



CITY COUNCIL REGULAR MEETING AMENDED AGENDA



THURSDAY, MAY 18, 2023
AMENDED AGENDA

ATTACHMENTS

2023.05.18 REGULAR MEETING AGENDA PACKET UPDATED



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

Public Notice

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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 **Conference Room at the Dixie Power Administration Building at 145 West Brigham Road**, St. George, Utah, on Thursday, May 18, 2023, commencing at **3:30 p.m.**

The amended agenda for the meeting is as follows:

Call to Order

Invocation

Flag Salute

1. Mayor's recognitions and updates.

2. CONSENT CALENDAR.

A. CONSIDER APPROVAL TO AWARD BID TO VANCON INC. FOR THE CONSTRUCTION OF THE LITTLE VALLEY PICKLEBALL EXPANSION.

BACKGROUND AND RECOMMENDATION: THE EXISTING 24 PICKLEBALL COURTS AT LITTLE VALLEY WERE INSTALLED IN 2015. AS THE FASTEST GROWING SPORT IN AMERICA, THIS EXPANSION WILL HELP ST GEORGE KEEP UP WITH THE GROWING NEED FOR MORE COURTS, GIVE ADDITIONAL SPACE FOR TOURNAMENTS, AND

INCLUDES A DEDICATED CHAMPIONSHIP COURT. STAFF RECOMMENDS AWARDING THE BID TO VANCON INC. IN THE AMOUNT OF \$1,924,477.

- B. CONSIDER APPROVAL TO AWARD BID TO TRI-STATE ELECTRIC FOR THE RIVER ROAD WHITE DOME DRIVE TRAFFIC SIGNAL PROJECT.

BACKGROUND AND RECOMMENDATION: THIS AWARD IS FOR THE INSTALLATION OF A PLANNED TRAFFIC SIGNAL AT RIVER ROAD AND WHITE DOME DRIVE. TWO FORMAL BIDS WERE RECEIVED FOR THIS PROJECT. STAFF RECOMMENDS AWARDING THE BID TO TRI-STATE ELECTRIC IN THE AMOUNT OF \$342,442.

- C. CONSIDER APPROVAL TO PURCHASE TRANSFORMERS AND CAPACITORS FROM IRBY FOR THE GREEN VALLEY RING BUS PROJECT.

BACKGROUND AND RECOMMENDATION: THESE ITEMS ARE FOR MATERIALS FOR THE GREEN VALLEY RING BUS PROJECT. STAFF RECOMMENDS APPROVAL OF THE PURCHASE.

- D. CONSIDER APPROVAL OF A REIMBURSEMENT AGREEMENT WITH QUALITY EXCAVATION FOR THE UPSIZING OF WATERLINES WITHIN VARIOUS SUBDIVISIONS.

BACKGROUND AND RECOMMENDATION: QUALITY EXCAVATION IS CONSTRUCTING VARIOUS SUBDIVISIONS IN THE SOUTH BLOCK AND LITTLE VALLEY AREAS. IN THESE SUBDIVISIONS, OUR WATER MASTER PLAN IDENTIFIES THE NEED OF A WATERLINE LARGER THAN WHAT IS NEEDED TO SERVICE THE SUBDIVISION. THIS REIMBURSEMENT AGREEMENT WILL REIMBURSE QUALITY EXCAVATION FOR THE UPSIZING OF THE WATERLINE WITHIN THEIR SUBDIVISION. STAFF RECOMMENDS APPROVAL OF THE AGREEMENT.

- E. CONSIDER APPROVAL OF AN FBO OPERATING AND LEASE AGREEMENT WITH FREEMAN HOLDINGS OF UTAH, LLC.

BACKGROUND AND RECOMMENDATION: FREEMAN HOLDINGS INTENDS TO PURCHASE CURRENT FBO ABOVE VIEW AT THE AIRPORT. IN PRIOR WORK SESSIONS, COUNCIL HAS DIRECTED THAT PRIOR TO APPROVING THE SALE OR NEW AGREEMENT WITH FREEMAN HOLDINGS, THREE ITEMS WOULD NEED TO BE RESOLVED: 1) ADDRESS LITIGATION BETWEEN ABOVE VIEW AND ERIC'S LEADING EDGE; 2) COMPLETE NECESSARY CONSTRUCTION AND REPAIRS TO COME INTO COMPLIANCE WITH EPA AND FAA STANDARDS; AND 3) WITHDRAW ABOVE VIEW'S FAA COMPLAINT. THE PARTIES HAVE BEEN WORKING TOWARD ADDRESSING THOSE ISSUES AND NOW BELIEVE THEY HAVE BEEN RESOLVED. STAFF RECOMMENDS APPROVAL.

F. CONSIDER APPROVAL OF AN IMPROVEMENT REIMBURSEMENT AGREEMENT BETWEEN KENT STANGER AND THE CITY OF ST. GEORGE FOR ROAD IMPROVEMENTS ON 3210 EAST STREET.

BACKGROUND AND RECOMMENDATION: THE DEVELOPER IS IMPROVING RIGHT-OF-WAY ON THE EAST SIDE OF 3210 EAST STREET AS PART OF THE CRIMSON RANCH ESTATES PHASE 2 SUBDIVISION. THE CITY WOULD LIKE THE ENTIRE RIGHT-OF-WAY COMPLETE IN THE EVENT THAT 3000 EAST STREET IS CLOSED SO THERE WILL BE ACCESS TO 2450 SOUTH STREET. THE CITY WOULD LIKE THE DEVELOPER TO INSTALL THE REMAINING RIGHT-OF-WAY SO THAT THE FULL-WIDTH IMPROVEMENTS ARE COMPLETE. THE CITY'S COST OF IMPROVEMENTS AMOUNTS TO \$113,218.38. STAFF RECOMMENDS APPROVAL PENDING LEGAL REVIEW.

G. CONSIDER APPROVAL OF AN IMPROVEMENT REIMBURSEMENT AGREEMENT BETWEEN DESERT CANYONS LAND LLC AND THE CITY OF ST. GEORGE FOR RIGHT-OF-WAY IMPROVEMENTS ALONG DESERT CANYONS PARKWAY.

BACKGROUND AND RECOMMENDATION: DEVELOPER IS IMPROVING PARCEL SG-5-3-35-4421 WHICH WILL BE DEDICATED TO THE CITY AS A PARK (BROKEN MESA). THE CITY WOULD LIKE DEVELOPER TO INSTALL THE PUBLIC IMPROVEMENTS ALONG DESERT CANYONS PARKWAY WHICH IS ALONG THE FRONTAGE OF BROKEN MESA PARK SO THE FULL RIGHT-OF-WAY IS COMPLETE. THE CITY'S COST OF IMPROVEMENTS AMOUNTS TO \$62,235.76. STAFF RECOMMENDS APPROVAL PENDING LEGAL REVIEW.

H. CONSIDER APPROVAL OF AMENDING THE CONSTRUCTION MANAGEMENT/GENERAL CONTRACTOR (CMGC) CONTRACT WITH BIG-D CONSTRUCTION FOR THE WELLS FARGO ATM DRIVE-THRU RELOCATION CONSTRUCTION PHASE.

BACKGROUND AND RECOMMENDATION: THE CMGC PROCESS CONSISTS OF TWO PHASES: DESIGN (PRE-CONSTRUCTION) AND CONSTRUCTION. APPROVAL OF THIS AGREEMENT COMMITS THE CITY TO PAY FOR THE CONSTRUCTION PHASE OF THE AGREEMENT OF THE WELLS FARGO ATM DRIVE-THRU RELOCATION CONSTRUCTION PHASE. STAFF RECOMMENDS APPROVAL OF AMENDING THE CONTRACT IN THE AMOUNT OF \$481,991.

I. CONSIDER APPROVAL OF THE 6TH AMENDMENT TO AIRPORT LEASE WITH ABOVE VIEW.

BACKGROUND AND RECOMMENDATION: ABOVE VIEW WAS AN FBO OPERATOR AT THE AIRPORT BUT WITH THE SALE TO FREEMAN HOLDINGS WILL NEED TO MODIFY THEIR CURRENT FBO AGREEMENT TO A HANGAR LEASE AGREEMENT FOR THE REMAINING HANGAR THEY WILL RETAIN. STAFF RECOMMENDS APPROVAL.

3. CONSIDER APPROVAL OR AN ORDINANCE AMENDING TITLE 1, CHAPTER 8 OF CITY CODE PERTAINING TO CAMPAIGN FINANCE DISCLOSURES.

BACKGROUND AND RECOMMENDATION: CAMPAIGN FINANCE DISCLOSURES ARE REQUIRED FOR ALL CANDIDATES IN A MUNICIPAL ELECTION. DURING THE 2023 LEGISLATIVE SESSION, CHANGES WERE MADE IN UTAH STATE CODE WITH REGARDS TO CAMPAIGN FINANCE DISCLOSURES. THE PROPOSED CHANGES INCLUDE UPDATING DEFINITIONS, BETTER OUTLINE THE REQUIREMENTS OF CANDIDATES, AND INCORPORATE THE CHANGES MADE TO STATE CODE.

4. CONSIDER APPROVAL OF AN ORDINANCE AMENDING AN APPROVED EXPANDED RIGHT-OF-WAY EASEMENT AGREEMENT LOCATED WITHIN THE SUNRIVER COMMUNITY FOR THE PURPOSE OF EXPANDING GOLF CART ACCESS TO NEW COMMERCIAL AREAS IN SUNRIVER COMMONS FOR A PROJECT TO BE KNOWN AS GOLF CART EXPANSION AT SUNRIVER, WITH CONDITIONS FROM PLANNING COMMISSION.

BACKGROUND AND RECOMMENDATION: IN 2011, A DEVELOPMENT AGREEMENT WAS APPROVED TO ALLOW GOLF CARTS ON CERTAIN STREETS WITHIN THE SUNRIVER DEVELOPMENT. THIS ITEM WAS HEARD AT THE PLANNING COMMISSION ON APRIL 25TH WHERE THE PLANNING COMMISSION DISCUSSED THE SAFETY OF GOLF-CART CROSSINGS ON PIONEER ROAD. THE PLANNING COMMISSIONERS WERE CONCERNED ABOUT SAFETY AND THEREFORE RECOMMENDED APPROVAL OF THIS DEVELOPMENT AGREEMENT WITH THE FOLLOWING CONDITIONS: 1) REMOVAL OF THE TWO PUBLIC ROAD CROSSINGS ON PIONEER ROAD; AND 2) REMOVAL OF THE GOLF CART EASEMENT ALONG BLUEGRASS WAY BETWEEN SANDPIPER DRIVE AND PIONEER ROAD.

5. CONSIDER APPROVAL OF AN ORDINANCE AMENDING THE CITY ZONING MAP BY AMENDING THE ZONE FROM C-3 (GENERAL COMMERCIAL) TO PD-C (PLANNED DEVELOPMENT COMMERCIAL) ON APPROXIMATELY 1.16 ACRES LOCATED APPROXIMATELY ON 300 WEST STREET, WEST OF BLUFF STREET TO ESTABLISH A USE LIST AND TO BE ELIGIBLE TO OBTAIN A BAR LICENSE FOR A PROJECT TO BE KNOWN AS NORTH ST. GEORGE PLAZA. CASE NO. 2023-ZC-005

BACKGROUND AND RECOMMENDATION: THE APPLICANT IS REQUESTING TO REZONE THIS PARCEL FOR THE PURPOSE OF ESTABLISHING A USE-LIST FOR THIS EXISTING DEVELOPMENT AND TO BE ELIGIBLE TO OBTAIN A BAR LICENSE. ON APRIL 25, 2023, THE PLANNING COMMISSION HELD A PUBLIC HEARING FOR THIS ITEM. THERE WERE NO COMMENTS. WITH A 5-0 VOTE, THE PLANNING COMMISSION RECOMMENDED APPROVAL OF THIS ZONE CHANGE.

6. CONSIDER APPROVAL OF THE PRELIMINARY PLAT FOR TONAQUINT COMMERCIAL, A 3-LOT COMMERCIAL SUBDIVISION ON 132.91 ACRES LOCATED NORTH AND NORTHWEST OF THE EXISTING TONAQUINT

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