

**SANTA CLARA CITY COUNCIL MEETING  
WEDNESDAY, MAY 11, 2016  
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, May 11, 2016 at 4:00 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; Brad Hayes, Parks Director; Rich Rogers, Police; Teresa Burke; Leland Peters; S. Johnson; Gregg Ferris; Cindy Frei; Judith Kapuscinski; Nathan Carlson; Logan Nielsen, Steven Woodfield; Ernie Doose; Rob Wilson; Brian Tritle; Tom Bitune; Fred Fothering

1. **Call to Order**: Mayor Rosenberg called the meeting to order at 4:03 p.m.

2. **Opening Ceremony**:

- Pledge of Allegiance: Ken Sizemore
- Opening Comments: Ken Sizemore

3. **Communications and Appearances**:

A. General Citizen Communications:

1. Leland Peters, 50 Basalt Circle, stated that he wanted to thank the Public Works Department and more specifically Jack Taylor for getting the streets slurried this past week and the sidewalks repaired going down south on Lava Cove Drive where he walks everyday. He said he really appreciates it and to all the Council, thank you very much.
2. Fred Fagergren expressed appreciation to the City Council. He said that he has lived in Santa Clara since 2002 and he's really impressed with the Council and the Planning Council since they placed Gubler Park in and the design theme that is found throughout that park. He said that several months back he appeared before the Council and made some recommendations related to Harmons. He said again, the Council has done a fantastic job in developing that and providing a facility that is a real complement to the community. It is a beautiful building with nice lighting. He said that he has to follow

this up with an inquiry and ask what happened with the building that was placed next to the pickleball courts. He asked if that went through the Planning Council before the City Council. He said at Gubler Park everything is similar. All the buildings have similar roofs, all the colors are the same and it looks beautiful. He said that suddenly there is this building that is twice as tall as anything else, colors that don't match, the restroom entrances are yet another color. He thinks it's unfortunate that a building would be placed that would be such a contrast with everything else that would be approved and designed for the community. He said that anyone turning in and going that direction, the most prominent thing you see is this large quite unattractive building. He said that in the Santa Clara Sun there is a nice article about the fact that the Washington County Water District offers services for them to come in and provide opportunities for residents to have their irrigation systems to be reviewed and suggestions made. He said he would like to express concerns about the quantity of water Gubler Park is placing into the ditch and down the drainage that flows behind Harmons. At least three days a week there is water that is to his knuckle that is flowing out of the grass area that is immediately south of the playground area. He said there is evidently a culvert there so the grass is all sloped to the middle and the water flows into the culvert and comes out just south of the fire house and runs north to the drop basin. He estimates that there are thousands of gallons, it's flowing for more than 45 minutes at least three days a week. He's not sure why there aren't easy systems to design when water should come on. Until just recently most people were only watering just once a week and now two days a week but not three or four days a week. He expressed concern about the waste of water there. He paid his compliments to the Council for making some great decisions and beautiful facilities with one exception.

- Brad Hays, Parks Director stated that the building is only partially done. He asked that the contractor have the opportunity to finish the building before it is critiqued. He said it will be a nice looking building and that the color does match some of the buildings in the subdivision that are next door. It's not a beautiful rock faced building. That has to do with the economy but he said to give them a chance to finish it. He said they are going to plant some trees around it to make it look more natural. He also said that the doors aren't up yet. It's not anywhere half complete at this point. He said as far as the water goes, he said the water used at Gubler Park is not drinking water it is culinary water that comes out of Gunlock Reservoir and it's reuse water that comes through the sewer system. He said they do their best to manage the water. He said they are using thousands of gallons of water and it's hard to not have some runoff occasionally. He said he will look into this and he has looked into it and there were some repairs made on broken heads. He asked for patience.

- Jarett Waite told Fred that he has brought the building up to City Council and there are plans to make it look a lot better. He said it's on the radar.

#### **4. Working Agenda:**

A. Public Hearing(s): None

B. General Business:

1. BLM Resource Management Plan Update. Presented by Brian Trittle.

- Brian Tritle said he is the Field Office Manager here in the St. George Field Offices.

He said it is one of four Field Offices in the Color Country District, which is managed out of the Cedar City Office. He said he arrived here August 1, 2015. He said they are next-door neighbors to Santa Clara and he'd like to think that they are pretty good neighbors. He said that he has observed good cooperation on a few different projects and some conceptual stuff that will be highlighted here. He showed a video about a new campaign called "Respect and Protect" that is geared towards Federal public lands here in Utah specifically to raise awareness about protecting archeological and paleontological resources. He pointed out that Santa Clara has a lot of rock art right in their backyard. He stated that recreation is hugely important here. He brought magnets and stickers for the Council and the Mayor. He said that the BLM has two Resource Management Plans in the works for the two National Conservation areas. He said there is an amendment to the St. George Field Office Resource Management Plan that is in the works. He said they have generated a lot of attention for those. He said the next step in the process is for the proposed final RMP's to come out. That will happen later this summer. They will go public in August. He said that is the estimated time frame. He said they will then go through public review and those who have commented will have a chance to weigh in again. They also go through a Governor's Office review by the State of Utah. One of the cooperating agencies along the planning process way has been the State of Utah, the Public Lands Policy Coordinating Office, and also Washington County and Mojave County, Arizona. He said St. George City recently signed an Interlocal Agreement with the County and he said he understands that the Mayor is communicating with the rest of the Mayors in the County about some specific issues related to transportation and utilities. He said they have spent the last several months, since the comment period ended on the draft RMP's, having meetings with Washington County biweekly working through issues that were raised by the County and others and it's been very productive. He said that will be reflected in the proposed RMP's. He said that they move at the same time concurrently they are in consultation with the Fish and Wildlife Service which they have to do under Section 7 of the Endangered Species Act laws. He said they have to meet the court ordered deadline at the end of the calendar year.

He spoke about the R&PP proposal that Santa Clara is working on with BLM. R&PP stands for Recreation and Public Purposes. This is an authority by which BLM can issue the leasing of public lands by municipalities and other qualified organizations with eventual acquisition of patent to that land upon meeting certain development requirements, financial requirements to fund those developments and follow through those developments that are in the spirit of public purpose. It's a great proposal and his staff is happy with the elements of the R&PP proposal by Santa Clara. Teresa Burke, Realty Specialist in the Field Office is here at the meeting and she will be the person that will be processing the R&PP package itself. He said they look forward to eventually seeing the application or proposal package. He said that specific to that package, target shooting is an issue and that's gotten the attention. He said they want to move forward with something better. He said he wants to make a recommendation to the Council that the City's R&PP shooting plan and the County's R&PP shooting plan run concurrently somehow because the shooting issue needs to be dealt with in a timely manner such that the City's desired developments can move forward in a safe manner. He feels that this is really important.

- Mayor Rosenberg asked if the County had submitted their application yet and if not if Brian has had any discussions with them to see where they are at with it.

- Brian Tritle said no they haven't and he has had discussions with them and they're not

as far along as Santa Clara is with their package. He said the County is paying attention to some issues and working through some stuff. He said that with the shooting range that they already have out near the regional park and that's going to be their expertise going into development of this proposal so there might be some opportunities there for the City to help that come along.

- Mayor Rosenberg said they are working with some kind of a NRA consultant on the one over at Washington and they are going to try and piggyback this one on to that same consultant. He said he can follow up with them and see what Santa Clara City can help do to help them along.

- Brian Tritle said that the thing that he and his staff worry about is that Santa Clara is sitting shovel ready at some point in the future but don't have the Shooting Closure Ordinance in place and without that there are going to be issues. He said that he understands that Santa Clara City doesn't have the Recreational Shooting Closure within city limits and until that's in place the shooting can't be consolidated to where it needs to be. That can't be done until the range is built and yet the park needs to be protected from less than desirable recreational shooting.

- Mayor Rosenberg said he doesn't know if it is the R&PP or the supplemental that addressed the properties out in the South Hills. Is the ability to sell that land, to dispose of that land for private development, is that going away?

- Brian Tritle said that it's not. He said the amendment to the 1999 Resource Management Plan for the whole field office does not include a change to the disposal list.

- Mayor Rosenberg asked if there was still potential for some of those sites out there. He said he is not talking about the park but other sites to be disposed of for private development. He said that the reason he is asking is because the City is getting ready to go into a General Plan amendment process for the Hills. If those lands are going to be removed for consideration then we need to be thinking about a different direction. It would be really nice to know. He said the City annexed 1,500 acres of BLM property. There is a 600 or 900 acre ACEC that kind of donuts it. We go through the process to update the General Plan as far as what's going to happen in the future that affects our Capital Facilities Plan for water, power, transportation, infrastructure. If it's not going to be developed and it's going to be recreational property from now on, tell us it's going to be so that those other plans reflect it.

- Brian Tritle said that is a great point and he would suggest that they get a staff to staff meeting to discuss that very issue and include interdisciplinary team members in his office: biologists.

- Mayor Rosenberg said he would get ahold of Brian. He said the City is getting ready to start that process fairly quickly.

- Brian Tritle said to get ahold of him and he will help figure out who needs to attend the meeting and make sure the meeting gets scheduled.

- Mayor Rosenberg asked if the City would be able to renew their existing utility corridors that go out through there.

- Brian Tritle said yes absolutely.

- Ken Sizemore said that it is important for Brian to let the Council know how long a NEPA review takes for this R&PP. If this isn't going to happen quickly. He asked Brian to tell the Council what he anticipates. He said if we can coordinate with the County on the Shooting Range R&PP application, how long is it going to take to go through the analysis.

- Dave said he doesn't have a specific timeframe. It would be really efficient if you were

to combine the EA for the shooting range and for the park and do them all in the same document. It would save a lot of review time, a lot of editing time, it would make it a whole lot faster. Depending on the complexity of an EA, they can take 6 months to a year.

- Mayor Rosenberg asked if the County has given them any kind of a plan on the shooting range yet, where they want to do it.

- Dave said they have had some preliminary discussions with them but they haven't seen a concept plan yet.

- Dave said they were pleasantly surprised with Santa Clara City's concept plan for the park. But be careful what you wish for. There are two elements in that concept plan that are going to be in huge demand and that's the disc golf and the mountain bike pump track. That's going to be a destination for a lot of people.

- Ken Sizemore stated that 6 months to a year clock doesn't start ticking until all the R&PP stuff is submitted and both the County and the City are there and they've accepted it and are ready to start. He said they are talking two years probably.

- Brian Tritle said there needs to be someone, a consultant or a City Staff member or a County Staff member who is going to establish a timeline, gets some gateways drawn up and get some meetings organized to start.

- Mayor Rosenberg asked about the races for this Fall, like the high school mountain bike races, are they going to have it up here?

- Dave said they had a meeting this week and they think they have all the details worked out for this year for the high school event. He said they met with a representative for the Senior Games and they plan on moving to that venue next year but they like it some much they might want to go this year which would be October so we are re-upping their permit right now and the permit will be re-upped for both locations.

- Tode Hafen said she had a question about the shooting range and the time frame and how slow that process goes. She people go out there and shoot and there is so much going on out there. She wondered if there is anything that can be done in an interim basis to direct them to a location that would be safer.

- Brian Tritle said the City can put in place an ordinance like other cities in the County have, a no shooting ordinance within the City limits. He said they can work with the City on signage, get some kind of a media campaign going to get people aware. That would be really great. The City would close the City limits to shooting and then the City and the BLM would work together on a sign plan to direct people.

- Mayor Rosenberg said the City has to be able to enforce it and we have to be able to get the shooters there and the problem is they can't get to where we are telling them to go.

- Jack Taylor said that on the road going out there, they've got it to a certain point to where the big wash is but it's really bad. Would they do the EA or would the BLM do that? He said they can use what equipment they've got along with the County to start getting that road out there.

- Brian Tritle said the County is the real proponent for that part of the project and so if we want to come together with some interim situation prior to the R&PP, look to the County to see if they can come up with the fund to do the NEPA.

- Jack Taylor said that the road is in Santa Clara City limits so the County is probably going to want Santa Clara to pay for that.

- Brian Tritle said that they need to look and see how much it might cost to upgrade that road and go from there. He said the best way is for this to get organized and to get going on current plans for the R&PP and try and fast track that as much as it can be. He said

the fastest track is closure.

- Herb Basso said that this area is about to boom. Thousands of people go there a month. This is a positive time to get ourselves together, all the players, the land managers the owners and make something good happen here. He said the NRA Rep for Utah lives in Santa Clara. He's willing to serve.

- Mayor Rosenberg said that the City needs to get with the County. He talked about Zack Renstrom at the County Commission level. He said he is really a pro at getting this done.

- Jerry Amundsen asked if BLM staff prepares the EA's for these things.

- Brian Tritle said no and in this case the proponent would usually acquire a contractor to prepare the EA's. He said the BLM is the reviewer and they do need to meet certain requirements by the BLM. He said they complete a checklist that says here are the potential issues and the things that are not.

- Mayor Rosenberg thanked Brian and his staff for coming to the meeting.

## 2. Conserve Southwest Utah Presentation. Presented by Tom Bitune.

- Tom Bitune said he is the President of Conserve Southwest Utah. Conserve Southwest Utah was previously known as Citizens for Dixie's Future which has been around this area for a while. It has been working on land and water conservation, air quality, and they have put a lot of work into the smart growth policy that are in Vision Dixie. Water conservation has been a big one they have been working on and in that light they have been questioning the need for the Lake Powell Pipeline. He is planning on speaking to all the City Councils in the County about this. This is an invitation to talk in some more depth about our water issues, about alternatives to the pipeline, about issues with the pipeline. He is there to introduce these issues to the City Council. He wants to know if the Council is willing or able to get into a deeper discussion on water at some later time. He said all the cities in Washington County have endorsed the pipeline. The pipeline is for the cities in the County and the cities are going to have to balance how much should be pushed into conservation and managing water better verses how much we want to put into going after another water source far away. Endorsing the pipeline means the cities are committed to pay for it. The cities should explore what their endorsement means. He said they have been asking the Water District and the Division of Water Resources several questions consistently over the past 10 years and he said they haven't been able to get answers or engage them in conversation. He said this is another tactic to ask the cities. His first question is: what is the cost range of the pipeline and how will we pay for it. The second one is: what is the risk that the river can fill the pipeline. The third one is: why can't we match the water use rates and the management practices of other southwest cities. He asked if we are good stewards of our local water, can we support the growth we're anticipating? He said there are some concerns about the Lake Powell Pipeline. He said there was a Legislative audit and they concluded that the data we're using to justify water projects in general in this State are really flawed. They said there needs to be better data. The Governor came out and mimicked that. His report said we should concentrate on conservation before we go after the pipeline. He said that we would have to pay back for the pipeline and in paying it back it will hurt our overall economy. If we manage our water well, here locally, we may have enough water to last us for a very long time. We need to conserve and manage our water better. Measures can be implemented incrementally. If we become excellent stewards of our water and the river becomes truly viable, it would be much less risk than the pipeline. He said they are asking the Council

if they have the where, the time, the energy, the mechanisms, the will to talk about the risks of the pipeline and the alternatives to it in more detail sometime.

- Mayor Rosenberg thanked Tom for coming. He told him to work through Ed.

3. Operation Underground Railroad Presentation. Presented by Kevin Lounsbury, Co-Chair.

- Mayor Rosenberg asked if Kevin Lounsbury was there or anyone representing him and no one acknowledged that they were there at the meeting. He recognized that a Boy Scout was at the meeting and asked him to introduce himself.

- Nathan Carlson said he is from the 6<sup>th</sup> Ward and said he is there for his Communications Merit Badge.

4. Request Approval of Rap Tax Applications. Presented by Ed Dickie, City Manager.

- Ed Dickie stated that at the Work Meeting last week Council asked for Ernie Duce from the DiFiore Center to come address the Council at this meeting to talk about where they are at, when they think they will be moving in, what they think they will be doing for the City and how Rap Tax could help him out. He did ask for \$10,000. Whatever he would be able to get from the tax would be much appreciated.

- Ernie Duce with the DiFiore Center said they are extremely excited to be moving in to the old mercantile building. He said the whole goal of the DiFiore Center is an art education center and to make a difference in people's lives through the arts. It's named after Roleen DiFiore who taught at Dixie for about 25 years. He said the DiFiore Center is a 100% Volunteer Staff Organization and 100% funded by donations. He has been working at the mercantile building to get it ready and he said they are excited to move to Santa Clara. He said that with the Rap Tax funding, they want to be a part of Swiss Days and help with the children. He said they did the Children's Creation Station at the St. George Arts Festival for many years. He said they will use part of the Rap Tax money to move to Santa Clara and put a mural on the side of the mercantile.

- Rob Wilson, Art Professor at Dixie State University and President of Utah Mural Arts Foundation showed the proposed mural. He said it makes a commentary on art history. He said it includes a depicting of the left brain and the right brain. He said they are partnering with the DiFiore Center to bring public artwork to the people of Santa Clara and their visitors.

- Ernie Duce said they will move into the mercantile when they have the money, the people and when it's ready to go. But they are working on it.

- Corey Bundy told Ernie Duce that talking about the mural, the DiFiore Center is going to be in the historical district and if they're going to put a mural on the side of the building they have to go through Heritage Parks.

- Ernie Duce said they knew that and that's why Rob is doing the rendering and they will go through that.

- Rob Wilson said they can do the mural with a buffer panel that is applied to the wall that doesn't compromise the historical integrity of the building.

- Herb Basso said the way he sees Rap funds being used is to benefit our citizens and bring people to Santa Clara for cultural, historical, social and economic reasons. He wanted to know how Ernie would be specifically using the funds he is requesting.

- Ernie Duce said the art will be for the whole community. The funds will be to get in to

the mercantile. He said they will have classes with foster care. Part of it will go to that. Part of it will go to general funding, to the mural, to help with art supplies and to help with Swiss Days. He said the present facility is closing on June 1, 2016.

- Ed Dickie said that the City has \$6,600 remaining from the budgeting 13,600 for this fiscal year. He said that at the Work Meeting Council agreed that \$1,000 would go towards the request from the Historic Commission, which is Susannah Nelson. That leaves the City with 5,600. The two other applicants are the DiFiore Center and Kayenta. He reminded the Council that they decided to wait until this meeting to decide how they wanted to distribute that money. He said in the meantime there was another request from Susannah Nilsson for an additional \$2,000 for a couple of things she is doing. He told the applicants that the Council hasn't passed a resolution for a deadline for submitting applications. Council can entertain Susannah's added request, that is up to Council until a resolution is approved which would have a drop dead date for an application.

- Herb Basso said he feels that this being the first year, there should be a little bit left in the pot. He said maybe \$600-\$1,000 for something that would be really rewarding but they haven't had the time to come forward. He said his request would be however the balance is spent, that it be kept in Santa Clara so it doesn't favor the request of Kayenta, being in Ivins. He said he knows they do great programs out there but he thinks we should keep feeding our own community and we will see more art and recreation type individuals and organizations come forward. He said that if the Council can consider looking at profit as well as non-profit organizations for this funding. Sometimes a profit organization can be more organized to benefit our community as much or even greater than non-profit organizations.

- Ed Dickie said that based on the Rap rules the Council can't consider a profit organization. He said the resolution that he is going to present has been looked over by the attorneys and the County and he has had Brad Hays look to make sure.

- Herb Basso asked that on the applications he would like to see more detail on how the funds will be spent.

- Mayor Rosenberg said the money comes in monthly. He said he's not too worried about a minimum balance in the account. He said that if the City doesn't collect that full amount, one of these awardees with the floater that if the City doesn't collect the full amount they may not get the full amount. He said the question he would like to see is will it benefit the residents in the City. It may not have to be located in the City to benefit the citizens in the City. He said he wouldn't say that Kayenta could go off the table because the service they are providing out there could be a very good benefit to our citizens. The key is is it offering a benefit to the citizens of the community. He said that he also feels that the new application that Susannah Nilsson is giving looks like a good one too but there probably needs to be a little more detail going forward. He thinks the DiFiore Center definitely qualifies for some money.

- Tode Hafen said that she thinks they should go with the \$1,000 to Susannah Nilsson. It's a good thing. She would really like to see her get another \$1,000 to take the 4<sup>th</sup> Graders through the building here. It is really worthwhile. She thinks the Kayenta Center should get \$2,000 and then give the other \$2,600 to the DiFiore Center. And that should add up to the \$6,600.

- Mayor Rosenberg talked about the Kayenta Center and said they do a lot of festivals and a lot of programs. They bring in youth outreach programs for school age children. It's going to have a 250 seat capacity. They've been a 5013C since 2011. They are currently under construction with the new arts center. They want to use the money for

programming in and out of the center.

- Judith Kapuscinski Chairman of the Kayenta Arts Foundation said they don't have numbers of how many people attend their festivals. A couple of years ago they did take a count and they had between 4,000-5,000 visitors for the Street Painting Festival and this years was larger. She said they certainly don't know how many come from Santa Clara specifically. She said they provide seminars to the schools who do participate on street painting so the students learn about the art before they come. The Santa Clara schools have not participated. She said that next year they have to expand what they do for outreach. Apparently their message hasn't been getting out as well as they thought. She said she knows for a fact that there are people from Santa Clara who come to the festivals. She said they have already met with the Superintendent of Washington County School District to talk about trying to identify arts related needs within the schools that Kayenta Arts Foundation can help provide. She said they have received a small, designated, restricted donation from the Beasley Foundation for that purpose. Her request was \$3,000 a year for 10 years from the City Rap tax.

- Mayor Rosenberg said they went away from that because the City received more requests and there are more requests than money.

- Judith Kapuscinski said that one of the reasons they asked for a 10-year commitment is when they have that on the books it helps them as they prepare grants to foundations and seek donations. It's very helpful to see the local communities have committed and it provides leverage for them.

- Herb Basso stated that he was against an ongoing commitment at this time because the Rap tax program is new and he thinks the City needs to see what other opportunities and request there may be.

- Mayor Rosenberg said that one caveat they can put on it is that they do expand that outreach to the Santa Clara students and if they come back next year for funding they can give an update on what participation there is. He stated that Tode Hafen made a proposal which is \$2,000 to the museum, \$2,000 to the Kayenta Arts Center and \$2,600 to the DiFiore Center.

**Motion to Approve Rap Tax Applications for \$2,000 to Susannah Nilsson with the Historical Society, \$2,000 to the Kayenta Arts Center and \$2,600 to the DiFiore Center.**

**Motion by Tode Hafen, seconded by Ken Sizemore.**

- Herb Basso asked if \$600 or so could be moved to the DiFiore Center so a little bit more will be for a structure that is going to be in Santa Clara City long term and maybe a little less to the Kayenta side.

- Jarett Waite said that is what he would like to do too.

- Tode Hafen said that she is good with that. She said they are all good.

- Herb Basso said how about \$500. That makes it \$3,100 for the DiFiore Center and \$1,500 for Kayenta.

**Amended Motion to Approve Rap Tax Applications for \$2,000 to Susannah Nilsson with the Historical Society, \$1,500 to the Kayenta Arts Center and \$3,100 to the DiFiore Center.  
Motion by Tode Hafen, seconded by Ken Sizemore.**

- Ken Sizemore said that he thinks there needs to be specifics before the City expends the money out to two of these projects. The first one is DiFiore. He said he would like to make sure that the City has a specific budget from them how they will expend the \$3,100 before they are cut a check. He said there needs to be a more specific application. He also wants Kayenta to understand that this is a one-time award and doesn't commit the City for any future award of Rap dollars.
- Mayor Rosenberg said that this applies to all of them. They are all one time.

**Amended Motion to Approve Rap Tax Applications for \$2,000 to Susannah Nilsson with Historical Society, \$1,500 to the Kayenta Arts Center and \$3,100 to the DiFiore Center and include the recommendation by Ken Sizemore.  
Motion by Tode Hafen, seconded by Ken Sizemore.**

- Jarett Waite said that on Susannah's proposal for the tours the only worry he has is if the schools will come. It's not a guarantee. The \$1,000 will be more than enough but City Staff could be doing those tours. The budget is not broken down at all.
- Mayor Rosenberg said that all of them could do the detailed budget and how the money will be spent.
- Ed Dickie said that will be a requirement. When the resolution is passed, that is one of the requirements.
- Mayor Rosenberg said to ask all for a detailed budget and if Susannah Nilsson's budget comes in less, let the DiFiore Center be the floater to where it could bump up a little bit and if we don't collect it they would be the one that would drop down a little bit. We will get detailed budgets from everybody on how the money will be spent, they acknowledge that it's a one-time award and they will have to reapply for ongoing funding, and there will be \$2,000 that will go to the museum, \$1,500 to the Kayenta Arts Center and \$3,100 to the DiFiore Center and if the money was not collected by the end of the fiscal year the Di Fiore Center would drop by whatever wasn't collected.

**Amended Motion to Approve Rap Tax Applications up to \$6,600 for \$2,000 to Susannah Nilsson with the Historical Society, \$1,500 to Kayenta Arts Center and \$3,100 to the DiFiore Center and if the money was not collected by the end of the fiscal year the DiFiore Center amount will decrease, and with the requirement that they all submit detailed budgets on how the money will be spent and they acknowledge that this is a one-time award.**

**Motion by Tode Hafen, seconded by Ken Sizemore.**

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

**Voting Nay: None**

**Motion Carried.**

3. Operation Underground Railroad Presentation. Presented by Kevin Lounsbury, Co-Chair.

- Steven Woodfield a Co-Chair for Operation Underground Railroad said that this is a foundation established to rescue children from sex trafficking. They work

directly with government agencies and law enforcement around the world. He said their goal as individuals and citizens and volunteers within Washington County area operate under a group called St. George Rescue and they are just volunteers who help promote Operation Underground Railroad because they believe in rescuing children from the diabolical life they have. He said their goal is they want communities to come to a point where they pass a resolution recognizing OUR (Operation Underground Railroad) as a viable and noteworthy entity operating within the communities here. He said that this coming Friday (May 13), Tim Ballard, the founder along with the Utah Attorney General Sean Reyes will be here. They are all volunteers that risk their lives to save these children. He invited the City Council to come and participate and lend their support and endorsement. There will be a fundraising dinner, then there will be a program from 7:00-9:00 and that's free to the public. On Monday is a film called "The Abolitionists" and it's about Tim Ballard and his team at OUR (Operation Underground Railroad), which have done these rescues. He said that there are about 2 million children being trafficked for sex around the world and it's a horrible problem. It's the fastest growing business industry in the world. He stated that the Super Bowl is the number one single biggest event worldwide for sex trafficking. Big sporting events have this type of trafficking. He would like Santa Clara's support and a resolution recognizing Operation Underground Railroad and what they are doing.

Mayor thanked Steven for coming.

- Tode Hafen asked if Council could move to item 6 first because she had some comments and she has to leave.

6. Consider Parks & Recreation Fee Schedule and Approval of Resolution 2016-10R.  
Presented by Brad Hays, Parks & Trails Director.

- Brad Hays said they are updating the City's Facilities Plan for Parks and they have added a couple of changes. One is to increase the ball field use charge from \$225 to \$250. He talked about the comparison fee document (see attached). He said other cities are currently charging \$250 or more for the ball field use. The increase is to help cover costs to the City. He said that Council also asked Staff to put together a price for the pickle ball courts for rentals for tournaments. We set it at \$40 for rental for tournament with a minimum of three courts. He said little league is increasing from \$105 to \$125 per day for rental for tournament. We have added a special event application fee for people coming in to apply for special events. We have also increased the town hall resident all day fee and also the non-resident fee by \$25. Half day also increase. He said they have a resolution if the Council agrees with these changes.

- Tode Hafen said she had a question on the banquet hall. She said she realizes in comparison that it is less expensive than some of the others but she would like to see Santa Clara residents use that as inexpensively as they can and still cover the costs. The non-residents is okay to raise it but it's a community building and it's their building and we need to cover the cost and not raise it if we don't have to. She asked if Brad has done any studies. Some residents told her that they are having their event somewhere else because they can't afford it.

- Brad Hays said he hasn't done any studies. He asked if the Council wants to reduce it below the \$575.

- Ed Dickie said they could go to \$550 and the non-resident can be taken up in price.

- Tode Hafen asked how much it costs for someone to use it.
- Brad Hays said he doesn't have those figures. He said there needs to be someone clean it and lights. He said he is open to whatever Council wants.
- Herb Basso said that it could go down \$25 to \$550 for residents and non-residents could go up to \$750.
- Tode Hafen asked if exceptions would still apply. It still needs to stay in place.
- Brad Hays said the only thing that is changing is the amount charged for the use of the facility nothing else is changing.
- Ed Dickie asked if for the half day should the resident come down to \$350 and then keep the non-resident at \$500. Or should it go to the new recommendation of \$400 for resident and \$500 for non-resident.
- Tode Hafen said probably because you still have the wear and tear on the building. She said that she would leave the half-day as it is today and change the whole day.
- Ed Dickie told Brad that the only thing that is changing is the resident all day fee \$550 instead of \$600. The other recommendations are staying the same. He said that he is charging the non-profits that have been free in the past \$100 and he is consistent with that. That is for the wear and tear and some of the Staff's time and the use of the building. There are a couple that are free like mainly City use. Ivins City has used it free because of being in good partnership and being a good neighbor. The Chamber isn't charged for their luncheons.
- Herb Basso stated that the St. George Tabernacle is going through renovations and is closed off for a year for activities including the Christmas concerts. The Polynesian Choir and the Heritage Choir could come to Santa Clara for one night at no charge because they don't charge anyone and it's a Christmas concert. Would that fit into the same category? Will put this on the agenda a different time.

**Motion to Approve the Parks & Recreation Fee Schedule and Approve Resolution 2016-10R with the changes that were discussed regarding the banquet hall.**

**Motion by Tode Hafen, seconded by Jerry Amundsen.**

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

**Voting Nay: None**

**Motion Carried.**

- Tode Hafen had to leave the meeting.

5. Request Approval of Application for CIB for FEMA Grant match. Presented by Jack Taylor, Public Works Director.

- Jack Taylor said the City got the FEMA funding grant for the Truman Hill slide.
- Mayor Rosenberg said actually the City is really close to getting the funding.
- Jack Taylor said that if we get the FEMA grant, what we would like to do is go to the CIB (Community Impact Board) and ask for some grant money and some loan money and we feel like we can do this and be successful at it. He gave some numbers to the Council: application cash from the City, \$20,000; for total CIB fund, \$351,000; the loan amount the City would ask is \$176,000 at 2.5% interest for 20 years; the grant amount would be \$175,000 for the project for a total of \$351,000 which part of our responsibility is to have a public hearing and bring this to City Council before we go up to the CIB to present it and ask for approval. It has to be approved through City Council and the City

- Council needs to understand that the CIB can either give us the grant or give us the full amount in the loan amount and the City Council has to be able to accept either one.
- Mayor Rosenberg said they really like Santa Clara City because we structure our applications to go for as much seed money and as much leverage funds as we can and for as many sources as we can. It's one of the reasons why Jack set the grant up this way so that we demonstrate to them that we really have gone to our full extent to fund this project on our own and we don't just go in and ask for the entire amount on the grant.
  - Jack Taylor said the Federal Grant money that we are trying to get from FEMA is \$1,172,000. He said the Mayor is really up to speed on the project, on the engineering design and if the Council wants to hear more about what is entailed in the project, he is ready and willing to share.
  - Ken Sizemore had a question about the slide project. Is the FEMA grant project on the five year capital improvement plan that you have to be on to qualify for CIB?
  - Jack Taylor said yes it is.
  - Mayor Rosenberg said the project hasn't changed. It's a combination of property acquisition, demolition, grading activities, construction of a buttress, construction of some drains, and some additional engineering studies on the east side of the slope. The cultural resource survey came back clean. The State Historical Preservation Office has accepted that. We got the Biological study. They went out and did the endangered species surveys to see if we had any endangered plant. That study has been completed and they didn't find any. The tortoise requirements are in place with the HCP. Everything has been submitted to FEMA Environmental. They are getting concurrence with the Fish and Wildlife Service and they agree that they concur with those studies and we should get the award. It could come any day.
  - Ed Dickie said the City is also putting up \$20,000 in kind as well as the \$20,000 in cash.
  - Jack Taylor said the total project cost is \$1,562,713.

**Motion to Approve the Application for CIB for FEMA Grant match.**

**Motion by Ken Sizemore, seconded by Jarett Waite.**

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

**Voting Nay: None**

**Motion Carried.**

- Jerry Amundsen said that Jack Taylor asked him to check into a fee waiver for the landfill for the debris from the house demolition. The district only gets about \$1.50 per ton of demo material and they could waive that much but the other \$17 or whatever it is, is of the fee is for public waste. He said he needs to talk with them to see if they would consider waiving all or a portion of that as well. He will get back with the Council. That would go toward our in kind.

7. Approve the Santa Clara City Tentative Budget for Fiscal Year 2016-17 and set a Public Hearing for June 8, 2016 at 5:00 p.m. to receive public input on the Approval of The City of Santa Clara Final Operating and Capital Budget for Fiscal Yr. 2016-17. Presented by Brock Jacobsen, Assistant City Manager/Finance Director.

- Brock Jacobsen said that there were a few changes made to the 2016-17 tentative budget after the last meeting. One was to the streets, Public Services Department. We had in the capital budget for truck replacement \$9,000 broke out between the different

funds and it wasn't in his actual budget so we added that which changed the transmittal letter. The final budget changed to \$4,283,722. That was a very small change from last time. He reviewed the budget. (See attached.) This current fiscal year we transferred money in from different departments into the General Fund to pay for the bond payment this year instead of doing all those transfers so they'll just get paid directly out of their funds. Overall it's a General Fund increase not a lot of big increase in total revenue. It went from 4 million to 4.2 million, so a small increase. He asked if there were any questions on the revenue side. We had a 1.5% increase on the expenditure side, which is really good and shows that Staff was healthy this year. Retirement stays flat and there will be a few salary adjustments. The budget balanced with an 18.22% (\$780,515) fund balance with everything in the budget. The General Fund budget has increased 7.04% or \$281,836 from the current 2015-16 approved budget.

- Herb Basso stated that since the City has a maximum of 25% that we can keep in the reserve fund for rainy days and we have around 18%, is it our goal and would we like to get to our goal of 25% each year.

- Ed Dickie stated that was discussed at the Work Meeting last week and it seems like Council would like to see if we can get to the 25% and then from there decide what we want to do. He said the \$22,500 being recommended for the performance at the end of the year, that's not completely out of the General Fund so the 35-40% of that would come from the General Fund.

- Brock Jacobsen told the Council that in their book there is the City's fee schedule that just got amended so he said he will get the Council an updated one since that has changed.

- Ken Sizemore said he sent an email to Council about transit. He said SunTran provided information to them back in February. He said it must have gotten lost in the shuffle. He said that Council hasn't looked at that information yet. He thinks Council should. The bottom line of this information that Sun Tran provided for the City is that for approximately \$68,000 annually we can have transit service in Santa Clara. He said that Council talked at Budget Retreat about the reluctance of other Council members to dive into this completely at this point in time but Council talked about potentially setting aside money in this budget to start building up funds to pay for transit services and he said he thinks that Council needs to have that conversation and determine if we do want to establish a line item in this budget for transit activities.

- Herb Basso said there is less percentage of the population that would use Santa Clara. He doesn't mind putting money aside for a possible transportation need but he would hate to earmark it only for transportation in case other needs are greater. If we get sold on it, it will take us time to come up with the dollars.

- Ken Sizemore said he would hate for the Council to put off for another year starting to get ready for this time because the time is coming and the reality is if we don't make a decision to invest in transit we will be the only community in the metro area of Washington County not investing in transit. We have a bus going down our main corridor right now and does it stop and pick up people at certain locations or does it keep going as it is right now? It changes that dynamic dramatically.

- Jarett Waite mentioned that the \$68,000 is just for the first year.

- Mayor Rosenberg said that if the Council wants to set aside reserves, there is \$780,000 that is there in reserves and more than \$25,000 they can draw from with a budget amendment anytime the Council wants. He thinks there needs to be more data before the City signs on to mass transit.

- Ken Sizemore said he is not asking right now for the Council to make a decision to sign on he is just asking that the Council recognize that need is out there in the future and that's what budgeting is. The demand will come and the City needs to start setting aside money for it.
- Herb Basso said that there is an upcoming meeting for SunTran Wednesday, May 25 at St. George City Hall.
- Mayor Rosenberg asked Council if they want to restrict \$25,000 out of General Fund reserve and put it into some kind of account for future mass transit.
- Ed Dickie said we are going in a good direction and like Mayor said, if this is something we are going to do, we look at \$68,000 that is only 3-4% of our budget.
- Brock Jacobsen said that if the Council does put it in the restricted, it is still part of the fund balance. That number won't change.
- Herb Basso said that we need to do some research.
- Ed Dickie said that at City Hall there haven't been any phone calls or request for transit.
- Ken Sizemore asked if he should propose an official motion.
- Mayor Rosenberg said his feeling is that the City has the money there is the need presents itself. If the necessity arises if we need to act, we could act now. He said that Santa Clara doesn't have the user yet. One of these days we may be there but it is a little ways away.
- Ed Dickie said that can be done each budget retreat and sooner if needed. He said he would like to get with Sun Tran and see what it would cost if Santa Clara had certain stops if that adds to the cost. He said each year the Council can see where it's at and discuss it.
- Ken Sizemore stated that when people ask him what Santa Clara is doing about mass transit he will say that the Council doesn't think we are ready yet because of our demographics and incomes and density but there is money to pay for it when they decide it's time.

**Motion to Approve the Santa Clara City Tentative Budget for Fiscal Year 2016-17 and set a Public Hearing for June 8, 2016 at 5:00 p.m. to receive public input on the Approval of The City of Santa Clara Final Operating and Capital Budget for Fiscal Yr. 2016-17.**

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

8. Request cancelling the May 25, 2016 City Council Meeting. Presented by Chris Shelley, City Recorder.

**Motion to Cancel the May 25, 2016 City Council Meeting.**

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

**Motion to Cancel the City Council Work Meeting on June 1, 2016.**

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

## **5. Reports:**

## **A. Mayor / Council Reports**

### Jerry Amundsen:

- Flood Control Authority: the only thing it impacts Santa Clara is the Sand Hollow Wash Agreement that the district will pay for a portion of it and St. George City the other portion. That will improve the flow condition of Sand Hollow Wash and will help the people that front the wash on Country Lane. Mayor Rosenberg said that will start next week.
- Solid Waste District met this week. Blu can recycling issues: some residents want a second can and Dixie Waste wants to charge them double the full price to get a second can. The district would like to charge them something less but there has to be some negotiation on it. They are having a problem with the amount of non-recyclable material that is getting in. He said it's about 20% of total being non-recyclable. It has to be an education thing. The district is being charged \$55 a ton for the material that cannot be recycled. Plan on seeing more education come out. They are trying to acquire the BLM land just to the north of the landfill. They can double the life of the landfill by acquiring this property.

### Jarett Waite:

- Nothing to report. Tomorrow is Mosquito Abatement.

### Herb Basso:

- EDC is postponing their meeting until the end of the month. The new Economic Development Director would like to come to Council and update us. Herb requested of Council if he can come. He wants to get more involved.

### Ken Sizemore:

- Attended the Joint Policy Advisory Committee Meeting, the Statewide Transportation policy making group. Most of what they discussed doesn't apply to Santa Clara but he thought it was interesting was that Congress said no more earmarks for projects around the country but there is earmarked money floating around that hasn't been spent for different reasons so DOT at the State level is trying to consolidate all of those earmarked dollars into the Federal projects that already have the strings attached and then replace them with money that is not tied up with all of those restrictions. It's about \$37,000,000 in Utah that is tied up that way and they are going to try and make that switch to make projects go faster. They will work with the MPO's to make that transition happen.
- Veteran's Memorial: we have been waiting for Rick's survey crew and they are doing some renderings. We will have something to show people to ask for money. We have been on hold until we had something to show what is going to look like.

### Mayor Rosenberg:

- The Mayors met with the hospital today. There was an interesting update on the growth. They are in a construction boom and parking is a mess. The new cancer building is being built and everyone is really excited about it. The work that's going there and the technology is unbelievable. St. George right now has people coming from all over because this is the cutting edge nationally.
- Days of 47 doesn't have enough money to do what they want to do. They are working on getting it. Santa Clara may get their money back if Days of 47 doesn't get more

support.

- The COG approved some more right of way funds. The Robert Smith property up on the Heights has offered a portion of the western corridor that goes through his property to the City. Jack Taylor is putting together the application to go to COG that will pick up another section of the western corridor up in the far northwest corner of the City. It will get to where we only have two little pieces of right of way left. Staff is working on that.
- There is still some interest from the Graf sisters on the City obtaining a park down on Graf property.

Ed Dickie:

- Asked about the Rap Tax Resolution: should it come to City Council Meeting on June 8 or to a Work Meeting. He said that Herb Basso had a good suggestion about taking out the word “entities” and putting in “activities”. That has been added. He will bring it to the meeting June 8.
- He asked Jarett Waite, that since he is no longer on the Planning Commission, if he would like to serve being a member of the CEC Board. Would that be something Jarett would enjoy doing? It’s usually quarterly on a Tuesday and the meetings are about an hour. Jarett said he is okay with whatever. If the Mayor is okay with making that appointment, Ed will let them know.

**6. Executive Session:** None.

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

- April 27, 2016 City Council Meeting Minutes
- May 4, 2016 City Council Work Meeting Minutes
- Claims through May 11, 2016

**Motion to Approve Work Meeting Minutes from May 4, 2016, the Regular City Council Meeting Minutes from April 27, 2016 and claims through May 11, 2016.**

- Ken Sizemore said he had a question on the claims. He asked about the \$5,000 plotter. Ed Dickie said they got a really good deal and he grabbed it. He made an executive decision, knowing the City was going to need one and it was a really good deal so he got it. Jack Taylor said they have one but it has a lot of problems and it was going to cost as much to repair it and get it operating as what the new one cost. He said they need something that will print and print quickly. It will save a lot of money. It is well worth it. The money came out of the Power Department.

**Motion by Ken Sizemore, seconded by Jerry Amundsen.**

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

**Voting nay: None**

**Motion Carried.**

**8. Calendar of Events**

- May 24, 2016 High School Graduation

- May 30, 2016 Memorial Day - City Offices Closed
- June 1, 2016 City Council Work Meeting Cancelled

**9. Adjournment:**

Motion to adjourn by Herb Basso.

Seconded by Jarett Waite with all members present voting aye.

Meeting Adjourned at 7:27 p.m.

\_\_\_\_\_  
Chris Shelley – City Recorder

Date Approved: \_\_\_\_\_