

**SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, MARCH 25, 2015
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, March 25, 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: Mary Joe (Tode) Hafen as Mayor Pro-tem
Council Members: David Whitehead, Jerry Amundsen, Ken Sizemore,
City Manager: Edward Dickie
City Staff: Chris Shelley

Others Present: Brock Jacobsen, Finance Director; Jack Taylor, Public Works Director; Brad Hayes, Parks Director; Dan Nelson, Fire Chief; Bob Nichol森, City Planner; Matt Ence, City Attorney; Ann Ledesma; Ruth Petersen; Klyde Petersen; Chris Hart; Dave Rebecca; Leland Peters; John Schwab; Bob Hermandson; Kent Frei; Cody Barnes; Dennis Barnes; Allen Hall; Lynnette Miller; Rob Riley; Tammy Riley;

1. **Call to Order:** Tode Hafen called the meeting to order at 5:04 p.m.

2. **Opening Ceremony:**

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

Tode excused Mayor Rosenberg, he was out of town.

3. **Communications and Appearances:**

A. General Citizen Communications:

- Tode asked the scouts in the audience to introduce themselves.
- Cody Barns, working on his Eagle – Troop 673

4. **Working Agenda:**

A. Public Hearing(s): None.

- Tode informed the audience there is no public hearing because of the change in the agenda.

B. General Business:

1. Presentation by Mayor Chris Hart of Ivins City.

- Mayor Chris Hart of Ivins City asked City Council to consider possible options to the Santa Clara Lighting Ordinance to protect the night sky. In 2007 Ivins City passed one of the most stringent lighting ordinances in the County. There have been concerns from some of the Ivins City residents who live near the proposed commercial site in Santa Clara. Mayor noted there are ways to minimize the impact of light pollution. Ivins City uses “full cut-off lighting” as well as many other options for protecting the night sky. Mayor Hart brought information for Staff and Council to review and consider particularly for the new commercial area.

2. Discussion and/or Approval of Resolution 2015-05R Declaring Intent to Consider a Municipal Boundary Adjustment from Kent Frei. Presented by Corey Bundy, Building and Zoning Official.

- Bob Nicholson discussed the original request was from Kent Frei to take four acres from Santa Clara City and annex it into St. George. The original request has been changed; Kent Frei would like to take six acres from St. George and annex them into Santa Clara. If Council adopts the resolution, there is a 60-day public notice period, then a Public Hearing on the request.

- Bob Hermandson with Bush & Gudgeon discussed what the previous request entailed and what the new request is. He stated the applicant felt it would be better to annex the six acres into Santa Clara.

- Bob Hermandson noted this request has been submitted to St. George City and will follow the same time frame as Santa Clara.

- Matt Ence stated the purpose of the Resolution presented tonight is for City Council to declare intent to consider a boundary adjustment. There will be a final action after the Public Hearing. Matt feels this is a good decision for Santa Clara in a general matter.

- A gentleman by the name of “Grandpa Ray” of 1651 N. 2500 West (St. George) addressed City Council and noted the drainage would be different having the six acres come into Santa Clara instead of the four acres going to St. George. He stated he liked the project but would like to see the drainage changed.

- Bob Hermandson stated they would address the drainage when the Final Plat gets submitted.

- Edward Dickie commented this is a preliminary start to the project. There will be several meetings with City Staff to discuss drainage and Santa Clara development requirements.

- Dave Ribachi, 41 Boulder Circle, stated he is the incumbent president of the Homeowner Association in Lava Cove. He noted they submitted 5-6 formal protests to the action on the agenda. He wants to be on record to state they are not opposed to development, however, they are concerned and would like considerations made regarding surface water management issues; in particular, changing from permeable soil to hardstand roofs, driveways, sidewalks and streets. They are pleased the impact fees will stay in Santa Clara. He also noted in Lava Cove, they installed the capsulized lighting to allow more light on the street and less in the sky.

******Motion to Approve Resolution 2015-05R Declaring Intent to Consider a Municipal Boundary Adjustment from Kent Frei.**

Motion by David Whitehead, seconded by Jerry Amundsen.

-Ken Sizemore commented this action is only to approve the intent to consider an annexation, it does not approve plans or designs for the development.

Voting Aye: Jerry Amundsen, Tode Hafen, David Whitehead, Ken Sizemore.

Voting Nay: None.

Motion Carried.

3. Request Approval for Final Plat of Clary Hills Subdivision. Presented by Bob Nicholson, City Planner

- Bob Nicholson presented the request to approve a 6-lot subdivision for Clary Hills Subdivision Phase 1. The lots range in size from 9,200 square feet to 10,540 square feet. All lots front Clary Hills Drive. The preliminary plat approval included 14 lots, but phase 1 is only 6 lots. The developer is required to widen the asphalt and install curb, gutter and sidewalk along Clary Hills Drive and relocate the existing dirt road that provides access to the BLM South Hills area. The relocated road will be required to have a road base finish and connect to the Gates Lane/ Clary Hills Drive intersection, which is proposed as a future roundabout. It has been presented to the Hillside Review Board and approved by Planning Commission with the following conditions:

- 1) the detention area adjacent to lot 12 is to be designed with a staged inlet with multiple barrels (pipes) capable of conveying the entire 100-year flow underneath the road;
- 2) slopes adjacent to drainage swales at lots 1-5, 10 and 11 shall not exceed a slope of 1.5 to 1;
- 3) the access road to the BLM property should have a minimum access width of 15' for the road surface, with an additional 10' easement on both sides for slope and drainage easements; and
- 4) no irrigation water will be allowed between retention walls. This will be a self-imposed restriction in the CC&R's.

- Bob continued stating City Staff also had some provisions and recommendations. He noted there is a major wash that bisects the property. Proper control of storm water is a concern. The developer will build a retention area with provisions for both under the street drainage and also for over the street drainage in the case of a major storm event. The developer will install drainage pipes under the cul-de-sac next to the detention basin, which will drain storm water under Clary Hills Drive to a drainage pipe/ditch along Clary Hills Drive. The storm water will be piped to the Santa Clara River. In addition, staff recommends there would need to be a tower in the detention basin to channel water under the street when the water level reaches a certain elevation (just below street level). The worst-case scenario will provide for water to flow over the detention basin and into the cul-de-sac where storm water should stay within the gutters, as the slopes on each side will keep water out of homes.

- Bob continued stating curb, gutter and sidewalk will be installed along Clary Hills Drive with Phase 1. The public access road to the BLM property will be relocated and the detention basin will be installed with phase 1. The drainage ditch upslope from lots 3-8 will need to be installed by developer, but maintained by the City. Planning Commission

recommends approval of the final plat for phase 1 with 6 lots subject to easements being signed and recorded for public access, trail and drainage maintenance, and also compliance with the conditions recommended by the Hillside Review Board, including the relocation of the exiting dirt public access road.

- David Whitehead asked if the curb and gutter would be completed in the next phase on the South side of the road.
- Jack Taylor commented there is a section of property at the top of the roundabout that won't be developed in this phase, but will be completed in the next phases.
- Allen Hall, Rosenberg & Associates stated when they complete phase 3 it will include the curb and gutter around the entire roundabout.
- David asked if the City would be liable for 100-year flood damage if the retention basin overflows and floods the homes.
- Matt Ence commented the City could potentially be held liable.
- Allen commented it is designed to hold a lot of water but in the case it did overflow, the City would be responsible.
- David asked where the water would go if it did overflow.
- Allen commented the water would flow down the road.
- Jack commented most developments are designed for a 10-year flood. This development is designed for a 100-year flood because of the wash.
- Allen commented the basin was designed to retain the water of a 100-year flood; it would only overflow and run down the road if there was more water.
- Ken Sizemore had a concern about the relocation of the BLM road. He asked if access to the South Hills would be closed.
- Allen commented they would keep the access open during construction.

******Motion to Approval for Final Plat of Clary Hills Subdivision; contingent upon the adhering to the recommendations made by Staff, Planning Commission and the Hillside Review Board. Motion by Jerry Amundsen, seconded by David Whitehead with all members present voting aye. Motion Carried.**

4. Request Approval for Final Plat of Paradise Village at Zion Phase 4 Subdivision. Presented by Bob Nicholson, City Planner.

- David Whitehead declared his conflict of interest, he is involved with the subdivision.
- Bob Nicholson presented the final plat of Paradise Village at Zion Phase 4. It contains 14 lots on 2.61 acres and is zoned PD – Mixed Use, which allows a base density of up to 8 dwelling units per acre. The project has also been approved for short-term rentals through a Conditional Use Permit process. Phase 4 backs Rachel Drive, which has an existing privacy wall and landscaping improvements installed. The units front Paradise Village Drive. Planning Commission recommends approval of Final Plat for Phase 4.

******Motion to Approval for Final Plat of Paradise Village at Zion Phase 4 Subdivision. Motion by Ken Sizemore, seconded by Jerry Amundsen with all members present voting aye. Voting nay: None Motion Carried.**

5. Discussion and or Approval to amend the Santa Clara Municipal Code, Section 10.08.040 (G) Parking Prohibited and Approve Ordinance 2015-06. Presented by Bob Nicholson, City Planner

- Bob Nicholson discussed the amendment to the Municipal Code Section 10.08.040 (G) to extend the overnight parking from 48 hours to 72 hours. Planning Commission recommends approval. Ivins City is also 72 hours which creates consistency with the police department.
- Ed Dickie commented Mayor Rosenberg asked Planning Commission to review it.

******Motion to Approval to amend the Santa Clara Municipal Code, Section 10.08.040 (G) Parking Prohibited and Approve Ordinance 2015-06.**

Motion by David Whitehead, seconded by Ken Sizemore with all members present voting aye.

Voting Nay: None.

Motion Carried.

6. Consideration to Cancel the April 8, 2015 City Council Meeting due to League of Cities and Towns. Presented by Chris Shelley, City Recorder.

******Motion to Cancel the April 8, 2015 City Council Meeting due to League of Cities and Towns.**

Motion by Jerry Amundsen seconded by David Whitehead with all members present voting aye.

Motion Carried.

7. Discussion and/or Action to Approve Arbor Day Proclamation. Presented by Brad Hays, Parks Director.

- Brad Hays discussed plans to proclaim April 25th, 2015 as Arbor Day in Santa Clara. The Arbor Day Celebration will formally dedicate the London Plane Sycamore Trees along Santa Clara Drive as Utah State Historic Trees. The celebration will be held at Heritage Square from 10 am to noon to honor Santa Clara's history by telling the story of the trees and providing fun family entertainment.
- Tode Hafen read the Proclamation for Arbor Day as presented.

******Motion to Approve Arbor Day Proclamation as read by Tode Hafen and presented by Brad Hays, Parks Director.**

Motion by David Whitehead seconded by Jerry Amundsen with all members present voting aye.

Motion Carried.

8. Discussion and/or Action to Approve the use of Gubler Park for Huntsman World Senior Games. Presented by Brad Hays, Parks Director.

- Brad Hays discussed the permission of the use of Gubler Park for the Huntsman World Senior Games. This will be the 10th year the City has hosted the games. Each year it costs the City from \$9,000 to \$11,000 to sponsor the games. In return, the Senior Games donates money to the City to do improvements to the park. They are trying to get more donations.
- David Whitehead commented that over the past ten years it has cost the City approximately \$95,000-\$125,000; the Senior Games has donated approximately \$27,500

back to the City. He asked Brad if the difference is considered the City's donation or contribution to the games.

- Brad commented the difference is the City's donation and what allows us to be a blue ribbon sponsor. He asked them to make an annual donation to improve the park.
- Tode asked if they could pursue compensation to repair or add to the score boards.
- Brad commented the scoreboards need to be re-wired. He noted the controllers are expensive but they can try and fix them in-house.
- Brad and Council discussed updating the scoreboards to a better system.
- David commented the parking lot was fun this last weekend. He is concerned there won't be enough parking without expanding the west side.
- Brad commented the fields are busy during the spring and summer. He asked Brock and Ed to set a separate account for tracking the expenses of the ball fields separate from the park so he can better track the revenue and expenses of the fields for budgeting and to price the rental of the fields appropriately.

******Motion to Approve the use of Gubler Park for Huntsman World Senior Games as presented by Brad Hays.**

Motion by David Seconded by Jerry Amundsen.

Voting Aye: Jerry Amundsen, Tode Hafen, David Whitehead and Ken Sizemore.

Voting Nay: Ken Sizemore.

Motion Carried.

9. Discussion and/or Approval for the Removal of Lava Rock in Emergency Situations. Presented by Mayor Rick Rosenberg.

- Ed Dickie commented the summary is in the Staff report.
- Ken Sizemore asked what the purpose of this removal is for.
- Jack Taylor commented he believes this comes from the Trust Lands Administration to be able to access lava rock if we need it during emergency situations.

******Motion to Approve the Agreement as included in the Council Packet for the Removal of Lava Rock in Emergency Situations as documented by the State Trust Lands Administration.**

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

Motion Carried.

10. Consider approval of a Proclamation for the week of May 17th to 23rd to be "National Public Works Week." Presented by Mayor Rick Rosenberg.

- Ed Dickie commented this is an annual proclamation submitted for approval.
- Tode Hafen read the proclamation presented.

******Motion to Approve a Proclamation for the week of May 17th to 23rd to be "National Public Works Week" as presented and to be signed by the Mayor.**

Motion by Jerry Amundsen seconded by David Whitehead with all members present voting aye.

Motion Carried.

- Tode Hafen asked if we have anything in place to let the public know about this week.
- Ed Dickie asked Jack to get it on the website to let the public know.

11. Consider a donation to the Water Conservancy District to assist with the annual Washington County Water Fair. Presented by Edward Dickie, City Manager

- Ed Dickie commented this is an ongoing donation. They asked for a donation to help bus the kids to Dixie State University. The City donated \$225 last year and is asking for the same donation this year.
- Dave Ribachi, 41 Boulder Circle – commented he has no problem with the donation but would like to see the Water Conservancy District really consider the reclamation and conservation of water, not just construction and public relationship.

******Motion to Approve a donation of to the Water Conservancy District to assist with the annual Washington County Water Fair in the amount of \$225.**

Motion by Ken Sizemore seconded by Jerry Amundsen.

- David Whitehead asked what the kids learn at the water fair.
- Ed Dickie and Council commented the kids discuss conserving water.

Voting Aye: Jerry Amundsen, Tode Hafen, David Whitehead, Ken Sizemore.

Voting Nay: None.

Motion Carried.

5. Reports:

A. Mayor / Council Reports

Jerry Amundsen:

- o Planning Commission approved Final Plat of Clary Hills.
- o He received an email regarding the curbside recycling. He would like a link put on the website for the residents to get more information. The executive board approved Dixie Waste's bid to handle the curbside recycling, but they will need to come to terms with what the district wants. They hope to get started mid-late summer. Ivin's and Santa Clara voted make the curbside mandatory.

David Whitehead:

- o The Mosquito Abatement District is going well. The last rainstorm brought the mosquitos out a little earlier. There have been a few complaints near Gates Lane.

Ken Sizemore:

- o The Transportation was approved for the new Transportation Funding Legislation. The legislator passed the local option. The counties will now need to get it on the ballots to approve the local option increase.
- o Long Range Transportation Plan for the Metropolitan Planning Organization will be out for comment next week, the first week of April. The list of projects comes from the plan. The Western Corridor is still out 30 years in the new plan.
- o Attended the Air Quality Task Force. Mayor Pike was there along with many others. It was a great turnout. They talked about having another Summit. The City of St. George purchased another Air Quality Monitor.

Tode Hafen:

- Attended the Utah Heritage Convention and they discussed a Utah Heritage Walking App. With very little effort you can put in historical sites of our community for tourists and residents.

Ed Dickie:

- Harmons is set to meet with Staff Monday morning. The property has been purchased. Brent Beasley has approached them for the sale of his property as well. There could be retail, fast food and possible a bank in that location.

6. Executive Session: None.

7. Approval of Claims and Minutes:

- February 18, 2015 Work Meeting Minutes
- February 25, 2015 City Council Meeting Minutes
- Claims through March 25, 2015

******Motion to Approve Work Meeting Minutes from February 18, 2015, the Regular City Council Meeting Minutes from February 25, 2015 and claims through March 25, 2015.**

Motion by Ken Sizemore, seconded by David Whitehead.

Voting Aye: Jerry Amundsen, Tode Hafen, David Whitehead, Ken Sizemore.

Voting Nay: None

Motion Carried.

8. Calendar of Events

- April 1, 2015 – City Council Work Meeting
 - Ken Sizemore asked what agenda items are on the work meeting.
 - Ed Dickie commented Laine and Brook may give an update on Swiss Days along with a few other items.
- April 8, 2015 – City Council Meeting (Cancelled)
- April 8-9, 2015 – League of Cities and Towns
- April 22, 2015 – City Council Meeting
 - Jack commented the UAMPS rooms have been reserved for City Council in Yellowstone.
 - Tode commented most people she discussed the new changes regarding Swiss Days with were optimistic and happy about them.
 - Ken commented he would like an “after-action” review from True Grit Race to get an update on how it went. He was disappointed about the beer garden because it was not enclosed like they said it would be.
 - Ken thanked Bob Nicholson for his good staff reports.

8. Adjournment:

Motion to adjourn by Ken Sizemore, seconded by David Whitehead with all members present voting aye.

Meeting Adjourned at 6:23 p.m.

Chris Shelley – City Recorder

Date Approved: _____