

**SANTA CLARA CITY COUNCIL WORK MEETING
WEDNESDAY, SEPTEMBER 7, 2016
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Work Meeting on Wednesday, September 7, 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 Pro Tem Mary Jo (Tode) Hafen
Council Members: Jerry Amundsen, Ken Sizemore, Herb Basso and Jarett Waite
City Manager: Edward Dickie
Deputy Recorder: Lisa Bundy
Secretary: Gina Wathen

Others Present: Brock Jacobsen, Assistant City Manager; Jack Taylor, Public Works Director; Brad Hays, Parks Director; Corey Bundy, Building Official; Dan Nelson, Fire Chief; Matt Ence, City Attorney; Bob Flowers, Police Chief; Ross Wilding; Brock Schroeder; Heather Schroeder; Cindy Frei

1. Call to Order: Mayor Pro Tem Hafen called the meeting to order at 5:00 p.m.

- Mayor Rick Rosenberg was excused from the meeting.

- Mayor Pro Tem Hafen stated that there was a citizen at the meeting that would like to address the Council.

- Ross Wilding, 3588 Chalet Drive, stated that he was new to Santa Clara. He said that on July 27 he was cited for a violation for having a utility trailer parked at his property. He said as he looked around the community he noticed many similar trailers in the same situation as his. He said he and his neighbor were both cited for having trailers but as far as he knows, no one else has been cited and some of the trailers have been there for over a year. He said as he has gone through the process of trying to appease the City he has found that there is a couple of complaints that he has. First of all, the City's Nuisance Ordinance that he was cited under seems to be enforced under the "good ole boy" syndrome, if someone complains then it is enforced. He asked the person he was cited by if he could know who complained about the trailer. They told him that they can't tell him who that is. He said that because of circumstances he was able to find out who it was. This person walks down his street with his dog almost daily. He said that it was obvious to him that because this is where this person walks, that is why he was cited. He said as he has driven around Santa Clara there are violations all around the City that fall under the same violation that he was under which is being within 25 feet of the road with a utility trailer. He has taken a group of photos over a period of time of others that violate that ordinance. He said that he has

found the City to be in violation of that ordinance because at their water tower they have 2 RV's parked in that area plus other things that would fall under that violation are occurring at the water tower as well. He is attending this meeting to ask the City if they would relook at that Nuisance Ordinance and give the citizens that do have a utility trailer the opportunity to keep that on their own property. He said that he doesn't understand why just him and someone else were cited. He said that if the law is going to be applied it should be applied to everyone, including the City. If the City is going to apply it, it should be applied within a reasonable time frame.

- Corey Bundy, Building Official, said that Council's direction to Staff is if they get a complaint, take care of it. He said they don't go out throughout the City and look for violations. He said he believes Council wants to keep this a good working community. They do have ordinances on the book that have to be enforced. He said that their directions are if they get somebody complaining about something in the ordinance that is in violation of the ordinance then they are supposed to contact that person to see if they will voluntarily comply with the ordinance. After that they are sent letters. They are allowed to come to Staff with an explanation on how to change the ordinance. There is a process in changing the ordinance, which would be to submit to the Planning Staff, TRC, some other wording to change the ordinance. Staff would look at that to possibly approve it and pass it on to Planning Commission or on to City Council. Any time an ordinance is changed, there has to be a Public Hearing. All the residents in that effected public area would be notified and they would be able to come and voice their opinions on an ordinance change.

- Ross Wilding said that what Corey Bundy is telling him is that because somebody complained that he has a twelve-foot trailer in front of his house, he is the only one in the City of Santa Clara who has to comply with that ordinance.

- Corey Bundy said that is not correct. He said they sent out 70 letters in the last couple of months for ordinance violations. He said the reason it is anonymous is because we don't want to encourage or get in the middle of neighbors who have disputes. He said they do have to enforce the ordinance. What is fine with one person may not be fine with another on the same block. To be fair to everyone, Council has directed that when there is a complaint, Staff needs to act on it.

- Ross Wilding said his question still remains. Within a 3-minute walk of his house there is a 24-foot trailer that is hooked up to the sewer system 2 ½ feet off of the sidewalk. He said he understands what Corey is saying but in reality if they sent out all the citations for the Nuisance Ordinance that he was held to compliance for there would be about 1,200 people standing in this room.

- Corey Bundy clarified that they are not citations but notices to come into compliance with the ordinance.

- Ross Wilding said that he is told on this notice that if he doesn't comply that the City will charge him for removal of his trailer.

- Corey Bundy said yes and the notice is to ask him to please come into compliance with the ordinance.

- Ross Wilding said that if he comes into compliance with the ordinance, why shouldn't every other person who is in violation become in compliance with it.

- Herb Basso said that Ross Wilding was given the opportunity to come to Council after he has met with Staff. He suggested getting Council's thoughts and suggestions. He said it doesn't seem fair but he does like the policy where the City acts upon

complaints or notices rather than hiring code enforcers. He said that from time to time everyone has been non-compliant for whatever reason. He asked Staff if the ordinance allows for a certain amount of time for something to be parked, like his trailer. Is there a limit of time?

- Corey Bundy said that Council and Staff just went over the Parking Ordinance for trailers and the direction that Staff had from Council is that they didn't want to see trailers out in the front yard for over 8 days. If they are parked on the side, they need to be behind the front of the house. The Ordinance just prohibits; it doesn't give time to stay there. It does include cars if they are junk, non-running vehicles.

- Ken Sizemore asked about whether a running vehicle but not having been moved vehicle would be in violation. He then stated that if it is current on its registration it can be there.

- Ross Wilding said that all he is trying to do is he has a utility trailer that he needs for a few more jobs but he can't keep the trailer on his property. He said if he takes it somewhere, he is concerned about losing the property on his trailer. He said it is becoming a nuisance to try and live here and comply and still live a life that is comfortable.

- Ed Dickie, City Manager said that the City is willing to work with him. If he works with Corey, the City will work with him if they know that he is working towards coming in to compliance. If it is something that he says he is going to take care of and it goes on for months and months, then there might be an issue with it. He said that this is a pretty standard Ordinance in every city. It is nothing that is specific to Santa Clara. He asked Staff about the City trailers that are parked by the water tower. Are they in compliance or can they be brought in to compliance.

- Dan Nelson, Fire Chief, said that there are two trailers on Circle Drive. They have talked to the person. They are set back quite a ways. The City is in compliance. It is more than 25 feet.

- Ed Dickie stated that the Ordinance applies to all the City and the City's Ordinance isn't any different than other cities. Some of the cities may have full-time code enforcement officers and that is their job to make sure everyone is in compliance. Santa Clara City isn't taking that step at this time. If people are complaining and we have issues or we see something that is a safety issue, we would take it upon ourselves to contact the person to mention the issue.

- Ross Wilding says he understands that but what he is saying is if the City is going to come and tell him to move into compliance. . .

- Ed Dickie reminded him that it isn't just him. There have been 70 people who have been sent letters and have been talked to. He said they are not singling out Mr. Wilding.

- Ross Wilding said he understands that but he also understands that there is probably about another 200. He said that if it is legal and he can park his trailer over by the City water tower, he would be glad to do that.

- Ed Dickie said that he just has to get permission.

- Ross Wilding said that would be fine.

- Ed Dickie said he can talk to the Chief but the City wants to get them out of there too. That is an issue that other people are going to want to park there. He said whether the City's trailer there is in compliance or not they need to be moved.

- Ross Wilding said that the option he has is if he parks it in his driveway like it is a

vehicle, it is parked right up next to his garage. It is not exactly 25-feet off the road but it's probably more like 18 or 15 feet. It looks neat and clean. Is that an option?

- Herb Basso said that what he heard the City Manager say is rather than exempt the ordinance, the City would work with him and give him more time if this is a relatively temporary need for the trailer. He said the time frame is something he needs to work with Staff and they are willing to work with him.

- Ross Wilding said that he has a gentleman who owes him an amount of money and he wants the trailer but he still has to pay him that amount of money before he is willing to sell him the trailer.

- Ed Dickie said that the City will work with him. He said that if it is going to sit there for month and months, there might be some issues but it's just there and he is doing what he can, the City will work with him. He said that if the Council was to change the ordinance to allow all of the trailers it would open up a can of worms when Mr. Wilding's trailer might look nice but the guy down the street might not have the same thing but with a new ordinance that would have to be allowed. It is hard to define what looks nice and what doesn't.

- Herb Basso asked that if a person needed a few months to come into compliance would Staff be willing to work with them. He said that he thinks that and he would hope that.

- Jack Taylor, Public Works Director, said they have people come in all the time for business licenses at TRC's on Thursday mornings and one of the things they ask them is if they have a side yard they can park their trailers in. They come in and get a business license and the City is fine giving them a business license as long as they can get their trailer to the back of their house. They can't advertise or things like that but the City does work with people. The other concern with trailers out in the front is when people go to back out of their driveway on one side or the other, people can't look past that trailer if it's out towards the sidewalk and they can't see kids walking. It becomes a safety hazard.

- Ed Dickie asked Corey Bundy if he has Mr. Wilding's phone number and contact information so Corey can contact him and start going down the road of trying to resolve this and working with him.

- Ken Sizemore said he wants the record to show that Mr. Wilding didn't receive a citation. What he received was a notice, not a citation. It is a big difference between a notice and a citation. He said he knew these issues were going to be coming up in these meetings so he has been noticing as he has been going around the community and he agrees with Mr. Wilding's assessment. He said that 25% of the residents in this community are violating that ordinance in some way or another. He said that if 25% of our residents are violating an ordinance, we need to revisit the ordinance. Case by case enforcement is going to get us in trouble one day.

- Ross Wilding said he would prefer not to sell this trailer because it gives him the option to haul a 4-wheeler, move furniture, it's enclosed, it's a nice trailer, it's paid for, it's licensed. He said 25% is a fair number and if the City tries to face all of that they are going to have a lot more people in here. He said he is not here because he wants a special thing for him. He just wants the City to decide what they are going to do.

- Matt Ence, City Attorney, said that he felt that he needed to comment. He said he appreciates the attitude that Mr. Wilding came with and he does think that some of his comments are very well taken. He said from a legal perspective that he wants to make

it clear that any suggestion that the City shouldn't enforce an ordinance just because it can't stop every violation is not correct under the law. The City currently has a policy which has been stated and discussed and that is that when issues are called to its attention through complaints or otherwise the City attempts to address them. That is a rational policy given limited resources. One way to change that approach is to change the ordinance and decide that the City doesn't want to enforce that any more so it will modify the ordinance. That is one approach. Another approach is to modify the policy by pouring more resources into enforcement. That is a viable approach as well. He said the Council shouldn't feel compelled to do any of those things because there is a rational policy now. It certainly leaves some things to be desired from the perspective of someone who's experiencing enforcement but at the same time, Council is aware of the limitations that we are working with. From a legal perspective, the fact that the City isn't enforcing the same ordinance against someone down the block who has not been called to the City's attention doesn't mean the City can't enforce it against someone who has come to the City's attention.

- Herb Basso stated that if they decide to amend or revise this ordinance that we include or at least consider time being a factor.

- Mayor Pro Tem Hafen told Mr. Wilding that she appreciates him coming in. She said that recently there have been several complaints on various violations of the Nuisance Ordinance. This is probably the most minor. She said she suggests that the Council take a look at our ordinance and not necessarily change it but make sure it states what the Council really wants it to state and that it is clear. It never hurts to take a look at it and make sure that we are still comfortable with what it says. Then we will continue forward. She asked Mr. Wilding to let the City know about the violations he has noticed.

- Ross Wilding said that he doesn't agree with that. He doesn't agree with tattle tailing on the neighbor across the City or the person down the street who is in violation. That's not how the law is done. That is not the way the law should be enforced.

- Mayor Pro Tem Hafen said that maybe looking at this ordinance we can evaluate the violations and decide if we need to put more Staff on it. The down side of it is if you live in a community where somebody is coming and measuring everything, it is really difficult. We are in the process of paying attention and clamping down on a lot of things that are unsightly in the community. She said that she thinks that Mr. Wilding's motive and message have come across and she appreciates him coming. She said they will try to find the best way with the limited resources that the City has.

2. Working Agenda:

A. General Business:

1. Awning Setback discussion.

- Corey Bundy said that there is a proposed amendment to the front yard setback for awning. He read from the proposed amendment, 17.20.090 "Yards to Be Unobstructed; Exceptions". (See attachment.)

- Herb Basso stated for a point of clarification on A. Did it mean to say "main doorway and over a circular drive-through" or "main doorway or over a circular drive-

through”?

- Corey Bundy said that part is not changing. That is our current ordinance. He said that they and Staff recently had a meeting with a resident that was in non-compliance. It was suggested that we come up with some ability to put an awning in the front to provide some shade. The awning the resident did put up didn't meet the portico so Staff came up with these four items that would help Staff be able to allow something on the front.
- Matt Ence stated that he was at this meeting and he thinks this is a good approach, putting it here with the porticos as an exception because it's a similar thing. The one thing that he recommends that be struck is Condition #1, which refers to not violating any applicable CC&R's. The only reason for that is because it's a bad idea to ask Corey Bundy or any Staff to try and interpret private CC&R's. He said that if #1 is removed the rest of it is fine subject to Council's opinion.
- Herb Basso asked what the definition of awning was.
- Ken Sizemore said that most likely there is a definition in the definition section of the ordinance.
- Matt Ence said that he doesn't think there is and that was part of the issue.
- Corey Bundy stated that the Staff's feeling on this was that typically you see awning in the backyard over the back door. The reason the CC&R thing was in there was because if you open this up. Where one person thinks it is a beautiful awning the next-door neighbor might not like it. That's why we will put in there something that is compatible with the dwelling.
- Matt Ence stated that the way Corey Bundy has written it, it does leave it open to some interpretation. He said he thinks it's appropriate to defer to the community development director on some of this rather than trying to do a specific definition.
- Mayor Pro Tem Hafen asked if this has been through Zoning and Planning.
- Corey Bundy said no it hasn't. It will have to proceed on. After this Work Meeting, it will have to go through Planning and Zoning.
- Jarett Waite stated that his feedback would be what would happen if someone wanted to put a canvas type material awning or vinyl. Would that be allowed into this. It says in the amendment "materials" but not what the materials are.
- Corey Bundy said it would have to be similar to the home. The character and the look to the front of the home can't be changed. He said that Staff could ask for durability and longevity of the materials.
- Herb Basso stated that the Staff that the City has hired should make those decisions about the type of materials.
- Matt Ence stated that the City could add something to the effect of "the appearance of the awning is compatible in color and materials to the permanent structure of the home". He said he thinks that would help.
- Ken Sizemore asked that in the opinion of the Community Development Director does the City have to have that phrase anywhere else in the City's ordinance.
- Matt Ence said that if it isn't expressly in the ordinance, he would have to check. He said the City does have a list of items in the Land Use Authority ordinance, which are specifically in the discretion of the Building Official.
- Ken Sizemore said that he thinks the language needs to be consistent.
- Ed Dickie said that #3 needs a little tweaking. He agrees with Matt on #1 to take it out. He said if the Council is okay with this, they will take it to the Planning

Commission.

- Mayor Pro Tem Hafen said the ordinance needs to be specific enough so that it doesn't throw anyone under the bus.
- Jarett Waite said that the wording seemed strange on #2 "not enclosed but opened on 3 sides".
- Matt Ence said that the wording from Section A can be used there instead.
- Jerry Amundsen wondered if 25 feet was an appropriate setback. He said unless we feel compelled to go with these centuries old ordinances if we want to look at modernizing some things. The front yard setback is something to look at. We started looking at that in traditional developments. In some newer developments, because they have park strips, the setbacks are closer except in the garage areas. He thinks the Council ought to consider looking at that at some point. He said to bring people a little closer to where others are walking. He said in his opinion it's a little more neighborly.
- Herb Basso agreed. He said if you have a smaller lot, your backyard might be smaller. He said it could be a little closer in some neighborhoods.
- Corey Bundy said at their meeting the Mayor suggested looking at the R 1-10 ordinance setback and make it come into compliance with the PD, which allows 20 feet in a PD.
- Matt Ence stated that that was the issue. In new developments they have built in some flexibility to do some of these things. Do we want to make some of those changes in the established part of the City?

2. Discussion on the Recent Water District's Rate Increase.

- Brock Jacobsen, Assistant City Manager, said the Washington County Water Conservancy District is raising the cost of purchasing water from them by 10 cents per 1,000 gallons. Many of the cities have already done a water rate increase. What are the Council's thoughts on raising the water rates and how would they like to do that? He said that the City purchases water from them each year. That number is growing as we grow and our wells aren't producing all the water that we need. On the tiered rate with the 10 cents per 1,000 gallons what is Council's thoughts on a way to recoup that.
- Herb Basso said that the City might have all the water we need but we have already joined the Water Conservancy District and now we have to jump on board.
- Brock Jacobsen showed the current rates. He said with the base rate of \$32, every resident gets 9,000 gallons. After that they pay \$1.03 per 1,000 gallons. At 16,000 it goes up to \$1.28. The average for an entire year is just over 17,000 gallons. During the summer months the average sits around 23,000 gallons.
- Ed Dickie said that this has already happened. On July 1 the 10 cents went into effect. The City has been paying it already.
- Brock Jacobsen said that the City needs to adjust their rates.
- Ken Sizemore asked how many gallons the City is buying from the District now verses the well water.
- Brock Jacobsen said the average over the last five years is 70,000 gallons a year. Two years ago the well went down and that doubled the City's purchase. That happens every few years.
- Jarett Waite asked how much the City buys from the District per year.
- Jack Taylor, Public Works Director, said that it depends on the situation, whether or

not the City has both wells running or one down. It's a low number that we are getting from the wells. As our growth continues the number that we get from the District will grow. Our average cost right now to produce water from the wells is about 40-46 cents a thousand. We pay 2/3 more when we have to buy water from the District. That water is coming from Sand Hollow and Quail Creek and they pump it over here. We are paying for the water but we are also paying for the pumping costs.

- Mayor Pro Tem Hafen asked if the City needs to pass along that entire increase based on the fact that we don't buy that.

- Ed Dickie said that was Council's decision.

- Brock Jacobsen said that there are three options: one option is to put 10 cents on the lowest rate. To take it from \$1.03 to \$1.13. Another option is to tier it in the first two tiers. To do 4 cents on each of the two tiers. It doesn't get the 10 cents but it gets the 8 cents. The third option is to tier all the way out in smaller increments. It would be 2 cents and 2 cents on the first 2 tiers then 3 cents until the last tier and do a 10 cent on the high end users over 16,000 gallons.

- Herb Basso said to pass the increase on for the amount and time that the citizens use their water.

- Jarett Waite said that option 3 addresses that. It's the people that push it over that the City has to buy more water.

- Brock Jacobsen said we never know when that time of year when we are buying the water whether it's a long shower or when someone builds a pool. The tier rate in general is to promote conservation. High end users pay more. St. George City put 30 cents on their low tier. They went up 30 cents on their low tier. The District is going to continue to raise these rates for the next few years. That is probably why St. George City did the 30 cents now instead of continually raising the rates.

- Jack Taylor said that the City's well costs include power, replacement of bowls and everything to run those wells. Our cost last year was 38 cents. This year it's 46 cents. We have almost gone up 10 cents just in our well costs.

- Herb Basso asked what kind of reserve the City normally keeps in its water fund. Percentage of operation?

- Brock Jacobsen said it's maybe 10%.

- Herb Basso said the City couldn't even afford to fix that water break if we had to.

- Jack Taylor said the City could afford it. We have reserves to handle that. But it's not in the budget. His total budget for water repairs is about \$30,000.

- Herb Basso said so do we pick the one that just passes on the increase with the least amount of impact on all of us or do we pick the option that build our water fund a little bit. It's still pretty cheap water. He asked Brock if he had run any numbers for option 1.

- Brock Jacobsen said the monthly increase on option 1 would be 70 cents a month so it would be \$8.40 cents a year on a house. He didn't see what it would do to the reserve fund. Any of the options would do the job for the current time. The Council just needs to choose.

- Jerry Amundsen stated that the District said there would be a few increases over the next little while.

- Brock Jacobsen said assuming 10 cents again and who knows what it will be next time. It could be less or more.

- Jack Taylor said the Districts plan is to increase it 10 cents every year. It will be for a

few years.

- Brock Jacobsen said that we can look at some other options or we can address this now and look into the future and not doing rate increases every year.
- Jack Taylor said the District is trying to cover their renewal and replacements. That is one of the issues we have. When our lines get old and we need to replace them, we don't have the revenues to go back in and replace those lines. That is something we haven't been able to fund.
- Ken Sizemore asked when the Council typically has the conversation about all of the rate structures. Don't we do that annually?
- Brock Jacobsen said it is usually during the budget time.
- Jack Taylor said that if we remember right we discussed the power and it's increasing the next 3 years.
- Brock Jacobsen said the other rates change when other's costs change.
- Mayor Pro Tem Hafen asked if there needed to be an answer right now or if this is something the Council can ponder.
- Brock Jacobsen said that it can be brought back at another time. The Council can email him if there is an option they want to look at. It needs a Public Hearing and an ordinance to get it done. It will need to be put in the paper to publicize the Public Hearing.
- Jarett Waite said he needed some clarification. The City buys 70,000 gallons from the District on a yearly basis? That doesn't seem right.
- Ed Dickie said that is \$700.
- Jarett Waite said no that it is \$7. He said that can't be right. It has to be way more than that.
- Herb Basso said it could be right. He said that when the City developed wells 6 and 7 we saw ourselves projecting out for 50 years unless we developed the South Hills and we have not.
- Brock Jacobsen said that in fiscal year 2016, we paid to them just under \$90,000 for water, which is \$1.27 a gallon.
- Jack Taylor said that when we were looking at whether we should join the Water Conservancy District and we were trying to stay out of that as strongly as we could, we found out that we could not cover our peaks. What we are also doing is when our wells are running and we're surplus, mainly Ivins buys that water from us and uses it on their system. Someone is going to buy our surplus. Because of the Water Conservancy agreement, they pay what it costs us. In the summer months we are short. We are trying to get that fixed so cities are paying what the market is.
- Herb Basso said that he thinks this can be decided or at least give some direction tonight. He said we ought to put the increase up front right now.
- Ken Sizemore said he agrees with Herb.
- Jarett Waite said a huge increase across all the rates seems like too much of a grab. He would like to see a more spread out increase like option 3. He would like to see where those numbers end up.
- Brock Jacobsen said he agrees except 10 cents this year at \$7,000 and then \$7,000 the next year, which will then be \$14,000. Then we will come back and have to say that 10 cents is going to have to be 50 cents. Not doing anything, at some point it will come to a head because the City will cover it for so long and then there will have to be a big increase to get the City's head back above water and get any fund balance back in

- the fund because we used it. Small increases are easier to handle than the big ones.
- Herb Basso said that he is for adding the 10 cents up front. The modest users won't be carrying the bigger users.
 - Jarett Waite said it would be nice to see how those rates affect how much extra money actually comes in. Right now it's based on that 10-cent number. That may not be the right number we should be looking at. He thinks it needs to be an incremental increase that makes sense not just a huge grab up front because we got this number from the District.
 - Jerry Amundsen said he wonders if we need to look at a scenario or two. If we spread it evenly across all the tiers, option 3, would we make enough to cover the increase in costs if there isn't enough on the high end. He would support loading it on the front a little more unless we can see based on existing usage we could cover it in spreading it across the whole board.
 - Jack Taylor said what they have found in the past is if the highest user is penalized they use less water. We are not collecting anything for our renewal and replacement so we can decide to put some away for that now or we can decide that in 10 or 15 years we are going to go out and bond for that and raise our rates to bond for that then.
 - Mayor Pro Tem Hafen asked it if is possible to do a little more study on this to make sure the City is covered. She said we shouldn't be random.
 - Jack Taylor said they just wanted to get some direction. He said they got looking at the rates. He said that residential users are paying more per ERU than a commercial user. He thinks that needs to be changed. The commercial user should be charged per ERU for what they are actually using. They aren't being charged right.
 - Mayor Pro Tem Hafen asked Staff to take a look at this whole thing. They can see where the questions are.
 - Brock Jacobsen said the City has a commercial rate, a government rate and a school district rate. They are morphed into one rate and the current residential rates are used for everybody but the monthly base charge would be based on the size of the meter that is installed.
 - Jack Taylor said there are no six-inches in the City. One of the schools has a 4-inch and the 3-inch and 2-inch are commercial. Harmons is a 2-inch.
 - Mayor Pro Tem Hafen asked Staff if they have the direction they need on this. She asked Staff to do a little more work on some of these questions.
 - Brock Jacobsen said from what he gathers, they will leave tier 1 the front-ended and then tier one out too. He said they could bring the commercial, government and school district all into one and use the same rates and change the base based on the meter size. He stated that the earliest the changes could be made would be October. He said he doesn't see a need to fast-track this but he doesn't want to go through another year. He said this will be brought back in a couple of weeks and there will be some time frame because there will have to be the Public Hearing too.
 - Ed Dickie said to base it off the 20 cents. He said that we know we are going to get another 10 cents. If we do it closer to next year, what Staff brings back could show that in there too.

3. Staff Reports:

Fire Chief Dan Nelson

- Reported on the Recruit Academy. Ivins has partnered with Santa Clara. There are 3 recruits that are on schedule and committed for Spring. Our volunteer pool is dwindling. They will be doing some advertising for that and there will be a radio announcement. He will send the announcement to Ed Dickie to have it approved. There will be some flyers and banners for Swiss Days. Hopefully we can get some more interest for a Spring Recruit Academy.
- The Fire Department purchased a new smoke generator. It generates artificial smoke. It is amazing. It will be used tomorrow night for training.
- The Wildland Fire Crew just got back. They will be going out on project work tomorrow. There is a chance they could go out for deployment.
- The Razor was used in a recent rescue of a couple with a flat tire.
- He reminded everyone to change their batteries in their smoke detectors.
- A new bus truck will be coming in the next couple of weeks. Engine 33 will need a little refurbish in a couple of years.

Police Chief Bob Flowers

- He and Jack Taylor decided to buy a piece of gear that will do traffic surveys. This will give us scientific information that judgments can be made off of. We are borrowing one right now from St. George City. It is out on Pioneer Parkway. He is trying to get an idea of the speeds out there and what is going on. The gear records the speed of the vehicle and what time they cross it.
- They have made a change in the Animal Shelter. The leadership has changed. They have decided to go in a different direction.
- Ed Dickie asked him about graffiti. There is not a lot in the City. When there is some the Police like to take photographs of it so they can identify who has done it, which group it is. That can give the Police an idea where people live. He said they remove the graffiti quickly. Herb Basso said that all the citizens need to do is call Staff when they see graffiti and it will be quickly taken care of. Maybe this needs to be put in the City's newsletter. Ed Dickie said that Brad Hays will put something about it in the next newsletter.
- They Police Department are getting prepared for the Swiss Days traffic.
- They are still working on the David Heisler case. They are doing a lot of prep with the County Attorney's Office and the US Attorney. The case is really strong. Mayor Pro Tem Hafen commended him and the Department for the good job on this case and thanked him for their work.
- There have been some issues with some of the Crossing Guards. The Leadership has been changed there. The hours are difficult for some of the Guards.
- He and Dan Nelson are talking a lot about the MS Program.

Brock Jacobsen

- League of Cities and Towns is next week. The travel checks are cut and they will be available for pick up tomorrow morning. No change in the hotel.
- Gina Wathen, a new Staff member, is here tonight. She will be doing minutes occasionally. Talk to her about any questions you may have concerning minutes.
- Swiss Days in about 2 weeks. This year Staff is cooking and serving dinner. Council will be cooking breakfast. The banners are out. There are a lot of businesses with banners

throughout the valley. Vendors are in a decline right now. He said they are trying to get good quality vendors.

- The City has a Facebook page. He said to go on and like it. The Social Media Committee, Brock, Jarett and Bradi met today and are working on the Facebook page. It will be a good avenue of getting messages to the public. There will be a banner at Swiss Days to advertise the City Facebook page.

- We are getting bids on the swipe cards for City Hall.

- We are busy training and cross training with Staff.

Brad Hays

- The cemetery asphalt is completed on the expansion. He thanked Jack and Dustin's crew for doing that. He got a bid from SunRise and it was going to be \$6,700 just for the engineering. He talked to Jack and Dustin and they agreed to do it and they completed the job for about \$9,000 in materials. We had budgeted \$40,000 so they completed the parking lot entrance where the Veteran's Memorial is going to go. Straight Strip stripped it today.

- The Grounds Crew over seeded Gubler Park with 2,000 pounds of new seed last week.

- He talked to Matt Ence about the sunflower seed prohibiting signs and they went ahead and ordered them. Matt Ence said he would have something for Brad so he could bring it back to Council. Based on what Council has told him, he is going to go ahead and post those knowing that something is going to be brought back to Council.

- This weekend the City has DSU Biology student volunteers coming out as well as some Eagle Scouts to work on the arboretum to try and bring it back. An Eagle Scout, Eric Call is going to rebuild the bridge. There are two Scouts that are rerouting the trail that was washed out.

- Tournament season starts next week. The first tournament is a week from Friday and they will be using all seven fields.

- He talked about the graffiti policy. He said that once they find out there is graffiti, they report it to the Police and he said within 24 hours they do their best to take care of it.

- Herb Basso asked about the big hole across the street from City Hall. Brad said that the water drains from Corner Heights Drive and it drains all the way down into that little spot and they are constructing a drain there.

- Ken Sizemore asked for an update on the Canyon View Park restrooms. Brad Hays said he is waiting on the design from Kim Campbell and Associates. It should be back soon.

Jack Taylor

- Highway 91 is getting pieced back together. They will asphalt all the areas where there were water breaks tomorrow. UDOT will cover those costs. It will then be restriped. UDOT is going to allow the landscaping to be done. We are waiting for the final numbers to come in to see where we are at as far as finances. The City might have to put some money up to help cover those costs. We might go over our allotted amount of Federal funds. But even at that, it will be really nice to get that landscaping in and it will cost us much less than the City doing it a year or two later and having to come up the money ourselves. Because of the water breaks and the problems with that 8-inch line they decided to have SunRise come out. It doesn't affect the water model if it is turned off. The 8-inch line has been turned off on the north side of the road and the 16-inch and 12-inch line is being used. We have actually run some water services. We tapped that line

and ran three new services out. We still have two fire hydrants for Swiss Village. It cost \$5,000-\$6,000 to some switchovers down at the yard. We had to cut into a 20-inch line and an 8-inch line. It is all done. Everything is back together and operating properly. That 8-inch line will probably never be turned on unless it's an emergency.

- We have a serious problem on our storm drains down in the river with beavers. Beavers are down in the 36-inch pipe on Chapel Street. They keep blocking off the water. They have chewed off limbs and completely filled that pipe up. The pipe got plugged off by the beavers and then when the debris broke loose it collapsed the pipe. We lost 2 sections of 36-inch pipe. He contacted the Fish and Game and they got a permit and a couple people are going to go in and trap the beavers. Beavers can keep coming back and we need to figure out how to take care of them.

- They are going to meet with Ivins tomorrow on the sewer line that goes down the Tuachan Wash. In 5 to 6 years we are going to have to upsize that sewer line. Ivins is about 82% usage of that line and Santa Clara is about 22%. We are going to be looking at running a second line next to it or building a bigger line. We will be talking to them tomorrow to see what direction we are going to take and he will get back with the Council.

- The second bay has been energized and all of the relay settings have been done. Everything is all wired up.

- We are working on the agreement with UAMPS on the carbon free project. If that project happens to go, we will be ready with a grant. Matt Ence has looked at the agreement and doesn't see any problems with it.

- We had to let a part-time person go in the front office. We hired a new employee named Kristelle Hill. She is fantastic. She is good with computers and willing to learn.

- We have had a lot of power outages. The outages happened because of repairs that needed to be made and also because of animals climbing on or landing on the power poles.

- We have had a few water breaks. The guys were really quick at getting them fixed.

- He went to DTAC. The biggest discussion was the northern corridor. BLM said they are not going to put the easement in for the northern corridor. There is language in the document that says it can be done. There are certain things that need to be done to get it through. We are going to fight it. It's not correct. We will turn in our opinion as an NPO. The BLM didn't say anything about the South Hills.

Corey Bundy

- A PC architect came in and showed him and Jack the layout/site plan for a church over on Park View and Santa Clara Drive. They will be coming in to TRC on Sept. 15. Mayor Pro Tem Hafen was wondering if they could build a historic looking church that would fit in with Santa Clara. Jack asked the architect to do the same kind of rockwork that is on Santa Clara Drive. They were agreeable to that. They asked them to do some rockwork on the front of the building. It looked like there would be adequate parking. The public is welcome to come to TRC. It is on Sept. 15 at 8 a.m. The church will be doing a little land trade. The time frame is probably within a year.

- There have been 12 new home permits since July 1.

- Verizon has come back and wants to go back through the process. Staff will meet with them and then they will go through TRC, Planning Commission and back to Council. Matt Ence will be in a few of those meetings. It will be in a different location and they are looking to do a 60-foot tower.

- He talked about code enforcement. Staff will contact the citizen in person and explain

the issue to them and give them time to comply, 60 days. We will then follow up with a letter. If they are not home, a note is left telling them to contact Staff, either him or Melodie. When the letter is sent they will go through the code process at that point. They can always appeal the decision to Staff TRC, Planning Commission and then on to City Council.

- He asked about the Bee Ordinance. Do we need to follow State law on that and does that need to be put in the ordinance? Ed Dickie said just reference to the State code. It would be a reference in the Bee Ordinance that we follow the State code.

- The seed display is hanging up.

- Herb Basso will send information on ice machines to him.

Ed Dickie

- There is a UAMPS meeting Monday night and Tuesday all day. So there won't be any Staff at the League of Cities and Towns.

- The Next City Council Meeting will be on September 28th. No meeting on the 14th.

- Mayor Rosenberg has a packet on the Huntsman Senior Games. Every year he asks who wants to go to the opening ceremonies. Ed Dickie needs to email them and let them know who is attending from the City.

- Next Wednesday he has a meeting with Dixie State University to look at their new master plan. They are going to revamp their stadium and do a few things. He will report back on that.

- He is leaving for vacation Wednesday afternoon and will be back Monday. Brock will be here when he is gone. He is always available by phone or text.

- Herb Basso asked about the local community television station. He said if we are going to subsidizing it, it should be local stuff. Ed Dickie said that Jarett Waite attends those meetings of the CDC and things may be changing. Cities will be reevaluating that. Jarett Waite said that on Sept. 13 he has a meeting with them. It is a closed executive meeting and they want everyone there. The discussion was to hand it over to DSU.

4. Executive Session: None

5. Adjournment:

Meeting Adjourned at 7:24 p.m.

Lisa Bundy – Deputy Recorder

Date Approved: _____