

**SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, FEBRUARY 24, 2016
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, February 24, 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
Deputy Recorder: Lisa Bundy

Others Present: Brock Jacobsen, Assistant City Manager; Jack Taylor, Public Works Director; Brad Hayes, Parks Director; Dan Nelson, Fire Chief; Lee E. Hughes; Kathleen V. Nielson; Lee Nielson; Sam Davis; Breckan Shirts; Paula Watkins; Pat Clark; Cindy Frei; Lynn Froerer; Robin Davis; Julie Applegate; Jacob Hardy; Steve Goodman; Scott Larsen; Braydon Charlton; Brodie Larsen; Brady Olsen; Rick Nelson; Steven Hall; Bradi Eardley; Blaine R. Wilson; Robert Gibson; Tracy DeCar; Mary Cook; Koby Cook

1. **Call to Order:** Mayor Rosenberg called the meeting to order at 5:02 p.m.

2. **Opening Ceremony:**

- Pledge of Allegiance: Jerry Amundsen
- Opening Comments: Jerry Amundsen

3. **Communications and Appearances:**

A. General Citizen Communications:

1. Introductions of Boy Scouts attending the meeting:
 - Jacob Hardy - Star Advancement - Citizenship in the Community Merit Badge.
 - Brodie Larsen - First Class Advancement - Citizenship in the Community Merit Badge.
 - .Brady Olsen - Star Advancement - Citizenship in the Community Merit Badge.
 - Braydon Charlton - Tenderfoot Advancement - Citizenship in the Community Merit Badge.
 - Breckan Shirts - Life Advancement - Citizenship in the Community Merit Badge.

4. Working Agenda:

A. Public Hearing(s):

1. Public Hearing to receive public input to approve the amendment to the Jan. 2015 update of the Master Traffic & Transportation Plan/Impact Fee Facilities Plan & Impact Fee Analysis.

- Jack Taylor said that as this was discussed at the last City Council Meeting, they realized that they did not have Hwy 91 on the Master Plan and as it was designed for it, they realized there were improvements on Hwy 91 that would qualify for impact fees. He said they want to amend the Impact Fee study to include Hwy 91 and actually not increase the impact fee amount. He said the amount that would actually go to Hwy 91 that's approved is \$34,710.16.

- Steve Hall, Sunrise Engineering stated that there are other improvements that are pertinent to other impact fee items such as the trails but that was already included in the impact fee facilities plans so that doesn't need to be revised.

5:08 p.m. Public Hearing Opened.

- Kathleen Nielsen, 1828 Red Mountain Drive, stated being a Heritage person, she has no complaints. She wants to know if the trail was going to affect the Swiss Monument. Brad Hays said that the trail system is being altered but it doesn't affect the monument. He said they are adding a trail from the Jacob Hamblin home along Hwy 91 up to the Ivins border.

5:10 p.m. Public Hearing Closed.

B: General Business:

2. Request Approval of the amendment to the Jan. 2015 update of the Master Traffic & Transportation Plan/Impact Fee Facilities Plan & Impact Fee Analysis and approve Ordinance 2016-04. Presented by Steve Hall, Sunrise Engineering.

Motion to Approve the amendment to the Jan. 2015 update of the Master Traffic & Transportation Plan/Impact Fee Facilities Plan & Impact Fee Analysis and approve Ordinance 2016-04.

Motion by Jerry Amundsen, seconded by Herb Basso.

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

Voting Nay: None

Motion Carried.

A. Public Hearing(s):

2. Public Hearing to receive public input on the approval of the proposed Solar Fee Policy & Agreement.

- Jack Taylor, Public Works Director, stated that he wanted to see how much solar had been installed in neighboring cities. He gave the ratios of the cities.
- Herb Basso asked if each home was averaging 3 or 4 kw.
- Jack Taylor said that the average in Santa Clara was a little over 7 kw. He said that included commercial. He said Santa Clara has quite a bit of solar compared to other cities. Harmons is a big portion of that. He said they have spent a number of hours not only with the Council but also with existing solar customers and he feels like they have come up with an agreement that is a win-win for the City and for the customers. In this policy, there are a couple things that have been changed. Everything is pretty consistent. He said that the policy states annually but they felt it would be better if the City has the right to review it annually or every three years. He said that they don't have a good average of what every customer is producing per kw on their home. Jarett Waite made him aware of a website called the National Renewable Energy Laboratory. It said the average in Santa Clara City was 149 so in that policy, it was changed to 149. He said that every three years when they have those meters installed on the homes that are registering and showing the City how many kilowatt hours those solar units actually produce, then every 3 years the City will look and see what that average is and the cost recovery charge will be changed. He said that the solar reliability charge would be \$4.05 an installed kw per month. He said that will be changed as needed. The policy also states that if the customer produces more solar power than they use, they will receive 6 cents per kw hour for every kw hour that goes out into the system. He said that everyone that connects from this day forward, this is the policy from this date. He said that there are 17 existing customers. Four are on the existing feed-in tariff policy and the others are on the old net metering policy. Everybody will change to the new policy. He is suggesting giving the 17 existing customers a \$2.00 rebate on every kw installed on their roof. That would continue for 10 years and after 10 years that would go away. If the customer moves during that 10-year period, it automatically goes to the rate that is in the contract, which is \$4.05. He read the resolution to the Council. (See attached.) It will become effective immediately if approved by the City Council. Staff recommends this to the Council. He thinks the City should move forward with this.

5:23 p.m. Public Hearing Opened.

- Herb Basso stated that he has an urgent matter to take care of and he will have to leave soon but he will stay as long as he can.
- Sam Davis, 3175 Swiss Drive, stated that he appeared before the City Council several months ago. He said he is grateful for this proposal. He said that Jack Taylor and Jarett Waite and a few others have worked very hard to make this happen. He said this is a win-win. He has no objection at all to it. He wanted to say thank you to Jack and the Council.
- Kathleen Nielsen, 1828 Red Mountain Drive, stated that they just wanted to feel that they were fair. She knows the City feels that way too. She wanted to tell Jack that she was very proud of how things were handled and she wants to tell Bradi that she is the best thing that Jack has ever had here. She thinks the resolution is fair, honest and good.
- Lynn Froerer, 3931 Brenna Drive, he was one of the first 2 people who have applied for solar. He appreciates working with the City's Public Works Director and said that the City has been very accommodating. His system has been in for almost 2 years. He was concerned at first. He said that today has proven that the Mayor and the City

Council are fair. He encourages the Council for vote for the new policy. He appreciates the many hours that have been put into this.

- Lee Nielsen, 1828 Red Mountain Drive, said he went through and averaged all of his costs since he has been on the solar for 10 months and it came out to \$20 per month. He said that he has 7 kw system and the City was going to add \$30 on to the \$28. He said that this was an average. He said when he heard about the \$2 rebate that was right up his alley. He said it brings it down to where he feels he needs it. He said he is up on solar.

- Pat Clark said that she has lived in Santa Clara for 25 years and has been a widow for 20 years. She said that Jack Taylor talked to her and said the policy would change. She didn't think it would change drastically. She was worried. But she wants to thank the Council for what they have come up with and she wants to thank Jack Taylor and Jarett Waite.

- Robert Gibson, 3776 Windmill Drive, said that with the study that was given last time and with the experience Jack Taylor has given, it is wonderful to have that input. At the meeting last night, they took their time to listen to the solar customer's concerns. He said that impressed him. He said it was an open dialog. That gave him encouragement. He wanted to thank Jack Taylor. He said that renews his faith that government has listening ears. He encourages the Council to vote for this and accept it. He appreciates that this isn't in concrete. He said thank you to the Council, Jack, Bradi and Jarett.

- Blaine Wilson, 2101 Arrowhead Trail, said that he appreciates the experience they have had. He feels that we are blessed to have a representative form of government. He said they have seen this in action over the past few months, the dialog, the interaction, the disagreements are all part of the process. He thanked the Council for being willing to facilitate this. He thanked them for their sacrifices. He encouraged the Council to vote for the proposal as stated.

5:38 p.m. Public Hearing Closed.

B. General Business:

3. Request Approval of the proposed Solar Fee Policy & Agreement and approve Resolution 2016-04R. Presented by Jack Taylor, Public Works Director.

- Herb Basso thanked all the residents that spoke. He said there was give and take on both sides and offered kudos to Jack Taylor and his staff.

- Ken Sizemore said that this is a work in progress and this particular resolution is literally just hours old. He wanted to know if the City Attorney had an opportunity to review this resolution.

- Jack Taylor said that Matt Ence, the City Attorney, has not reviewed the resolution but he has review the policy.

- Ed Dickie said that the resolution can be approved per Matt Ence's review.

- Ken Sizemore said that there was one technical direction that needs to be made in the resolution. A correction needs to be made to the line "Renewable Power Rate of .06 cents per kwh" because .06 cents is 6 hundredths of a cent. The correction should say "six cents" and then (\$0.06) so as not to be misinterpreted in the future.

- Ed Dickie said that this was just barely written.

Motion to Approve the proposed Solar Fee Policy & Agreement and approve Resolution 2016-04R subject to approval by Matt Ence, City Attorney and also subject to fixing the .06 in the Resolution for the Renewable Power Rate.

Motion by Jarett Waite, seconded by Herb Basso.

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

Voting Nay: None

Motion Carried.

- Herb Basso had to leave the meeting.

1. Presentation of Days of 47 2016 Celebration. Presented by Rick Nielson, Justin Osmond & Merle Osmond.

- Rick Nielson stated that Justin Osmond is not feeling well and Merle Osmond is still in England and asked him to send their apologies for not being able to make it tonight. He stated that he is the President/Director of the Days of 47 Dixie Inc., which is the southern contingency of Days of 47 Inc. He said they wanted to thank the Mayor and Council for approving a contribution to the Celebration, which they will have. The Osmonds are going to put on a pioneer heritage program that will involve a lot of local talent. He said some of the other cities have not been as quick to respond and so they have decided to postpone the pioneer heritage celebration, which would have been a 2-night program kind of like Stadium of Fire until 2017. However they have penciled in the original Osmond Brothers to perform at Hansen Stadium on the night of Friday, July 22 and would propose that the contribution from Santa Clara City be allowed to go to that celebration this year. His other purpose tonight is to ask if Santa Clara would like to host a venue for the Days of 47 Celebration. He suggested that the City also have 2 floats for the Days of 47 parade that takes place in Washington City. He also asked if the Council has a name to recommend to join with the Days of 47 Committee.

- Mayor Rosenberg asked if the other cities are doing anything for this year.

- Rick Nielson stated that Hurricane has committed some money. He will be visiting with Washington City next. Springdale wants to help. LaVerkin said they will help and so will Toquerville. He has not yet scheduled a time to talk to St. George City Council. The County will help out dependent upon what the cities will do.

- Rick Nielson said they would like to put information into the City newsletter. He will have his secretary get in touch with Ed Dickie, City Manager.

- Tode Hafen expressed concern about the extent of this concert. He said the Osmonds will charge \$17,000 fee for the concert. The concert will be free to the public.

- Mayor Rosenberg asked if the princesses typically participate in the July 24 parade.

- Tode Hafen said they don't but she would be happy to have them commit to that.

- Rick Nielson said they are trying to move toward a more historic parade and wondered if the princesses could ride on something less motorized. A float or horseback or wagon would be preferred.

- Tode Hafen said she will carry that forward and do her best.

- Jarett Waite asked about the events that will be spread out throughout the week and if they will all be in Washington City.

- Rick Nielson said that if any of the other cities want to participate they can do it.

- Jarett Waite asked Brad Hays, Parks Director, if he would want to be involved.

- Brad Hays said that was up to the Council

- Rick Nielson asked the Council to give it some thought and they will chat again.

4. Request approval bids for the Power Impact Fee Study. Presented by Jack Taylor, Public Works Director.

- Jack Taylor stated that they advertised a few weeks ago for the bids on the Power Impact Study and received two bids: one from Bowen & Collins and one from Intermountain Consumer Professional Engineers. Both firms have completed three power impact fee studies for other cities. He said his first choice is ICPE because their firm completed the City's Capitol Facility Plan for Santa Clara City Power so we could do our impact fee study. He said he believes ICPE already understands the Santa Clara power system and will be a great advantage to staff. He said they also came in \$4,620 cheaper than Bowen & Collins. His recommendation is that the City move forward with ICPE for the amount of \$30,330. This is in the budget this year.

- Jarett Waite asked how this compared to previous impact fee studies done.

- Jack Taylor said it was close but that fees keep getting more and more expensive.

Motion to Approve the ICPE bid of \$30,330.00 for the Power Impact Fee Study.

Motion by Ken Sizemore, seconded by Jerry Amundsen.

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

Voting Nay: None.

Motion Carried.

- Mayor Rosenberg asked Jack Taylor if SUBA and the State have been notified about this process being started.

- Jack Taylor said that he doesn't think SUBA has been connected yet but he will do that.

5. Consider Canceling the March 23rd Regular City Council Meeting. Presented by Chris Shelley, City Recorder.

- Item Tabled.

5. Reports:

A. Mayor / Council Reports

Jerry Amundsen:

- Nothing to report.

Tode Hafen:

- The Princess Pageant is March 5th. Come if you can. There are 7 girls participating.

Jarett Waite:

- Mosquito Abatement Meeting was at the beginning of the year. The meetings are quarterly. The VIKA virus was talked about. The type of mosquito that carries that virus cannot survive in Southern Utah. This area is very low risk. They approved a new truck and 4-wheeler. Things are under control.

- The City's website is live and Bradi is looking for suggestions. It can be changed

easily.

Ken Sizemore:

- Nothing to report.

- Tode Hafen asked Ken about emissions control in the area. He said there is not vehicle emissions control in our area. Local officials are pretty strongly opinionated that they don't want to do that.

Mayor Rosenberg:

- Attended the NPO meeting. They reported on the "Utah, Your Future". There were surveys completed statewide. Mayor has a copy of them for the Council to look at. They wanted to know if there was any interest in Washington County to revisit the Vision Dixie process. This last one took place in 2006 as part of the Lands Bill. He also has a copy of this if anybody wants one. He thinks this will be discussed more.

- There is a Mayor's Association and a COG meeting next week. As part of the COG meeting they will be updating the priority list for the COG right of ways.

Ed Dickie:

- Herb Basso asked him to tell the Council that when Herb was at Harmons he took a little survey of those he didn't know and found out they were from outside the area.

- There is a meeting tomorrow about what is going on in the south hills for the NIKA race and other races. The meeting is with BLM, the County and some other representatives. The NIKA race is committed to come here in November. Jack Taylor and Ron Whitehead will be busy getting ready for this. Brad has been working with the BLM with the City's RP&P to get 20 plus acres just below the water tank and they are looking at uses like picnic tables, Frisbee golf and parking. Mayor Rosenberg asked Brad to get the maps ready for this and bring this to a Work Meeting and to make sure that he includes the boundaries and the western corridor alignment.

- Dan Nelson has been awarded a Life Saving Award. There is a banquet in April. Ed asked Dan to make sure the Council knows about the time and place for that.

Brock Jacobsen:

- Utah League of Cities and Towns Convention is April 6, 7, & 8 at the Dixie Center. When registration opens he will get it to the Council.

6. **Executive Session:** None.

7. **Approval of Claims and Minutes:**

- Feb. 10, 2016 City Council Meeting Minutes
- Claims through February 24, 2016

Motion to Approve the Regular City Council Meeting Minutes from Feb. 10, 2016 and claims through February 24, 2016.

Motion by Jerry Amundsen, seconded by Jarett Waite.

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

Voting nay: None

Motion Carried.

8. Calendar of Events

- March 2, 2016 City Council Work Meeting
- March 5, 2016 Princess Pageant
- March 9, 2016 City Council Meeting
- March 15, 2016 Washington County School District Meeting/Lunch - 12:00 p.m.

9. Adjournment:

Motion to adjourn by Tode Hafen.

Seconded by Ken Sizemore with all members present voting aye.

Meeting Adjourned at 6:11 p.m.

Lisa Bundy – Deputy Recorder

Date Approved: _____