

**SANTA CLARA CITY COUNCIL WORK MEETING
WEDNESDAY, NOVEMBER 4, 2015
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Work Meeting on Wednesday, November 4, 2015 at 5:00 p.m. in the City Council Chambers of the Town Hall at 2603 Santa Clara Drive, Santa Clara, Utah.

Notice of the time, place and agenda of the meeting was provided to the Spectrum and to each member of the governing body by emailing a copy of the Notice and Agenda to the Spectrum and also, along with any packet information, to the mayor and each council member, at least two days before the meeting.

Present: Mayor Pro-Tem Mary Jo (Tode) Hafen
Council Members: Jerry Amundsen, Ken Sizemore, Mary Jo (Tode) Hafen, Herb Basso
City Manager: Edward Dickie
Recorder: Chris Shelley

Others Present: Brock Jacobsen, Admin Director; Matt Ence, City Attorney; Brad Hays, Parks Director; Bob Flowers, Police Chief; Charlie Clayton; Jarett Waite

1. Call to Order: Mayor Pro-tem Hafen called the meeting to order at 5:05 p.m.

-Mayor Rosenberg was excused from the meeting. He was out of town.

2. Working Agenda:

A. General Business:

2. Liquor Ordinance Discussion.

- Matt Ence, City Attorney, talked about proposed changes to the Alcohol Ordinance. Several licenses have been issued and with Harmons coming in, there are some needs that need to be addressed. He said they are hoping to make the ordinance a little more compatible with the State law. He said his preference would be to start over from scratch. He feels like the current ordinance is poorly written in some places. He said that in the short term the best approach for now is to look at some limited revisions. He said they will come back to the City Council in a special meeting. Maybe on November 18. This needs to be a public hearing because there is a potential proximity issue with Harmons and the school across the street and Gubler Park.

- Ed Dickie, City Manager said that it will be on November 18.

- Matt Ence said that they will be back on the first Council meeting in December for a public hearing on the Harmons Alcohol application. He said that Bob Nicholson, City Planner, helped with these changes to the Ordinance. He said that the first issue is the City's classifications are not really consistent with the State Code. Harmons is looking for a special use permit for their cooking school and the City's classifications didn't provide for something like that. He said that he has taken the existing classifications

and has eliminated two classifications that were defined in the City's ordinance because the ordinance defined them but didn't allow for them so he removed them completely. He said they are left with Class A, B and C which haven't changed. Class A is a seller for beer in containers for consumption off the premises. Class B is an on-premises retailer. Class C used to be defined as a restaurant licensee. The State has three forms of restaurant licensees: a beer only restaurant license, a limited service restaurant license, and a full service restaurant license. The old City ordinance would allow for the beer only and the limited service but not the full service. He said he took the Restaurant Use Classification and split it into two: one beer only and one limited use to match up with the State Code. These will now be Class C and Class D. Class E has not changed except it was Class D and is now Class E. The Single Event permit has not changed. He said he has added a new permit, which is a special use permit. It's a permit entitling the permittee to store, serve and allow consumption of alcohol on specifically designated premises issued to a person who qualifies as: (1) a religious organization for religious wine use; (2) a person engaged in an industrial or manufacturing pursuit, for industrial or manufacturing use; or (3) a person engaged in a scientific or educational pursuit, for scientific or educational use. He said he left out one of the State classifications because he felt it would probably never apply to Santa Clara City. He stated that 5.08.030 actually lists the permits and he changed the list a little bit to reflect the definitions. He said that there is some language that clarifies any use that falls outside those definitions is not permitted.

- Tode Hafen asked about the special use permit and if it is automatic or if they still have to come in.

- Matt Ence said it can be issued by the City without City Council approval unless there is a proximity issue. He stated that he also made a deletion, recommended by Bob Nicholson. The current ordinance required a certificate from five different residence of the City saying that the applicant is "good moral character". What would happen with something like Harmons? Does the City Council want to keep in some kind of requirement that we have certification of "good moral character"? It's not fair of someone like Harmons to require five local residents when they are a State wide corporation.

- Ed Dickie said that seems like something really outdated.

- Matt Ence agreed.

- Tode Hafen said it seems vague.

- Matt Ence said that under the State requirement that actually require an individual to be the applicant or representative of the applicant. Harmons said they don't know anyone who lives in town and wanted to know how they do this.

- Tode Hafen wanted to know what the problems would be if it is taken out.

- Matt Ence said that the purpose for it is to protect the stranger that no one knows anything about.

- Herb Basso said that he doesn't want the City ordinance to be tighter than the States. He said "moral character" is really subjective. He said the City can check out the references.

- Matt Ence read from the State Code. It is more specific. He said the City's Public Safety does a background check on the applicant. He said that the current Ordinance states that the Public Safety has to certify that they have done a background check on the applicant.

- Ed Dickie reminded the Council that every year the applicant has to come in and renew their license.
- Tode Hafen asked Matt Ence if he can tweak this a little bit and email the Council a copy of it.
- Jerry Amundsen said it helps to have references. Does it need to be local references?
- Matt Ence said that he is hearing from the City Council that they want references and not to specify that they have to be residents and information about any prior licensing or liquor sales.
- Herb Basso asked Chief Flowers, Police Chief, what level of background check the applicant would have.
- Chief Flowers said they would check the criminal history, check with the local community to see if they had any issues with them and in some cases they would check employees. They would contact the city they were coming from.
- Matt Ence asked how many references the Council would require. They all stated three.
- Ken Sizemore said that they want to stay as close to the State process as they can so the applicant doesn't feel like they are jumping through.
- Matt Ence agreed and said to really do that, they would really need to overhaul the whole thing. He said that the current ordinance has quotas. The City only allows certain number of licensees of different classes. He said the change he made there was when he split the restaurant licensing in two separate classes, he said that the total aggregate in those two classes shall not exceed the number provided (the population of the City divided by 5,000). He talked about proximity limitations. He has taken out the "600 feet" that is in the City's Ordinance and referenced specifically the restrictions in the State Code. That means it is 600 feet by the pedestrian route and 200 feet as the crow flies. He feels like this is a good change. He talked about what the standard is for the City Council to review this. He said he hasn't changed that at all. He has broken it up a little bit to show that there is two criteria's for City Council to consider. He feels that the City Ordinance is a little deficient in what exactly is required when someone renews their license. He said it's not clear. He said there should be clarification not just for the applicant but also for Staff. He stated that he will get the changes done and get back to City Council with it.
- Ken Sizemore asked the Council if they have heard any feedback about the Granary decision.
- Ed Dickie said the State is having a public hearing at the City on Friday, November 20th for the Granary. It is posted on the website and in the foyer.

3. Discussion regarding the Veterans Memorial Site.

- Brad Hays, Parks Director, said a committee of citizens got together to make a plan to build a Veterans Memorial Tribute Garden. The plan is about 5 years old. The Council decided in 2011 to take the money that the City gets from recycling from the binnies and put that towards the Veterans Memorial. He would like the Council to consider a location where they might be able to put it. The plan was never formally approved by the Council. The committee has a design that they would like to move forward with. They have three locations they are looking at: on City Hall property, at Santa Clara Cemetery, and Canyon View Park by the flag poles. The committee

recommends the cemetery location. He said the Memorial will not be war specific but will honor all the veterans who have served from Santa Clara. Not just the veterans that are deceased but veterans that live or have lived in Santa Clara.

- Jerry Amundsen feels that the cemetery that is the most appropriate place.

4. Proposed Power Rate Increase Discussion.

- Brock Jacobsen said that he wants to answer questions that the Council may have before the public hearing. He explained that there were three options. Two of the three options are a three year increase. He explained that the costs will help to meet the bond covenants, have a fund balance and help cover the increase in transmission and power costs in general. He said the base rate is supposed to cover the debt service. He said the City's debt service is about \$458,000 but the City really has additional debt of \$478,000. It's a debt owed to UAMPS. The base rate needs to be to a point where it is covering that debt. The transmission costs are \$185,000 on average each year.

- Ed Dickie asked if being able to purchase another generator in the next few years plays a part in this.

- Brock Jacobsen said that they may be going out and bonding for about 4.5 million dollars in about 2020.

- Herb Basso stated to the Council that he would like to make sure that they consider in the future increases to cover another generator or other equipment.

- Tode Hafen asked Brock Jacobsen if any consideration will be made on potential solar customers.

- Brock Jacobsen said he thinks that was addressed but he didn't know for sure. He said it is small now but it will continue to grow.

- Ed Dickie said the public hearing will be on November 18 and there will be the three options to choose from. He asked if they want to have the three options or does the Council want to recommend one.

- Ed Dickie said that any of the three options would work. He said they can bring the three and say that staff recommends option two.

- Brock Jacobsen said he will send an email out with Jack Taylor's recommendation.

1. Logo Discussion.

- Ed Dickie showed the Council the logos. There are four. Bradi is preparing a new website and would like to have the logo ready to put on there. He said the logos could all be the same but they don't have to be. Should they leave "city" on it or take that word off. The trees can both be green on the logo. He said there has been a lot of positive reaction. He said they will bring this to a future meeting with the top right picture with two trees, one with "city" included and one without "city". They could present it with other fonts too. He will send an email out to the Council on Monday.

- Ken Sizemore asked if Ed had a number on opt outs.

- Ed Dickie said that it was 494 which is about 23%.

- Jerry Amundsen said that the number is well over 85% county-wide so it looks like it's going to be in the \$2.95 range.

- Ken Sizemore asked about having an open house around Harmon's neighborhood. When do we want to do that? He thinks we need to do that.

- Ed Dickie asked when the Council would like to do that.
- Ken Sizemore said maybe January. Maybe the Work Meeting in January and have it at the Fire Station.
- Ed Dickie said he will invite Harmons and see if they can have a representative there.
- Ken Sizemore said he would write a newsletter article about it in mid-December. He said the Rotary clubs would like to do a car show. He said that they would like to shut down Santa Clara Drive and do a car show there. What does the Council think? He told them that the businesses probably wouldn't like it. He said he will tell them that they could do it at one of the parks. He said they want to do this during Senior Games.

3 Staff Reports:

Police Chief Bob Flowers

- Was contacted by the schools by Harmons and asked about the City's plans for the road and crosswalks with Harmons coming in. He said he told them that there would be a meeting in the near future that they would probably want to come to with concerns they may have.
 - Ed Dickie said that part of the plan eventually is to have an overpass, a pedestrian bridge.
 - Chief Flowers said that it is workable. He said it is a 25 mph street.
- He informed the City Council that the cost would be around \$150 to \$300 to put VIN numbers on golf carts.
- He reported on the homeless situation. He said that they have had two calls in 6 months regarding this. He said it is generally a trespassing issue. He said if they aren't breaking the law there is not they can do. He said they don't have a significant issue with this. There hasn't been any issues with disorderly conduct or threats.
- Through the holidays they will be training with the teachers at the schools. They will physically walk through all the schools with the officers and the principals and do a combined training with all the teachers.
- Tode Hafen asked if they have made any decisions on Arrowhead and Lava Flow.
 - Chief Flowers said they are waiting for Jack Taylor and they are in agreement that they are going to do something there. He said that Jack has some recommendations. He said they want to get a traffic count. He said the minimum they will do there is a 4-way stop. He said they have put some enforcement out there.

Brock Jacobsen

- The MPO met today about Jack Taylor's application for more funding and that was approved today. All \$248,000 should come to the City and go toward the project.
- December 10th is the CIB meeting on funding. It won't fund until February.
- Jack Taylor told him that the bid package for the project is going out next week.
- December 10th is the Staff Christmas party at 6 pm.
- We met today with Laine and Brooke regarding Swiss Days, moving forward on some of the issues and concerns they had. They want to move more vendors onto the street.

- They got the appraisal back on the property across the street.
- He mentioned that he and Ed Dickie will be gone tomorrow and Friday to the City Manager Fall meeting.

Brad Hays

- A couple of benches were installed at Canyon View Park. They were made from an Eagle Project. They are well made. He got a call that one of the benches was missing. He said they filed a police report. It had been stolen. Officer Holden said they found it in St. George. It has been brought back to Santa Clara.
- The pickle ball courts are under construction. They are doing the rebar. They should be pouring concrete next week.

Ed Dickie

- Tonight is Meet the City Council at 7:00 pm. There is cookies and water to serve.
- He said that they didn't do the parlant message because they couldn't get it to work correctly. He said that he hopes it will be resolved.
- Harmons is looking at stores to come in on their site.
- He will be gone next week on vacation starting on Tuesday for the rest of the week. He will send out the monthly update on November 16.
- He invited Jarett Waite to the Christmas Party. They will be sitting down with Jarett Waite and reviewing the budget in each department and answer whatever questions he has.

4. Adjournment:

Meeting Adjourned at 7:01 p.m.

Chris Shelley – City Recorder

Date Approved: _____