Washington City
Where Dixie Begins

Washington City Council
111 North 100 East
Washington City, UT 84780
Phone (435) 656-6300
Fax (435) 656-6370
www.washingtoncity.org

Minutes
Regular Meeting
January 22, 2014

Present: Mayor Kenneth Neilson, Councilmen Garth Nisson, Thad Seegmiller, Kress Staheli, Ronald Truman, Jeff Turek, City Attorney Jeff Starkey, City Manager Roger Carter, City Recorder Danice Bulloch, Deputy Recorder Tara Pentz, Public Works Director Mike Shaw, Community Development Director Drew Ellerman, Leisure Services Director Barry Blake, Power Director Kelly Carlson, Police Chief Jim Keith, Audience: Craig Coates, Brent Thompson, Brandee Walker, G.L Bowers, Curtis Hancock

Meeting commenced at 6:00 P.M.

Invocation: Councilman Turek
Pledge of Allegiance: Councilman Nisson

Mayor Neilson excused Councilman Kress Staheli and Ronald Truman as they will be arriving late.

1. APPROVAL OF THE AGENDA

Councilman Turek made a motion to approve the agenda. Councilman Seegmiller seconded the motion; which passed with the following role call vote:

Councilman Nisson	*Aye*
Councilman Seegmiller	*Aye*
Councilman Turek	*Aye*

2. ANNOUNCEMENTS

A. Introduction and appreciation for an Eagle Scout project at the Animal Shelter completed by Carter Hancock. Jim Keith, Police Chief

Police Chief Jim Keith stated Mr. Carter Hancock along with three other young men have been doing a renovation of the outside kennel area. He raised the money on his own for the materials, and he has done a great job.

Mayor Neilson asked how long the project has taken.

Mr. Carter Hancock stated the project took about one month, and he raised donations for the project.

*Councilman Ronald Truman arrived at 6:05 P.M.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

None

4. CONSENT AGENDA

APPROVAL OF MINUTES: Consideration to approve the minutes from the City Council Meetings of 01/07/14 and 01/08/14.

RENEWAL OF ALCOHOL LICENSES:

A. Consideration to approve the following Off-Premises License for: Walmart

B. Consideration to approve the following On-Premises License for: Red Robin Gourmet Burgers

Councilman Seegmiller made a motion to approve the consent agenda. Councilman Truman seconded the motion; which passed with the following role call vote:

Councilman Nisson	*Aye*
Councilman Seegmiller	*Aye*
Councilman Truman	*Aye*
Councilman Turek	*Aye*

5. FINAL PLATS

A. Consideration to approve the Final Plat for The Meadows at Stucki Farms Phase 3, located approximately at 4600 South 1050 East. Applicant: Karl Larson, South Land Development LLC

Community Development Director Drew Ellerman reviewed:
The applicant is requesting approval of a final plat for The Meadows at Stucki Farms, Phase 3 subdivision, located at approximately 4600 South 1050 East. This particular phase of the subdivision is proposing 24 lots on an area covering 7.826 acres. The specific location of this subdivision is zoned PCD (Planned Community Development). The Amended Preliminary Plat was approved back on March 13, 2013.

Staff has reviewed the requested proposal, and the proposed final plat, phase 3, conforms to the approved amended preliminary plat.

The Planning Commission unanimously recommended approval of the Final plat for The Meadows at Stucki Farms, Phase 3 subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings
1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

Conditions
1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. Where applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a post maintenance agreement be recorded prior to the recording of the final plat.
6. The required secondary access will be installed and improved to an all-weather surface as approved by, the Public Works Department and Fire Marshal, prior to the recording of this final plat.

Councilman Turek made a motion to approve the Final Plat for The Meadows at Stucki Farms Phase 3, located approximately at 4600 South 1050 East with the findings and conditions of Staff and as recommended by the Planning Commission. Councilman Truman seconded the motion; which passed with the following role call vote:

Councilman Nisson	*Aye*
Councilman Seegmiller	*Aye*
Councilman Truman	*Aye*
Councilman Turek	*Aye*

B. Consideration to approve the Final Plat for Bella Vista at Stone Mountain Phase 3, located approximately at 600 East 400 South. Applicant: Brent Thompson, DTB Development

Community Development Director Drew Ellerman reviewed:
The applicant is requesting approval of a final plat for Bella Vista at Stone Mountain, Phase 3 subdivision, located at approximately 600 East 400 South. This particular phase of the subdivision is proposing 25 lots on an area covering 12.19 acres. The specific location of this subdivision is zoned R-1-8 (Single-Family Residential - 8,000 sq. ft. min.). The Preliminary Plat was approved back on March 10, 2004.

Staff has reviewed the requested proposal, and the proposed final plat, phase 3, conforms to the approved preliminary plat.

The Planning Commission unanimously recommended approval of the Final plat for the Bella Vista at Stone Mountain, Phase 3 subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

Conditions
1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. Where applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a post maintenance agreement be recorded prior to the recording of the final plat.
6. The required secondary access will be installed and improved to an all-weather surface as approved by, the Public Works Department and Fire Marshal, prior to the recording of the final plat.
7. Due to the slopes between lots 61-64 down onto lots 65-68, the applicant will provide a design to mitigate potential drainage issues to staff's approval before recording of the final plat.

City Attorney Starkey asked if Washington City already has easement for the secondary access.

Community Development Director Ellerman stated he believes we have the easement, but he will make certain.

Councilman Truman made a motion to approve the Final Plat for Bella Vista at Stone Mountain Phase 3, located approximately at 600 East 400 South with the findings and conditions of Staff and as recommended by the Planning Commission. Councilman Turek seconded the motion; which passed with the following role call vote:

Councilman Nisson	*Aye*
Councilman Seegmiller	*Aye*
Councilman Truman	*Aye*
Councilman Turek	*Aye*

6. AWARD OF BID

A. Consideration to award the bid for the Three Rivers Trail Connection project, located north side of the Virgin River from Sullivan Virgin River Park to the Three Rivers Trail. Barry Blake, Leisure Services

Leisure Services Director Barry Blake reviewed:
We held a bid opening on Tuesday, January 21, 2014 for the award of bid for the Virgin River trail connection between Sullivan Park and Cottonwood Trail.

This is the trail project which will make the connection between Sullivan Park and the Cottonwood Trail. This is a critical project as it makes the connection to the Sienna Hills Trails, Coral Canyon Trails and to the trail that connects to Sunrise Valley and the bridge that connects to the areas South of the Virgin River.

Staff Recommendation:
Staff recommends the bid be awarded to the lowest qualified bidder, JP Excavating in the amount of $1,073,211.25.

Turek made a motion to award the bid to JP Excavating for the Three Rivers Trail Connection Project, located north side of the Virgin River from Sullivan Virgin River Park to the Three Rivers Trail in the amount of $1,073,211.25. Councilman Truman seconded the motion; which passed with the following role call vote:

Councilman Nisson	*Aye*
Councilman Seegmiller	*Aye*
Councilman Truman	*Aye*
Councilman Turek	*Aye*

B. Consideration to award the bid for a new trailer mounted Crack Sealer. Mike Shaw, Public Works Director

Public Works Director Mike Shaw reviewed:
A new Trailer Mounted Crack Sealer was included in this years budget to replace the existing Crack Sealer that has outlived its useful life.$50,000 was budgeted in the budget. Two bids were received with Cate Equipment coming in as the low bid at $45,420.00. He would ask Council to increase the bid amount by $1500.00 to allow for the additional purchase of an electric heater. These types of equipment take over an hour to heat each morning, and with the heater, the sealer would be plugged in each night, and there would be no wait time to begin each morning.

Councilman Truman made a motion to award the bid for the new trailer mounted Crack Sealer to Cate Equipment in the amount of $46,920 which includes the additional amount of $1500.00 for the electric heater. Councilman Turek seconded the motion; which passed with the following role call vote:

Councilman Nisson	*Aye*
Councilman Seegmiller	*Aye*

Councilman Truman *Aye*
Councilman Turek *Aye*

7. TRAIL PLAN REVISION

A. Consideration to purchase property for a trail, property is located between the Virgin River Sullivan Park Trail and the Cottonwood Trail. Barry Blake, Leisure Service Director

Leisure Services Director Barry Blake reviewed:
The subject property consists of a 14.45 acre parcel that is almost entirely steep hillside. The portion of the site that is not steep hillside is located within the floodplain/floodway of the Virgin River. This property is needed for the trail connections East of Sullivan Park. This property is also valuable to the City as property for future Habitat Mitigation with the BLM or US Fish and Wildlife. The project will be paid for with Park and Recreation Impact Fees.

Councilman Seegmiller made a motion to purchase 14.45 acres of property for a trail, property is located between the Virgin River Sullivan Park Trail and the Cottonwood Trail for the amount of $50,000. With this approval he would authorize the Mayor to sign any documentation necessary for this transaction. Councilman Truman seconded the motion; which passed with the following role call vote:

Councilman Nisson *Aye*
Councilman Seegmiller *Aye*
Councilman Truman *Aye*
Councilman Turek *Aye*

8. SPECIAL EVENT

A. Consideration to approve a Special Event for the Dogtown Half Marathon, 9K, 5K, and Kids Run, on February 22, 2014. Dustin Halterman, Washington City Event Coordinator

Leisure Services Director Barry Blake reviewed:
Public Safety has reviewed the plan and has approved the route, which has changed slightly from last year.

Councilman Seegmiller made a motion to approve the Dogtown Half Marathon Special Event. Councilman Nisson seconded the motion; which passed with the following role call vote:

Councilman Nisson *Aye*
Councilman Seegmiller *Aye*
Councilman Truman *Aye*
Councilman Turek *Aye*

9. RESOLUTIONS

A. Amendment to the Flood Control Authority Agreement clarifying the source of collection fee. Mike Shaw, Public Works Director

Public Works Director Mike Shaw reviewed:
This is an agreement, which will clarify at which point the fees are collected. There has been basically no impact to Washington City with the change to this agreement. It was more to make the change as it has impacted some of the adjacent cities.

Councilman Truman made a motion to approve the amendment to the Flood Control Authority Agreement clarifying the source of collection. Councilman seconded the motion; which passed with the following role call vote:

Councilman Nisson	*Aye*
Councilman Seegmiller	*Aye*
Councilman Truman	*Aye*
Councilman Turek	*Aye*

B. Consideration to approve a Resolution confirming the appointment of Garth Nisson as the Representative from Washington City to the Southwest Mosquito Abatement and Control District. Danice Bulloch, City Recorder

City Recorder Danice Bulloch reviewed:
This is a Resolution required by the Southwest Mosquito Abatement and Control District as representatives are changed on their board.

Councilman Seegmiller made a motion to approve to a Resolution confirming the appointment of Garth Nisson as the Representative from Washington City to the Southwest Mosquito Abatement and Control District. Councilman Turek seconded the motion; which passed with the following role call vote:

Councilman Nisson	*Aye*
Councilman Seegmiller	*Aye*
Councilman Truman	*Aye*
Councilman Turek	*Aye*

10. PLANNING COMMISSION APPOINTMENT

A. Recommendation and consideration to appoint a member to the Planning Commission. Kenneth F. Neilson, Mayor

Mayor Neilson stated he would recommend Jason Smith be reappointed to the Planning Commission as he has only served one term on the Planning Commission.

Councilman Turek made a motion to reappoint Jason Smith to the Planning Commission as recommended by Mayor Neilson. Councilman Seegmiller seconded the motion; which passed with the following role call vote:

Councilman Nisson	*Aye*
Councilman Seegmiller	*Aye*
Councilman Truman	*Aye*
Councilman Turek	*Aye*

11. REPORT OF OFFICERS FROM ASSIGNED COMMITTEE

None

12. CITY MANAGER REPORT

City Manager Roger Carter stated the Southern Parkway is open, and is a beautiful ride to Sandhollow. The parkway to the airport is significantly shorter from the fields, and we hope to have the connection between Warner Valley and Washington Dam Road within the next year.

Councilman Truman stated he has had some individuals concerned with the accessibility to the ATV trails in Warner Valley with the new southern parkway.

Public Works Director Shaw stated UDOT has given the permission to Washington County for the portion of the Southern Parkway connection. He would recommend the County Commissioners be contacted with regard to this connection because the access for ATV's to Sandhollow has now been cut off. He is getting about 10 calls per week from concerned people.

City Manager Carter stated he feels Mall Drive Bridge to be open will probably be a year and a half. He has been working with Mike Shaw to get some discussion with Council for the needs of our local roads until the bridge is completed. Agreements from Hurricane and Santa Clara have been signed for when the units for the Generation Facility are ready to be transported. We would like to have designs in the next week for the Cemetery Expansion. The Seimens lighting project has begun and they have started replacing in the City Building as well as the light poles.

*Councilman Kress Staheli arrived at 6:47 P.M.

City Manager Carter continued as part of the bid process for the trail Washington City was pushed back 5 weeks by the Fish and Wildlife. They are anticipating releasing the property by the end of February.

13. CLOSED SESSION

A. Discuss purchase, exchange or lease of property.

Councilman Seegmiller made a motion to move into Closed Session to discuss purchase, exchange or lease of property. Councilman Turek seconded the motion; which passed with the following role call vote:

Councilman Nisson	*Aye*
Councilman Seegmiller	*Aye*
Councilman Staheli	*Aye*

Councilman Truman	*Aye*
Councilman Turek	*Aye*

Council member then moved into Closed Session at 6:51 P.M.

The Council left the Closed Session returned to adjourn the Regular Meeting at 7:51 P.M.

14. ADJOURNMENT

Councilman Seegmiller made a motion to adjourn the Regular Meeting. Councilman Turek seconded the motion; which passed with the following role call vote:

Councilman Nisson	*Aye*
Councilman Seegmiller	*Aye*
Councilman Staheli	*Aye*
Councilman Truman	*Aye*
Councilman Turek	*Aye*

Meeting adjourned at 7:51 P.M.

Passed and approved this 12th day of February 2014.

Washington City

Kenneth F. Neilson, Mayor

Attest by:

Danice B. Bulloch, CMC
City Recorder

Great Seal of Washington
Utah