

**SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, FEBRUARY 10, 2016
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, February 10, 2016 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 Rick Rosenberg
Council Members: Herb Basso, Jerry Amundsen, Ken Sizemore, Jarett Waite, Mary Jo (Tode) Hafen
City Manager: Edward Dickie
City Recorder: Chris Shelley

Others Present: Brock Jacobsen, Assistant City Manager; Jack Taylor, Public Works Director; Corey Bundy, Building Official; Matt Ence, City Attorney; Brad Hayes, Parks Director; Dan Nelson, Fire Chief; Leina Mathis; Cindy Frei; Austin Higgins; Hayden Reid; Kaleb Steel; Alice Steel; Steve Hall; Damon Lund; Stockton Wittwer; Ben Davie; Mason Jackman; Alison Lund; Cam Esplin; Bryce Cowley; Hunter Peck; Lee Esplin; Amy Call; Zac Call; Douglas Clove; Marcus Puriri

1. **Call to Order**: Mayor Rosenberg called the meeting to order at 5:00 p.m.

2. **Opening Ceremony**:

- Pledge of Allegiance: Tode Hafen
- Opening Comments: Tode Hafen

- Mayor Rosenberg asked the Boy Scouts in attendance to introduce themselves: Damon Lund, Troop 1803; Cam Esplin, Troop 673, Communications Merit Badge; Ben Davie, Mason Jackman, Stockton Wittwer, Austin Higgins and Hayden Reid, Troop 1803, Communications Merit Badge; Kaleb Steel, Troop 1805, Citizenship In the Community and Communications Merit Badges; Zac Call, Troop 1812, Citizenship In the Community Merit Badge; Hunter Peck and Bryce Cowley, Troop 673, Communications Merit Badge.

3. **Communications and Appearances**:

A. General Citizen Communications: None.

4. **Working Agenda**:

A. Public Hearing(s): None.

B. General Business:

1. Set Public Hearing to discuss amending the Master Traffic & Transportation Plan/Impact Fee Facilities Plan & Impact Fee Analysis. Presented by Jack Taylor, Public Works Director.

- Jack Taylor said that when they did their Impact Fee Transportation Plan they discussed putting Santa Clara Drive in the impact fee study. They didn't know if they would get Federal funding at the time or if they would be able to do the project. Since that time they got more funding and the project is funded. There is a certain amount of that project that make it eligible for impact fees. He said they want to amend the policy.

- Steve Hall, Sunrise Engineering, said that a portion of improvements on Santa Clara Drive would be considered impact fee eligible. In order to use impact fees to pay for that it needs to be on the plan and currently it is not. In order to be on the plan, there needs to be an amendment. He said they have a refined cost estimate because they have an actual bid. There has to be a discount off of the total amount because Santa Clara is only paying so much toward those improvements. The total after being broken down is \$34,710. It is attributed based on what Santa Clara pays toward the project it could be paid by impact fees. He said they also broke out the parks portion however there was a planned trail through there so that plan doesn't need to be amended. He said that where they are adding to the plan they could technically increase the impact fee. However it would increase by \$16 per home and with all the comments and process to go through that, he said they recommend keeping the impact fee the same and bypass public concerns.

- Jack Taylor said that since it is only \$16 the Staff recommends that the impact fee study be amended and put Santa Clara Drive/Hwy 91 in there and don't change the numbers. He said the total cost of the project, with the street lighting and some of the landscaping, will be fairly close to 3 million dollars.

- Ken Sizemore asked if they are being asked to amend the plan to put \$35,000 worth of impact fees towards the project.

- Jack Taylor said the project will actually start right at the center of the Dutchmans near Swiss Village and goes west to 200 East in Ivins. There will be new storm drains, sewer, curb and gutter. There will also be landscaping. It will be a great improvement. There will be turning lanes. There will also be bike trails.

- Mayor Rosenberg asked Ed Dickie, City Manager, what date they want to set the hearing for.

- Ed Dickie stated it would be February 24.

Motion to Set Public Hearing for February 24, 2016 to amend the Master Traffic & Transportation Plan/Impact Fee Facilities Plan & Impact Fee Analysis.

Motion by Ken Sizemore, seconded by Jerry Amundsen with all members present voting Aye.

Voting Nay: None.

Motion Carried.

2. Request Approval of Increasing the Monthly Rent for the Clover Patch and the Possible Transfer of the Lease Agreement to a New Tenant. Presented by Edward Dickie, City Manager.

- Ed Dickie told the Council that this has come before the Council around this time of year for the last 3 or 4 years. He said that market analysis was done the first year, 2013 or 2014 to show what the rent should be and at the time the City reduced the rent a little bit. Each year since then there has been other analysis done and it shows that the rent should increase. He is proposing that the rent increase \$50. He said that is part of what they are asking tonight and the other part is that Council approves the current leasee to be able to transfer this lease to a new tenant. He stated that he had Matt Ence, the City Attorney, look at the lease and he is okay with it. He had a few suggestions. (See the attached packet.) He said that if the City is agrees transfer the current agreement, under the City's conditions, they ask for a current financial statement from the new applicant, permission to pull a credit report on the new applicant, a copy of the details of agreement between the current tenant and the applicant and a personal guarantee all be included if Council is okay with approving that to transfer that lease.
- Herb Basso asked shouldn't the Council, instead of allowing the current tenant to transfer it, is the Council transferring it literally.
- Matt Ence stated that the City is bound by what is in the lease already and there is an assignment provision in the lease. He said that what he outlined were reasonable considerations for the City to take into account.
- Ed Dickie said the Council can add or take away conditions.
- Matt Ence stated that he feels a personal guarantee is probably the most important thing and totally appropriate.
- Ed Dickie said the new tenant is basically the same type of business that is currently there.
- Jarett Waite asked if the terms would stay the same.
- Mayor Rosenberg said yes with the exception of the rent's increase of \$50.
- Ed Dickie said that this rent increase would take effect June 1.

Motion to Approve Increasing the Monthly Rent for the Clover Patch and Transfer of the Lease Agreement to a New Tenant with Conditions in the Letter.

Motion by Tode Hafen, seconded by Herb Basso.

Voting Aye: Jarett Waite, Jerry Amundsen, Tode Hafen, Ken Sizemore and Herb Basso.

Voting Nay: None

Motion Carried.

3. Request Approval of Appointment of a new Planning Commission Member. Presented by Corey Bundy, Building & Zoning Official.

- Corey Bundy introduce the Council to Leina Mathis and called attention to her bio in the enclosed packet. He said that Leina came to Planning Commission last night.
- Leina Mathis introduced herself. She said she was recommend by Jason Lindsey. She said she is a resident of Santa Clara. She works for Zion Bank. She is familiar with Planning Commission procedures.

Motion to Approve Appointment of a new Planning Commission Member, Leina Mathis.

Motion by Herb Basso, seconded by Jerry Amundsen with all members present voting Aye.

Voting Nay: None

Motion Carried.

4. Set Public Hearing to discuss Approval of the amendment for Abandoning of a Portion of Right-of-Way. Presented by Corey Bundy, Building & Zoning Official.

- Corey Bundy said the road abandonment for the property located west of Paradise Village at Zion and south of North Town road has been requested to be tabled by the developer's engineer until a future final plat. This would give the developer more time to acquire additional property. So instead of setting the public hearing, he said this came before the Council last Council meeting and he said they went forward with a road abandonment. He said halfway through they found out Washington County School District did not want to participate in the road abandonment so that's why this needs to be redone. The developer is still working with the future property owner to anticipate that property being sold to someone.

- Mayor Rosenberg reminded the Council that the abandonment went clear to the sewer line and follows the Lava Flow wash. It went south into the School District property. They had a verbal agreement with the School District. The School District subsequently advertised the entire portion including the piece they talked about for public sale. He said David Whitehead has asked the City to hold it back.

- Matt Ence said that if there is going to be a delay before the City does that, that the Council may want to look at the procedure at that time. He said they talked about doing an amended abandonment if it was going to be done right away but if there is going to be a passage of time we may want to look at a different approach. He asked Chris if the original road abandonment got recorded. It was, so he said to tell him that the City may end up going the other direction and have them do a dedication of a portion of that back to the City if that's what they want to do especially if the City is going to be sitting on it for a while.

5. Set Public Hearing to receive public input on the proposed Solar Fee Policy & Agreement. Presented by Jack Taylor, Public Works Director.

- Jack Taylor stated that this was discussed at the Work Meeting and they would like to set a hearing so the policy can be approved. He said they would like to do it on February 24.

- Ed Dickie asked Council if they want for that same night for it to actually be an action item also or for an action item to follow the meeting.

- Jack Taylor said they are meeting with the public concerning this on Monday, February 22. Bradi will send out a letter to ask the solar customers to come in and visit with them. They will also send the policy out for people to review it.

- Herb Basso said that Staff feels like it is enough time so it should be an action item that night also.

Motion to Set Public Hearing for February 24, 2016 to receive public input on the proposed Solar Fee Policy & Agreement.

Motion by Herb Basso, seconded by Ken Sizemore with all members present voting Aye.

Voting Nay: None

Motion Carried.

6. Second Quarter Financials. Presented by Brock Jacobsen, Finance Director.

- Brock Jacobsen stated that looking at the General Fund, there are a lot of things going on in the General Fund that are showing positive signs of improvement. We have a lot of development going on including Harmons, which will be opened on February 24. That will bring increase in revenues and sales tax, which will bring us opportunities to do new projects that we have put on the shelf for many years since we haven't had the revenue to do those. Currently the General Fund is doing well as revenue has reached 63% of budget so we are ahead of budget through the second quarter. Expenses are 49% of budget. He said Utah's taxable sales are up 6-8%. Sales tax for Santa Clara is up through the second quarter. He said they are making a concerted effort on the expenses trying to keep them in mind with budget. He said they will continue to monitor the budgets throughout the third and fourth quarter to see if they can come in line with budget, if not, they will make an amendment in the fourth quarter. He said fire is ahead of schedule due to a good wildland fire season. B & C are trying to stretch road funds as far as they can to maintain the roads. They are trying to get funding for that.
- Mayor Rosenberg asked if he has seen an increase from the gas tax.
- Brock Jacobsen said there hasn't been a bump yet in the sales tax. The impact fees are doing well. There are some projects scheduled: the Gubler Park expansion, Hwy 91 trail, asphalt at the cemetery and a tree nursery. The enterprise funds, the revenues are staying pretty close to budget. He showed a graph (see attached). There have been some sewer and storm water projects done. Those are impact fee eligible. He said one of the concerns they have had and will continue to see is depreciation of renewal and replacement. Revenues in the water were projected at 41%. The expenditure are 41% also. The electric are at 46% of revenue and 46.2% on expenditures. He said overall we're looking pretty good.
- Mayor Rosenberg asked how much RAP money has been received.
- Brock Jacobsen said that RAP tax, they just got the last one, were averaging about \$5,000 to \$6,000 dollars.
- Ken Sizemore asked about the other category in revenues where it was budgeted \$494,000 and only \$123,000 has been collected. He wondered what Brock had anticipated from the budget and stated that it was obvious that they are not collecting as much as was anticipated.
- Brock Jacobsen stated that those are transfers from the other funds for the impact fee to help pay for the City Hall building and money that was set aside for this building from the land sale.
- Herb Basso asked about the police budget being so small.
- Brock Jacobsen said that is because it is part of the Ivins City budget. They send Santa Clara an invoice. It's a timing issue.

5. Reports:

A. Mayor / Council Reports

Jerry Amundsen:

- Flood Control Authority meeting was the first of the month. There has been additional funding put into the river clearance.
- Mayor Rosenberg said they are trying to get permission from the reservation to go in and clear some of the brush and trees in the river beds.

- He missed the Solid Waste District meeting because he was out of town. He said they should have a Blu Can report and how that is all going. He said he still sees a lot of them sitting out on the curb weekly. Word still needs to get out that pick up is every other week.

Tode Hafen:

- The Princess Pageant is March 5. They have found someone to help the Princesses get to the fair. Lanie and Brooke don't want to crown Miss Congeniality unless they get at least 10 contestants. That would leave just a few girls not crowned.
- Attended the meeting last night.

Jarett Waite:

- Still trying to figure out mosquito abatement he has not attended that yet.
- Microphone have been picked out but not ordered. Brock was trying to find them locally.
- Still working on Face Book. They won't let him claim the page. He will have to start a new one.

Herb Basso:

- Attended Planning Commission last night. It was a public information meeting with open comments allowed. They talked about what the public would like to see on the Lava Flow property that SITLA owns. Kyle Pasley did a presentation on that. A lot of comments on what residents didn't want to see. There were a lot of people there.
- Tode Hafen said she thought there were some constructive ideas given at the meeting for the City to consider. One of the ideas was the Utah State University Extension Office. They are looking for a location.
- Ed Dickie said that the City needs to jump on that quick because they are discussing and negotiating with the County right now at the fairgrounds. He said they have letters to write and maybe get Lowry Snow involved.
- Herb Basso said he has a call into the Extension Office.
- EDC meeting is the 4th Tuesday of this month.
- Washington County Arts Council will be meeting next week. They have been denied money from the County. He will report back.

Ken Sizemore:

- Went to JPAK in Salt Lake City last week. It was the first meeting of that group this year. There wasn't a lot of substance there. They reported that we're on track with a new unified transportation plan. Utah leads the way in the nation in terms of having coordinated metropolitan planning and transportation issues that all of the interests around the State sit down and coordinate and put into this document. We do have a new transportation bill in place now: FAST. It's a five-year bill.
- Mayor Rosenberg will attend D-TEC next Wednesday.
- Ken Sizemore sits on the Scenic Byway Committee and they have a meeting in May. They went through a strategic planning process for scenic byways that's complete so any entity in the State that wants to come and request designation as a State Scenic Byway, the committee is open to any request. Washington County is lacking in scenic byways. There needs to be a byway committee established in Washington County.

Mayor Rosenberg:

- Got a letter from Faye Reber stating that the Solid Waste District is reminding the City about the 25 cents increase and the additional 10% increase that could have taken place but in a desire to keep the fee as low as possible the district's administrative control board has decided that the 35 cent increase should not be passed on to residents but will be absorbed by the district until further notice. The residents will get the 25 cents credited back.
- Jack Taylor reported that Hwy 91 construction started Monday. The cones are up. There are red and green lights on each end that they are working. It seems to be working okay. They are concerned about this weekend and so they have been asked to leave two lanes open Saturday, Sunday and Monday for the holiday weekend and Parade of Homes. The project will be done in June or July and will be one lane most of the time.

Ed Dickie:

- The Budget Retreat is Monday, February 22 at noon until 6:00 p.m. Lunch will be provided. That is here in the Conference Room. There will be a few guests.
- The Work Meeting in April will be when the final budget is gone over.
- He is waiting to hear from Harmons on the date of the walk through for the City Council.

- Jarett Waite asked about the meeting with the BLM.
- Mayor Rosenberg said it was a good meeting. The meeting was with the BLM that handled special permits. There were about 10 event coordinators there. The biggest event is the High School championships in November. They want the staging and parking up on the Santa Clara end. There can be some widening on the road up there. The City is going to apply for a 20 acre RP&P grant up behind the water tank. The staging could be up there. It can't happen by November. The Split Rock Development group has consented to allow parking for the event to happen on the upper terraces of their project at the base of the hill on the Frei parcel and the upper terraces of the Sycamore project.
- Herb Basso asked if they should consider not waiving fees for events anymore. It is not impacting our businesses.
- Ed Dickie said this will be discussed at the Budget Retreat.

6. Executive Session: None.

7. Approval of Claims and Minutes:

- Jan. 27, 2016 City Council Meeting Minutes
- Feb. 3, 2016 City Council Work Meeting Minutes
- Claims through Feb. 10, 2016

Motion to Approve City Council Meeting Minutes from January 27, 2016, the City Council Work Meeting Minutes from February 3, 2016 and claims through February 10, 2016.

Motion by Ken Sizemore, seconded by Herb Basso.

Voting Aye: Herb Basso, Ken Sizemore, Jerry Amundsen, Jarett Waite and Tode Hafen.

Voting nay: None

Motion Carried.

8. Calendar of Events

- February 15, 2016 Presidents Day (Office Closed)
- February 22, 2016 Budget Retreat
- February 24, 2016 City Council Meeting

9. Adjournment:

Motion to adjourn by Jerry Amundsen.
Seconded by Herb Basso with all members present voting aye.
Meeting Adjourned at 6:22 p.m.

Chris Shelley – City Recorder

Date Approved: _____