

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
APRIL 1, 2021 5:00 P.M.
CITY COUNCIL CHAMBERS**

PRESENT:

**Mayor Michele Randall
Councilmember Jimmie Hughes
Councilmember Bryan Smethurst
Councilmember Gregg McArthur – via Zoom
Councilmember Dannielle Larkin
Councilmember Vardell Curtis
City Manager Adam Lenhard
City Attorney Shawn Guzman
City Recorder Christina Fernandez**

OPENING:

Mayor Randall called the meeting to order and welcomed all in attendance. The invocation was offered by Reverend Alex Wilkie and The Pledge of Allegiance to the Flag was led by Police Chief Kyle Whitehead.

Councilmember Larkin read a proclamation proclaiming the month of April as Child Abuse Prevention Month.

Kristy Pike with the Washington County Children's Justice Center stated she works with amazing people. She mentioned what the community can do to help protect its kids.

Councilmember Curtis read a proclamation proclaiming the month of April as General Aviation Appreciation Month.

Mayor Randall administered the Oath of Office for the recently elected Mayor Shyann Sadler and City Manager Jocelyn Chavez of the Youth City Council.

Deputy Director of Recreation Cody Schmitt introduced the outgoing Mayor and City Manager of the Youth City Council and thanked them for their service.

CONSENT CALENDAR:

- a. Consider approval to purchase eight (8) 2021 Ford Police Interceptors from Larry H. Miller Ford.**
- b. Consider award of bid for 750 Primary Wire from Irby in the amount of \$147,051.75.**
- c. Consider approval of a Memorandum of Understanding between UDOT, the City of St. George and QRS Development to prepare plans, specifications and estimates of costs for a proposed grade separated service interchange along State Route 18 located at or near milepost 7 to provide access to the proposed The Trails development.**
- d. Consider approval of a Lease Agreement between the City of St. George and Oakes Family Auto, LLC for commercial space located at 176 West St. George Blvd.**

- e. Consider approval of an Airline Use and Lease Agreement between Skywest and St. George City.**
- f. Consider approval of a new Hangar Lease with Dawson Development, LLC on Lot 51A at the Airport.**
- g. Consider approval of a new Hangar Lease with TMC Utah 10, LLC on Lot 58F at the Airport.**
- h. Consider approval of the minutes from the meetings held on January 19, 2021; February 4, 2021; February 8, 2021; February 10, 2021; February 11, 2021; February 18, 2021; February 25, 2021, and March 4, 2021.**

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

SECOND: The motion was seconded by Councilmember Curtis.

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

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

SUPPORT UTAH'S DIXIE/RESOLUTION:

Consider approval of a resolution supporting Utah's Dixie.

Mayor Randall read the resolution supporting Utah's Dixie.

MOTION: A motion was made by Councilmember McArthur to approve the resolution supporting Utah's Dixie.

SECOND: The motion was seconded by Councilmember Hughes.

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

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

Councilmember Larkin explained she voted in favor of this resolution because she is very supportive of the regional meaning of the word "Dixie". She believes it is a mistake to vilify anyone who stands on either side of this debate. To view this through a myopic lens would be short sided. She stated that she truly believes it is

possible to support the regional meaning of "Dixie" as well as understands that the word holds vastly different meanings outside of Utah.

Mayor Randall mentioned a meeting hosted by Julie Beck recently. The meeting was civil and everyone was listening to each other. She was saddened to see the fracture this issue has created in the committee. She hopes that when all is said and done, the community can come together and show the true "Dixie Spirit" and be one community again. Additionally, she hopes that the DSU name changing committee can come together with a resolution.

ZION SHUTTLE/INTERLOCAL AGREEMENT WITH UDOT:

Consider approval of an Interlocal Agreement with the State of Utah (UDOT) for the provision of a bus shuttle service from St. George to Springdale ("Zion Shuttle").

AND

ZION SHUTTLE/INTERLOCAL AGREEMENT WITH WASHINGTON COUNTY:

Consider approval of an Interlocal Agreement with Washington County for the provision of a bus shuttle service from St. George to Springdale ("Zion Shuttle").

Public Works Director Cameron Cutler explained a study was performed over ten (10) years ago with a second study performed in 2016. This agreement provides the City \$15 million in exchange for the operation of a bus route from St. George to Springdale ("Zion Shuttle") for a period of ten (10) years. After fifteen (15) years, there is an estimated fund balance of approximately \$5 million. The City is not obligated to run the service after the ten (10) years.

City Attorney Shawn Guzman advised after the ten (10) years, the City would revisit the agreement with the County and perhaps the State because it is not known what resources would be available at that time. He reminded the Council that at one time, the County was willing to put in several million dollars for a parking structure in Springdale; however, he hopes this transit route will eliminate the need for the structure.

After being asked by Councilmember Larkin, Mr. Cutler explained the buses will be owned by the City. Further, he explained the number of buses being used for this route. The estimated cost for a ticket is to be approximately \$8.00.

Councilmember McArthur commented his concerns have always been burdening the citizens for this service. However, he is in favor because of the available funds and that it does have a sunset.

Councilmember Hughes agreed about not wanting to burden the citizens of St. George. He wished there was a private partner that could have provided the service.

MOTION: A motion was made by Councilmember Hughes to approve the Interlocal Agreement with the State of Utah (UDOT) for the provision of a bus shuttle service from St. George to Springdale.
SECOND: The motion was seconded by Councilmember Larkin.
VOTE: Mayor Randall called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

MOTION: A motion was made by Councilmember Smethurst to approve the Interlocal Agreement with Washington County for the provision of a bus shuttle service from St. George to Springdale.
SECOND: The motion was seconded by Councilmember Larkin.
VOTE: Mayor Randall called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

PUBLIC HEARING/CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT/CDBG:

Public hearing and approval of the Consolidated Annual Performance Evaluation Report (CAPER) for the 2019 program year of the Community Development Block Grant (CDBG).

Economic Development and Housing Director Shirlayne Quayle explained on or about April 2, 2021, the City submitted a Consolidated Annual Performance Evaluation Report (CAPER), for the 2019 Program Year, to the U.S. Department of Housing & Urban Development (HUD). The CAPER is a financial and public benefit summary of the City's use and expenditures of federal Community Development Block Grant (CDBG) funds. The report evaluates how the City used these federal funds during the past program year to carry out priorities identified in the City's adopted 2019 Annual Action Plan. A public comment period was held; no comments were received.

Mayor Randall opened the public hearing. There being no comment, she closed the public hearing.

MOTION: A motion was made by Councilmember Larkin to approve the Consolidated Annual Performance Evaluation Report (CAPER) for the

2019 program year of the Community Development Block Grant (CDBG).

SECOND: The motion was seconded by Councilmember Curtis.
VOTE: Mayor Randall called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

PUBLIC HEARING/SUBDIVISION AMENDMENT:

Public hearing and consideration of a subdivision amendment for Stone Cliff Phase 8 Partial Amendment A (Lots 803 & 804) by merging the two lots together into one lot and vacate the public utility easement located on the common lot line.

Assistant Public Works Director Wes Jenkins presented the request to consider merging to subdivision lots together into one lot and vacate the public utilities and drainage easement on the common lot line of Lots 803 & 804 of Stone Cliff Phase 8. This is located at 1849 Cliff Point Drive in the Stone Cliff Development; zoning is PD-R. He showed the plat and outlined the proposed amendments.

Mayor Randall opened the public hearing. There being no comment, she closed the public hearing.

MOTION: A motion was made by Councilmember Curtis to approve the subdivision amendment for Stone Cliff Phase 8 Partial Amendment A (Lots 803 & 804) by merging the two lots together into one lot and vacate the public utility easement located on the common lot line.

SECOND: The motion was seconded by Councilmember Smethurst.

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

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

CONDITIONAL USE PERMIT:

Consider approval of a conditional use permit (CUP) to amend an existing short-term rental/bed and breakfast to allow for construction of an on-site manager suite located at 217 North 100 West.

Planner Dan Boles presented the request for a conditional use permit to amend an existing short-term rental/bed and breakfast to allow for construction of an on-site manager suite located at 217 North 100 West. He provided a PowerPoint presentation covering the following topics: Project location; Street view; Floor plan; Elevations (1st submittal); and Elevations (revised). The Planning Commission recommended approval. He noted that he is not aware of any complaints regarding parking.

MOTION: A motion was made by Councilmember Larkin to approve the conditional use permit to amend an existing short-term rental/bed and breakfast to allow for construction of an on-site manager suite located at 217 North 100 West.

SECOND: The motion was seconded by Councilmember Curtis.

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

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

PD-R AMENDMENT/ORDINANCE:

Consider approval of an ordinance amending the Desert Color Planned Development Residential (PD-R) zone to allow 20 new multi-family units to be known as Desert Color Resort Phase 2D on approximately 1.15 acres generally located east of I-15 and south of Southern Parkway. Case No. 2021-ZCA-024

Planner Dan Boles presented the request to amend the Desert Color Planned Development Residential (PD-R) zone to allow 20 new multi-family units to be known as Desert Color Resort Phase 2D on approximately 1.15 acres generally located east of I-15 and south of Southern Parkway. He provided a PowerPoint presentation covering the following topics: Zoning map; Site plan; Elevations; Color schemes; and Renderings. The request is in compliance with the densities outlined in the Desert Color Master Plan. The Planning Commission recommended approval.

After being asked by Councilmember McArthur, Mr. Boles explained the density for Desert Color is quite flexible. There is not a set number of units allowed or a cap on the density.

Community Development Director John Willis explained there is an overall cap for density on the entire project and for each pod.

MOTION: A motion was made by Councilmember Curtis to approve the ordinance amending the Desert Color Planned Development Residential (PD-R) zone to allow 20 new multi-family units to be known as Desert

Color Resort Phase 2D on approximately 1.15 acres generally located east of I-15 and south of Southern Parkway.

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

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Consider approval of the preliminary plat for Desert Color Resort Phase 2D, a 20-lot residential subdivision located at the intersection of Marilla Drive and Periwinkle Lane within the Desert Color Development.

Assistant Public Works Director Wes Jenkins presented the preliminary plat for Desert Color Resort Phase 2D, a 20-lot residential subdivision located at the intersection of Marilla Drive and Periwinkle Lane within the Desert Color Development. He showed and outlined the preliminary plat.

MOTION: A motion was made by Councilmember Smethurst to approve the preliminary plat for Desert Color Resort Phase 2D.

SECOND: The motion was seconded by Councilmember Larkin.

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

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Consider approval of the preliminary plat for Desert Color Resort Phase 5, a 57-lot residential subdivision located within the Desert Color development along Lagoon Parkway just west of the intersection of Scarlet Hill Drive.

Assistant Public Works Director Wes Jenkins presented the preliminary plat for Desert Color Resort Phase 5, a 57-lot residential subdivision located within the Desert Color development along Lagoon Parkway just west of the intersection of Scarlet Hill Drive. He showed and outlined the preliminary plat after which he explained that since the Planning Commission meeting, staff requested the applicant include the roadway within the preliminary plat rather than having a separate plat for the roadway.

MOTION: A motion was made by Councilmember Smethurst to approve the preliminary plat for Desert Color Resort Phase 5.

SECOND: The motion was seconded by Councilmember Hughes.

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

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Consider approval of the preliminary plat for Abberly Farms, a 6-lot residential subdivision located along Seegmiller Drive (3220 East) just east of 3210 East.

Assistant Public Works Director Wes Jenkins presented the preliminary plat for Abberly Farms, a 6-lot residential subdivision located along Seegmiller Drive (3220 East) just east of 3210 East. He showed and outlined the preliminary plat after which he outlined suggested conditions for approval as follows: that the applicant work with staff regarding a detention basin and the road alignment.

MOTION: A motion was made by Councilmember Hughes to approve the preliminary plat for Abberly Farms subject to the agreement being worked out regarding the road alignment and detention basin.

SECOND: The motion was seconded by Councilmember Larkin.

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

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Consider approval of the preliminary plat for Webb Acres, a 49-lot residential subdivision located at approximately Seegmiller Drive and 3330 East.

Assistant Public Works Director Wes Jenkins presented the preliminary plat for Webb Acres, a 49-lot residential subdivision located at approximately Seegmiller Drive and 3330 East. He showed and outlined the preliminary plat and offsite utilities.

MOTION: A motion was made by Councilmember Smethurst to approve the preliminary plat for Webb Acres.

SECOND: The motion was seconded by Councilmember Curtis.
VOTE: Mayor Randall called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

INTENT TO CONSIDER BOUNDARY LINE ADJUSTMENT/RESOLUTION:

Consider approval of a resolution declaring the intent to consider adjusting a common municipal boundary line with Washington City.

Assistant Public Works Director Wes Jenkins presented the request to adjust the boundary line with Washington City southeast of the intersection at 3000 East and Mall Drive. He showed the area on a map and outlined the proposed boundary line adjustment.

MOTION: A motion was made by Councilmember Hughes to approve the resolution declaring the intent to consider adjusting a common municipal boundary line with Washington City.

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

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

AMEND CERTAIN IMPACT FEES FOR BUILDING PERMITS AND FINAL PLATS PERTAINING TO THE 2021 WASHINGTON COUNTY HCP/ORDINANCE:

Consider approval of an ordinance amending certain impact fees for building permits and final plats pertaining to the 2021 Washington County Habitat Conservation Plan.

City Attorney Shawn Guzman explained per the 1996 Washington County Habitat Conservation Plan, the City of St. George (the "City") was required to collect impact fees consisting of \$250 per acre of property being developed and 0.2% of the estimated construction costs which the City has been collecting on building permits and final plats. The 2021 Amended HCP has reduced the impact fees by eliminating the \$250/acre cost for final plats and 2% (.002) of Valuation impact fee to continue to be collected for building permits.

MOTION: A motion was made by Councilmember Curtis to approve the ordinance amending certain impact fees for building permits and final plats pertaining to the 2021 Washington County Habitat Conservation Plan.

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

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.

REPORTS FROM MAYOR, COUNCILMEMBERS, AND CITY MANAGER:

Mayor Randall mentioned the Arts Festival taking place this weekend.

Councilmember Smethurst spoke about the Gold Star Memorial that will be placed at Town Square.

ADJOURN:

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

SECOND: The motion was seconded by Councilmember Smethurst.

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

Councilmember Hughes – aye
Councilmember Smethurst – aye
Councilmember McArthur – aye
Councilmember Larkin – aye
Councilmember Curtis – aye

The vote was unanimous and the motion carried.