



# CITY COUNCIL MEETING AGENDA



THURSDAY, OCTOBER 19, 2023

AGENDA

## ATTACHMENTS

- [2023.10.19 AGENDA PACKET](#)
- [2023.10.19 LINKS TO RECORDINGS](#)

NOTICE OF REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF ST. GEORGE,  
WASHINGTON COUNTY, UTAH

Public Notice

Public notice is hereby given that the City Council of the City of St. George, Washington County, Utah, will hold a regular meeting in the City Council Chambers at the St. George City Offices located at 175 East 200 North, St. George, Utah, on Thursday, October 19, 2023 commencing at 5:00 p.m.

The agenda for the meeting is as follows:

Call to Order

Invocation

Flag Salute

1. **Mayor’s recognitions and updates.**
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  - a. **Read a proclamation proclaiming October 20 – November 3, 2023 as National Veterans Small Business Week.**
  
2. **Consent Calendar.**
  - a. **Consider approval to award a bid to Western Rock for the Asphalt Patching Project.**
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    - BACKGROUND and RECOMMENDATION: Two bids were received. Staff recommends awarding the bid to Western Rock in the amount of \$620,000.
  
  - b. **Consider approval of an agreement to purchase real property from Sheffco LLC for the widening of the George Washington Boulevard roadway.**
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    - BACKGROUND and RECOMMENDATION: The City desires to acquire .07 acres of property for the widening of George Washington Blvd located at 1257 East George Washington Blvd (Parcel No. SG-BLDR-2-10). Staff recommends approval.
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c. **Consider approval of the 6th Amendment to the Aviation Agreement dated September 23, 2021 for the Air Traffic Control Tower Phase I 30% Design.**

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**BACKGROUND and RECOMMENDATION:** A non-Federal Reimbursable Agreement between the Department of Transportation Federal Aviation Administration and the City of St. George was approved by City Council on 8/3/23 for the Siting process for the air traffic control tower at the St. George Regional Airport. Staff recommends approval.

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3. **Consider approval of Ordinance No. 2023-026 amending City code 1-10B regarding Purchasing Policy - Contracts.**

**BACKGROUND and RECOMMENDATION:** The City Council held a work meeting to discuss amending the City code 1-10B regarding Purchasing Policy - Contracts. The proposed amendments include increasing the purchasing thresholds concerning approval levels; clarifies the authorization issued by the Mayor; cleans up Professional Service contracts language; and adds a section regarding time-sensitive/market-driven purchase language changes to the code. Staff recommends approval.

4. **Consider approval of Ordinance No. 2023-027 amending an approved Planned Development Commercial (PD-C) zone on approximately 0.72 acres, located at 1664 South Dixie Drive for the purpose of building a new food/retail building for a project to be known as Dixie Commons Lot 9. Case No. 2023-PDA-017.**

**BACKGROUND and RECOMMENDATION:** On January 8, 1998, the City Council approved the Tonaquint Center PD. In January of 2003 the City Council approved an amendment to the Tonaquint Center PD. Lot 9 was approved with a zone change on November 3, 2004, case no. 2004-ZC-034. The zone change was from R-1-10 to PD-C. Lot 9 is in the Dixie Commons portion of the Tonaquint Center PD-C. At their meeting held on September 26, 2023, the Planning Commission held a public hearing and recommended approval of the application with a 6-0 vote and no conditions.

5. **Consider approval of Ordinance No. 2023-028 amending an approved Planned Development Commercial (PD-C) zone on approximately 2.21 acres, located at 1664 South Dixie Drive for the purpose of building a new office (Lot 10) and a new retail (Lot 11) building for a project to be known as Dixie Commons Lot 10 & 11. Case No. 2023-PDA-018.**

**BACKGROUND and RECOMMENDATION:** On January 8, 1998, the City Council approved the Tonaquint Center PD. In January of 2003 the City Council approved an amendment to the Tonaquint Center PD. Lot 10 was approved with a zone change on November 3, 2004, Case No. 2004-ZC-034. The zone change was from R-1-10 to PD-C. Lot 11 has been planned in the Dixie Commons development and was just created with an amended plat in July 2023. At their meeting held on September 26, 2023, the Planning Commission held a public hearing and unanimously recommended approval of the application with a 6-0 vote and no conditions.

6. **Consider approval of Ordinance No. 2023-029 amending the Desert Color Planned Development Residential (PD-R) zone on approximately 0.90 acres to approve updated building elevations of previously approved residential buildings located generally west of the Marilla Drive and Pura Lane intersection to be known as Desert Color Resort Phase 4B with a condition from the Planning Commission. Case No. 2023-PDA-015.**

**BACKGROUND and RECOMMENDATION:** Phase 4B was approved by the City Council in July of 2022. What was approved in 4B consisted of 14 units: a seven plex, a four-plex and a three-plex. The applicant is asking to amend the building elevations and combine two of the buildings into one while still proposing a total of 14 units. At their meeting held on September 26, 2023, the Planning Commission held a public hearing and recommended approval on a 6-0 vote with one condition.

7. **Consider a conditional use permit to build a 28,300 square foot addition onto the Fiesta Fun Center on approximately 10.12 acres located at 171 E. 1160 South Street to be known as Fiesta Fun Addition. Case No. 2023-CUP-003.**

**BACKGROUND and RECOMMENDATION:** This conditional use permit request is for an addition to be added onto the existing Fiesta Fun Center. This item was presented to the Planning Commission during a public meeting on October 10, 2023. The Planning Commission recommended approval.

8. **Consider approval of an amended preliminary plat for Sunshine Way, a 3-lot amended residential subdivision on 0.61 acres located on the northwest corner of 200 South and 200 West Street to be known as Sunshine Way Amended.**

**BACKGROUND and RECOMMENDATION:** On July 20, 2023, the Sunshine Way preliminary plat was approved. The preliminary plat contains three lots, two are vacant and one has an existing home on it. The applicant has returned to amend this preliminary plat to remove the easements. This amended preliminary plat was brought before the Planning Commission in a public meeting where the Planning Commission recommended approval.

9. **Consider approval of a preliminary plat for the Ponderosa subdivision, a 4-lot single-family development located on the northwest corner of 2400 South and 3430 East. Case No. 2023-PP-031**

**BACKGROUND and RECOMMENDATION:** The applicant is requesting a 4-lot subdivision which meets the standards of the A-1 zone. The land is primarily agricultural and has a single barn on the northern portion of the property. The Planning Commission held a public meeting on October 10, 2023, and recommended approval of the application with a 7-0 vote and conditions.

**\*\*PLEASE NOTE:** The following items will be heard at 6:00 p.m. or shortly thereafter:

10. **Public meeting to hear arguments for and against the Trails, Parks & Recreation General Obligation Bonds.**

**BACKGROUND and RECOMMENDATION:** On July 20, 2023, the Council approved Resolution No. 2023-006R providing for a Special Bond Election to be held on November 21, 2023 for the purpose of voting on a proposition regarding the issuance of not to exceed \$29,000,000 General Obligation Bonds to finance all or a portion of the costs of acquiring, constructing, and improving trails, parks, and recreation facilities and amenities throughout the City. As part of the process, state law required the City to conduct a process to gather arguments 'for' and 'against' the proposition. Pursuant to §59-1-1604, Utah Code Annotated, the timeline for submitting arguments 'for' and 'against' the Bonds was as follows: September 8, 2023, notice was posted informing eligible voters of the opportunity to file a notice of intent to submit arguments 'for' or 'against' the Bond; September 18, 2023, deadline for voters to submit a notice of intent; September 22, 2023, deadline to submit arguments; September 25, 2023, The City's Election Officer provided a copy of the argument 'for' and the argument 'against' to the individuals who submitted an argument on the ballot proposition to allow them an opportunity to submit a rebuttal argument; and October 9, 2023, deadline to submit rebuttal arguments. Tonight, the arguments and rebuttal arguments will be read.

11. **Public hearing regarding (a) the issuance of not more than \$29,000,000 of General Obligation Bonds; and (b) the potential economic impact that the improvements, facilities, or properties to be financed in whole or in part with the proceeds of said Bonds will have on the private sector.**

**BACKGROUND and RECOMMENDATION:** State law requires a public hearing be held prior to an election that proposes an issuance of debt. The purpose of the public hearing is to receive input from the public regarding the proposed issuance of the Trails, Parks and Recreation General Obligation Bond and any potential economic impact that the improvements, facility or property financed in whole or in part with the proceeds of the Bonds may have on the private sector. Staff recommends holding the public hearing.

12. **Public hearing and consideration of an ordinance to vacate a portion of an existing public utilities, drainage and irrigation easement, located between Lots 14 & 15, Bella Viaggio Subdivision.**

**BACKGROUND and RECOMMENDATION:** The subdivision for Bella Viaggio was recorded in the Office of the Washington County Recorder as Doc. No. 00849039 on November 3, 2003 and approved by the City Council on the 16th day of October, 2003.

13. **Public hearing to take public comment regarding the sale of a significant parcel of city owned real property located at 51 South 1000 East.**

**BACKGROUND and RECOMMENDATION:** Utah Tech has requested, and the City has agreed to sell real property located on 1000 East and known as Fire Station #1 to Utah Tech with the condition that the Fire Station remain in full operation with no lease or rental payment until 90 days after receiving a certificate of occupancy on the newly constructed Fire Station #1. Utah Tech intends to thereafter utilize the buildings as part of the University.

14. **Consider approval of a Purchase and Sale Agreement between the City and Utah Tech University for property located on 1000 East.**

**BACKGROUND and RECOMMENDATION:** Utah Tech has requested, and the City has agreed to sell real property located on 1000 East and known as Fire Station #1 to Utah Tech with the condition that the Fire Station remain in full operation with no lease or rental payment until 90 days after receiving a certificate of occupancy on the newly constructed Fire Station #1. Utah Tech intends to thereafter utilize the buildings as part of the University. Staff recommends approval.

15. **APPOINTMENTS TO BOARDS AND COMMISSIONS OF THE CITY.**

16. Reports and updates from Mayor, Councilmembers, and City Manager.

17. Request a closed session to discuss litigation, security, property acquisition or sale or the character and professional competence or physical or mental health of an individual.




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Christina Fernandez, City Recorder

Date


REASONABLE ACCOMMODATION: The City of St. George will make efforts to provide reasonable accommodations to disabled members of the public in accessing City programs. Please contact the City Human Resources Office, 627-4674, at least 24 hours in advance if you have special needs.

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