



CITY COUNCIL MEETING AGENDA



THURSDAY, JANUARY 4, 2024

AGENDA

ATTACHMENTS

2024.01.04 AGENDA PACKET UPDATED



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, January 4, 2024, 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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2. Comments from the public.

The Open Comment Period provides an opportunity to address the Mayor and City Council regarding concerns or ideas about the City which the Council may choose to address. Comments pertaining to an agenda item that includes a public hearing or public input should be given as that item is being discussed during the meeting.

Up to ten (10) members of the public will be given a limit of two (2) minutes per person. The Council will not respond to comments or questions but will take the comments under consideration for possible discussion at another time. If there are more than 10 individuals wishing to provide public comment, speakers will be selected by random draw.

Rules for making comments:

- You must be a resident of the City of St. George.
- Public input shall not be allowed on any agenda item or pending land use application.
- Comments should relate to City business.
- Speakers shall be courteous and show respect. Comments shall not include obscene or profane language, nor contain attacks on any individual.

In order to provide an opportunity for a broader scope of residents to provide public comments, any person selected to provide comments at a meeting will not be able to provide public comments again for three (3) months (once per quarter); however, written comments may be submitted anytime to the City Recorder at 175 East 200 North, St. George, UT 84770 or publiccomments@sgcity.org.

The Mayor and City Council encourage civil discourse for everyone who participates in the meeting.

3. Consent Calendar.

- A. CONSIDER APPROVAL OF PURCHASING PLAYGROUND EQUIPMENT VIA A STATE CONTRACT WITH SONNTAG RECREATION FOR MATHIS PARK.

BACKGROUND AND RECOMMENDATION: THIS PURCHASE IS TO REPLACE THE EXISTING PLAYGROUND AT MATHIS PARK. THE EXISTING PLAYGROUND WAS INSTALLED IN 1993, WHICH WAS 30 YEARS AGO. THE TYPICAL LIFESPAN OF A PLAYGROUND IS 10 YEARS, BUT WITH PROPER MAINTENANCE CAN LAST 15-20 YEARS. BECAUSE THE PLAYGROUND IS OLDER, IT IS DIFFICULT TO FIND REPLACEMENT PARTS AS THE PLAYGROUND MANUFACTURER HAS STOPPED MAKING MANY OF THE REPLACEMENT PARTS. WITHOUT BEING ABLE TO MAKE THE PROPER REPAIRS THE PLAYGROUND IS BECOMING A SAFETY HAZARD. THE REPLACEMENT PLAYGROUND WILL UTILIZE THE SAME FOOTPRINT AS THE EXISTING PLAYGROUND, BUT WILL ALSO EXPAND TO THE EAST AN ADDITIONAL 1,500 SF. PART OF THE EXISTING PLAYGROUND SHADE STRUCTURE WILL REMAIN, BUT TWO EXISTING POLES AND TWO SHADE SAILS WILL BE REMOVED TO PROVIDE ROOM FOR THE NEW PLAYGROUND EQUIPMENT. THE SURFACING WILL BE CHANGED TO ARTIFICIAL TURF WHICH WILL MAKE THE PLAYGROUND MORE ADA ACCESSIBLE. STAFF RECOMMENDS APPROVAL.

- B. CONSIDER APPROVAL TO AWARD A BID TO WATTS CONSTRUCTION FOR THE CONSTRUCTION OF FIRE STATION 1 (HQ) LOCATED AT 85 SOUTH 400 EAST.

BACKGROUND AND RECOMMENDATION: THIS PROJECT HAS BEEN SEVERAL YEARS IN THE MAKING. THE LOCATION MEETS OR EXCEEDS THE CRITERIA OUTLINED BY OUR FIRE DEPARTMENT FOR ACCESS, PROXIMITY AND LOCATION. THIS WILL BE THE HEADQUARTERS FOR THE ST. GEORGE FIRE DEPARTMENT AND WILL HOUSE LARGE APPARATUS, ADMINISTRATIVE STAFF AND FULLTIME FIREFIGHTERS. STAFF RECOMMENDS APPROVAL.

- C. CONSIDER APPROVAL TO AWARD A BID TO JP EXCAVATING, INC. FOR THE 3000 EAST 2000 SOUTH TO SEEGMILLER DRIVE PROJECT.

BACKGROUND AND RECOMMENDATION: THIS PROJECT INCLUDES ROADWAY IMPROVEMENTS, CURB & GUTTER, SIDEWALK, TRAIL, DRAINAGE AND IRRIGATION IMPROVEMENTS, AND SIGNING AND STRIPING FOR IMPROVEMENTS ALONG 3000 EAST FROM 2000 SOUTH TO SEEGMILLER DRIVE. THE CITY RECEIVED FIVE BIDS. STAFF RECOMMENDS APPROVAL.

- D. CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH SUNRISE ENGINEERING FOR THE CONSTRUCTION MANAGEMENT OF 3000 EAST IMPROVEMENTS.**

BACKGROUND AND RECOMMENDATION: SUNRISE ENGINEERING HAS PROVIDED DESIGN AND CONSTRUCTION MANAGEMENT SERVICES FOR THE CURRENT AND PREVIOUS PHASE OF 3000 EAST WITH EXCELLENT RESULTS. STAFF RECOMMENDS APPROVAL.

- E. CONSIDER APPROVAL OF A REIMBURSEMENT AGREEMENT WITH RONDELL, LLC FOR OFF-SITE WATER INFRASTRUCTURE.**

BACKGROUND AND RECOMMENDATION: RONDELL, LLC IS DEVELOPING AN INDUSTRIAL SUBDIVISION IN THE NORTHWEST CORNER OF THE OLD ST. GEORGE INDUSTRIAL PARK. DUE TO THE ELEVATIONS OF THEIR PROPERTY, AND ADJACENT PROPERTIES, SOME OFF-SITE WATER INFRASTRUCTURE NEEDS TO BE INSTALLED TO PROVIDE ADEQUATE PRESSURE AND FIRE FLOW TO THEIR SITE. THE OFF-SITE IMPROVEMENTS WILL NOT ONLY BENEFIT THEIR DEVELOPMENT BUT WILL BENEFIT ADJACENT DEVELOPED PROPERTIES THAT CURRENTLY HAVE INSUFFICIENT PRESSURE AND FIRE FLOW. THE TOTAL COST OF THE OFF-SITE WATER INFRASTRUCTURE IMPROVEMENTS IS \$381,989.69. THE CITY WOULD REIMBURSE THE DEVELOPER IN THE AMOUNT OF \$153,467.97. THIS PORTION OF THE TOTAL COST IS ATTRIBUTED TO AN EXISTING DEFICIENCY IN THE WATER DISTRIBUTION SYSTEM. STAFF RECOMMENDS APPROVAL.

- F. CONSIDER APPROVAL OF THE MINUTES FROM THE MEETINGS HELD DECEMBER 6, 2023; DECEMBER 7, 2023 (REGULAR); DECEMBER 7, 2023 (WORK); DECEMBER 14, 2023 (REGULAR); AND DECEMBER 14, 2023 (WORK).**

4. PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 2024-001 TO VACATE A PORTION OF A MUNICIPAL UTILITY EASEMENT LOCATED BETWEEN LOTS 1 AND 2, CRIMSON RANCH ESTATES PHASE 1.

BACKGROUND AND RECOMMENDATION: THE FINAL PLAT FOR CRIMSON RANCH ESTATES PHASE 1 WAS APPROVED BY THE LAND USE AUTHORITY ON THE 20TH DAY OF JULY, 2022 AND RECORDED ON AUGUST 21, 2022. THE APPLICANT WOULD LIKE TO MERGE LOTS 1 & 2 TOGETHER INTO ONE LOT. THE JOINT UTILITIES COMMISSION RECOMMENDED APPROVAL.

5. PRESENTATION OF THE AUDITED ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) FOR FISCAL YEAR 2023.

BACKGROUND AND RECOMMENDATION: THIS IS THE PRESENTATION OF THE CITY'S AUDITED 2023 ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) CONDUCTED BY HINTON BURDICK CPA'S & ADVISORS.

6. CONSIDER APPROVAL OF RESOLUTION NO. 2024-001R TO ENTER AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF ST. GEORGE AND THE WINCHESTER HILLS FIRE DEPARTMENT REGARDING FIRE SERVICES FOR THE LEDGES, TRAILS, AND JEL RANCH SUBDIVISIONS.

BACKGROUND AND RECOMMENDATION: THE CITY AND THE SOUTHWEST SPECIAL SERVICE DISTRICT ENTERED INTO AN INTERLOCAL AGREEMENT REGARDING FIRE SERVICES FOR THE LEDGES, TRAILS, AND JEL RANCH SUBDIVISIONS IN 2013. THE TERM OF THIS AGREEMENT EXPIRED ON DECEMBER 31, 2023 OR IF THE CITY WERE TO BUILD A FIRE STATION WITHIN 5 MILES OF THE LEDGES, WHICH OCCURRED FIRST. AS THE CITY HAS NOT YET BUILT A FIRE STATION WITHIN 5 MILES OF THE LEDGES, THE AGREEMENT NEEDS TO BE RENEWED. STAFF RECOMMENDS APPROVAL.

7. **CONSIDER APPROVAL OF RESOLUTION NO. 2024-002R TERMINATING THE INTERLOCAL COOPERATION AGREEMENT REGARDING ELECTION SERVICES WITH WASHINGTON COUNTY.**

BACKGROUND AND RECOMMENDATION: IN 2021, THE CITY OF ST. GEORGE AND WASHINGTON COUNTY ENTERED INTO AN INTERLOCAL COOPERATION AGREEMENT REGARDING ELECTION SERVICES. THE AGREEMENT STATES THAT THE AGREEMENT SHALL AUTOMATICALLY RENEW FOR ADDITIONAL ONE-YEAR PERIODS, UNLESS THIRTY DAYS PRIOR TO THE EXPIRATION, WRITTEN NOTICE OF INTENT TO NOT RENEW IS GIVEN BY EITHER PARTY. THE CITY RECEIVED SUCH NOTICE FROM THE WASHINGTON COUNTY CLERK/AUDITOR. ONCE THE NEW AGREEMENT IS RECEIVED AND AGREED UPON, STAFF WILL BRING IT BACK FOR APPROVAL.

8. **CONSIDER APPROVAL OF RESOLUTION NO. 2024-003R TO APPROVE THE DESIGNATION AND APPOINTMENT OF REPRESENTATIVES TO THE ADMINISTRATIVE CONTROL BOARD OF WASHINGTON COUNTY SPECIAL SERVICE DISTRICT NO. 1 (SOLID WASTE DISTRICT ADMINISTRATIVE CONTROL BOARD).**

BACKGROUND AND RECOMMENDATION: THIS RESOLUTION WILL APPROVE THE DESIGNATION AND APPOINTMENT OF COUNCILMEMBER STEVE KEMP TO THE ADMINISTRATIVE CONTROL BOARD OF WASHINGTON COUNTY SPECIAL SERVICE DISTRICT NO. 1 (SOLID WASTE DISTRICT ADMINISTRATIVE CONTROL BOARD). STAFF RECOMMENDS APPROVAL.

9. **CONSIDER APPROVAL OF RESOLUTION NO. 2024-004R APPOINTING CITY OFFICERS.**

BACKGROUND AND RECOMMENDATION: PER CITY CODE, CITY OFFICERS SHALL BE APPOINTED ON OR BEFORE THE FIRST MONDAY IN FEBRUARY FOLLOWING A MUNICIPAL ELECTION.

10. **CONSIDER APPROVAL OF ORDINANCE NO. 2024-002 AMENDING THE APPROVED VIVIANO AT RED CLIFFS PLANNED DEVELOPMENT RESIDENTIAL (PD-R) ZONE ON APPROXIMATELY 48.59 ACRES, LOCATED EAST OF 3000 EAST STREET AND NORTH OF 1140 SOUTH FOR THE PURPOSE OF REDESIGNING THE LAYOUT, APPROVING**

BUILDING ELEVATIONS AND UNIT COUNT FOR A PROJECT TO BE KNOWN AS VIVIANO AT RED CLIFFS AND AMENDING THE ZONING ON APPROXIMATELY 3.5 ACRES FROM PD-C (PLANNED DEVELOPMENT COMMERCIAL) TO PD-R (PLANNED DEVELOPMENT RESIDENTIAL). CASE NO. 2023-PDA-023

BACKGROUND AND RECOMMENDATION: IN 2021, THE PARK AT TEMPLE VIEW PD PROJECT WAS FIRST PRESENTED TO THE CITY COUNCIL. THE PROJECT WAS A 268-UNIT SUBDIVISION WITH SINGLE-FAMILY, DUPLEX, AND TOWNHOME UNITS. ALL UNITS WOULD BE AVAILABLE FOR RENT AND THE PROJECT WAS APPROVED. ON JULY 21, 2022, THE APPLICANT RETURNED WITH AN AMENDED PLAN THAT ADDRESSED THE TRAFFIC STUDY AND INCREASED THE UNITS TO 296. THIS AMENDMENT WAS ALSO APPROVED. ANOTHER TWO APPLICATIONS WERE MADE IN 2022 AND 2023 MAKING MINOR ADJUSTMENTS AND REQUESTING ADDITIONAL UNITS. THE CITY COUNCIL REQUIRED THE SITE TO MAINTAIN THE ORIGINAL NUMBER OF UNITS AND ARCHITECTURE. THE APPLICANT IS PROPOSING 304 UNITS. AFTER A PUBLIC HEARING, THE PLANNING COMMISSION RECOMMENDED APPROVAL OF THE APPLICATION WITH CONDITIONS.

11. CONSIDER APPROVAL OF A PRELIMINARY PLAT FOR THE VIVIANO AT RED CLIFFS DEVELOPMENT, A 12-LOT SUBDIVISION LOCATED EAST OF 3000 EAST AND NORTH OF 1140 SOUTH. CASE NO. 2023-PP-042

BACKGROUND AND RECOMMENDATION: THE VIVIANO PROJECT HAS BEEN UNDER CONSIDERATION AND HAD VARIOUS ITERATIONS OVER THE COURSE OF THE PAST TWO YEARS. A PLAT WAS APPROVED IN 2022. THIS PROPOSED REVISED PLAT INCLUDES THE CHURCH LOT ON THE SOUTH-EAST CORNER OF THE SITE AND THE COMMERCIAL PROPERTY ADJACENT TO MERRILL RD. THE PLANNING COMMISSION HELD A PUBLIC MEETING TO DISCUSS THE APPLICATION AND RECOMMENDED APPROVAL WITH CONDITIONS.

12. CONSIDER APPROVAL OF ORDINANCE NO. 2024-003 CHANGING THE ZONE FROM RE 12.5 (RESIDENTIAL ESTATES MINIMUM LOT SIZE 12,500 SQ. FT.) AND OS (OPEN SPACE) TO A-1 (AGRICULTURE 1 ACRE MINIMUM LOT SIZE) ON APPROXIMATELY 1.6 ACRES LOCATED AT THE CORNER OF QUARRY RIDGE DRIVE AND KNOLLS DRIVE TO DEVELOP A SINGLE FAMILY RESIDENTIAL LOT TO BE KNOWN AS THE LEX ENCE PROPERTY. CASE NO 2023-ZC-

019

BACKGROUND AND RECOMMENDATION: THIS APPLICATION IS TO CHANGE THE ZONE FROM RE 12.5 (RESIDENTIAL ESTATES 12,500 SQ. FT. MINIMUM LOT SIZE) AND OS (OPEN SPACE) TO A-1 (AGRICULTURAL 1 ACRE SQ. FT. MINIMUM LOT SIZE) TO BUILD A SINGLE-FAMILY RESIDENCE WITH AN ATTACHED GARAGE AND A BARN ON THE PROPERTY. THE PROPERTY DOES SIT IN THE FLOODWAY AND FLOODPLAIN SO THEY WILL HAVE TO WORK WITH PUBLIC WORKS TO MEET ANY REQUIREMENTS THAT ARE NEEDED TO MITIGATE BUILDING IN THE FLOODWAY AND FLOODPLAIN. THE ZONE CHANGE IS CONSISTENT WITH OTHER PROPERTY IN THE AREA WHICH ALLOWS ANIMALS AND ANIMAL USES ON PROPERTY. THE SURROUNDING PROPERTIES TO THE NORTH, SOUTH, EAST, AND WEST IN THE AREA ARE ZONED OPEN SPACE, AGRICULTURAL AND RESIDENTIAL ESTATES. BEFORE THE MEETING THERE WAS ONE RESIDENT WHO SUBMITTED A LETTER IN FAVOR OF THE ZONE CHANGE. AT THEIR MEETING HELD ON DECEMBER 12, 2023, THE PLANNING COMMISSION HELD A PUBLIC HEARING AND RECOMMENDED APPROVAL WITH A VOTE OF 7-0 AND NO CONDITIONS.

13. CONSIDER APPROVAL OF ORDINANCE NO. 2024-004 CHANGING THE ZONE FROM A-1 (AGRICULTURE 1 ACRE MINIMUM LOT SIZE) TO R-1-10 (SINGLE FAMILY RESIDENTIAL 10,000 MINIMUM SQ. FT. LOT SIZE) ON APPROXIMATELY 15.373 ACRES LOCATED AT APPROXIMATELY AT 2890 SOUTH MAPLE CREST DRIVE TO DEVELOP 44 SINGLE FAMILY RESIDENTIAL LOTS. CASE NO. 2023-ZC-017

BACKGROUND AND RECOMMENDATION: THIS APPLICATION IS TO CHANGE THE ZONE FROM A-1 (AGRICULTURE 1-ACRE MINIMUM LOT SIZE) TO R-1-10 (SINGLE FAMILY RESIDENTIAL 10,000 SQ. FT. MINIMUM LOT SIZE) TO BUILD 44 SINGLE FAMILY RESIDENTIAL LOTS FOR A DENSITY OF 2.86 UNITS PER ACRE. ON DECEMBER 2, 2021, THE FIRST PHASES 1 & 2 OF RED PINE SUBDIVISION WERE APPROVED BY THE CITY COUNCIL. ON SEPTEMBER 1, 2022, PHASES 3 & 4 OF THE RED PINE SUBDIVISION WERE APPROVED BY THE CITY COUNCIL. THIS PROPOSAL IS THE NEXT PHASES 5 & 6 OF THE RED PINE SUBDIVISION. PHASES 1-4 OF THE RED PINE SUBDIVISION WERE APPROVED WITH A MINIMUM OF 8,000 SQ. FT. LOTS. THE PROPOSED MINIMUM LOT SIZE FOR PHASES 5 & 6 IS 10,000 SQ. FT. WHICH IS A SLIGHT INCREASE TO A LARGER LOT SIZE. AT THEIR MEETING HELD ON DECEMBER 12, 2023, THE PLANNING COMMISSION HELD A PUBLIC HEARING AND RECOMMENDED APPROVAL WITH A VOTE OF 7-0.

14. CONSIDER APPROVAL OF A HILLSIDE DEVELOPMENT PERMIT TO ALLOW DISTURBANCE OF AREAS IN THE 20% PLUS SLOPE AREAS ON AN APPROXIMATELY 12.63-ACRE SITE GENERALLY LOCATED NORTH OF SNOW CANYON PARKWAY AND EAST OF THE EXISTING PARADISE CANYON SUBDIVISION. CASE NO. 2023-HS-008

BACKGROUND AND RECOMMENDATION: THE APPLICANT WOULD LIKE TO DEVELOP A SIX-LOT SUBDIVISION. A PORTION OF THE AREA LIES WITHIN THE HILLSIDE OVERLAY ZONE (HOZ). THE PROJECT WILL BE COMPLETED IN ONE PHASE. DESERT LANDSCAPING WILL BE USED ON THE PROJECT AND THERE WILL BE MINIMAL IMPACT TO THE HILLSIDE AREAS ON THE SITE. THE CHUCKWALLA ESTATES WENT TO THE HILLSIDE COMMITTEE ON AUGUST 23, 2023. THERE WAS MUCH DISCUSSION WITH THE COMMITTEE. A LOT OF THE DISCUSSION TOOK PLACE ON THE ACCESS ROAD TO THE LOTS. THE HILLSIDE COMMITTEE DISCUSSED MAKING THE WALLS AND APPEARANCE OF THE ACCESS ROAD TO BLEND AND MATCH THE COLORS AND TEXTURE OF THE SURROUNDING AREAS MATERIALS. THE SITE DOES INCLUDE AN ARCHEOLOGICAL SITE. THE PROPOSED LOTS DO NOT DISTURB THE HISTORICAL SITE. AT THEIR MEETING HELD ON OCTOBER 24, 2023, THE PLANNING COMMISSION RECOMMENDED APPROVAL WITH THE CONDITIONS IN THE STAFF REPORT WITH A VOTE OF 7-0.

15. CONSIDER APPROVAL OF A PRELIMINARY PLAT FOR THE CHUCKWALLA DEVELOPMENT, A 6-LOT SUBDIVISION LOCATED NORTH OF SNOW CANYON PKWY AND EAST OF PARADISE CANYON SUBDIVISION. CASE NO. 2023-PP-030

BACKGROUND AND RECOMMENDATION: THE APPLICANT IS PROPOSING TO DEVELOP SIX RESIDENTIAL LOTS. AT THEIR MEETING HELD ON OCTOBER 24, 2023, THE PLANNING COMMISSION HELD A PUBLIC MEETING AND RECOMMENDED APPROVAL WITH CONDITIONS.

16. CONSIDER APPROVAL OF THE PRELIMINARY PLAT FOR SUN RIVER COMMONS LOTS 4A & 4B, A 2-LOT SUBDIVISION TO BUILD A LES SCHWAB TIRE CENTER IN THE SUN RIVER COMMONS JUST OFF PIONEER ROAD. CASE NO. 2023-PP-043

BACKGROUND AND RECOMMENDATION: THE APPLICANT IS PROPOSING TO BUILD A LES SCHWAB TIRE CENTER IN SUN RIVER COMMONS. AT THEIR MEETING ON NOVEMBER 28, 2023, THE PLANNING COMMISSION HELD A PUBLIC MEETING AND TABLED THE ITEM. ON DECEMBER 12, 2023 A PUBLIC MEETING WAS HELD AND THE PLANNING COMMISSION RECOMMENDED APPROVAL OF THE SUN RIVER COMMONS LOTS 4A & 4B PLAT WITH A VOTE OF 7-0 AND NO CONDITIONS.

17. APPOINTMENTS TO BOARDS AND COMMISSIONS OF THE CITY.

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

19. 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.

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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