allocation.

Councilmember Hughes reported about the recent Friends of SwitchPoint meeting.

Councilmember Baca noted the Dino Museum is doing well.

Mayor Pike mentioned the media event that took place at the airport. Members of the media were able to tour the runway repair project.

ADJOURN:

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

SECOND: The motion was seconded by Councilmember Hughes.

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

Councilmember Hughes – aye

Councilmember Arial – aye

Councilmember Baca – aye

The vote was unanimous and the motion carried

Christina Fernandez, City Recorder