

THE STATE OF UTAH
COUNTY OF SEVIER
CITY OF RICHFIELD

At the City Council
In and For Said City
April 12, 2022

Minutes of the Richfield City Council meeting held on Tuesday, April 12, 2022, at 7:00 p.m. in the Council Chambers of the Richfield City office building located at 75 East Center, Richfield, Utah. Mayor Bryan L. Burrows presiding.

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| 1. OPENING REMARKS | 12. PUBLIC HEARING – TRIPLE J ANNEXATION |
| 2. PLEDGE OF ALLEGIANCE | 13. PUBLIC HEARING - JENSEN ANNEXATION |
| 3. ROLL CALL | 14. PUBLIC HEARING – ANNEXATION POLICY |
| 4. MINUTES APPROVED | 15. ORDINANCE 2022-15 ADOPTED |
| 5. INTRODUCTION OF GREG JENSEN | 16. ORDINANCE 2022-16 ADOPTED |
| 6. UPDATED AGREEMENT WITH THE RICHFIELD SENIOR CITIZENS APPROVED | 17. PEARSON UNITED CONDOMINIUM AND OVER-NIGHT STAY PROJECT APPROVED |
| 7. ARBOR DAY PROCLAMATION APPROVED | 18. ORDINANCE 2022-11 ADOPTED |
| 8. MIXED-USE FOR ANDREW HERMANN AT 104 NORTH MAIN ("THE VAULT") APPROVED | 19. BID ON THE 100 WEST WATER PROJECT TABLED |
| 9. CONSENT TO FUTURE IMPROVEMENT DISTRICTS FOR 440 N 600 E APPROVED | 20. RESOLUTION 2022-8 ADOPTED |
| 10. CONSENT TO FUTURE IMPROVEMENT DISTRICTS FOR 735 N 750 E TABLED | 21. NAME FOR THE NEW PARK |
| 11. PLANNING COMMISSION REPORT | 22. OTHER BUSINESS |
| | 23. EXECUTIVE SESSION |
| | 24. RECONVENE & ADJOURN |

1. OPENING REMARKS were offered by Kip Hansen.
2. PLEDGE OF ALLEGIANCE was led by Stan Poulson.
3. ROLL CALL. **Present:** Mayor Burrows), Todd Gleave, Kip Hansen, Elaine Street, Michele Jolley, Brayden Gardner. **Excused:** Tanner Thompson, Tyson Hansen.

1 4. MINUTES APPROVED. The Council reviewed the minutes of the meeting
2 held on March 22, 2022, and made the following correction. Councilmember
3 Gardner stated that on page 3 at line 2, the word "said or stated" needed to be
4 inserted following "Mayor Burrows." **Motion:** Approve the minutes of the
5 meeting held on March 22, 2022, **Action:** Approved, **Moved by** Kip Hansen,
6 **Seconded by** Elaine Street. **Vote:** Motion carried by unanimous roll call vote
7 (**summary:** Yes = 4). **Yes:** Brayden Gardner, Elaine Street, Kip Hansen, Todd
8 Gleave. **Excused:** Tanner Thompson.

10
11 5. INTRODUCTION OF GREG JENSEN. Mr. Jensen stated that speaking at the
12 County Convention was a fun opportunity for him. He stated that every
13 community in our County has elected officials and they need to be listened to
14 and heard. He thinks that listening is so important because the elected officials
15 are elected to represent the people in their communities.

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18 6. UPDATED AGREEMENT WITH THE RICHFIELD SENIOR CITIZENS APPROVED.
19 The Council reviewed the agreement with the Senior Citizens. The Seniors get
20 money from renting the building to help pay for the utilities, internet, and the
21 minor maintenance of the building. Councilmember Gleave asked to who they
22 rented the building. Georgette Harvey stated that they usually rent the building
23 to families and a few other groups. They only have Friday, Saturday, and
24 Sunday to rent the building. Councilmember Gleave would be good with
25 increasing the annual payment to \$3,000 since it has been 10 years since any
26 adjustment has been given and the costs have gone up considerably.
27 Councilmember Street and Councilmember Hansen thought that the term of
28 the agreement should be 3 to 5 years instead of 10 years. The Council felt that it
29 should be addressed in 3 years. **Motion:** Approve the lease agreement with the
30 Richfield Seniors with the items as discussed. **Moved by** Kip Hansen, **Seconded**
31 **by** Todd Gleave. **Vote:** Motion carried by unanimous roll call vote (**summary:**
32 Yes = 4). **Yes:** Brayden Gardner, Elaine Street, Kip Hansen, Todd Gleave.
33 **Excused:** Tanner Thompson.

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36 7. ARBOR DAY PROCLAMATION APPROVED. The Council reviewed a
37 proclamation to declare Arbor Day in Richfield on April 29, 2022, with activities
38 that have been planned by the Youth City Council. Councilmember Gleave
39 read the proclamation. **Motion:** Approve a Proclamation declaring April 29,
40 2022, as Arbor Day in Richfield, **Action:** Approved, **Moved by** Todd Gleave,
41 **Seconded by** Elaine Street. **Vote:** Motion carried by unanimous roll call vote
42 (**summary:** Yes = 4). **Yes:** Brayden Gardner, Elaine Street, Kip Hansen, Todd
43 Gleave. **Excused:** Tanner Thompson.

8. MIXED-USE FOR ANDREW HERMANN AT 104 NORTH MAIN ("THE VAULT") APPROVED. Mr. Hermann was present to discuss his plans for this building. He is looking at some type of restaurant on the first floor, offices on the 2nd floor and some apartments on the 3rd floor. **Motion:** comprising a restaurant, office spaces, and apartments, **Action:** Approve, **Moved by** Kip Hansen, **Seconded by** Todd Gleave. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 4). **Yes:** Brayden Gardner, Elaine Street, Kip Hansen, Todd Gleave. **Excused:** Tanner Thompson.

9. CONSENT TO FUTURE IMPROVEMENT DISTRICTS FOR 440 N 600 E APPROVED. Councilmember Gardner declared a conflict of interest. The Council discussed the two other buildings that have already been built on this property and if we addressed the improvements on 400 North when they were constructed. We did discuss this and granted consent to the future improvement district on this side of the project. The developer did put a sidewalk in and an asphalt shoulder. **Motion:** Approve a consent to future improvement district for property located at approximately 440 N 600 E allowing improvements to be delayed until surrounding improvements are installed or a special improvement district is created, **Action:** Approved, **Moved by** Elaine Street, **Seconded by** Todd Gleave. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 4). **Yes:** Brayden Gardner, Elaine Street, Kip Hansen, Todd Gleave. **Excused:** Tanner Thompson.

10. CONSENT TO FUTURE IMPROVEMENT DISTRICTS FOR 735 N 750 E TABLED. as discussed by Tom Bogh. The Council discussed this property and Councilmember Gardner pointed out that there is a curb and gutter on the corner lot to the north and is in the Ideal Acres subdivision. There is a home on the lot to the north, but there is no curb and gutter in front of that home. He was concerned that if we grant the waiver, would it be forgotten. There is no curb and gutter on the east side of that street either. Councilmember Gleave asked what Mr. Bogh is doing with the property. Mr. Bogh is building a home for a nephew. Councilmember Hansen did not want to kick the can down the road, but he has not had the opportunity to look at this. **Motion:** Table consent to future improvement districts for property located at approximately 735 N 750 E allowing improvements to be delayed until surrounding improvements are installed or a special improvement district is created, **Action:** Tabled, **Moved by** Kip Hansen, **Seconded by** Elaine Street.

Mr. Bogh asked when the Council would decide on this. Councilmember Gleave felt that Councilmember Hansen is right and he hates to push this out any further, but too often we make decisions because we are pushed a little bit, and if we have a question, it is too bad because there is something we do not know. He would like to take a look at this and get a better idea of what we are looking at. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 4).

1 **Yes:** Brayden Gardner, Elaine Street, Kip Hansen, Todd Gleave. **Excused:** Tanner
2 Thompson.

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4 Mr. Bogh was frustrated that the Council would approve the one consent and
5 not the other one.

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8 11. PLANNING COMMISSION REPORT. Josh Peterson was present to represent
9 the Planning Commission. He stated that they had some general plan
10 discussions and also discussed the County's transportation plan.

11
12 They discussed allowing casitas or accessory dwelling units on one-acre and
13 five-acre lots. They would be restricted to family members.

14
15 They held a public hearing on the annexation policy relating to the surrender of
16 water shares and a public hearing to discuss the setbacks in residential zones.
17 The Planning Commission had some questions on the sheet that describes the
18 clear view area. They felt they needed to look at this a little more so they could
19 determine what effect changing the setback to 20 feet would have on corner
20 lots and the clear view area.

21
22 The Planning Commission recommended that the Council amend the
23 annexation policy for water shares.

24
25 They approved a short-term rental at 246 W 800 S. A home occupation was
26 granted for Lana Hansen to operate a photography studio in her home at 1855
27 Cove View Road.

28
29 A business called C & K Country Creations was granted a conditional use permit
30 to operate at 24 W 100 S.

31
32 Pearson United presented plans for a condominium and overnight stay project
33 on 100 W between 500 and 600 S. They were approved to operate as mixed-
34 use.

35
36 Shad Peterson proposed the construction of a building in the Richfield Business
37 Park for the sale of photography props, an office, and a studio. His plans were
38 approved as a conditional use.

39
40 Sinisha Kostich was granted permission to have 2 apartments in the basement of
41 the old church at 100 N and 300 E.

42
43 Andrew Hermann was granted a conditional use for a mixed-use including a
44 restaurant/reception hall, offices, and 4 apartments at 104 N Main (formerly
45 known as "The Vault").

1 Henry Barlow requested a conditional use permit to operate a meat
2 packing/processing plant at 2200 South Read Hills Dr. The Planning Commission
3 granted a conditional use permit to Mr. Barlow.
4

5 12. PUBLIC HEARING – TRIPLE J ANNEXATION. At 7:47 p.m., Mayor Burrows
6 opened a public hearing to receive comments on a proposed annexation
7 owned by Triple J LLC for property located at approximately 1095 W 1350 S.
8 Mayor Burrows explained that this property is located south of Wingers and west
9 of Home Depot. Hearing no comments, Mayor Burrows closed the hearing at
10 7:47 p.m.
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13 13. PUBLIC HEARING - JENSEN ANNEXATION. Mayor Burrows opened a public
14 hearing at 7:48 p.m., to receive comments on a proposed annexation owned by
15 Jared Jensen for property located at approximately 590 S 100 E. Mayor Burrows
16 explained that Mr. Jensen is proposing the construction of an RV Park on this
17 property that is located directly behind the Ville 647.
18

19 Someone asked how the property would be accessed. It will be accessed from
20 800 South and 100 East. Councilmember Gleave understood that Mr. Jensen
21 would have vehicles enter on the north end and exit on the south end.
22

23 There was also some discussion about 100 East and that City staff would like to
24 see the bridge over the canal installed that part of the street reopened. It
25 would help with the 4th of July parade because we could lengthen the parade
26 route if we have 100 East to detour traffic around. Councilmember Gleave felt
27 that this would take a lot of pressure off 400 West and College Avenue. Mayor
28 Burrows did speak to the property owner to the north who has a triangular piece
29 of land that would help with the realignment and he would be open to that, but
30 that is as far as the discussion has gone. Mayor Burrows felt that the property
31 owner would be willing to work with the City if we chose to do this in the future.
32 Mayor Burrows closed the hearing at 7:50 p.m.
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35 14. PUBLIC HEARING – ANNEXATION POLICY. Mayor Burrows opened a public
36 hearing at 7:51 p.m., to receive comments on a proposed amendment to the
37 General Plan Annexation Policy for water shares to annex property. Mayor
38 Burrows noted that the Council has implemented an impact fee to cover the
39 requirement of water for annexation. The hearing closed at 7:51 p.m.
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42 15. ORDINANCE 2022-15 ADOPTED. The Council reviewed an ordinance to
43 rezone property owned by Pearson United, located at approximately 100 West
44 between 500 and 600 South as RM-24 (high-density multi-family residential) and
45 CS (commercial shopping). The south portion of the property which would
46 include one building will be zoned commercial so that it can be used for

1 extended-stay through the Quality Inn hotel. **Motion:** Adopt Ordinance 2022-15
2 rezoning the property located at 100 West between 500 and 600 South to high-
3 density multi-family residential (RM-24) and the south portion zoned commercial
4 shopping (CS), **Action:** Adopted, **Moved by** Todd Gleave, **Seconded by** Brayden
5 Gardner. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 4).
6 **Yes:** Brayden Gardner, Elaine Street, Kip Hansen, Todd Gleave. **Excused:** Tanner
7 Thompson.
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10 16. ORDINANCE 2022-16 ADOPTED. The Council reviewed an ordinance that
11 would clarify the point of measurement for the height of buildings in the multi-
12 family zones. The amendment states that the height restriction in the RM-11 and
13 RM-24 would be 42 feet measuring to the highest peak of the roof, and there
14 would be a maximum of 3 stories above ground. **Motion:** Adopt Ordinance
15 2022-16 amending the height restriction in the RM-11 and RM-24 to 42 feet
16 measuring to the highest peak of the roof, a maximum of 3 stories above
17 ground, **Action:** Adopt, **Moved by** Todd Gleave, **Seconded by** Brayden
18 Gardner. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 4).
19 **Yes:** Brayden Gardner, Elaine Street, Kip Hansen, Todd Gleave. **Excused:** Tanner
20 Thompson.
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23 17. PEARSON UNITED CONDOMINIUM AND OVERNIGHT STAY PROJECT
24 APPROVED. The Council reviewed the proposed project and the Planning
25 Commission recommended that the Council approve a conditional use for the
26 property with the south portion identified for a mixed-use. **Motion:** Approve a
27 condominium and overnight stay project as a conditional use with the south
28 part of the project being approved as a mixed-use, **Action:** Approve, **Moved by**
29 Todd Gleave, **Seconded by** Elaine Street. **Vote:** Motion carried by unanimous roll
30 call vote (**summary:** Yes = 4). **Yes:** Brayden Gardner, Elaine Street, Kip Hansen,
31 Todd Gleave. **Excused:** Tanner Thompson.
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34 18. ORDINANCE 2022-11 ADOPTED. The Council reviewed an ordinance that
35 would establish standards for metal buildings in non-residential zones. The
36 ordinance designates some roads where metal buildings would be required to
37 have some design standards. The preferred finishings would include masonry,
38 decorative wood, stone, or decorative metal panels. The Planning Commission
39 and City Council would approve the finishings as part of the project plan. Other
40 finished could be allowed with a recommendation from the Planning
41 Commission and approval by the City Council. The ordinance also determines
42 when discouraged finishes could be allowed. **Motion:** Adopt Ordinance 2022-11
43 establishing standards for metal buildings in non-residential zones, **Action:**
44 Adopted, **Moved by** Kip Hansen, **Seconded by** Elaine Street. **Vote:** Motion
45 carried by unanimous roll call vote (**summary:** Yes = 4). **Yes:** Brayden Gardner,
46 Elaine Street, Kip Hansen, Todd Gleave.

1 **Excused:** Tanner Thompson.

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4 19. BID ON THE 100 WEST WATER PROJECT TABLED. Keith Mogan discussed the
5 project to replace the water line on 100 West from Center Street to 100 South.
6 He stated that we have had 4 leaks on this line in this block just in the past 1 ½
7 years. The road is not in great shape and if we replace the water line we will
8 need to replace all of the asphalt the whole length from the curb out
9 approximately 15 feet wide. He discussed the two bids for the waterline and
10 stated that the bids did not include the replacement of the asphalt. The
11 estimated cost from Hales Sand and Gravel for the asphalt replacement is
12 \$40,000 to \$63,000. This is almost double what we paid last year. We would be
13 looking at a total cost for this block of over \$120,000. Mr. Mogan recommended
14 that we hold off doing this project until we see what is going to happen with are
15 American Rescue Plan funds.

16
17 Councilmember Gardner asked if it would make sense to install a smaller line
18 since there are only 2 users on that line. Mr. Mogan explained that if we replace
19 the line we have to install an 8-inch line which is the minimum size allowed.

20 **Motion:** Table the award of the bid for the 100 West water line project, **Action:**
21 Table, **Moved by** Brayden Gardner, **Seconded by** Todd Gleave. **Vote:** Motion
22 carried by unanimous roll call vote (**summary:** Yes = 4). **Yes:** Brayden Gardner,
23 Elaine Street, Kip Hansen, Todd Gleave. **Excused:** Tanner Thompson.

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26 20. RESOLUTION 2022-8 ADOPTED. The Council reviewed the Municipal
27 Wastewater Planning Program Annual Report. Mr. Mogan explained that there
28 is a requirement for it to be accepted by the Council. **Motion:** Adopt Resolution
29 2022-8 accepting the Municipal Wastewater Planning Program Annual Report as
30 presented, **Action:** Adopted, **Moved by** Elaine Street, **Seconded by** Kip Hansen.
31 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 4). **Yes:**
32 Brayden Gardner, Elaine Street, Kip Hansen, Todd Gleave. **Excused:** Tanner
33 Thompson.

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36 21. NAME OF THE NEW PARK. **Motion:** Approve the name of the new park, as
37 Nielson Warm Springs Park, **Action:** Approved, **Moved by** Elaine Street,
38 **Seconded by** Todd Gleave. **Vote:** Motion carried by unanimous roll call vote
39 (**summary:** Yes = 4). **Yes:** Brayden Gardner, Elaine Street, Kip Hansen, Todd
40 Gleave. **Excused:** Tanner Thompson.

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43 22. OTHER BUSINESS. Councilmember Hansen noted that when the water and
44 sewer impact fees were adopted, we discussed going back and looking at a
45 recreation impact fee. Mayor Burrows stated that we are working on a
46 recreation impact fee, as well as a public safety impact fee.

1
2 The Council was invited to a Regional Growth Summit sponsored by the Six-
3 County AOG. The meeting is set for the same night as a regular Council
4 meeting, May 10th. The Council decided to cancel their regular meeting and to
5 reschedule the meeting for Monday, May 9th at 7:00 p.m.
6

7 The State passed a bill that recognizes Juneteenth as a holiday. It will be
8 observed as a Federal holiday this year. The Council would look at amending
9 the policy to observe this holiday.
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12 At 8:18 p.m., Councilmember Thompson joined the meeting through zoom to
13 hear the discussions in the executive session.
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16 23. EXECUTIVE SESSION. **Motion:** Adjourn to convene a closed session to
17 discuss the character, professional competence, or physical or mental health of
18 an individual to serve on the Library Board, the purchase of real property, and a
19 litigation matter. **Action:** Adjourn, **Moved by** Brayden Gardner, **Seconded by**
20 Elaine Street. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes =
21 4). **Yes:** Brayden Gardner, Elaine Street, Kip Hansen, Todd Gleave. **Excused:**
22 Tanner Thompson.
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25 24. RECONVENE & ADJOURN. **Motion:** Reconvene and adjourn, **Action:**
26 Adjourn, **Moved by** Kip Hansen, **Seconded by** Elaine Street. **Vote:** Motion carried
27 by unanimous roll call vote (**summary:** Yes = 4). **Yes:** Brayden Gardner, Elaine
28 Street, Kip Hansen, Todd Gleave, Tanner Thompson.
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31 PASSED and APPROVED this * day of April 2022.
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35 _____
36 Michele Jolley
37 Richfield City Recorder

ORDINANCE 2022-19

AN ORDINANCE AMENDING THE 2003-2015 RICHFIELD CITY GENERAL PLAN ANNEXATION POLICY DEFINING THE TYPE AND QUANTITY OF ACCEPTABLE WATER RIGHTS REQUIRED FOR ANNEXING AN AREA TO RICHFIELD CITY, SEVIER COUNTY, UTAH.

PREAMBLE

WHEREAS, the City of Richfield ("City") has enacted the 2003-2015 General Plan for Richfield City, (hereinafter the "General Plan"); and

WHEREAS, the Mayor and City Council of the City of Richfield have comprehensively examined the proposed amendment to the annexation policy as approved and recommended by the Planning Commission and have determined the proposal to be in the best interest of the City and the best interest of the citizens, inhabitants, owners, occupants or users of property within the City; and

WHEREAS, the Planning Commission and the City Council of the City of Richfield have held public hearings on the proposed amendment to the 2003-2015 General Plan Annexation Policy, pursuant to §10-9-402 – 403, Utah Code Annotated 1953, as amended; now therefore,

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF RICHFIELD, SEVIER COUNTY, STATE OF UTAH:

SECTION 1. Preamble: The recitals in the Preamble are enacted to be deemed a part of this Ordinance and are hereby declared to express the intent hereof.

SECTION 2. Policy 10 of the Annexation Policy Element of the 2003-2015 General Plan shall be amended to read as follows:

The transfer of water rights to Richfield City will not be required before an ordinance annexing an unincorporated area is accepted.

The Council will collect funds for underground water at the time of development through a water impact fee that shall be used for the acquisition or development of water.

SECTION 3. No other sections or provisions of the General Plan shall be affected.

SECTION 4. Effective Date. This Ordinance shall become effective immediately upon adoption, posting and publication of a Summary in The Richfield Reaper as provided in §10-3-711, Utah code Annotated 1953, as amended.

PASSED and APPROVED this 26th day of April, 2022.

CITY OF RICHFIELD

By _____
Bryan L. Burrows, Mayor

ATTEST:

Michele H. Jolley, City Recorder

(S E A L)

	<u>AYE:</u>	<u>NAY:</u>
Councilmember Brayden Gardner	_____	_____
Councilmember Todd Gleave	_____	_____
Councilmember Kip Hansen	_____	_____
Councilmember Elaine Street	_____	_____
Councilmember Tanner Thompson	_____	_____