

THE STATE OF UTAH
COUNTY OF SEVIER
CITY OF RICHFIELD

At the City Council
In and For Said City
December 12, 2023

Minutes of the Richfield City Council meeting held on Tuesday, December 12, 2023, at 7:00 p.m. in the Council Chambers of the Richfield City office building located at 75 East Center, Richfield, Utah. Mayor Bryan L. Burrows presiding.

1. OPENING REMARKS
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. MINUTES
5. EXPENDITURES
6. PAVEMENT PRESERVATION (MICRO SURFACE) PROJECT AWARDED
7. CENTENNIAL PARK PROJECT AWARDED TO CARLISLE EXCAVATION
8. APPLICATION TO UDOT FOR TRANSPORTATION ALTERNATIVE FUNDS APPROVED
9. PLANNING COMMISSION REPORT
10. ORDINANCE 2023-12, AMENDING THE DEVELOPMENT AND CONSTRUCTION STANDARDS
11. ORDINANCE 2023-14, REQUIREMENTS FOR CONDOMINIUMS AND CONDOMINIUM CONVERSIONS ADOPTED
12. ORDINANCE 2023-15, AMENDING THE DEFINITION OF A MIXED-USE ADOPTED
13. OTHER BUSINESS
14. EXECUTIVE SESSION
15. RECONVENE & ADJOURN

1. OPENING REMARKS were offered by Elaine Street.

2. PLEDGE OF ALLEGIANCE was led by Kendrick Thomas.

3. ROLL CALL. **Present:** Bryan Burrows, Brayden Gardner, Kip Hansen, Elaine Street, Kendrick Thomas, Tanner Thompson, Michele Jolley, Tyson Hansen.

4. MINUTES APPROVED. The Council reviewed the meeting minutes held on November 14, 2023. **Motion:** Approve the meeting minutes for November 14,

2023, **Action:** Approved, **Moved by** Kip Hansen, **Seconded by** Elaine Street. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Brayden Gardner, Elaine Street, Kendrick Thomas, Kip Hansen, Tanner Thompson.

5. EXPENDITURES APPROVED. The Council reviewed the warrants for October and November 2023. **Motion:** Approve the warrants for October and November 2023, **Action:** Approved. **Moved by** Brayden Gardner, **Seconded by** Tanner Thompson. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Brayden Gardner, Elaine Street, Kendrick Thomas, Kip Hansen, Tanner Thompson.

6. PAVEMENT PRESERVATION (MICRO SURFACE) PROJECT AWARDED. Micklane Farmer noted that we received two bids on this project: Intermountain Slurry Seal and Geneva Rock. The original bid was \$200,000 over budget, so we took the business park and the pump track out of the bid. We can do the business park this spring with the leftover funds from the EDA grant. The seal coat for the pump track alone was \$27,000, so we will have to do the pump track on our own. The low bid came from Geneva Rock, and taking the business park and pump track out of the project would make the award amount \$1,106,880.

Mayor Burrows asked if Mr. Farmer felt good about Geneva Rock doing the project. Mr. Farmer was confident in Geneva Rock and said they are also doing the County's project. He noted that only two companies in the State do this type of project. Councilmember Thomas declared a conflict of interest on this matter and the next item. **Motion:** Approve an award to Geneva Rock with a bid of \$1,106,880 for the pavement preservation project, **Action:** Approved, **Moved by** Kip Hansen, **Seconded by** Elaine Street. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Brayden Gardner, Elaine Street, Kendrick Thomas, Kip Hansen, Tanner Thompson.

7. CENTENNIAL PARK PROJECT AWARDED TO CARLISLE EXCAVATION. Mr. Farmer explained that there were seven bids on this project. It was bid as three separate schedules. The first two schedules were the road and the parking lots in the park, and the third schedule was the two parking lots by the Health Department. The \$732,909.25 is the bid without the two parking to the south. With the parking lots, the low bid is \$837,917.75. The original low bid was \$11,000 different because of a mathematical error.

Councilmember Thomas asked what the engineer's estimate was. Mr. Farmer stated that the engineer's estimate was \$925,328.50. There was some discussion about the two parking lots on the south and whether or not to include them in

1 the project. Not doing them would shave \$100,000 off the project. Mr. Farmer
2 understood that the plan was to award all three schedules.

3
4 Councilmember Thompson expressed his frustration and stated that this project
5 stings a little bit. He believed that the City was getting the raw end of the deal
6 when it comes to our Interlocal Agreement with the school district. He felt that if
7 we had our own basketball courts, we would not have to have that Interlocal
8 Agreement, so we would be in a better position and have more leverage with
9 the school district. At some point, basketball courts are important. When a
10 project like this comes up, he thinks about how many half-million-dollar projects
11 or three-quarters of a million-dollar parking lots need to be fixed, and we could
12 use that money towards a downpayment on courts.

13
14 Mayor Burrows did not want to interrupt Councilmember Thompson but wanted
15 to point out that the problem with this is that you cannot use road funds for a
16 basketball court. Councilmember Thompson knew that, but he wanted to
17 express his frustration because it feels like we could be putting funds toward a
18 project, and he knows there are certain buckets for everything to go toward. He
19 just needed to say his piece. He was not saying we should not do this project; it
20 would just be nice to go into the future and plan for those things.

21
22 He knows that the staff is looking into this, and Mayor Burrows stated that we are
23 focusing on a 14-million-dollar swimming pool right now. Councilmember
24 Thompson is not saying that we should rearrange things. Councilmember
25 Hansen stated that the issue Councilmember Thompson raised should be
26 discussed later. We should look at this.

27
28 Mr. Farmer talked about Geogrid, stating that it is usually quite costly, but he got
29 a bid from Carlisle, which was very reasonable. He explained that geogrid is
30 used in layers, so there is not as much excavation. Using Geogrid on this project
31 would help mitigate some of the settling. Carlisle gave Mr. Farmer a quote of
32 \$7,200 per layer, costing approximately \$15,000 for two layers. He is giving this as
33 an option for an added insurance policy.

34
35 Councilmember Hansen stated that we know this will settle, so spending this
36 amount is a good idea. Councilmember Thomas thought doing the Geogrid in
37 the road and the parking lots was a good idea.

38
39 Councilmember Gardner wondered the Council's opinion on the additional
40 parking lots. Councilmember Hansen said we should do them because we only
41 have one time to do this right, and they are part of a really nice project up
42 there. Councilmember Thomas stated that this has been questionable in his
43 mind, so he has been a little on the fence, but he would lean more toward
44 doing it because of our position with the contractor and the pricing. We are in a

1 good situation to do it. Councilmember Hansen explained that he has done this
2 many times where the parking becomes a sticky wicket in a project. Any time
3 you short yourself on parking, it is a mistake before you turn the first page.
4

5 **Motion:** Award the bid to Carlisle Excavating with a bid of \$837,917.75 for the
6 completion of all three schedules and include a change order for the
7 placement of two layers of Geogrid under the road and the park parking lots for
8 an amount not to exceed \$30,000 for the Geogrid, **Action:** Approved, **Moved by**
9 Kip Hansen, **Seconded by** Brayden Gardner. **Vote:** Motion carried by unanimous
10 roll call vote (**summary:** Yes = 5). **Yes:** Brayden Gardner, Elaine Street, Kendrick
11 Thomas, Kip Hansen, Tanner Thompson.
12

13 Mayor Burrows asked when this project would start, and Mr. Farmer said it would
14 start in March.
15
16

17 8. APPLICATION TO UDOT FOR TRANSPORTATION ALTERNATIVE FUNDS
18 APPROVED. Matthew Lenhart discussed applying for funds through UDOT to
19 install a bike/walking path along Golf Course Road, 1800 South. There is currently
20 no sidewalk there. He explained this is for Tap funding through UDOT up to
21 \$500,000 with a 40% match. The proposal is to install a sidewalk along the golf
22 course road from Airport Road to Cove View Road along the north side. The
23 estimated cost is \$500,000.
24

25 Their estimate was for \$500,000. Mr. Lenhart explained that this cost is only for a
26 half-mile of sidewalk, which seems high, but there is a box culvert by the golf
27 course over the canal that is too narrow and cannot be easily extended. So,
28 they have included a pedestrian bridge crossing the canal.
29

30 Another reason for the high cost is that the engineering costs for this project are
31 more expensive because the funds are federal. It also takes longer. He asked if
32 the City wanted to apply for this sidewalk, knowing that the City's cost would be
33 \$200,000. If the City were to do this project without applying for the UDOT
34 funding, the estimate to do the sidewalk would be \$350,000, so it would cost the
35 City \$150,000 more to do the sidewalk.
36

37 Mayor Burrows wondered how far the funds would take the sidewalk down
38 Airport Road. It would take it down the road about 2,300 feet, and with the
39 \$100,000 the pedestrian bridge would cost, it would go another 1,000 feet.
40

41 Mr. Farmer stated that there are several areas that staff considered
42 recommending, but many people walk along this road.
43

1 Mayor Burrows suggested taking the path across the road, near the golf course
2 clubhouse, and utilize the cart path bridge to cross the canal. Councilmember
3 Thomas noted that crossing the road would not address the substandard bridge.
4 Mr. Lenhart said we could not use these funds to fix the bridge. Councilmember
5 Thomas wondered about applying for joint highway money to fix the bridge. Mr.
6 Farmer stated that the bridge would not qualify for the joint highway funds.

7
8 **Motion:** Approve an application to UDOT for TAP funding to construct a
9 walking/bike path along Golf Course Road, **Action:** Approved, **Moved by**
10 Tanner Thompson, **Seconded by** Kip Hansen. **Vote:** Motion carried by unanimous
11 roll call vote (**summary:** Yes = 5). **Yes:** Brayden Gardner, Elaine Street, Kendrick
12 Thomas, Kip Hansen, Tanner Thompson.

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15 9. PLANNING COMMISSION REPORT. Josh Peterson reported on the Planning
16 Commission meeting held on December 6, 2023. A daycare at 195 East 300
17 North was approved. Doug Schut was approved for a conditional use permit to
18 operate a woodworking business as a home occupation. A short-term rental at
19 454 South 400 West was approved. The short-term rental zones are growing
20 equally and have reached the halfway point regarding the number of rentals
21 allowed in each zone.

22
23 The Planning Commission held a public hearing on an amendment to the
24 general plan map and the designated zone for the property the Trailhead
25 Resort wants to develop. They recommended approval of the zone designation
26 in the general plan for the property owned by Trailhead Resort. Mr. Riches was
27 going to develop his project as a mixed-use commercial, but it requires retail
28 space, so rezoning the property to RM-11 would be a better fit for his project.

29
30 The Planning Commission also held a public hearing on the update to the
31 Transportation Master Plan. They recommended approval of the update to the
32 Transportation Master Plan. Mr. Peterson stated that the story map created by
33 Jones and DeMille was done well. It is easy to read and understand with a lot of
34 good data. It shows where the City is now and what future needs and growth
35 are.

36
37 The Planning Commission discussed the future of RM-24 and RM-11. They are not
38 sure what the future of these zones looks like. They know they just got a hold of
39 the RM-24. Mr. Peterson stated that we opened Pandora's Box, which out-ran us
40 for a little while. There is a lot of RM-24 on the south side of town. Right now, they
41 feel that with the spacing restrictions, they have a handle on it. Mayor Burrows
42 expressed his desire to eliminate the RM-24 zone or address it on a case-by-case
43 basis. He believed that we have been blessed with too much of this. It is starting
44 to tax everything, like the food bank, the police department, EMS, the

1 emergency room, the hospital, etc. Mr. Peterson brought up that the RM-24
2 developments are turning into low subsidies, and for some, we do not know until
3 they have been approved, and they do it after the fact.

4
5 Mayor Burrows stated that if they were renting to local people who need help,
6 he would be okay with that. Mr. Peterson mentioned a young working couple
7 where one does car detailing and the other does hotel cleaning on a part-time
8 basis. They applied at the Sand Stone and were told they did not qualify
9 because they make too much money. He believed that there was something
10 clearly wrong there. Mayor Burrows knows that the State is pushing this, but they
11 do not want to address all the other issues that come with this type of housing.
12 They keep shoving this to rural Utah, and it is going to kill us. All of this gets put
13 back on the taxpayer. The extra police officers – no one wants to do EMS
14 anymore because it is a full-time job on part-time pay.

15
16 Mayor Burrows felt that the only way to get a handle on this was to control it on
17 a case-by-case basis. He stated that what has been built is not meeting our
18 needs here. We are bringing people in. Councilmember Hansen pointed out
19 that these developments could have been handled with RM-11. Many of them
20 do not need the higher density to do the development, so we are not even
21 curtailing some of that. Councilmember Thomas stated that we have up to 650
22 units based on what has come in and is in some stage of the approval process
23 based on what he has looked at. Some of what he is counting are the duplexes
24 they are putting up by Flying J. It is north of 500 RM-24 units in some planning
25 stage right now. Mayor Burrows does not have a problem with RM-24 as long as
26 it meets our people's needs, but it does not. We are not addressing the issues
27 that we need to address for our community: no housing.

28
29 Councilmember Thompson agreed that what we need is small single-family
30 homes. He thinks we need to put our heads together to figure out how to
31 incentivize that. Councilmember Thomas indicated that we have to put the
32 breaks on RM-24 and maybe even the RM-11 to do this. Councilmember
33 Gardner questions putting the breaks on RM-11 because, from a cost
34 standpoint, if you put in a subdivision with quarter-acre lots, you will get the
35 growth in other communities. It is just too expensive. RM-11, similar to the TOK
36 Townhome developments, is a great compromise. That is kind of the new single-
37 family home, whether we want to admit that or not. It is better than a stacked
38 apartment like those by Walmart. Councilmember Hansen stated that because
39 of the cost of property, that is going to be the case. A single-family home is a
40 townhome with a common wall. Councilmember Thompson stated that the
41 problem with RM-11 is that we can still get duped by the subsidized housing.
42 That is the risk you run. He is not concerned about the size of the house; he is
43 concerned with what ends up being built.

1 Mayor Burrows stated that we knew exactly what we were getting with Eagle
2 View but did not know it with Smiths. Councilmember Gardner stated that an
3 existing market-rate apartment complex could be converted to tax credits.
4

5 Mr. Peterson would like to ask the City attorney if we could have language
6 noting that the RM-24 is not a zone for future use. Mayor Burrows wondered if we
7 could give them a timeline for these projects. Councilmember Thomas felt we
8 could do a conditional zoning conditioned upon an approved development
9 that matches the criteria presented. If that never develops, the zone never
10 changes.
11

12 The Planning Commission discussed a request to modify the rear yard
13 requirements for the Cedar Dermatology Clinic. The current setback is 20 feet.
14 The request was to allow it to be reduced to 10 feet. They tabled this and are
15 looking into why this is a 20-foot setback, whether it had something to do with
16 the fire code, and what other cities are doing.
17

18 The definition of mixed-use was discussed. Kendall Welch offered some wording.
19 The Planning Commission did not feel it was concise and to the point, so they
20 opted to use Mr. Peterson's wording, which they felt was more direct. He
21 proposed wording that would take any reference to RM-24 out of the definition.
22 Councilmember Thomas wondered how we know which multi-residential zoning
23 requirements to follow from the language. Mr. Peterson stated that there are no
24 spacing requirements with RM-11. The RM-24 is the only zone with the spacing
25 requirements, so if they were trying to do a mixed-use with the density of RM-24,
26 they would be required to meet the spacing requirements. If they wanted to do
27 a density similar to RM-11, there is no spacing requirement, so that the
28 development could meet that density.
29

30 The Planning Commission discussed whether or not to allow mixed-use in the
31 manufacturing zones. They discussed the compatibility of living spaces in these
32 zones, and Mr. Peterson did not think people would want an apartment above
33 a warehouse. Then he remembered that animal and veterinary clinics are only
34 allowed in these zones. He wondered about someone wanting to do an
35 equestrian development with a dozen cabins and a little pasture behind each
36 cabin for their horses for tourists driving through. He also thought about Vet
37 clinics that want to do animal boarding and maybe offer rooms for rent for
38 people who have an emergency and need a place to stay while their animal is
39 taken care of. Because of this discussion, the Planning Commission decided to
40 leave. We currently have a provision in our ordinance allowing an accessory
41 dwelling unit for an owner, relative, or employee in the manufacturing zones. If
42 we allow mixed-use in these zones, that would open them up for apartments.
43 Councilmember Gardner pointed out that if we allow this, we could end up with
44 a Villa again.

1
2 The condominium ordinance was revisited at the Council's request, and the
3 Planning Commission removed the 1-acre requirement. They also discussed
4 short-term rentals and that a lot of these older, smaller homes are in the average
5 median price point for small, single residences. Should we consider protecting
6 those homes for the single families we want instead of investment properties?
7 They did not know what to do because the price was volatile. Councilmember
8 Gardner likes this suggestion but does not know how we would tie it to that. Mr.
9 Peterson stated that maybe we should not increase the number allowed now.
10 We allow a total number of 120, so maybe we should cap it there.
11 Councilmember Gardner said it is not growing that fast and felt it will self-
12 regulate itself.
13
14

15 10. ORDINANCE 2023-12. AMENDING THE DEVELOPMENT AND CONSTRUCTION
16 STANDARDS. The Council reviewed an ordinance to amend the development
17 and construction standards. **Motion:** Adopt Ordinance 2023-12 amending the
18 Development and Construction Standards, **Action:** Adopted, **Moved by**
19 Kendrick Thomas, **Seconded by** Elaine Street. **Vote:** Motion carried by
20 unanimous roll call vote (**summary:** Yes = 5). **Yes:** Brayden Gardner, Elaine Street,
21 Kendrick Thomas, Kip Hansen, Tanner Thompson.
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24 11. ORDINANCE 2023-14, REQUIREMENTS FOR CONDOMINIUMS AND
25 CONDOMINIUM CONVERSIONS ADOPTED. The Council reviewed an ordinance
26 regulating condominiums and condominium conversions. During our last
27 meeting, the Planning Commission recommended a 1 acre or more regulation
28 for condominium developments. Councilmember Gardner felt it was too
29 restrictive and asked the Planning Commission to reconsider this regulation. The
30 Planning Commission did change its recommendation and removed the 1-acre
31 requirement. **Motion:** Adopt Ordinance 2023-14, amending the subdivision
32 ordinance to include regulations and requirements for condominiums and
33 condominium conversions, **Action:** Adopted, **Moved by** Brayden Gardner,
34 **Seconded by** Tanner Thompson. **Vote:** Motion carried by unanimous roll call
35 vote (**summary:** Yes = 5). **Yes:** Brayden Gardner, Elaine Street, Kendrick Thomas,
36 Kip Hansen, Tanner Thompson.
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39 12. ORDINANCE 2023-15, AMENDING THE DEFINITION OF A MIXED-USE
40 ADOPTED. The Council reviewed an ordinance amending the definition of
41 mixed-use and addressing the zones in which it would be allowed. **Motion:** ,
42 **Action:** Approve, **Moved by** Kip Hansen, **Seconded by** Brayden Gardner. **Vote:**
43 Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Brayden
44 Gardner, Elaine Street, Kendrick Thomas, Kip Hansen, Tanner Thompson.

1
2
3 13. OTHER BUSINESS. Councilmember Gardner reported that a handful of guys
4 and kids worked on a cleanup project at the rifle range, and it did not even look
5 like any work had been done. A lot of garbage has been hauled back out. It
6 was reported that the inmate work crew was out there today and hauled off
7 three truckloads of garbage. Councilmember Gardner asked if the City would
8 be open to doing some new signage talking about, please don't dump TV.
9 There was some discussion about putting a dumpster there, but that has been
10 done at other ranges, and they just get shot up as well.

11
12 Two individuals contacted Councilmember Gardner, and they felt that the
13 existing signs were not great and that the issues were caused by the people
14 who do not know what is allowed. Maybe signage may help. The officer over
15 the inmate work crew may look at doing some cleanup out there monthly.
16
17

18 14. ADJOURN AND CONVENE EXECUTIVE SESSION. At 8:36 p.m., regular session
19 was adjourned and an executive session was convened to discuss the
20 character, professional competence, or physical or mental health of individuals
21 to serve on the Planning Commission and the purchase of property. **Motion:**
22 Adjourn regular session and convene an executive session to discuss the
23 character, professional competence, or physical or mental health of individuals
24 and the purchase of property, **Action:** Adjourned. **Moved by** Kip Hansen,
25 **Seconded by** Brayden Gardner. **Vote:** Motion carried by unanimous roll call vote
26 (**summary:** Yes = 5). **Yes:** Brayden Gardner, Elaine Street, Kendrick Thomas, Kip
27 Hansen, Tanner Thompson.

PASSED and APPROVED this 9th day of January 2023.

Recorder