

THE STATE OF UTAH
COUNTY OF SEVIER
CITY OF RICHFIELD

At the City Council
In and For Said City
July 26, 2022

Minutes of the Richfield City Council meeting held on Tuesday, July 26, 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 | 9. ORDINANCE 2022-24 ADOPTED |
| 2. PLEDGE OF ALLEGIANCE | 10. JOINT APPLICATION WITH THE |
| 3. ROLL CALL | FOREST SERVICE AND SEVIER |
| 4. MINUTES | COUNTY TABLED |
| 5. ORDINANCE 2022-23 REZONING | 11. STANDARDS FOR STORM |
| PROPERTY DENIED | DRAINAGE AND RETENTION |
| 6. PHASE II OF THE TOK | ADOPTED |
| DEVELOPMENT SUBDIVISION | 12. PUBLIC HEARING - WATER |
| APPROVED | CONSERVATION PLAN |
| 7. FRANCHISE AGREEMENT WITH | 13. OTHER BUSINESS |
| INFOWEST APPROVED | 14. MEETING ADJOURNED |
| 8. PARTICIPATING IN SIDEWALK | |
| REPLACEMENT APPROVED | |

- 1 1. OPENING REMARKS were offered by Councilmember Thompson.
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4 2. PLEDGE OF ALLEGIANCE was led by Councilmember Hansen.
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7 3. ROLL CALL. **Present:** Mayor Burrows, Brayden Gardner, Todd Gleave, Kip
8 Hansen, Elaine Street, Tanner Thompson, Michele Jolley. **Excused:** Tyson Hansen.
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11 4. MINUTES APPROVED. The Council reviewed the minutes of the meeting
12 held on July 12, 2022. **Motion:** Approve the minutes of the meeting held on July
13 12, 2022, **Action:** Approved, **Moved by** Todd Gleave, **Seconded by** Elaine Street.
14 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:**
15 Brayden Gardner, Elaine Street, Kip Hansen, Tanner Thompson, Todd Gleave.

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3 5. ORDINANCE 2022-23 REZONING PROPERTY DENIED. The Council reviewed
4 an ordinance that would rezone the property owned by Jake Black, Adam
5 Albrecht, and Bryan Nay to single-family residential R1-6.

6 Councilmember Hansen was not in attendance at the last meeting but he
7 noted from the minutes that there was a good discussion about this. He has had
8 several people reach out to him on this. It seems like the one overriding issues
9 that keeps coming up and that people are concerned about is the one site of
10 ingress and egress from that property. This has bothered him as well. He drove
11 around early this morning and looked at everything in roughly a one-mile radius
12 or less of this property and was surprised at how many places there were that
13 only had one way in and one way out. He listed several areas where that was
14 the case. He just added this to the discussion to note that the Council would not
15 be setting precedence. Someone commented that it was not the same. He
16 agreed that it was not the same, but how all of the others were allowed
17 because of the process where the issues are looked at and a determination
18 made about how to accommodate them. We determine road widths, and
19 radiuses on things like cul-de-sacs, so that we can get fire apparatus in and turn
20 them around. He also pointed out that 300 West is a designated collector street
21 and that it has been for a long time.

22
23 Councilmember Thompson stated that he respects Councilmember Hansen and
24 his opinion because he has done this for a long time, but to him, the issue is not
25 just that it is one way in and one way out, but this project would potentially put
26 50 homes on to that one street. He is not opposed to cul-de-sacs in general and
27 Councilmember Hansen's point is well-taken, but he thought the opposition was
28 also about the number of homes that would be built there.

29
30 Councilmember Hansen said that it was amazing to him and he had no idea
31 how much of the one way in and one way out we do have.

32
33 Mayor Burrows asked if the property sell included up to the back of the lots of
34 the existing homes. It was stated that it does. Mayor Burrows wanted to clarify
35 that the piece of ground that is between the fence and the existing homes is
36 part of this property. Those present indicated that it was part of the property
37 sold. Mayor Burrows was curious as to why it was fenced the way that it was.

1 Councilmember Street stated that she has also been looking at this property and
2 she thought that an R1-8 at the south end of the property would work and then
3 the top could be an R1-6. She thought that both could be developed there so
4 that it would help with a little lower income and also some fancier homes. She
5 thought that this might appease a few people.

6
7 Councilmember Hansen stated that the Council held a hearing 2 weeks ago
8 and the Planning Commission has done due diligence on this. They serve of
9 their own accord and deal with some pretty tough things sometimes. As they
10 looked at this whole thing from long-term planning and other things that they
11 are asked to do in the Planning Commission, they thought this was a good fit on
12 that parcel and recommended that we approve the R1-6. **Motion:** Accept the
13 recommendation of the Planning Commission and change the zone for this
14 property to an R1-6, **Action:** Motion died for lack of a second, **Moved by** Kip
15 Hansen, **None seconded.**

16
17 Councilmember Gardner explained that he has spent a lot of time on this. He is
18 very pro-growth and he is in the real estate industry so he knows that there is a
19 need for housing. He has reached out to more people than have spoken in this
20 meeting. This is probably the hardest decision he has made since being on the
21 Council. He has also reached out to dozens and dozens of people in his industry
22 and he has only found one person that is favorable to this zone. That was a
23 surprise to him given the challenges in his industry right now.

24
25 **Motion:** Deny the R1-6 zone, **Action:** Denied, **Moved by** Brayden Gardner,
26 **Seconded by** Tanner Thompson. **Vote:** Motion passed (**summary:** Yes = 4, No = 1,
27 Abstain = 0). **Yes:** Brayden Gardner, Elaine Street, Tanner Thompson, Todd
28 Gleave. **No:** Kip Hansen.

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31 6. PHASE II OF THE TOK DEVELOPMENT SUBDIVISION APPROVED. Mayor
32 Burrows stated that this project is located on 1080 South approximately 950 West
33 noting that this was recommended by the Planning Commission.

34
35 Mayor Burrows noted that this has been discussed before. Mark Hatch stated
36 that he was told at the Planning Commission meeting that he would be able to
37 make comments to the City Council about this. Mayor Burrows stated that this is
38 not a public hearing and that the Council does not need a public hearing
39 because this is not a zone change.

40
41 Mr. Hatch stated that there is a lot of legal stuff and we probably ought to talk
42 about it. Mayor Burrows state again that this is not a public hearing.

1 Councilmember Gardner stated that this should have been discussed during the
2 zone change public hearing process.

3
4 Mr. Hatch said that the Planning Commission told those in attendance at the
5 meeting that the Planning Commission was just the first step and they would be
6 able to talk to the Council about this.

7
8 Mr. Hatch stated that part of the problem is that the zoning for this property was
9 changed illegally. Mayor Burrows stated that he was not aware of that. Mr.
10 Hatch stated that there is a lot of missing paperwork.

11
12 Councilmember Thompson asked the staff if the zone change was done
13 illegally. Staff indicated that it was not. Mr. Hatch stated that according to their
14 attorney, there is a pretty good chance that it was. Mayor Burrows stated that
15 according to our attorney, it was not.

16
17 Councilmember Gardner clarified that the Council had already approved
18 phase I of this project. He stated that the Council knew that there would be a
19 phase II and a phase III following that. Mayor Burrows asked the Council what
20 their thoughts were. Councilmember Gleave felt the Council should vote on
21 this. Councilmember Hansen stated that there is no reason to kick this down the
22 road.

23
24 **Motion:** Approve Phase II of the TOK subdivision, **Action:** Approved, **Moved by**
25 Todd Gleave, **Seconded by** Brayden Gardner. **Vote:** Motion carried by
26 unanimous roll call vote (**summary:** Yes = 5). **Yes:** Brayden Gardner, Elaine
27 Street, Kip Hansen, Tanner Thompson, Todd Gleave.

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30 7. FRANCHISE AGREEMENT WITH INFOWEST APPROVED. Matt Beard and
31 Randon Anderson were present to discuss a franchise agreement with Infowest
32 and Richfield City. They would like to start putting fiber in the area just to give
33 customers another option and maybe help facilitate the growth to make it a
34 little easier. Mayor Burrows asked why it would be an advantage to the City to
35 have a franchise with them.

36
37 Mr. Anderson stated that when they come in other companies start putting fiber
38 in because they are competition. So, it is kind of upgrades old existing lines that
39 have been sitting on pools for many years. It is kind of a natural progression. Go
40 Fiber merged with Infowest and they like to be involved with smaller
41 communities. **Motion:** Approve the Franchise Agreement with Infowest
42 conditional upon review by the City Attorney, **Action:** Approved, **Moved by**
43 Tanner Thompson, **Seconded by** Elaine Street. **Vote:** Motion carried by
44 unanimous roll call vote (**summary:** Yes = 5). **Yes:** Brayden Gardner, Elaine
45 Street, Kip Hansen, Tanner Thompson, Todd Gleave.

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48 8. PARTICIPATING IN SIDEWALK REPLACEMENT APPROVED. The City received

1 a request to help with the cost of replacing the sidewalk along with the
2 driveways along Main Street and 500 South in front of Quality Center and Black
3 Bear Diner.

4
5 The staff has been discussing this and has some suggestions to consider. Mayor
6 Burrows stated that the sidewalk is quite old. Mr. Mogan reported that the
7 sidewalk is in pretty bad shape, especially in front of the diner south to 600 South.
8 There is a definite need for replacement there.

9
10 Mr. Mogan stated that the staff discussed just paying for the cement and having
11 the property owner pay for the labor and other supplies needed for the
12 replacement. He also suggested that maybe we do not participate on the 500
13 West side. The sidewalk replacement program for residential properties was
14 discussed. Some of the funds set aside for this program could be used to pay for
15 some of the repairs on 500 South, but there is not a lot there. Whatever the
16 Council decides would likely be requested by other businesses. Maverik has
17 contacted the City about their sidewalk on Main Street and 300 South.

18
19 Staff suggested that the Council could consider implementing a sidewalk
20 program on Main Street similar to the residential program where a certain
21 amount of funds could be set aside each year and would be utilized on a first-
22 come-first-serve basis. With the residential program, the City pays for the
23 cement and engineering, if needed, and the property owner pays for the labor.

24
25 The estimated cost of the project was discussed. It was noted that the quote
26 was based on the contractor's price for concrete. The quote will be less
27 because the City can get a better price for the concrete.

28
29 Councilmember Thompson asked how much money was left for the sidewalk
30 program. There is currently about \$17,000 remaining.

31
32 Councilmember Hansen has participated with some residents using the sidewalk
33 program funds. Mr. Mogan stated that there is a waiting list for this money. They
34 just have not gotten around to replacing their sidewalks. He noted that if
35 everyone on the list did replace their sidewalks, we would not have any funds
36 left.

37
38 Councilmember Hansen likes the proposal to create a sidewalk replacement
39 fund for Main Street. He sees so many people navigating those curb cuts on
40 jazzy which is kind of a hazard. He thought that we may have some obligation
41 in the public interest to help with that.

42
43 Councilmember Hansen pointed out that if we were going to self-fund a
44 program, it would just become a budget item going forward. He thought we
45 should look at this and thought it was a great suggestion.

46
47 Councilmember Thompson clarified that this vote is to participate in this project
48 and not to vote to create a program. The 60 yards of concrete would replace

1 the sidewalk on 500 South and Main Street and would also include filling in the
2 mow strip with concrete.

3
4 Councilmember Gleave asked if Pearsons would be okay with the City just
5 paying for the cement. This proposal has not been made to the Pearsons yet.
6 The Council needs to determine what they are willing to participate in.

7
8 Mayor Burrows asked about 500 South. He stated that the sidewalk on 500 South
9 looks pretty good.

10
11 The project could be paid for out of the Class C road funds.

12
13 Councilmember Hansen stated that it is a good time because they are doing so
14 much on that block. It is so nice to get that cleaned up and developed.

15
16 **Motion:** Accept Mr. Mogan's recommendation to provide the concrete only
17 and that this be for Main Street and 500 South, **Action:** Approved, **Moved by** Kip
18 Hansen, **Seconded by** Tanner Thompson. **Vote:** Motion carried by unanimous roll
19 call vote (**summary:** Yes = 5). **Yes:** Brayden Gardner, Elaine Street, Kip Hansen,
20 Tanner Thompson, Todd Gleave.

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23 9. ORDINANCE 2022-24 ADOPTED. The Council reviewed amendments to
24 the hotel/motel/extended stay ordinance. Mayor Burrows stated that through
25 our Attorney, some things were taken out and some added. The Planning
26 Commission reviewed these amendments and they recommend that the
27 ordinance be adopted.

28
29 **Motion:** Adopted Ordinance 2022-24 amending the hotel/motel/extended stay
30 ordinance, **Action:** Approved, **Moved by** Brayden Gardner, **Seconded by** Elaine
31 Street. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:**
32 Brayden Gardner, Elaine Street, Kip Hansen, Tanner Thompson, Todd Gleave.

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35 10. JOINT APPLICATION WITH THE FOREST SERVICE AND SEVIER COUNTY
36 TABLED. The City, the County, and the Forest Service met with Carson DeMille
37 and discussed an application for a FIG grant to replace the pit toilets located at
38 the top of the CC Road. The Forest Service indicated today that they may have
39 the possibility of securing some other funding, so we just need to table this for
40 now. **Motion:** Table, **Action:** Tabled, **Moved by** Tanner Thompson, **Seconded by**
41 Kip Hansen. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes =
42 5). **Yes:** Brayden Gardner, Elaine Street, Kip Hansen, Tanner Thompson, Todd
43 Gleave.

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46 11. STANDARDS FOR STORM DRAINAGE AND RETENTION ADOPTED. The
47 Council has had discussions on this before and we need to get this in place so
48 that there is no question on the standards and what is expected. Mr. Farmer

1 explained that the standards would require a retention basin to perk within 3
2 days from the design storm. If not, we would have to pump it. He added into
3 the standard that the developer would need to landscape up to the sidewalk
4 so that there is not just a patch of dirt that will become a weed patch left that
5 becomes a maintenance issue. This would be hardscaped so that it is finished.

6
7 Councilmember Thompson asked about the detention issue that the Council
8 had previously discussed, noting that it was too expensive. This was left into the
9 standards as an option in the event circumstances made it necessary. He
10 wondered if this would deter development since the ground has a lot of clay
11 and may not perk in 3 days.

12
13 Last year was an unusual storm event and, in most cases, the water will not stay
14 for more than 3 days and if it does, the City can pump the water out.

15
16 Mr. Farmer stated that it does allow the City to opt out of a retention basin and
17 require detention, but typically it would just be retention.

18
19 **Motion:** Adopt the storm drainage standards, **Action:** Adopted **Moved by** Tanner
20 Thompson, **Seconded by** Kip Hansen. **Vote:** Motion carried by unanimous roll
21 call vote (**summary:** Yes = 5). **Yes:** Brayden Gardner, Elaine Street, Kip Hansen,
22 Tanner Thompson, Todd Gleave.

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25 12. PUBLIC HEARING - WATER CONSERVATION PLAN. Mayor Burrows opened a
26 public hearing at 7:41 p.m. to receive comments on an update to the City's
27 water conservation plan. Mr. Farmer explained that every 5 years the City is
28 required to look at the requirements of our conservation master plan. Basically,
29 we look at the goals we set and see if we are meeting them. One of the
30 regional goals is that per person in Richfield, they are not using more than 234
31 gallons of water per day and we are meeting that goal. There are not a lot of
32 changes. One change is that for those who are using a lot of water, we are
33 going to implement an app that will monitor and notify residents when they use
34 a lot of water.

35
36 Councilmember Thompson asked if with the drought we are good as far as
37 conservation is concerned. Mr. Farmer stated that according to our regional
38 goals we are good. There is always stuff that we can do. Another the City has
39 done is change the tier rate for water which is another goal in the document.
40 Mr. Farmer stated that the document adopts the standards that the State
41 requires for us to put in there. Mayor Burrows closed the hearing at 7:46 p.m.

1 13. ORDINANCE 2022-22 ACCEPTING THE 2022 WATER CONSERVATION PLAN
2 DATED JULY 13, 2022 ADOPTED. The Council reviewed the ordinance to adopt
3 the water conservation plan. **Motion:** Adopt Ordinance 2022-22 accepting the
4 2022 Water Conservation Plan dated July 13, 2022, **Action:** Adopted, **Moved by**
5 Todd Gleave, **Seconded by** Elaine Street. **Vote:** Motion carried by unanimous roll
6 call vote (**summary:** Yes = 5). **Yes:** Brayden Gardner, Elaine Street, Kip Hansen,
7 Tanner Thompson, Todd Gleave.
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10 14. OTHER BUSINESS. Councilmember Street asked what we can do about the
11 scooters. She thinks they should be on the sidewalks and wearing a helmet at
12 least. What do we have to do to have someone killed before we do
13 something? Chief Lloyd stated that they are legal and that they cannot ride on
14 any street that has a speed limit of more than 25 miles per hour. They are
15 basically considered to be the same as a bicycle. She is just worried that
16 someone is going to get severely hurt.
17

18 Keith Mogan stated that we have been getting complaints about all of the
19 weeds. We are only spraying about 5 to 6 feet from the side of the roads and it
20 is costing us about \$1,000 per week to spray. It would double if we were to spray
21 to the ditch. Mayor Burrows stated that we are getting close to being done and
22 that maybe it will be different next year.
23

24 Chief Lloyd informed the Council that we have 2 officers leaving August 5 and
25 possibly 2 more shortly thereafter. Councilmember Thompson asked where they
26 were going. Chief Lloyd stated that one is going to Unified Fire and one is going
27 to the prison. He will know this week when the one will be going to the Highway
28 Patrol and another officer has applied there also.
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31 15. MEETING ADJOURNED. At 7:46 p.m., **Motion:** Adjourn, **Action:** Adjourned,
32 **Moved by** Tanner Thompson, **Seconded by** Todd Gleave. **Vote:** Motion carried
33 by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Brayden Gardner, Elaine
34 Street, Kip Hansen, Tanner Thompson, Todd Gleave.

PASSED and APPROVED this 9th day of August 2022.

Recorder