

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
DECEMBER 16, 2021 5:00 P.M.
CITY COUNCIL CHAMBERS**

PRESENT:

**Mayor Michele Randall
Councilmember Jimmie Hughes
Councilmember Bryan Smethurst
Councilmember Gregg McArthur
Councilmember Dannielle Larkin
Councilmember Vardell Curtis
City Manager Adam Lenhard
City Attorney Tani Pack Downing
City Recorder Christina Fernandez**

OPENING:

Mayor Randall called the meeting to order and welcomed all in attendance. The invocation was offered by Tim Martin with the St. George Interfaith Council and The Pledge of Allegiance to the Flag was led by Mayor Randall.

Mayor Randall read a proclamation proclaiming Saturday, December 18, 2021 as Wreaths Across America Day. Susan Dransfield with the Daughters of the American Revolution accepted the proclamation and spoke about the program for Wreaths Across America.

Mayor Randall mentioned that the Washington County Drug Force was recently awarded HIDTA's Drug Task Force of the Year award. Police Captain Jordan Minnick thanked the Mayor and Council for their support. He read statistics regarding seizures made by the Drug Task Force this year. Councilmember Smethurst spoke about what great people those on the Task Force are.

City Manager Adam Lenhard noted the applicant for item #6 has requested the item be removed from the agenda.

CONSENT CALENDAR:

- a. Consider approval to award bid to Val Kotter & Sons Inc. for the 2022 Sewer Relining Project.**
- b. Consider approval of a contract between the City and CitizenServe to replace the existing Business License and Code Enforcement programs.**
- c. Consider approval of a professional services agreement with Alliance Engineering for the design of the Tech Ridge East Access Road.**
- d. Consider approval of a professional services agreement with JRCA/Galloway and Company for the design and construction management of Fire Station 1 HQ.**
- e. Consider approval of a professional services agreement with Alpha Engineering/RB&G Engineering for the design of the Graveyard Wash Reservoir Project.**

- f. Consider approval of a professional services agreement with Airport IFE Services, Inc for engineering services at the Airport.**
- g. Consider approval of a reimbursement agreement with Quality Excavation for the installation of a secondary irrigation mainline through the Arbors Subdivision.**
- h. Consider approval of a reimbursement agreement with Desert Investment Group for the off-site installation of a culinary waterline near the Breckenridge Subdivision area.**
- i. Consider approval of Donation Agreement and Warranty Deed for a parcel of land located in the Middleton Wash area at 848 North 1100 East.**
- j. Consider approval of a request to Bureau of Land Management to renew a drainage and utility easement (#UTU-71105).**
- k. Consider approval of an agreement with Friends of Switchpoint for acquisition of the Studio 6 Motel located at 999 East Red Hills Parkway.**
- l. Consider approval of the Sixth Amendment to a Loan Agreement between Fort Piece Business Park, L.C., the City of St. George, and Dixie-Rural Electric Association.**
- m. Consider approval of the minutes from the meetings held on November 10, 2021; November 18, 2021; December 2, 2021 (work meeting); December 2, 2021 (regular meeting); December 9, 2021 (work meeting); and December 9, 2021 (emergency meeting).**

After being asked by Councilmember McArthur, City Manager Adam Lenhard noted that with regard to item K, the City has obtained approval to move forward.

MOTION: A motion was made by Councilmember Larkin 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.

PRESENTATION OF THE CAFR REPORT FOR FY2021:

Presentation of the audited Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2021.

Administrative Services Director Trevor Coombs thanked staff members involved with the audit for their many hours spent on working with the auditors. He then invited Steve Palmer with Hinton Burdick CPA's & Advisors who outlined the findings from the audit. The City was given an unmodified opinion, and no items of any significance of items needed to be reported on compliance. One minor item found was that the CDA fund had a deficit fund balance; this is a result of the St. George Inn and alleyway project. On the federal single audit, there was one finding regarding the FTA grant timing.

After being asked by Mayor Randall, Mr. Coombs explained due to Covid, the FTA grant was extended; however, staff should have requested an extension in writing. At that time, there was a change in management at Suntran and this letter was missed. Staff has since requested an extension.

PUBLIC HEARING/SUBDIVISION AMENEDMENT:

Public hearing and consideration of a subdivision amendment for Millcreek Industrial Park Partial Amendment A (Lots 131-135) by adjusting the lot lines and vacating their associated public utility easements.

Public Works Director Cameron Cutler presented the request to amend the Millcreek Industrial Park Partial Amendment A by adjusting the lot lines and vacating their associated public utility easements.

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 Millcreek Industrial Park Partial Amendment A (Lots 131-135) by adjusting the lot lines and vacating their associated public utility easements.

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.

AMEND TITLE 7, CHAPTER 1, SECTION 1 OF CITY CODE/ORDINANCE:

Consider approval of an ordinance amending Title 7, Chapter 1, Section 1 of City code pertaining to Supervision of Streets to incorporate and adopt a Complete Streets Policy.

and

COMPLETE STREETS POLICY:

Consider approval of a proposed Complete Streets Policy which provides additional oversight of planning and designing of City streets.

Public Works Director Cameron Cutler presented the ordinance amendment to adopt the Complete Streets Policy and to create the Complete Streets Committee. He showed the proposed language for the ordinance amendment. He also showed and outlined the proposed Complete Streets Policy. After being asked by Councilmember Hughes, Mr. Cutler explained most of the elements in the proposed policy are already being utilized; the policy simply formalizes the elements. He explained the "shalls" have been removed and noted there is an option to receive input from the committee for proposed projects as needed. The policy balances out modes of transportation.

Councilmember Larkin commented that the policy brings back the balance with regards to modes of transportation and coordination. Historically, streets were able to be used by all forms of transportation; however, during the 50's and 60s's, streets have become auto centric. This removed community spaces where residents could walk or use other modes of transportation.

Councilmember Hughes agreed with Councilmember Larkin; however, he believes the City needs to be cautious when "dieting down" streets due to the safety factor.

Councilmember Larkin noted data has shown streets are safer when "dieted" as drivers tend to decrease their speed. The goal is not to get drivers from point A to point B as quickly as they can; the goal is to get drivers there safely.

Councilmember McArthur commented the City is a recreation destination. He likes the proposed policy.

MOTION: A motion was made by Councilmember Larkin to approve the ordinance amending Title 7, Chapter 1, Section 1 of City code pertaining to Supervision of Streets to incorporate and adopt a Complete Streets Policy.

SECOND: The motion was seconded by Councilmember McArthur.

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.

MOTION: A motion was made by Councilmember Larkin to approve the Complete Streets Policy which provides additional oversight of planning and designing of City streets as presented.

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.

ZONE CHANGE/ORDINANCE:

Consider approval of an ordinance changing the zone from C-3 (General Commercial) and R-1-10 (Single Family Residential) to PD-C (Planned Development Commercial) on approximately 15 acres located east of 3050 East Street, north of 750 North to be known as Zion Regional Medical Center. Case No. 2021-ZC-076

Planner Carol Davidson presented the request to change the zone from C-3 and R-1-10 to PD-C on approximately 15 acres located east of 3050 East Street, north of 750 North to be known as Zion Regional Medical Center, which was tabled at the last City Council meeting. She presented a PowerPoint presentation covering the following topics: Aerial map; Area concept plan; Recommendation; and Pineview substation milestones.

City Manager Adam Lenhard noted the City is allowing the milestones to be completed concurrently.

After being asked by Councilmember McArthur, Public Works Cameron Cutler spoke about access roads to Washington City and needed easements.

MOTION: A motion was made by Councilmember Curtis to approve the ordinance changing the zone from C-3 and R-1-10 to PD-C on approximately 15 acres located east of 3050 East Street, north of 750 North to be known as Zion Regional Medical Center.

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.

ZONE CHANGE/ORDINANCE:

Consider approval of an ordinance changing the zone from C-3 (General Commercial), M-1 (Manufacturing), and R-1-10 (Single Family Residential)

to PD-C (Planned Development Commercial) on approximately 26.99 acres located east of 3050 East Street, north of 750 North Street to be known as St. George White Hills Development. Case No. 2021-ZC-074

Planner Carol Davidson presented the request to change the zone from C-3, M-1, and R-1-10 to PD-C on approximately 26.99 acres located east of 3050 East Street, north of 750 North Street to be known as St. George White Hills Development. She presented a PowerPoint presentation covering the following topics: Aerial map; Area concept plan; Recommendation conditions; and Pineview substation milestones.

Councilmember Larkin inquired about access from 3050 East. Ms. Davidson showed the access on 3050 East. The applicant will return with a site plan which will include a more detailed road plan.

MOTION: A motion was made by Councilmember Smethurst to approve the ordinance changing the zone from C-3, M-1, and R-1-10 to PD-C on approximately 26.99 acres located east of 3050 East Street, north of 750 North Street to be known as St. George White Hills Development.

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 PD-C ZONE/ORDINANCE:

Consider approval of an ordinance amending the Southern Hills West PD-C (Planned Development Commercial) zone to change the zoning from PD-R (Planned Development Residential) to PD-C (Planned Development Commercial) on approximately 0.6 acres and to approve a design and site plan for a new commercial development on approximately 5.1 acres located at the northeast corner of River Road and White Dome Drive to be known as White Dome Commercial. Case No. 2021-ZCA-082

Planner Carol Davidson presented the request to amend the Southern Hills West PD-C zone to change the zoning from PD-R to PD-C on approximately 0.6 acres and to approve a design and site plan for a new commercial development on approximately 5.1 acres located at the northeast corner of River Road and White Dome Drive to be known as White Dome Apartments. She provided a PowerPoint presentation covering the following topics: Aerial map; General plan map; Zoning map; Zone change map; Site plan; Buffer; Use list; Elevations; Renderings; Car wash elevations; Car wash renderings; Materials board; and Planning Commission recommendation with the condition that the applicant meets all requirements found in Section 10-8D of the zoning regulations.

Councilmember Larkin noted there is a proposed stoplight at this intersection.

MOTION: A motion was made by Councilmember McArthur to approve the ordinance amending the Southern Hills West PD-C zone to change the zoning from PD-R to PD-C on approximately 0.6 acres and to approve a design and site plan for a new commercial development on approximately 5.1 acres located at the northeast corner of River Road and White Dome Drive to be known as White Dome Commercial.

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.

AMEND PD-R ZONE/ORDINANCE:

Consider approval of an ordinance amending the Southern Hills West PD-R (Planned Development Residential) zone to approve a conceptual site plan, elevations, landscaping, and parking on approximately 14.96 acres located at the northeast corner of River Road and White Dome Drive to be known as White Dome Apartments. Case No. 2021-ZCA-083

Planner Carol Davidson presented the request to amend the Southern Hills West PD-R zone to approve a conceptual site plan, elevations, landscaping, and parking on approximately 14.96 acres located at the northeast corner of River Road and White Dome Drive to be known as White Dome Apartments. She provided a PowerPoint presentation covering the following topics: Aerial map; General plan map; Zoning map; Site plan; Height; Elevations; Materials board; and Planning Commission recommendation with the condition that the applicant meets all requirements found in Section 10-7F of the zoning regulations and the maximum height will be 49’.

MOTION: A motion was made by Councilmember McArthur to approve the ordinance amending the Southern Hills West PD-R zone to approve a conceptual site plan, elevations, landscaping, and parking on approximately 14.96 acres located at the northeast corner of River Road and White Dome Drive to be known as White Dome Apartments.

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.

DEVELOPMENT AGREEMENT AND ZONE CHANGE/ORDINANCE:

Consider approval of a development agreement between the City and Tech Ridge, L.L.C. for an approximate 180.69-acre development to be located west of Bluff Street and south of 265 South Street to be known as Tech Ridge Mixed-Use Master Planned Development.

and

Consider approval of an ordinance changing the zone from OS (Open Space), PD-C (Planned Development Commercial), C-2 (Highway Commercial), and R-3 (Multiple Family Residential) to PD-MU (Planned Development Mixed Use) on approximately 180.69 acres located west of Bluff Street and south of 265 South Street (the former location of the airport) to be known as Tech Ridge. Case No. 2021-ZC-057

Planner Carol Davidson presented the request to change the zone OS, PD-C, C-2, and R-3 to PD-MU on approximately 180.69 acres located west of Bluff Street and south of 265 South Street (the former location of the airport) to be known as Tech Ridge. She noted it has taken approximately five (5) years to get to this point. She provided a PowerPoint presentation covering the following topics: Zone Plan: Aerial map; General plan map; Zoning map; PD zone plan, noting Plan Area 1.5b has been removed; Residential to commercial ratio; Density intensification; Building setbacks; Building height plan and ridge edge setbacks; Planning Area 1.1-1.3 building heights section; Ridgeline building height; Permitted uses; Samples of building elevations; Park lands concept plan; Samples of town squares; Samples of community parks; Samples of linear park connectors; Samples of east-west park connectors; Cross sections; Vehicular and active transportation plan; Parking; Parklet options; Temporary facilities; Entry monuments, signage, and wayfinding; Stadium plaza; and Deviations from zoning regulations; Planning area 1.6 & 2.1 Phase 2: Map of planning areas; Phase 2 and park land; Buildings; Parking; Landscaping; Elevations; and Materials; Planning area 1.4, Lot 2 & parcels 1 & 2: Location map; Building; Parking; Elevation; Materials; Pavilion; and Planning Commission recommendation with the following conditions from the Planning commission and staff: 1) Section 4.7.6 On-Street Parking will read as follows: In Tech Ridge designated on-street parking can be included when calculating City required parking for commercial, residential, and mixed uses. On-street parking may count towards up to fifty percent (50%) of the required parking spaces and must be located adjacent to the structure. On-street parking shall be striped (angled or parallel); 2) They must return to planning commission to request 25% shared parking at the time of the PD amendment and site plan; 3) Any parking that is not on the same lot as the building that it must be adjacent to the building if it's going to be considered part of the parking; 5) The temporary structures comply with all the City safety codes and that they be approved by staff; 6) All exhibits and figures will have Plan Area 1.5B removed; and 7) A final review will be made by the City Legal Department. She then presented a PowerPoint presentation covering the following topics: Tech Ridge Development Agreement; 5. Purchase of Property; 5.2 Grant of Options; 5.3 Term of Option; 5.4 Purchase Price Under Each Option Exercise; 6. Project

Development and Zoning: 6.7 Development Timing; 6.8 Park Improvements; 6.8.4 Minimum Park Improvement Expenditure; and 6.8.6 Park Impact Fees.

City Manager Adam Lenhard clarified section 6.8.1 Park Improvements on Project Land is referring to property that is at the former airport property.

Ms. Davidson continued with her PowerPoint presentation covering the following topics: 8. Project Financing: 8.1 Community Reinvestment Areas/Tax Increment Revenues; 9. General Rights and Responsibilities for Developer: 9.5 Construction of West Access Road; West Access Road; East Access Road; 9.6 Reconfiguration of Tech Ridge Parkway; 9.7 Agreement Contingent Upon Vehicular Access; 10. General Rights and Responsibilities of City: 10.2 Provision of System Improvements and Other Infrastructure; 11. Specific Rights and Responsibilities; and 13. General Terms and Conditions.

City Manager Adam Lenhard commented the success of this project depends on the three (3) functioning roads. After being asked by Councilmember Larkin, Mr. Lenhard explained because the City is the landowner, the City would retain the right to determine who the partner would be if Isaac Barlow were to no longer be a party to the project.

Mayor Randall thanked staff and Isaac Barlow for their work on this agreement.

Councilmember Larkin commented Tech Ridge is an exciting opportunity for the community. She views this project as an extension of the downtown area.

Councilmember Hughes noted he was on the Council when this proposal was first introduced. His concern is the project is bigger and more dense than what was originally presented. As the City is the property owner, the Council wanted to make sure there were controls in place moving forward. He commented this project is amazing for the tech industry and will be phenomenal. He wants this project to be successful; however, he would like to find a way for the project move forward without having 2,400 units as the magic number. With the proposed number of units, hotels, office space, etc., there will be a lot of people in the area. He mentioned that traffic is an issue and that hears complaints often regarding traffic after which he mentioned a similar development being proposed in northern Utah; 85 public meetings have been held on the proposed project.

Councilmember McArthur noted Tech Ridge is extremely important to the economic vitality of St. George and that Mr. Barlow has been great to work with staff. He is also concerned regarding the proposed density of the project. He would like an independent third-party group to determine if this project should be done at the level proposed. He noted that he wants this project to be successful and that he would like to see the local business in the community be successful.

Councilmember Curtis commented this project will happen and is needed. He will vote to approve the development agreement and let the market will determine the pace. No developer will spend this kind of money unless the market will support it.

Councilmember Larkin added the project will not happen overnight. She commented that she does not see a better place for this type of density.

Mayor Randall stated she read the proposed agreement and noted that staff has done a remarkable job making sure the City is protected. She believes it is too late to hold off on the project and to hire an independent consultant.

MOTION: A motion was made by Councilmember Larkin to approve the development agreement between the City and Tech Ridge, L.L.C. for an approximate 180.69-acre development to be located west of Bluff Street and south of 265 South Street to be known as Tech Ridge Mixed-Use Master Planned Development.

SECOND: The motion was seconded by Councilmember Curtis.

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

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

The motion carried.

Councilmember McArthur commented with regarding the ridgeline, he would like a stipulation to be added to say they are put in as a natural landscape, visibly mitigating the area.

MOTION: A motion was made by Councilmember Smethurst to approve the ordinance changing the zone from OS, PD-C, C-2, and R-3 to PD-MU on approximately 180.69 acres located west of Bluff Street and south of 265 South Street (the former location of the airport) to be known as Tech Ridge with the recommendations of the Planning Commission and that the developer add natural landscape along the ridgeline, visibly mitigating the area.

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.

APPOINTMENTS:

Mayor Randall recommended re-appointing Austin Anderson, Nathan Fisher, and Emily Andrus to the Planning Commission and to appoint Lori Chapman as a new Planning Commission Member, each for 2-year terms.

MOTION: A motion was made by Councilmember Curtis to re-appoint re-appointing Austin Anderson, Nathan Fisher, and Emily Andrus to the Planning Commission and to appoint Lori Chapman as a new Planning Commission Member, each for 2-year terms.

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.

REPORTS FROM MAYOR, COUNCILMEMBERS, AND CITY MANAGER:

Councilmember Larkin mentioned that she is on the Dove Center Board and asked residents to remember these organizations who need donations this time of year. She then reported that the Art Museum is doing well and attendance has increased.

Councilmember Hughes reported on the DTEC meeting he recently attended after which he mentioned things are going well at Switchpoint and the St. George Housing Authority.

Councilmember Smethurst reminded the Council about the Wreaths Across America taking place this weekend after which he provided an update on the Gold Star Memorial.

Mayor Randall wished everyone a Merry Christmas and Happy New Year. She mentioned this is the last meeting for Councilmember Smethurst and Curtis and thanked them for their service to the City.

Councilmember Smethurst stated he hopes the next Council is as much as a team as the current Council has been.

Councilmember Curtis commented he is grateful for being given the opportunity to serve.

Councilmember Larkin stated that it has been an honor to work with Councilmembers Smethurst and Curtis.

Councilmember Hughes commented Councilmembers Smethurst and Curtis will take away knowing what it was like to step up for the community.

City Manager Adam Lenhard recognized James and Marcus Farnsworth with the CEC for their professionalism and work they do to get the meetings the public. He thanked the Mayor and Council for their service to the City.

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ADJOURN:

MOTION: A motion was made by Councilmember Curtis 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.

Christina Fernandez, City Recorder