

**SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, AUGUST 10, 2022
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, August 10, 2022 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. The meeting will be broadcast via You Tube linked on our website at <https://sccity.org/meetings>.

Present: Mayor Pro Tem Jarett Waite
Council Members: Jarett Waite, Ben Shakespeare, Christa Hinton, Leina Mathis and Denny Drake
City Manager: Brock Jacobsen
City Recorder: Chris Shelley

Others Present: Dustin Mouritsen, Public Works Director; Ryan VonCannon, Parks & Trails Deputy Director; Gary Hall, Power Director; Andrew Parker, Fire Chief; Matt Ence, City Attorney; Jim McNulty, City Planner; Cody Mitchell, Building Official; Bob Flowers, Police Chief; Katy Perkins; Todd Perkins; Bill Foley; Darcie Foley; LeRoy Cobra; Janice Cobra; Dette Schonle; Ken Jensen; Christina Gould; Graham Baron; Marg Baron; Lynette Hughes; Kathi McGinn; Judith Bolivar; Bob Bolivar; Shirley Wallace; Scott Plummer; Chuck Goode; Judy Vachris; Ron Vachris; Aladeen Davis; Kathleen Nielson; Suzanne McHugh; Miriam Rawson; Gail Goodwin; Lenny Goodwin; Karen Frei; James Wallace; Gordon Palmer; Julie Palmer; Paul Watkins; Karene Watkins; Jay Taggart; Andrea Wittwer; Marc Wittwer; Julie Wood; Dirk Warhurst; John Heinz; Lynn Miller; Ted Salmon; Stan Benson; Lesley Benson; Mary Brown; Cheris P.; Royce Bybee; Rebecka Wylie; Karla Sippel; Jim Sippel; Michael Lee; Devina Ferguson; Richard Harris; Misha Hendershot; Andy Rhodes; Mandy Rhodes; Trish Schlegel; Robert Schlegel; Sandy Mckaffey; Donna Kiley; Michael Quinto; Barry Reisig; Sandy Reisig; D. Scheuerman; Pat Zandi; Perry Zandi; Brenda Vincent; Robin Linden; Diana Christopherson; DJ Christopherson; Dan Davie; Robyn Davie; Brent Rhees; Pam Rhees; Jadin Call; Dallin Leah; Jan Caplin; Marion Gull; Dolly Stoner; Fred Fage; Jaime Adams

1. **Call to Order:** Mayor Pro Tem Waite called the meeting to order at 5:01 p.m. He thanked everyone for being here. He excused Mayor Rosenberg who had a close family friend pass away and is out of town because of that. He extended sympathy to him and his family. He introduced himself and the City Council.
2. **Opening Ceremony:**
 - Pledge of Allegiance: Ben Shakespeare
 - Opening Comments: Tim Martin, Interfaith Council
3. **Conflicts and Disclosures:** None.
4. **Working Agenda:**

A. Public Hearing(s):

1. Public Hearing to receive Public comment regarding a Third Amendment to the Santa Clara City Storm Water Master Plan.

- Dustin Mouritsen, Public Works Director, said Council had a discussion on this at the July Work Meeting. He said he is coming to Council for approval of this item to allot for a culvert replacement on Pioneer Parkway. With the future developments near Pioneer Parkway and Red Mountain Drive the existing culvert crossing under Pioneer Parkway in the Tuacahn Wash are only sized for a 10-year flood. He reported that when flooding water occurs the culvert's reach capacity and the flood waters over top Pioneer Parkway causing the road to be closed. With the future expansion of Pioneer Parkway now would be a good time to look at replacing the culverts with the capacity to hold up to a 100-year flood event. With an amendment to the current Storm Water Master Plan the project would be 50% impact fee eligible. The current Residential Impact fee is now \$558.90, and the proposed Amended Residential Impact Fee is \$846.53. The current Commercial Impact Fee is \$933.36, and the proposed Amended Commercial Impact Fee is \$1,413.70. The increase to the Impact Fee is \$287.63 per residential ERU and \$480.34 per commercial ERU.

- Ben Shakespeare said we have discussed this and gone through this at our Work Meeting and other meetings, and this is what we have discussed.

- 5:08 p.m. Public Hearing Opened.

- No public comment.

- 5:08 p.m. Public Hearing Closed.

B. Consent Agenda:

1. Approval of Claims and Minutes

- July 27, 2022 Regular City Council Meeting Minutes
- August 3, 2022 City Council Work Meeting Minutes
- Claims through August 10, 2022

2. Calendar of Events

- Aug. 24, 2022 Regular City Council Meeting
- Sept. 7, 2022 City Council Work Meeting
- Sept. 14, 2022 Regular City Council Meeting
- Sept. 22-24, 2022 Swiss Days Events
- Sept. 28, 2022 Regular City Council Meeting

Motion to Approve the Consent Agenda.

Motion by Denny Drake, seconded by Leina Mathis.

Voting Aye: Leina Mathis, Jarett Waite, Denny Drake, Christa Hinton and Ben Shakespeare.

Voting Nay: None.

Motion Carried.

C. General Business:

1. Consider Approving the Third Amendment to the April 2015 update to the Storm Water Master Plan. With the future developments near Pioneer Parkway & Red Mtn. Drive the existing Culverts are only sized for a 10 yr. flood and is in need to upsize with the capacity to hold up to 100-year flood. Presented by Dustin Mouritsen, Public Works Director.

- Mayor Pro Tem Waite said this was just presented by Dustin Mouritsen for the public hearing.

Motion to Approve the Third Amendment to the April 2015 update to the Storm Water Master Plan.

Motion by Leina Mathis, seconded by Christa Hinton.

- Brock Jacobsen said that with this the impact fee will be increasing so the amount should be stated, and these impact fees will not go into effect for 60 days.

Amended Motion to Approve the Third Amendment to the April 2015 update to the Storm Water Master Plan with the residential impact fee increasing to \$846.53 and the commercial impact fee increasing to \$1,413.70 and will take effect in 60 days.

Motion by Leina Mathis, seconded by Christa Hinton.

Voting Aye: Leina Mathis, Jarett Waite, Denny Drake, Christa Hinton and Ben Shakespeare.

Voting Nay: None.

Motion Carried.

2. Consider the Rezoning, Project Plan, and Development Agreement for Silverado, and approval of Ordinance 2022-17. The subject property is located at the intersection of Pioneer Parkway and future extension of Red Mountain Drive, directly east of the Harmon's Shopping Center. Presented by Jim McNulty, City Planner and Matt Ence, City Attorney.

- Jim McNulty said that the applicant, Dave Hunter (Silverado LLC), is requesting to rezone 19.98 acres at the intersection of Pioneer Parkway and future extension of Red Mountain Drive, directly east of the Harmon's Shopping Center. The property is currently zoned Planned Development Residential, PDR and the applicant proposes to rezone it to the Planned Development Commercial, PDC to allow for a mixed-use development. The applicant and project team have been working with city staff on the most recent project design for several months. The Project Plan includes four (4) project phases. He said the applicant is represented by Paul Taggart who is an architect and Alan Hall who is a civil engineer. They can answer questions that the Council may have. Phase 1 includes 28 2-story toy garage units with an apartment. The units are about 2,400 sq ft. Phase 2 includes a 96-unit multi-family housing project. There would be 4 buildings and each building would house 24 units for a total of 96 apartment units. Phase 3 would include a sports complex with 34 pickle ball courts. The building would house 24 pickle ball courts and then the outdoor area would have 10 pickle ball courts as well as a sports bar and grill. Phase 4 includes a commercial site plan adjacent to Pioneer Parkway with commercial buildings and perhaps a convenience store type use. The Project Plan includes a total of 584 parking spaces. Chapter 17.32 requires a total of 528 parking spaces for the proposed mixed-use project. This includes a minimum of 192 spaces (1 covered, 1 uncovered) for the apartments project, with 56 spaces being required for the

Toy Garages. The proposed sports complex/restaurant use requires 214 parking spaces, and the proposed commercial uses adjacent to Santa Clara Drive require 66 parking spaces. A total of 56 additional parking spaces have been provided in Phases 1, 2, and 4 for shared use. The applicant will be required to work with City Staff during Subdivision Plat and Site Plan Review to verify required parking. He said the Project Plan includes a total of one hundred twenty-four (124) units. The proposed residential is in Phases 1 and 2. Phase I includes 28 two-story Toy Garage Units with apartments, with Phase 2 including 96 apartment units. The acreage for the two phases is 11.78 acres. This equates to a proposed density of 10.52 units/acre. As previously determined, the PDC Zone does not require a density bonus for a mixed-use project. He stated that Silverado will be required to do public roadway improvements and dedications as part of the project. These public roads include the proposed public road in Phase 1, (50 ft right-of-way) from Rachel Drive to Red Mountain Drive (a portion of which will be required by the applicant) which are required to gain access to the site. Additionally, a deceleration lane will be required along Pioneer Parkway to the eastern project entry (Sports Complex / Restaurant, Phase 3). They will also be required to do private drive improvements within the interior of the project Phases 2, 3, and 4). The applicant will be required to work with City Staff and comply with all department recommendations during Subdivision Plat and Site Plan Review. He reported that Chapter 17.68 requires at least 30% of a project area to be in common open space. The Project Plan includes approximately 40% of open space being proposed for the overall project (Phases 1, 2, 3, and 4). He stated that another thing that is exciting about this project is the trail. An existing pedestrian trail is located along the property frontage (Pioneer Parkway) and will remain in place, excepting areas for access and public roadway improvements. Along the eastern edge of the project along Pioneer Parkway, a 15 ft trail/maintenance easement is shown on the Project Plan. This will also allow for public trail access around the northern edge of the site. The trail will include a pedestrian crossing along Red Mountain Drive to connect with the existing trail in the area. Next, he talked about the project's amenities. The Silverado Project is proposing a pool, hot tub, and an outdoor covered seating structure for the apartment community. The Sports Complex includes 34 pickle ball courts which could also be used by the residents (Phases 1 & 2) of the project. A public trail will be put in place connecting the Pioneer Parkway trail with the existing trails to the north of the project as previously mentioned. Public sidewalks will also be put in place allowing for pedestrian connections throughout the site. He stated that everyone who would live within this project would have access to the amenities whether on their site or another phase of the project. He discussed the building materials. He said that the Project Plan includes four (4) project phases and talked about the building materials for each project phase. Phase 1 (Toy Storage) includes a modern design with an aluminum panel system utilizing both a wood and metal finish appearance, with large windows for natural light. The roof will include a single ply membrane system. The building height for these buildings is 24 ft 6 in. Some of these will have apartments with them. He said these have been well received in our market and sell out quickly.

Phase 2 is the apartments, which includes a modern design with an exterior stucco system, a metal panel system, an aluminum panel system with wood finish, metal guard rails and large windows. The roof will include a single ply membrane system. The building height for the apartment buildings is 34 ft to the top of the roof canopy. The zone allows a height up to 35 ft.

Phase 3 (Sports Complex/Restaurant) includes fiber cement or pre-finished metal cladding system with a pre-finished metal panel system, and an aluminum storefront

system with a wood finish, with metal shade screening and windows. The roofing material will be standing seam metal. The building height for the sports complex building is 36 ft to the top of parapet. The building height of the restaurant building is 37 ft 6 in, which includes a second story with outdoor dining. The PD Zone allows for a building height of 35'. Both buildings in this phase exceed this requirement. The Planning Commission agreed with the height allowance of 36 ft for the sports complex building; however, they voted 2-2 on the height allowance of 37 ft 6 in. for the restaurant building. The Council can decide whether to agree with this recommendation. This is up to the Council.

Phase 4 (Commercial Uses) includes an exterior stucco system, color fiber-cement or pre-finished metal cladding system, with an aluminum storefront and windows. The roof will include a single ply membrane system. The building height for the commercial buildings is 21 ft 4 in. to the top of parapet. The plan also shows a canopy for a potential gasoline island at 15 ft.

He talked about landscaping and water efficiency for the project. Chapter 17.68 requires project landscaping and puts standards in place for the PD Zone. Section 17.68.050 discusses landscape design and water conservation principles. However, the city has an ordinance in place (Ordinance #2022-05) requiring all new development to be compliant with the Water Efficient Landscaping & Conservation Standards. The applicant will be required to work with City Staff and comply with all department recommendations to verify that all requirements have been met. He stated that utilities (e.g., water, sewer, gas, etc.) will be required for the project. A secondary water connection will be required for outdoor water use. He said that the applicant has submitted a project narrative for review and consideration. City Staff asked the applicant to update this item to match the Project Plan. He talked about the Master Development Agreement. City staff and legal counsel have reviewed the document. The MDA is intended to guide the project through the development review and approval process. He said that the applicant has hired their own legal counsel to create the MDA. He said we feel that it is a good document. He talked about neighborhood response. Notices were sent to the property owners within 300 ft of the subject property. The subject property was also posted as per State Code. No responses were received by City Staff. However, a few residents attended the July 14, 2022, Planning Commission meeting. One resident spoke about traffic and noise associated with Pioneer Parkway with the proposed development of the subject property. No other residents commented. He stated that the Santa Clara City General Plan indicates a Main Street Commercial, MSC Land Use for the subject property. The proposed Planned Development Commercial, PDC Zone complies with the intent of the General Plan. The description and character objectives for the MSC Land Use states the following: "Predominantly commercial uses on the ground level, including uses such as stores, restaurants, and offices with residences and/or offices on the 2nd floor to make it pedestrian friendly as well as accessible by automobile. The overall development should include some of the following: plazas, wide and attractive sidewalks, and curb extensions at pedestrian crossings. Tree-lined interconnected streets with sidewalks and share parking are encouraged". The proposed application includes a mixed-use project with both commercial and residential uses. The proposed retail businesses, sports complex, restaurant, and residential uses are encouraged by the General Plan. He stated that on July 14, 2022, the Planning Commission held a public hearing and recommended approval of the proposed Silverado Property Rezoning & Project Plan from the Planned Development Residential, PDR Zone to the Planned Development Commercial, PDC Zone. City Staff recommends that the City Council approve the Property Rezoning,

Project Plan, and Master Development Agreement subject to the following conditions:

1. That the applicant be required to go through the Subdivision Plat Review process including plat recordation.
2. That the applicant be required to go through the Site Plan Review process as per the PDC Zone requirements.
3. That a total of 584 parking spaces be provided as per the Project Plan. That a total of 56 shared parking spaces be provided in Phases 1, 2, and 4 as per the Project Plan.
4. That a total of 124 residential units be allowed as per the Project Plan which equates to 10.52 units/acre. This includes 28 two-story Toy Garages with apartments in Phase 1, with 96 apartment units housed in four (4) buildings in Phase 2.
5. That at least 30% of the project area be in common open space. The Project Plan includes approximately 40% open space.
6. That a public trail be provided and put in place as per the Project Plan.
7. That project amenities be provided and put in place as per the Project Plan.
8. That the building design and materials comply with the drawings as presented by the applicant. That substantial changes to the building design and materials presented require an amendment to the Project Plan.
9. That the proposed buildings in Phase 3 meet the allowed building height of 35' in the PDC Zone, or as recommended by the Planning Commission to the City Council for consideration and approval.
10. That the applicant be required to comply with City Ordinance #2022-05, Water Efficient Landscaping & Conservation Standards.
11. That secondary water connections be required for outdoor water use.
12. That a Master Development Agreement for the project be approved by the City Council.

And with the following findings:

1. That the Rezoning is compliant with the Santa Clara City General Plan, Section 3.4.2 Mixed-Use Land Uses (Main Street Commercial, MSC).
2. That other properties in the immediate vicinity (west and southwest) of the site are zoned Planned Development Commercial, PDC.
3. That a public trail is being put in the project to connect with the existing trail network in the area which follows Section 9.2 of the General Plan.

He said that the applicant and his team are here tonight to answer any questions that the Council may have.

- Matt Ence, City Attorney, said he wanted to discuss a couple of things on the development agreement. They are fairly minor. He said he would like to save them to discuss later.
- Jay Taggart, Architect for the Project, talked about the height of the building for the restaurant. He said they can make it work with the maximum allowable 35 ft.
- Ben Shakespeare asked if a traffic light would be required once this is built.
- Dustin Mouritsen said yes, it will be warranted at some point.
- Matt Ence said the Mayor has brought this up and wanted to make sure it was covered in the development agreement. We have a provision in there that requires contribution by the developer to the traffic signal at the intersection. He said there is a question about the traffic report that we need to reference in the development agreement. The Mayor referenced a previous traffic report that had been done for the Solace and the Regal projects that there was a cost sharing established in that traffic study. Are we still waiting for an additional traffic study that will modify that or is that the one we need to reference in the development agreement?

- Dustin Mouritsen said he believes that is the one we reference to in the development agreement.
- Matt Ence said okay so for purposes of tonight, looking at the development agreement, there will be a change to clarify that because it currently references a traffic study to be received. We will have to make a change to make sure we reference the existing Solace and Regal traffic study.
- Jay Taggart said they have a traffic study that will be done next week.
- Ben Shakespeare asked about the trail that will connect to the other trail. Will that be completed through the project? Are they paying for that out of the project?
- Jay Taggart said that is correct. The project is paying for that trail.
- Leina Mathis asked about the sports complex and the pickle ball courts. Will they be open to the public?
- Jay Taggart said yes, they will be.
- Leina Mathis said she is assuming the residential units and toy garages would be required to be owner occupied.
- Jay Taggart said yes, they will be.
- Denny Drake said density levels, when they were originally presented were based also on the idea that it would be low-cost housing. He asked if they were still pursuing that with the State.
- Jay Taggart said no, they are not.
- Matt Ence said that Mr. Taggart said that both the apartments and the toy garages would have to be owner occupied. He asked if the toy garages are going to be sold into individual ownership or are they going to continue to be owned by the developer.
- Jay Taggart said they will be sold into individual ownership.
- Matt Ence said so they could potentially be rented to other occupants. Are they going to have some kind of restriction in CC&R's or something that says that they can't be rented or a deed restriction or something like that?
- Jay Taggart said they are not requesting short-term rentals.
- Matt Ence said he wants to make sure that we don't have on the record something inaccurate, that they are not going to be rented. They could be rented by the owner for long-term rentals.
- Jay Taggart said yes.
- Matt Ence said okay, that was the clarification he was looking for.
- Christa Hinton asked about the pickle ball courts being open to the public for use. Would that be at a charge? Would there be a reduced charge for residents?
- Jay Taggart said those are open to the public for a regular fee. Those who occupy the development will have a reduced fee. That is still being worked out with the company that is running the pickle ball court.
- Christa Hinton asked if they have any plans to mitigate the noise and the lights from the commercial for residents who live nearby.
- Jay Taggart said they have done a couple of things. Some of the taller apartments are back and lower on the site. He said he asked questions about noise generated from traffic to the traffic engineers and they indicated that they didn't see noise being a big impact in the neighboring area because of the speed limit of 35 mph and with what is being proposed they are not drawing larger trucks than usual. He said they designed some buffers, and the heights of buildings will help with that mitigation of noise.
- Christa Hinton asked if they had anything specific to the pickle ball courts, the outdoor ones, for that.
- Jay Taggart said the outdoor ones are setback a little bit further on the site off of Pioneer

Parkway.

- Christa Hinton asked how far away from the homes they are that are across the street on Pioneer Parkway.

- Jay Taggart said they are to the north of the indoor pickle ball courts. He said the required setback is 20 ft and they are beyond that.

- Jim McNulty said the ordinance does have requirements about outdoor lighting being shielded and directed downward and so each phase, we would have to look at the outdoor lighting plan through the project. It needs to be drilled down on.

- Jay Taggart said they will comply with the requirements on outdoor lighting.

- Leina Mathis said she is assuming that will also be addressed by the hours of operation too.

- Jay Taggart said that is right. They will work with the City. Most events will be normal but when a big event occurs, they will work with the City and work around those items, and they won't go into late hours of the night. Some of this is addressed in the development agreement.

- Christa Hinton asked about the parking spaces. She asked if there are enough parking spaces in the Phase 3 area and the rest are extra.

- Jim McNulty said that is correct. They are over parked by 56 parking spaces. They are parked over the requirements for the code. The other option is to go through a shared parking agreement and ask for a reduction. He said we don't think that is a good idea. We can't lose parking on something like this.

- Mayor Pro Tem Waite asked about covered parking. So, there is supposed to be covered parking for all of the residential units. Is that shown on this plan?

- Jim McNulty said that half of them are covered with carports and the other half are uncovered. It does show covered parking.

- Denny Drake asked that to reach the density levels that we are talking about, what was the criteria to do that with.

- Jim McNulty said we are at 10.52 units per acre. The PDR zone has a base density of 8 units per acre and the Council can approve a density bonus if they do extra things up to 4 units per acre for a total of 12 units per acre maximum. This zone that they are requesting, the Planned Development Commercial (PDC) encourages mixed use and allows for a density of 12 units per acre maximum with no density bonus. They are showing 10.52 units per acre between phases 1 & 2 total.

- Denny Drake said 8 and no basis in low-cost housing.

- Jim McNulty said no. The question came up about low to moderate income housing. That was brought up, but they are not proposing any of that at this time. That is something that could be considered. Perhaps a percentage. Recently we reviewed a project with another applicant that decided to go 100% affordable housing for 120 units, but he got Utah Housing and HUD approval. At this time affordable housing is not proposed, however they indicated they would like to keep the rents affordable so family members can live there but it is market driven.

- Denny Drake asked what they did to qualify for the bonus density.

- Jim McNulty said they don't have to get a bonus density in this zone that they are asking for, the PDC zone. That zone allows 12 units per acre for a mixed-use project. In the current zone they have to request a density bonus. They are not asking for the current zone. They want to go from the PDR to the PDC zone so they can do the mixed use with the commercial, retail fronting Pioneer Parkway and residential to the north.

- Ben Shakespeare said under the current zone, what would drive that is the architectural elements, which we have approved in the past. They are putting a lot into that.

- Jim McNulty said their design is good and they have spent a lot of time with the design of the project and concept. The design has been well received.
- Denny Drake said he has no problem with the design. His problem is with the density.
- Matt Ence had to ask the audience not to applaud or speak out of turn after the audience applauded. That is disrespectful of the Council's time. This is the time for the Council to discuss.
- Denny Drake said he thinks there is a point in time where the Council needs to respond to find out what the community wants Santa Clara to become. We are continuing to create more and more high-density with the idea that it is financially better. He said he is not sure that is the criteria. He said the commercial is already there and is already zoned and has been for 25 years. He said we don't have a problem with that. But when it comes to the density levels we are creating on the other properties, and we use it all as a whole to create those density levels it gives some concern.
- Mayor Pro Tem Waite explained that the public hearing was held at the Planning Commission meeting a few weeks ago. He encouraged the citizens to pay attention in the future to when something like this comes up, they can come to the public hearings and have the time they want to make comments. He said that Gordon Palmer is a lawyer that represents the community and to be fair to everyone he invited him to come up and share his thoughts. He will also allow the developer time after to respond to any questions that may come up.
- Gordon Palmer thanked the Council for allowing him to make comments about this project. He said he represents the community members that are south of Pioneer Parkway. The residents seem to have a definite voice in what they would like to have happen here. Some questions have come up about the viability of the project. He stated that they have distributed to the Council members some legal summaries of what this project meets the General Plan and whether the project zoning meets the General Plan and the General zoning ordinances. They have done some homework to show the inconsistency of what the project is and how it meets the Master Plan. He said they are not here to discuss that. They want to discuss a couple of items that have come up. The Planning and Zoning Commission held a public hearing. He said they did get the letter. He said there were six people in the meeting that night to show interest. He said they went because they didn't know what this was, and it blindsided them, so they went to find out what this is. This is a huge project. He said they were told if they have the same thing to say as the person before them that they shouldn't get up and comment. He stated they were not prepared to address the issue at hand. He said they went to find out about this, and it passed. He said they were very concerned about this and how to approach this matter. He said he thinks the Planning and Zoning Commission's decision was already made with this project without any input from the residents. He said that the transparency of this process makes them wonder if there was any transparency or if this just went through and Planning and Zoning rubberstamped the project so it could come to the City Council. He said that is why they are here. They did some homework and want some support of the residents of the community to come in here and show what our stand is. He said as residents they are not for this project. They are not for changing the zoning for commercial use. He said they are not anti-development. They just prefer to have the request be denied and have the developments move forward under the current planning, which is single-family residences. He said the issue that has come forth is noise and traffic and lighting. He said it would be interesting if the Council or the Planning Commission would go and stay at one of the residents' homes along there and listen to the noise and the traffic and see the lighting there that is causing problems. It is

not feasible that a project this size and with the residents of the high-density housing that is going in there that there is not going to be any traffic or noise issues. That is where the issue is for the residents that live south of Pioneer Parkway who do not agree with this project because of the noise and the light pollution and the traffic. He said that at Planning Commission the question came up about the traffic and they said the traffic study is not done. It will have to be done. They said the preliminary indication is that there is no difference between traffic, the way it is right now, and when the project is complete. He said that doesn't make any sense when you put in 100 or so apartments, the toy garages, the sports complex and the service station. The issue came up that if you have a gas station in that commercial area of Phase 4 the light pollution will be there all night long and the traffic will be in that gas station all night long. He said it makes you wonder if the ones that approved this project if they would like this project in their backyard. The answer is no. It would be unanimous that this would not be done. He said they don't want to discuss the technical issues of this project. That is for the Council and the Planning Commission to decide. He said the project looks very good and is going to be very viable and it would be nice, but it doesn't take into issue the residents of the area who do not want it. They do not want commercial development along there. He stated that changing the zoning to commercial to where it goes to mixed use, that is where their problem is. He said they would prefer, and they would request that the zoning stays the same where it is Planned Development Residential. He said they contacted the residents south of Pioneer Parkway to see if they could get their feelings of the project. He said there were feelings all the way from neutral to complete hatred of the City and the City fathers and everything in between. He said that this is really sad that the City doesn't take into account the requests and desires of the residents that the project is going to impact. He asked the Council as they consider this project why does the City approve plans and projects where area residents are completely opposed. Why is it done?

- Matt Ence said he can answer that. There is a system established by State law that provides this legislative body, who are elected by all of you, to make decisions on land uses in the City and when a property owner, who has certain property rights, comes with an application the City Council along with others that help them including the Planning Commission have certain powers and authorities and rights and responsibilities to make those decisions. We don't make land use decisions by a popular vote or a poll. There is a system in place and public input is one of the considerations that the City Council can consider as it makes these decisions. He said he is certain they are listening to what is being said but the system is not one of popular determination. It isn't and that is something that is not determined by the City or the City Council.
- Gordon Palmer said that doesn't address the issue. Does that mean the public has no input?
- Matt Ence said his question belies the fact that he is standing there giving input.
- Gordon Palmer said he appreciates that. He said the Council has broad discretionary power whether they can approve this or approve projects or any zoning changes. He said that zoning changes seem to be the issue here. If there are some issues why does the City approve projects when the residents are objecting and they are adamantly and strictly opposed? He talked about the meeting at the Planning Commission and said that decision was decided before we went in there. He said the letters went out and the signs were posted but it was not enough to give the residents information that was going to happen for this project. The issue is changing the zoning and the issue is the residents are not for that because of the commercial aspect of this project. He said the City Council has the discretion of whether they are going to approve this zone change. That is going to be the

backbone to this project. If the Council approves this zone change with the residents that are sitting here in this room, if you took a straw poll of who opposes this you will probably get a unanimous vote except the developers. The residents do not want a zone change and they do not want this project in the residential areas. He said to put it somewhere else. If the Council approves this the question is going to come up: "Why don't you take the input here of the residents?" If the Council doesn't overrule this, why did they do that? Do the residents not matter? The residents are stupid? Does the City Council have a complex where they are smarter than the residents? Do they have a complex where they can do this because they can? He said he thinks it is extremely important to consider the input of the residents that are going to be affected by this proposed change.

- Mayor Pro Tem Waite asked Mr. Palmer to wrap up his comments.

- Gordon Palmer asked if there is financial gain for members of the City because of the project.

- Mayor Pro Tem Waite said that would have come up in our disclosures.

- Gordon Palmer asked if the Council is scared of someone.

- Jim McNulty said that is a pretty major assertion.

- Gordon Palmer said the noise is part of the problem here. He asked the Council to please do the right thing. This is going to affect a lot of lives for a lot of years and might affect a lot of lives for years to come. He said to please leave zoning like it is for residential and not commercial.

- Denny Drake said he wanted to address something because Mr. Palmer is making a big mistake. That property was zoned commercial back in 2005 when he was Mayor. He said that whole piece is zoned commercial. It was not residential, and it never has been from Red Mountain west it has always been zoned commercial.

- Matt Ence said if you go back and look at the prior approved zoning, it is residential. It is a PDR.

- Denny Drake said when they presented the other plan that is now part of this plan.

- Matt Ence said in the General Plan at least a part of the property is shown as commercial, but the prior zoning is residential. He said he wanted to make that distinction to make that clear.

- Jim McNulty said the PDR does allow for multi-family. It is not a straightup single-family zone. You can have apartments, townhomes or single-family in a PDR.

- Mayor Pro Tem Waite said to clarify a little more (he had the map in front of him) basically half of this is on the Main Street Commercial in the General Plan which is not the zone.

- Matt Ence had to ask the residents to please quiet down. He said the Mayor Pro Tem Waite has the authority to clear this room and finish the meeting without them. He asked them to not disrespect the Council or the person at the pulpit by interrupting.

- Mayor Pro Tem Waite said he knows this is a passionate subject and he understands. He asked Matt Ence about the parcel where the sports complex would be. It is shown as open space on the General Plan. He said in previous meetings we have changed the General Plan for a project. Why is this not being done for this particular one?

- Matt Ence said he doesn't know the answer for that.

- Jim McNulty said he can read what it says. The description includes permanent natural open space as well as limited passive recreation such as golf courses and trails. The open space designation is applied to most sensitive lands. Locations throughout the City. The thought here was that the pickle ball facility and the stuff coming in really is similar to a golf course. Golf courses are a major water user, which we are trying to get away from

but there is open space here and putting that facility in place with all the pickle ball courts is going to bring a lot of people to the area to recreate which the open space is under parks and conservation land uses.

- Matt Ence said the other thing that comes to mind is this has the wash that is along the north and east side. We have in the past varied open spaces that show in the General Plan where there is an existing wash based on the project that is proposed. In order to get a definitive answer, he would have to go back and look at it.

-Mayor Pro Tem Waite said he struggles with this big, humongous building being open space when it is contemplated that it should be open space. He invited the developer to respond to anything they would like to.

- Matt Ence said that he wanted to make a couple of comments. He said there were a couple of suggestions or things implied in the comments that were made about the conduct of the City and the City Council and he said he wants to make clear a couple of items. This project has been discussed by the City Council and the Planning Commission in multiple meetings. Those meetings have all been open to the public. There has never been a closed-door meeting on this project and the City Council, and the Planning Commission have conducted themselves properly with proper public notices. All those meetings have been properly noticed and so any implication that there is something shady going on, he said he wants to shut that down. That is not true and that is not fair to the applicant to make those kinds of implications without some kind of support. He stated that along with that he wanted to address the comment about some kind of financial incentive. There is nothing to indicate that anybody at the City is receiving any kind of incentive to make any decisions one way or the other on this or any other project. Those kinds of accusations without some kind of support or in the proper form are not appropriate and not fair to this City Council who have put a lot of time and effort into reviewing this project and everything else that they do.

- Joe Brown, Partner of the Silverado Project, said he was going to say exactly what Matt Ence just said. He said they take great pride in their company and in working with the cities and working with the residents to try to create great products and great developments and they feel like over the last year and a half that they have gone through this process and feel like it has been very upfront and very collaborative and they have spent a lot of time with their architects and engineers with the City and the Staff reviewing and trying to make this project great. He said he took offense to some of those comments that they were doing something shady or not above board because they take great pride in that. He thanked Matt Ence for his comments. He talked about Mr. Palmer's comments and addressed what is really important to them and they committed to making a resolution to these issues. Mr. Palmer said their concern is noise, traffic and light. He said as a developer and with their engineers and the engineers they have hired for traffic studies there will be a lighting plan and noise will be discussed and things they are willing to follow and do whatever is necessary to help the City and the Staff so they can follow the code and meet those. He said they are not trying to put something in the City that is an eyesore or that people are going to hate. They want to build something that is beautiful and something impactful for all the residents of Santa Clara. He said they are willing to work on noise, traffic and light to the best that they can.

- Mayor Pro Tem Waite said he would like to give the Council time to share their thoughts and ask questions.

- Ben Shakespeare said he said to insinuate that the Council or any one at the City is getting any financial benefit is just bogus. He said that is a bad assumption because that is not the truth. This project has been discussed in multiple public meetings for a year

and a half. The Council has gone through this and has discussed commercial out on Pioneer Parkway understanding that is going to be a commercial corridor there. The applicant has gone back with a variety of designs, and we have gone back and forth, and we have had this discussion. He said the Council is a legislative body and the Planning Commission is a land use authority. If we were to make decisions solely based on those that come out in opposition, we would never approve anything. He said as a City Council the decisions we have to make are hard because we would all love ¼ acre and ½ acre residential lots throughout the entire City and yet we do have corridors of commercial and have to look at the best for the City. Is that going to appease everybody, no, it certainly won't. We want to make good decisions and we work hard to make good decisions and at the end of the day we live in this community as well and want to enjoy the community. We do have a lot coming up on this and he said he believes that the future light that will go there will help with traffic. A large portion of the traffic is not Santa Clara related. He explained about the gorge and how people go through the back way and are just passing through. That is a corridor that is probably going to go four lane all the way through there. As far as going through the project, he is glad that the applicant reduced the height and is not asking for a height on the restaurant. He stated that he likes the overall layout. It is a difficult site with the wash bordering a large portion of it and with a large grocery store to the west of it. He said the affordable aspect of this is a difficult thing because if you put in that you're getting grants that would help and he doesn't have any issue with the way the applicant is going through this. He thinks they are going to put a decent amount of money in the architecture of this. He believes what is being proposed, the zone change is being overall worked through to where the Council has looked at it. He said he believes this is a very good use for the site. It mixes a lot of good things that will benefit the community. He said he wants to make sure everyone knows we are not in this with the developer. We are trying to make good decisions. These are tough decisions. He said he knows a lot of the residents and he has served with a lot of them, and we want to make good decisions that benefit the City. He thinks we as a Council will and some will be happy with them, and others will be disappointed.

- Leina Mathis said she wanted to answer part of the question that Mr. Palmer asked. She said the Council gets "not in my backyard" with every project we approach. She said that she listens to the residents, but she also has to look at what benefits the residents in the entire City. It can't just be the ones that are immediately adjacent to the project because we have to represent the entire City. She said that is how she looks at it. She said she served on the Planning Commission for quite a few years before serving on City Council so she will always go to our General Plan to look to see if what is even being requested is part of what is in our General Plan. She said the reasons she does this is because the General Plan is written by the citizens. It is not done by Council or the Planning Commission. It is done by the citizens so if the citizens say they want to have commercial up in Santa Clara north, which is what that General Plan says, then she thinks our citizens are okay. She said she understands that the General Plan and the feelings of citizens can change over time. That is why that General Plan generally gets redone every five to seven years. She said if the citizens are wanting to see something different, they need to make sure they come and show up when we start having those General Plan meetings because that is where their input is heard and effected the greatest. She said she does listen to citizen input. She said she went back and listened to the Planning Commission meeting so she could hear what was said. She said on this particular development she went and spent half an hour parked on the side of Pioneer Parkway

between 11:00 and 11:30 p.m. so she could see the light pollution that the citizens have a concern with as well as the noise. There were a number of cars that came by, and one was blaring his radio and there was one refrigeration truck that went to Harmon's. She said she stopped and drove down the road getting closer to Red Mountain and did the same thing. She said that as she got closer to Red Mountain, she could hear more noise but once she was at the fourth house up, she could no longer hear the cars at the intersection of Red Mountain and Pioneer. She said that if the light goes in, she doesn't know that you would hear that. For all the cars that go north you can hear that. She said she took the time to go and listen so she could understand what the citizens concerns were. She said that Denny Drake was correct. There was commercial zone there. It was changed to PDR with an old pasture project that came in. That project allowed up to 11 units an acre. Our current PDR ordinance allows up to 12 units an acre. She said that 10 units is by far any stretch because it is well within what was already approved and proposed for that particular parcel.

- Christa Hinton said she agrees with what Councilwoman Mathis has said but as a resident and as a parent she looks at this and is concerned about the amount of traffic that is going to be going in and out of this intersection due to the sports complex and part of the narrative is to bring in a lot of visitors. She said she worries about the gas station pollution on the commercial area, so she has some concerns with the project and wonders if this much commercial concentrated right here is the best thing for the City.

- Denny Drake said he appreciates the citizens that are here at the meeting and hopefully they would be here for every meeting because there are things and decisions that are being made constantly within the City that affect every one of you and as we try and do what we think is best, which we believe the citizens elected us to do, we need to know what you want done and so he appreciates the citizens being here and in that process things are being hashed out and worked through as they have been with the developer and with the City Council and Planning Commission over the last few months and the more the citizens are involved that will create what Santa Clara is to become.

- Mayor Pro Tem Waite said that we changed our fence ordinance a little while ago and so all those that are on Pioneer that have a really short fence, you can actually extend that up to 6 ft from the grade on your side. He said to keep that in mind and that could help with the current issues that are going on across the street. He said regarding this particular project, he is a bit concerned that we don't have a traffic study in front of us at this point. He said he has no idea what the traffic will be so it is a little hard to make a good decision on this when it was promised in Planning Commission that it would be done for this meeting, and it is not here. He said based on that he would prefer to table this item and wait for that to come so he can make a really good decision. His other concerns would be that the fabric of Santa Clara is slowly changing, and we have approved a lot of density in the Heights. He said that has been, to him, to create other housing options to try and bring costs down as much as we can and yet the market is what it is and rents haven't been affordable even on the townhomes we have approved and that is one reason the Council pushed, in the Work Meetings we had with the developer, to actually tie some attainable housing to this project. He said he also has some concerns with the gas station. He said he brought that up a long time ago in our Work Meetings. He said the project is designed really well and looks really nice. A lot of thought has been put into it and where the toy garages are is really smart and makes sense where those have been placed. He is not sure we will have the answers in this meeting without that traffic study. He wonders about putting that large of a space of the pickle ball building in a contemplated open space in our General Plan. He said that maybe they

could rethink that. He said there is a concern from the residents he talked to that the type of housing we approved recently doesn't really encourage people to put down roots. At the same time there is a place for that. The question is, is this the right place for that and is enough enough. That is a decision the Council has to make and decide. He said this is a legislative decision and so the Council has a lot of latitude in terms of what they request. It really is the Council's decision on if this should go forward or not.

Motion to Table the Rezoning, Project Plan, and Development Agreement for Silverado, and Ordinance 2022-17 until we receive all the studies. The subject property is located at the intersection of Pioneer Parkway and future extension of Red Mountain Drive, directly east of the Harmon's Shopping Center.

Motion by Denny Drake, seconded by Christa Hinton.

Voting Aye: Jarett Waite, Leina Mathis, Ben Shakespeare, Christa Hinton and Denny Drake.

Voting Nay: None.

Motion Carried.

- Brock Jacobsen, City Manager, said that once we get the study and all the information back, then we will put this on a future agenda. We will work through Jim McNulty. He is working directly with the developer so as soon as we get that information and distribute it to the Council for their review then we can bring it back.
- Jim McNulty said we will have appropriate Staff review and bring it back.
- Matt Ence reminded the audience that this is an ongoing meeting and asked them to exit quietly if they are going to leave.
- Ben Shakespeare asked about the modifications to the development agreement and the timing of the traffic study.
- Jim McNulty said we will need time to review it.
- Ben Shakespeare said he was trying to get an idea of the timing so the Staff and Council will have time to review it.
- Jim McNulty said it will probably come back in September.
- Matt Ence said the changes to the development agreement are really minor. He said he needs to make a clarification on the traffic study issue. He said all of the zone change in the development agreement was all listed as a single item on the agenda so the motion was to table all of that together. He wanted to make sure that was clear.

3. Consider a Code Amendment for Chapter 12.08, Sidewalk Regulations and approve Ordinance 2022-18. Presented by Jim McNulty, City Planner.

- Jim McNulty said this item was discussed with the City Council on July 6, 2022, during a work meeting. This is a clean-up of Chapter 12.08 dealing with sidewalk regulations. He said that we went through suggestions at that time with the Council and with the Council's questions and comments we went through and made sure that those items were employed and put into the draft ordinance which is before the Council tonight for consideration and adoption.
- Denny Drake said we addressed noise, but we are also talking about obstacles that could be placed on the sidewalk. Is there a timeframe on how long that would be resolved.
- Jim McNulty said he doesn't think there is a timeframe. He asked Denny what item he is referring to.
- Denny Drake said that as he read through it, he didn't see a timeframe.
- Jim McNulty said for removing stuff off of the sidewalk, we didn't have a timeframe,

but we could consider putting one in if Denny feels it is necessary.

- Denny Drake said a lot of times it is on a direct sidewalk so he feels there needs to be some kind of timeframe to be able to know how long they can have that sitting on the sidewalk.

- Leina Mathis said it is Item 12.08.020: Placing Trash or Other Obstruction In Streets, Gutters, Sidewalks. She said that items talks about trash and other objects and Item B under that talks about building materials.

- Denny Drake said he doesn't have any problem with there being building materials in preparation to do their landscaping and so forth but there needs to be some type of timeframe so that the obstruction isn't there for multiple weeks.

- Leina Mathis said that technically the way it is written they couldn't even have it there.

- Jim McNulty said that is without the permission of the City Council.

- Mayor Pro Tem Waite said we had an accident where there were rocks in the road and the car didn't see them. He said he thought at that point they had to have permission to do that.

- Dustin Mouritsen said we have an encroachment permit but not everyone gets it.

- Denny Drake said that under Item 12.08.090 it says, "It is unlawful for any person to place or suffer to be placed or kept upon any sidewalk, any goods, wares, or merchandise which he or she may be receiving or delivering, without leaving a foot passageway upon such sidewalk. It is unlawful for any person receiving or delivering such goods, wares, or merchandise to suffer the same to be or remain on such sidewalk for a longer period than twenty-four (24) hours."

- Matt Ence said this would cover construction materials. It would fall under that.

- Mayor Pro Tem Waite asked if the encroachment permit should be in this ordinance anywhere to make it really clear that someone needs to get that.

- Matt Ence said he is not sure our ordinances specifically provide for that encroachment permit currently. The way this reads is it says it is okay if it is allowed somewhere in the ordinances or if you have permission from the City Council. He said the City Council probably doesn't want people coming to them to ask permission so what if we just change the end of this to say, "unless an encroachment permit is obtained from City Staff".

- Denny Drake said that all he is looking for is a deadline.

- Leina Mathis said she agrees but if we are talking about something like landscaping rock, 24 hours might not even be reasonable.

- Matt Ence said we could combine the two and say, "24 hours unless you obtain an encroachment permit for an extended period of time".

- The Council all agreed they can approve that.

- Jim McNulty asked what section we would add this to, 090 or 020.

- Mayor Pro Tem Waite said he thinks it belongs in 020.

- Jim McNulty said he will coordinate the change with Matt.

- Matt Ence said it might make sense to put the same language in both of them, so it is consistent.

Motion to Approve a Code Amendment for Chapter 12.08, Sidewalk Regulations and approve Ordinance 2022-18 with an addition to Items 12.08.020, Section B and 12.08.090 stating the timeframe of 24 hours unless an encroachment permit is obtained.

Motion by Denny Drake, seconded by Christa Hinton.

Voting Aye: Denny Drake, Jarett Waite, Ben Shakespeare, Christa Hinton and Leina Mathis.

Voting Nay: None.

Motion Carried.

4. Consider a Code Amendment for Chapter 12.20, Park Regulations and approve Ordinance 2022-19. Presented by Jim McNulty, City Planner.

- Jim McNulty said this item was discussed with the City Council on July 6, 2022, during a work meeting. This is a clean-up of Chapter 12.20. We have made the changes as per that discussion on July 6 and this is the adopting ordinance, and we recommend that Council approves it as per what has been proposed to the Council.

Motion to Approve a Code Amendment for Chapter 12.20, Park Regulations and approve Ordinance 2022-19.

Motion by Leina Mathis, seconded by Denny Drake.

Voting Aye: Leina Mathis, Denny Drake, Christa Hinton, Ben Shakespeare and Jarett Waite.

Voting Nay: None.

Motion Carried.

5. Consider approval of a Lot line Adjustment for the property located at 1485 Vernon Street. Applicant, Randy Frei. Presented by Jim McNulty, City Planner.

- Jim McNulty said that this a lot line adjustment. Randy Frei is requesting to combine two (2) parcels of property into one (1) large parcel. Parcel SC-198-A-1 is 0.91 acres in size, and Parcel SC-177-B is 0.23 acres in size. Combining the two parcels into one parcel will create a parcel that is 1.14 acres in size. The properties are zoned R-1-10 single-family residential. The applicant intends to live in the existing home on the property and build a large barn on the property for personal family use. Mr. Frei will be required to record the new survey and boundary description of the property prior to receiving a building permit. He has met the City code requirements and there is a petition signed by all adjacent property owners. Everyone seems to be good with this. Planning Staff recommends that the City Council approve the lot line adjustment for parcel SC-198-A-1 (0.91 acres) as well as parcel SC-177-B (0.23 acres) allowing for a combined parcel that is 1.14 acres in size subject to the following conditions:

1. That the applicant proceeds with recordation of the survey and boundary description as presented to the City Council.
2. That a copy of the recorded document be provided to City staff prior to issuance of a building permit.
3. That the applicant continues working with city staff to clean up the property.

And with the following Finding:

1. That the Petitioner has addressed all items as required by city code.

- Leina Mathis asked if this was in the Historic District Overlay Zone.

- Jim McNulty said the home is but the other part of the property to the north where they applicant is proposing to put the barn is not in the Historic Overlay. If he comes to do an addition to the home, he will have to submit plans. The current home is not built like a historic type of home that you would see in Santa Clara Drive.

- Ben Shakespeare asked if we are abandoning the utility easements on these.

- Jim McNulty said no. We are just taking two lots and making it one large lot so he doesn't think anything will change.

- Matt Ence asked if this lot was created with a subdivision plat or is this an historic lot because if it is an historic lot, we probably wouldn't have any public utilities anyway.

- Jim McNulty said he believes it is an historic lot.

Motion to approve a Lot line Adjustment for the property located at 1485 Vernon Street with the 3 conditions and the finding that were recommended by the Planning Commission as presented.

Applicant, Randy Frei.

Motion by Ben Shakespeare, seconded by Denny Drake.

Voting Aye: Leina Mathis, Jarett Waite, Denny Drake, Christa Hinton and Ben Shakespeare.

Voting Nay: None.

Motion Carried.

6. Consider approval of an amendment to the UAMPS Power Exchange Member Risk Management Policy. Presented by Gary Hall, Power Director.

- Gary Hall stated that in November of 2021, the Council approved Brock Jacobsen, Gary Hall, Erik Campbell and Kristelle Hill as representatives from Santa Clara to make power transactions on the UAMPS Power Exchange (PX) website through the UAMPS Member Risk Management Policy. With the recent change of employees, namely Kristelle Hill, Jackie Combs with UAMPS has suggested that we change this document to replace names of employees with positions who can make power transactions on the PX. With this change, UAMPS will be able to roll access from one person to another who holds the same position, without changing the document every time we have employee changes. He said that he is suggesting that we insert the following positions in place of employees' names on this policy: City Manager, Power Director, Power Superintendent, Administrative Assistant/Scheduler.

- Leina Mathis said that she asked for the Power Department to come to Council every once in a while, to give direction on power costs. She said she hasn't seen any reports recently.

- Gary Hall said that when we make exchanges on the PX then we give the Council reports on what we did and why. We haven't made any recently. We have three of the generators running.

Motion to Approve an amendment to the UAMPS Power Exchange Member Risk Management Policy as presented.

Motion by Denny Drake, seconded by Christa Hinton.

Voting Aye: Denny Drake, Jarett Waite, Ben Shakespeare, Christa Hinton and Leina Mathis.

Voting Nay: None.

Motion Carried.

5. Reports:

A. Mayor / Council Reports

Ben Shakespeare:

- The Princess Pageant was awesome, and he gave kudos to Monica Bracken and the girls and everyone that helped with that.

- Snow Canyon Little League play for the regional championship Friday night. (They won!!!) They are doing a great job.

- We had a ribbon cutting at the Center Street Fire Station. He commended the Fire Department.

- The Flood Control Authority met, and we are discussing budgets for next year. He talked about the small fee that each resident pays every year. They are talking about raising that. He asked about the Council's feelings about that. He talked about the projects that are being done because of these fees that are collected. He feels it is important that there is a large reserve. He said all cities are reluctant to raise these fees, but the cost of projects has gone up. He asked the Council to think about this.

Leina Mathis:

- She met with the Short-term Rental Group with the League of Cities, and we addressed housing and issues and are working with Representative Musclemann. He is going to host a bill this year regarding short-term rentals and the impact they are having on housing. We got a study back that has all of our housing statistics. Santa Clara hits three of the tables in that because of our short-term rentals. She said she will bring this information back and present it to Council. She said they are working on building a resolution and when we go to the League meeting in September, we will all vote on that, and it will be to try and tighten up what we can do to control those short-term rentals in the City in order to increase our work force housing.

- She is working with our Youth Council. They will be coming to one of our meetings in September. She has some documents for Matt Ence to review for parents. The Youth Council is excited to get started.

Jarett Waite:

- He has had 2 residents ask about the watering at Gubler Park and they claim that there is a ton of run off in the morning going down into the wash. He asked Ryan VonCannon to check and see if there are any broken sprinkler heads or the time needs to be changed. He said that residents are saying we shut down the splash pad and then we are wasting a ton of water.

- Ryan VonCannon said field 4 is a smaller field and slopes toward the outfield. We just replaced the controller there and it is watering more efficiently, and we just adjusted it Monday.

- Jarett Waite said the other comment the residents gave him is if we take out more turf in the parks, they suggested we use much smaller gravel because it is easier to walk on.

- He attended a luncheon with the League of Cities, and they discussed how to best interact with our legislators. He said they suggested having a breakfast twice a year and invite our legislators. He said this idea really stood out to him.

- He said a resident asked if there was supposed to be a crosswalk at Pioneer Parkway and Jacob. Was there one there at one point?

- Dustin Mouritsen said he believes there was one there at one point and years ago the school district asked us to remove it because they wanted the kids to use the crosswalk at Pioneer Parkway and Rachel where the traffic signal is. He said the guideline we have followed is putting in a crosswalk when the school district asks us to put one in.

- Jarett Waite asked Dustin if they (Utopia) are going to be installing conduit in front of Lava Ridge tomorrow morning.

- Dustin Mouritsen said they are getting ready to come out of that hut started there in Gubler Park. He met with them this week. They have gone through the Bella Sol area. He reiterated with them that they need to find the utilities before they bore. He said they are doing a great job. We are going to be having a construction meeting with them every two weeks. He invited Jarett to join them. They will be every other Tuesday at 9 a.m.

Our inspector is keeping a close eye on them. He asked them when residents are going to

start getting the service and they said they are waiting for some permitting on Dixie Drive to link two systems together and as soon as they get that it could be 30-60 days.

- Jarett Waite asked if they will be cleared out for the drop off and pick up at Lava Ridge tomorrow.

- Dustin Mouritsen said no. He said he will reach out to them tonight to talk about making sure the park entrance is open for the parents to drop off their students.

- Jarett Waite said the striping of the crosswalks and stop ahead signs and everything looks amazing. The crew did a great job.

Denny Drake:

- The Solid Waste District has been meeting over the last 6 weeks dealing with adjustments to the waste management and changing of the way it is going to be managed in the future and the cost it is going to take. Once we have the actual numbers, he will bring those back.

Christa Hinton:

- She talked about having a breakfast with the legislators as well. She said the reason this was suggested is so that we have a relationship with our legislators prior to when we need to reach out about something we need help with. She said she likes the idea of getting together with them for breakfast.

- She appreciated that Tim Martin was here from the Interfaith Council and looks forward to having the Interfaith Council come to our meetings.

Ryan VonCannon:

- The Community Garden produced 167 pounds of produce last week which was sent to the food bank. This week it was 161 pounds. There is plenty more yet to come. Most of the trees have been chipped. There are a few left. Our peach trees are getting close. They are planning to start picking peaches Friday. The trees are open for the community to come pick after Friday.

- We purchased a new work truck yesterday.

- We have been working hard to get the fields ready at Gubler Park. In two weeks, we are going to start the yearly overseeding process.

Gary Hall:

- Generator 3 has been running for the last couple of weeks and is running well. There are a couple of issues with Generator 4. The gas pressure regulators have been bursting internally. They put in some gages to check pressures and didn't find anything. They think one of the regulators is malfunctioning and not reducing the pressure. They are hoping to get that one going by the end of the week.

- Devin's last day was last Thursday so we are down to Eric and Dan and Thomas. We had interviews today. We had one application that was a journeyman/lineman and one application of someone who is in his third year of apprenticeship. We have 10 interviews for the groundman position. He said they are hoping to make some decisions in the next day or two.

Chief Parker:

- We held an open house at the Ivins Center Street Station with the ribbon cutting at 1 p.m. It was a good event.

- We are going to have our engine as a medic engine. We are one of the first in the

County to do that.

- The Staff are in their new positions, and we will have badge pinning on August 24 at the City Council Meeting.
- Ben Shakespeare thanked Chief Parker and Chief Flowers for their presentations at the Work Meeting. He said we appreciated their time and effort.

Cody Mitchell:

- The Building Department is doing well. We had 12 permits through July. On the commercial end we are still seeing some advancements there. The Giovango 2nd pad, they are getting close to getting their permit. Building A in Harmon's parking lot is getting ready to wrap up so we will see some applications soon.
- He talked about a few issues with the City Hall building. We will be putting a little bit of money into it. We are also looking at doing some remodeling projects here.
- Leina Mathis asked about accessory dwelling units.
- Cody Mitchell said we are getting ADU's and IDU's.

Jim McNulty:

- The moderate-income housing report is now due Oct. 1 of each year. They have given us the new guidelines. We are compliant but there are some things he will be going through thinking about that.
- We have a Planning Commission meeting tomorrow night. We have plat amendment for Lots 1&2 for the Santa Clara Heights subdivision. We also have 3 discussion items: the proposed Chapter 17.63 and Chapter 17.74 and Chapter 17.76. He can bring them back for public hearings two weeks later and bring them to Council next month.

Brock Jacobsen:

- He got notice that the application window for the new judge was extended until Monday. They didn't get enough applications. They like to get about nine. After that this goes to a committee, and they select three and the committee makes a recommendation to Council for the new judge.
- Our annual audit is going to be the first week of September. The auditors will be here doing that.
- We are going to do some upgrades to the Council Chambers to help with our streaming capabilities. He said that he and Chris Shelley and Selena Nez met with GenCom who handle the streaming capabilities for a lot of large cities. This could make it a lot more efficient for us in streaming our meetings and we will have some cost savings as we move away from some of our software. He also talked about installing a system in the east wing of the offices.

Matt Ence:

- During the public comment tonight there was something mentioned about that there was something that was provided to the City Council in writing about the issues. He said he hasn't seen that and asked if anyone would be willing to share it with him.

Chief Flowers:

- We had an incident today where we had to block off Crest View Drive. We were assisting with a felony warrant with ICE and they thought they had a barricaded suspect. He ended up getting away. We were there about an hour holding the place down. We were mainly traffic control on that one. He said he was a little frustrated that we didn't

get advanced warning.

- He has had a lot of calls from parents about school safety. He said that we spent the summer and went through every school that we are responsible for. We have also met with all the principals. We will have a strong presence over the next few days as school starts. Parents can feel good about that.
- He said we have had really good compliance in the South Hills.
- Ben Shakespeare asked about car burglaries.
- Chief Flowers said a lot of people are leaving their keys in their cars.

6. Executive Session: None.

7. Adjournment:

Motion to adjourn by Ben Shakespeare.

Seconded by Leina Mathis with all members present voting aye.

Meeting Adjourned at 7:20 p.m.

Chris Shelley – City Recorder

Date Approved: _____