



CITY COUNCIL MEETING AGENDA AMENDED



THURSDAY, DECEMBER 15, 2022
AGENDA

ATTACHMENTS

2022.12.15 CITY COUNCIL AGENDA AMENDED 
2022.12.15 CITY COUNCIL AGENDA PACKET AMENDED 
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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, December 15, 2022 commencing at 5:00 p.m.

The agenda for the meeting is as follows:

Call to Order

Invocation

Flag Salute

1. Reading of a proclamation proclaiming Saturday, December 17, 2022 as Wreaths Across America Day.

2. Mayor's recognitions and updates.

3. CONSENT CALENDAR.

A. CONSIDER APPROVAL TO PURCHASE PLAYGROUND EQUIPMENT, INSTALLATION, PLAYGROUND SHADE STRUCTURE, AND SURFACING FROM BIG T RECREATION.

BACKGROUND AND RECOMMENDATION: BLOOMINGTON HILLS PARK WAS BUILT IN 1985; AND THE PLAYGROUND WAS INSTALLED IN DECEMBER OF 2001. RECENTLY, THE PLAYGROUND WAS REMOVED FOR SAFETY REASONS. THIS PROJECT WILL BE TO REPLACE THE OLD PLAYGROUND AND TO HAVE IT ADA ACCESSIBLE.

B. CONSIDER APPROVAL OF COMMUNICATION FIBER AND EQUIPMENT FOR NEW SUBSTATIONS.

BACKGROUND AND RECOMMENDATION: THIS IS FOR FIBER CONNECTION FROM NEW SUBSTATIONS TO OPERATIONS CENTER. STAFF RECOMMENDS APPROVAL.

C. CONSIDER AWARD OF A BID TO FELLER ENTERPRISES FOR THE BLOOMINGTON HILLS BERM PROJECT.

BACKGROUND AND RECOMMENDATION: RECENT FLOODING IN THE AREA HAS CREATED THE NEED TO IMPROVE AND ENLARGE THE DRAINAGE FACILITY TO MITIGATE FLOODING OF HOMES. STAFF RECOMMENDS AWARDED THE BID TO FELLER ENTERPRISES IN THE AMOUNT OF \$85,656.70.

D. CONSIDER APPROVAL TO AWARD BID TO ARROWHEAD WASTE LLC FOR COMMERCIAL SOLID WASTE REMOVAL AT CITY FACILITIES.

BACKGROUND AND RECOMMENDATION: THIS WAS A FORMAL BID PROCESS IN ORDER TO ESTABLISH A CURRENT SOLID WASTE REMOVAL CONTRACT FOR ALL CITY LOCATIONS. TWO (2) COMPANIES SUBMITTED PROPOSALS. STAFF RECOMMENDS AWARDED THE BID TO ARROWHEAD WASTE LLC IN THE AMOUNT OF \$14,905.26 PER MONTH.

E. CONSIDER APPROVAL TO AWARD BID TO SCHOLZEN PRODUCTS FOR THE SUPPLY OF 8" DIAMETER PVC WATERLINE MATERIALS AND APPURTENANCES.

BACKGROUND AND RECOMMENDATION: BIDS WERE RECEIVED BY TWO (2) VENDORS FOR THE SUPPLY OF APPROXIMATELY 3,840 LF OF 8" PVC WATERLINE AND APPURTENANCES. THE MATERIALS WILL BE USED TO REPLACE EXISTING WATERLINES IN THE DOWNTOWN AREA OF APPROXIMATELY 300 SOUTH 300 WEST. THE WATERLINE IN THIS AREA OF THE CITY IS APPROXIMATELY SEVENTY (70) YEARS OLD, WITH MULTIPLE BREAKS WITHIN THE PAST FEW YEARS. WITH THESE MATERIALS, APPROXIMATELY SIX (6) BLOCKS OF WATERLINE WILL BE REPLACED. THE INSTALLATION OF THE WATERLINE WILL BE BY WATER SERVICES DEPARTMENT CREWS AND EQUIPMENT. STAFF RECOMMENDS AWARD THE BID TO SCHOLZEN PRODUCTS IN THE AMOUNT OF \$171,224.88.

F. CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH SUNRISE ENGINEERING FOR THE DESIGN OF THE TONAQUINT CEMETERY EXPANSION.

BACKGROUND AND RECOMMENDATION: THE CITY OF ST. GEORGE PURCHASED FOUR (4) ACRES OF PROPERTY THAT SITS BETWEEN DIXIE DRIVE AND TONAQUINT CEMETERY FOR A CEMETERY EXPANSION. THIS EXPANSION IS NEEDED AS THE NUMBER OF AVAILABLE BURIAL LOTS IS LIMITED AT THE TONAQUINT CEMETERY AND THERE ARE NO LOTS AVAILABLE AT THE CITY CEMETERY. STAFF RECOMMENDS APPROVAL OF ENTERING INTO THE PROFESSIONAL SERVICES AGREEMENT WITH SUNRISE ENGINEERING.

G. CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH HORROCKS ENGINEERS, INC. FOR THE DESIGN OF GEORGE WASHINGTON BOULEVARD BRIDGE OVER THE VIRGIN RIVER.

BACKGROUND AND RECOMMENDATION: THE GEORGE WASHINGTON BOULEVARD BRIDGE HAS BEEN PLANNED FOR MANY YEARS. IT PROVIDES AN ESSENTIAL DIRECT CONNECTION TO I-15 ON THE WEST AND ULTIMATELY THE SOUTHERN PARKWAY ON THE EAST. WORK HAS BEEN UNDERWAY FOR SEVERAL MONTHS ON GEOTECHNICAL, ENVIRONMENTAL, AND FLOODPLAIN MAPPING (BY ANOTHER CONSULTANT). THE RIGHT OF WAY WAS ACQUIRED LAST YEAR. THIS CONNECTION WILL ALLEVIATE TRAFFIC ON RIVER ROAD. STAFF RECOMMENDS ENTERING INTO THE PROFESSIONAL SERVICES AGREEMENT WITH HORROCKS ENGINEERS, INC.

- H. CONSIDER APPROVAL OF AN AGREEMENT TO PURCHASE REAL PROPERTY, A PORTION OF COMMON AREA, FROM BRIDLE GATE HOMEOWNERS ASSOCIATION FOR WIDENING OF THE 3000 EAST ROADWAY.

BACKGROUND AND RECOMMENDATION: THE CITY DESIRES TO ACQUIRE .022 ACRES OF PROPERTY FOR THE WIDENING OF 3000 EAST ROADWAY LOCATED AT 3000 EAST AND SEEGMILLER DRIVE. STAFF RECOMMENDS PURCHASING THE PROPERTY IN THE AMOUNT OF \$29,600.

- I. CONSIDER APPROVAL OF AN AGREEMENT TO PURCHASE REAL PROPERTY FROM WOODLAND ESTATES, LLC FOR A PARK.

BACKGROUND AND RECOMMENDATION: THIS AGREEMENT INCLUDES THE PURCHASE OF A LOT ADJACENT TO THE WOODLAND ESTATES TOWNHOMES SUBDIVISION FOR A NEW PARK. STAFF RECOMMENDS PURCHASING THE PROPERTY IN THE AMOUNT OF \$420,146.80.

- J. CONSIDER APPROVAL OF A LEASE AGREEMENT WITH ST. GEORGE MUSICAL THEATRE.

BACKGROUND AND RECOMMENDATION: ST. GEORGE MUSICAL THEATRE HAS OUTGROWN CURRENT LOCATION AND SEEKS PROPERTY ON WHICH THEY CAN BUILD A NEW THEATRE. THE LEASE AGREEMENT ALLOWS THE ST. GEORGE MUSICAL THEATRE TO CONSTRUCT A NEW THEATRE AND PARKING ON LAND OWNED BY THE CITY. STAFF RECOMMENDS APPROVAL.

4. CONSIDER APPROVAL OF AN ORDINANCE AMENDING THE DESERT COLOR PLANNED DEVELOPMENT (PD-C) ZONE FOR 110 SINGLE AND MULTI-FAMILY UNITS TO BE KNOWN AS SAGE HAVEN PHASES 14 & 15 ON APPROXIMATELY 33.77 ACRES LOCATED GENERALLY SOUTH OF PAINTED RIDGE PARKWAY & DESERT SAGE PARKWAY AND JUST WEST OF THE PREVIOUSLY APPROVED SAGE HAVEN PHASES. CASE NO. 2022-ZCA-049

BACKGROUND AND RECOMMENDATION: AUBURN HILLS AND DESERT COLOR RESORT HAVE BEEN THE FOCUS OF DEVELOPMENT IN DESERT COLOR OVER THE PAST FEW YEARS. LAST YEAR SAGE HAVEN WAS APPROVED, AND CONSTRUCTION HAS SINCE COMMENCED. THE FIRST PHASES OF REGENCY AT DESERT COLOR HAVE BEEN APPROVED. WITH CONSTRUCTION WELL UNDERWAY IN ALL OF THESE AREAS, DESERT COLOR IS SEEKING APPROVAL FOR THE NEXT TWO PHASES OF SAGE HAVEN. THE PLANNING COMMISSION RECOMMENDED APPROVAL WITH A VOTE OF 5-0, WITH COMMENTS AND CONDITIONS.

5. **CONSIDER APPROVAL OF AN ORDINANCE AMENDING THE BOULDER CREEK CROSSING PLANNED DEVELOPMENT COMMERCIAL (PD-C) ZONE TO BUILD A NEW DENTAL OFFICE BUILDING APPROXIMATELY 0.55 ACRES LOCATED ON LOT 14 AT 1260 EAST 1450 SOUTH STREET TO BE KNOWN AS SAVE DENTAL. CASE NO. 2022-ZCA-048**

BACKGROUND AND RECOMMENDATION: THE BOULDER CREEK CROSSING PLANNED DEVELOPMENT COMMERCIAL (PD-C) WAS FIRST APPROVED IN 2015. THIS PROPOSAL IS FOR A NEW TWO STORY 5,139 SQ. FT. DENTAL OFFICE BUILDING, WITH THE SECOND STORY BEING A OFFICE (635 SQ. FT.) FOR SAVE DENTAL. THE UNDERLYING GENERAL PLAN IS COMMERCIAL (COM). THIS PROPOSAL IS ON THE WEST SIDE OF RIVER ROAD IN THE BOULDER CREEK CROSSING PLANNED DEVELOPMENT (PD-C). AT THEIR MEETING HELD ON THE PLANNING COMMISSION HELD A PUBLIC HEARING AND RECOMMENDED APPROVAL WITH A VOTE OF 5-0, WITH CONDITIONS.

6. **CONSIDER APPROVAL OF AN ORDINANCE AMENDING THE STONEBRIDGE PLANNED DEVELOPMENT RESIDENTIAL (PD-R) ZONE TO AMEND PHASES 4 AND 5 IN THE SIENNA PARK CONDOMINIUMS DEVELOPMENT TO UPDATE THE BUILDINGS AND CONCEPTUAL SITE PLAN AS WELL AS ADD SEVEN (7) ADDITIONAL UNITS TO THIS DEVELOPMENT ON APPROXIMATELY 5.11 ACRES LOCATED AT 271 NORTH COUNTRY LANE, FOR A PROJECT TO BE KNOWN AS SIENNA PARK CONDOS. CASE NO. 2022-ZCA-044**

BACKGROUND AND RECOMMENDATION: THE ORIGINAL STONEBRIDGE DEVELOPMENT WAS CREATED IN THE 1990'S. THIS 660-UNIT DEVELOPMENT STARTED WITH THE DEDICATION OF NINE HOLES TO THE SUNBROOK GOLF COURSE. THE ENTIRE DEVELOPMENT CONSISTS OF SINGLE AND MULTIFAMILY NEIGHBORHOODS

INCLUDING SIENNA PARK CONDOMINIUMS. A PUBLIC HEARING WAS HELD FOR THIS PROJECT AT THE PLANNING COMMISSION MEETING ON NOVEMBER 15, 2022 AND CONTINUED UNTIL THE NOVEMBER 22, 2022 MEETING. AT THEIR MEETING HELD ON NOVEMBER 22, 2022, THE PLANNING COMMISSION RECOMMENDED APPROVAL WITH A VOTE OF 5-0, WITH CONDITIONS.

7. CONSIDER APPROVAL OF AN ORDINANCE AMENDING PORTIONS OF THE CITY CODE, INCLUDING TITLE 3, BUSINESS AND LICENSE REGULATIONS, TO ADD MOBILE BUSINESS ALONG WITH ITS OPERATIONAL REQUIREMENTS, TIME LIMITS, AND EXPIRATION DATE; AND TO AMEND PORTIONS OF TITLE 10, ZONING REGULATIONS, TO ADD MOBILE BUSINESS TO BE PERMITTED IN THE C-2 AND/OR C-3 ZONE ALONG WITH ITS SPECIFIC STANDARDS, APPLICATION, AND PARKING REQUIREMENTS.

BACKGROUND AND RECOMMENDATION: THIS IS A CONTINUATION OF A REQUEST IS TO ADD MOBILE BUSINESS TO TITLE 3, BUSINESS AND LICENSE REGULATIONS, AND TO CREATE SPECIFIC STANDARDS IN TITLE 10, ZONING REGULATIONS, FOR THESE BUSINESSES. THIS ITEM WAS PRESENTED TO THE CITY COUNCIL AT A WORK MEETING ON OCTOBER 27, 2022 FOR DISCUSSION AND WAS HEARD BY THE PLANNING COMMISSION ON NOVEMBER 15, 2022, WHERE THEY RECOMMENDED APPROVAL WITH A VOTE OF 7-0. ON NOVEMBER 17, 2022, THE CITY COUNCIL APPROVED AN AMENDMENT PERTAINING TO THE EXPIRATION OF BUSINESS LICENSES; HOWEVER, THEY CONTINUED THE PROPOSED AMENDMENT TO ADD MOBILE BUSINESSES TO TITLE 3 AND TITLE 10.

8. CONSIDER APPROVAL OF THE AMENDED PRELIMINARY PLAT FOR SIENNA PARK CONDOMINIUMS FOR THE ADDITION OF SEVEN (7) UNITS TO THE ORIGINAL APPROVAL OF SEVENTY (70) UNITS; THIS AMENDMENT WILL INCREASE THE TOTAL NUMBER OF UNITS TO SEVENTY-SEVEN (77).

BACKGROUND AND RECOMMENDATION: THE GENERAL PLAN LAND USE DESIGNATION FOR THIS PROPERTY IS LOW DENSITY RESIDENTIAL (LDR) AND THE ZONING ON THIS PROPERTY IS PLANNED DEVELOPMENT RESIDENTIAL (PD-R). THE PRELIMINARY PLAT MEETS BOTH THE CURRENT GENERAL PLAN LAND USE

DESIGNATION AND THE ZONING ON THE PROPERTY. AT THEIR MEETING HELD ON NOVEMBER 22, 2022, THE PLANNING COMMISSION RECOMMENDED APPROVAL WITH A VOTE OF 5-0

9. CONSIDER APPROVAL OF THE PRELIMINARY PLAT FOR JAMESTOWN SUBDIVISION, A 3-LOT RESIDENTIAL SUBDIVISION LOCATED AT APPROXIMATELY 960 WEST MANZANITA ROAD.

BACKGROUND AND RECOMMENDATION: THE CURRENT LAND USE DESIGNATION ON THIS PROPERTY IS LOW DENSITY RESIDENTIAL (LDR) AND THE CURRENT ZONING ON THE PROPERTY IS R-1-10. THE PRELIMINARY PLAT MEETS BOTH THE CURRENT GENERAL PLAN LAND USE DESIGNATION AND THE CURRENT ZONING ON THE PROPERTY. AT THEIR MEETING HELD ON NOVEMBER 22, 2022, THE PLANNING COMMISSION RECOMMENDED APPROVAL WITH A VOTE OF 5-0, WITH CONDITIONS.

10. CONSIDER APPROVAL OF THE PRELIMINARY PLAT FOR RED PINE PHASES 3-4, A 46-LOT RESIDENTIAL SUBDIVISION LOCATED AT APPROXIMATELY 2890 SOUTH 3430 EAST.

BACKGROUND AND RECOMMENDATION: THE GENERAL PLAN LAND USE DESIGNATION FOR THIS PROPERTY LOW DENSITY RESIDENTIAL (LDR) AND THE CURRENT ZONING IS R-1-8. THE PRELIMINARY PLAT MEETS BOTH THE CURRENT GENERAL PLAN LAND USE DESIGNATION AND ZONING. AT THEIR MEETING HELD ON NOVEMBER 15, 2022, THE PLANNING COMMISSION RECOMMENDED APPROVAL WITH A VOTE OF 7-0, WITH CONDITIONS.

11. CONSIDER APPROVAL OF THE PRELIMINARY PLAT FOR SAGE HAVEN PRELIMINARY PLAT C, A 112-LOT RESIDENTIAL SUBDIVISION LOCATED WITHIN THE DESERT COLOR DEVELOPMENT NEAR THE INTERSECTION OF

PAINTED RIDGE PARKWAY AND DESERT SAGE PARKWAY.

BACKGROUND AND RECOMMENDATION: THE CURRENT GENERAL PLAN LAND USE DESIGNATION ON THE PROPERTY IS RES (RESIDENTIAL) AND THE CURRENT ZONING IS PDR (PLANNED DEVELOPMENT RESIDENTIAL). THE PROPOSED PRELIMINARY PLAT MEETS BOTH THE CURRENT GENERAL PLAN LAND USE DESIGNATION AND THE CURRENT ZONING ON THE PROPERTY. AT THEIR MEETING HELD ON NOVEMBER 22, 2022, THE PLANNING COMMISSION RECOMMENDED APPROVAL WITH A VOTE OF 5-0.

12. CONSIDER APPROVAL OF AN ORDINANCE TO AMEND THE MASTER FEE SCHEDULE FOR FEES RELATED TO THE PASS-THROUGH RATE FROM THE SOLID WASTE DISTRICT.

BACKGROUND AND RECOMMENDATION: THE WASHINGTON COUNTY SOLID WASTE DISTRICT BOARD AND THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT BOARD RECENTLY APPROVED RATE INCREASES AFFECTING THE RESIDENTS OF WASHINGTON COUNTY AND WILL DIRECTLY IMPACT UTILITY CUSTOMERS OF THE CITY OF ST. GEORGE. THESE INCREASES ARE A PASS-THROUGH RATE FROM THE SOLID WASTE DISTRICT AND ARE RELATED TO THE DISTRICT'S CONTRACT WITH REPUBLIC SERVICE AS WELL AS A DISTRICT LOAN TO MAKE IMPROVEMENTS TO THE LANDFILL AND THE DISTRICT'S BUILDINGS. INCLUDED IN THE FY2023 BUDGET, THE CITY COUNCIL APPROVED A \$0.13 INCREASE ON THE GARBAGE SERVICE AND A \$0.07 INCREASE ON THE RECYCLING SERVICE; HOWEVER, THE MASTER FEE SCHEDULE APPROVED IN JULY DID NOT REFLECT THE INCREASE. STAFF RECOMMENDS APPROVAL OF THE AMENDMENT TO THE MASTER FEE SCHEDULE TO REFLECT THE RATE APPROVED IN THE BUDGET TO BE EFFECTIVE ON JANUARY 1, 2023.

13. CONSIDER APPROVAL OF AN ORDINANCE AMENDING SECTIONS 1-10B-8, 3-10-2, 3-10-4, AND 3-10-5 REGARDING INSURANCE REQUIREMENTS FOR SPECIAL EVENTS AND CONTRACTS, AMENDING DEFINITIONS, PROVIDING AN EXEMPTION FROM THE SPECIAL EVENTS APPLICATION DEADLINE FOR REOCCURRING EVENTS WITH NO SUBSTANTIAL CHANGES, AND REQUIRING A WAIVER OF SUBROGATION ON CERTAIN INSURANCE CERTIFICATES.

BACKGROUND AND RECOMMENDATION: THE CITY COUNCIL AUTHORIZED CHANGES TO THE INSURANCE AND BOND REQUIREMENTS FOR SPECIAL EVENTS AND CONTRACTS IN TWO SEPARATE WORK MEETINGS HELD ON JUL 28, 2022 AND OCTOBER 27, 2022, IN MANY CASES LOWERING THE PREVIOUS REQUIREMENT OF \$1M/\$3M INSURANCE. IN THE FIRST MEETING, THE CITY COUNCIL ALSO TOLD STAFF THAT AN EXEMPTION SHOULD BE MADE TO THE 45-DAY APPLICATION REQUIREMENT FOR SPECIAL EVENTS FOR REOCCURRING EVENTS WITH NO SUBSTANTIAL CHANGES AND INDICATED IT WANTED TO ANNUALLY REVIEW THE REOCCURRING EVENTS IN ORDER TO RAISE ANY CONCERNS. STAFF IS ALSO RECOMMENDING THAT THE REQUIREMENT CURRENTLY IN POLICY BE MEMORIALIZED IN CITY ORDINANCE THAT A WAIVER OF SUBROGATION BE PROVIDED ON CERTAIN CERTIFICATES OF INSURANCE FOR SPECIAL EVENTS AND CONTRACTS. ON AUGUST 3, 2022, MARC MORTENSEN SENT AN EMAIL TO CITY COUNCIL WITH PROPOSED CRITERIA TO CONSTITUTE A SUBSTANTIAL CHANGE AND FOLLOWED UP WITH AN EMAIL ON AUGUST 15, 2022. NO FEEDBACK WAS RECEIVED ON THE SUGGESTED CRITERIA AND SO THEY HAVE BEEN INCLUDED IN THE DEFINITION PROPOSED IN THE ORDINANCE AMENDMENT.

14. CONSIDER APPROVAL OF ORDINANCE AMENDING CHAPTER 13 OF THE CITY CODE REGARDING SURPLUS PROPERTY.

BACKGROUND AND RECOMMENDATION: A WORK SESSION HELD WITH COUNCIL TO DISCUSS THE PROPER PROCESS TO DISPOSE OF REAL AND PERSONAL CITY PROPERTY. AN ORDINANCE PREPARED MEMORIALIZING DIRECTION OF THE COUNCIL.

15. APPOINTMENTS TO BOARDS AND COMMISSIONS OF THE CITY.

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

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

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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