

**SANTA CLARA CITY COUNCIL WORK MEETING
WEDNESDAY, APRIL 7, 2021
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Work Meeting on Wednesday, April 7, 2021 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 available to view live stream on the YouTube link: <http://www.youtube.com/channel/UCxLBLm30-XLqM1AEmhpcMA>.** Council Chambers will be available to residents, but we will have limited availability and follow Covid-19 guidelines.

Present: Mayor Rick Rosenberg
Council Members: Jarett Waite, Wendell Gubler, Ben Shakespeare, Denny Drake and Leina Mathis
City Manager: Brock Jacobsen
City Recorder: Chris Shelley

Others Present: Dustin Mouritsen, Public Works Director; Corey Bundy, Building Official; Gary Hall, Power Director; Kristelle Hill, Admin. Assistant; Bob Nicholson, City Planner; Randy Hancey, Fire Chief; Matt Ence, City Attorney

1. **Call to Order:** Mayor Rosenberg called the meeting to order at 5:01 p.m. He welcomed everyone who was at the meeting and particularly the Staff.

2. **Working Agenda:**

A. General Business:

1. Retaining wall discussion. Presented by Dustin Mouritsen, Public Works Director.

- Mayor Rosenberg said this is something that Council has talked about a couple of times in the past.

- Dustin Mouritsen said he has been asked to require developers to install retaining walls in any new development at the time of construction whenever a difference in grade exists between two lots. The walls need to be completed upon final approval, designed by a licensed engineer and inspected by a geotechnical firm providing a letter of approval. He stated that in order to do this it needs to be added to our Construction Standards and slightly modified in our Ordinance. The benefit is that the wall will be constructed at the same time the land is being developed and the lot will be ready to be built on. When the walls are constructed after, there is always a huge mess made when equipment is brought in and most times damage to curb, gutter and sidewalk.

Oftentimes there are arguments amongst property owners about property lines. He said

there will also be the benefit no inspections by the City and relieving the City from any liability. He stated that the residents complain about the mess that is created when walls are built after the development is in place. He said the proposal of the addition to Construction Standards is on Page 2: “When a difference in grade exists between adjoining properties a retaining wall shall be constructed subject to the specification of ordinance 17.28-Walls, fences and hedges and the ordinance 17.80 HP Hillside Protection Overlay Zone. Retaining walls shall be located entirely within the limits of the uphill property. Retaining walls separating properties shall be constructed and accepted prior to recording Final Plat or upon posting a bond for the retaining wall with the city. The City shall require developer to install retaining walls at any grade change between lot lines. Retaining walls shall be designed by a licensed engineer in the State of Utah and inspected by a Geotechnical Firm. A letter of final inspection must be submitted to the City upon final approval.” He said that the Ordinance included, the 17.80.40, it will get more into detail of what we are going to require. It says, “The purpose and the intent of establishing development standards for retaining walls is to insure that retaining walls are structurally sound and are not visually intrusive. The location of retaining walls, privacy walls and fences along with their proposed heights, materials and colors, shall be shown on the grading plan and concept plan. All retaining walls, privacy walls and fences shall be located within the maximum limits of disturbances for each lot or parcel.” He said at that time during construction when construction drawings come in for us to redline that is when we can look at what height the wall would need done, what material they are going to be using, if we want decorative and all those options. He said the last thing would be in the other ordinance, Ordinance 17.28.032, Retaining Walls; the change is: “Difference in grade will need to be changed to say a retaining wall SHALL be constructed instead of MAY be constructed”.

- Mayor Rosenberg said we have talked about requiring this when the grade separation on the lots was 3 ft or greater. He asked if that was still what we want or do we want it on any grade separation like it is written.

- Dustin Mouritsen said we see a lot of them go in under 3 ft. He said a 12 in. retaining wall can be done with diamond block if need be. He said that is definitely something we can toss around. He stated that he likes the option of being able to say that we need them because we may have developers wanted to bend one way or the other.

- Ben Shakespeare said the question he has is on the engineering. Right now we require engineering on greater than 4 ft. Is there going to be something that states that?

- Dustin Mouritsen said that in the ordinance it does. It already states that. He said it gets into greater detail on the Ordinance 17.80.40.

- Denny Drake said we are getting some bigger lots, larger lengths. Is that maximum length going to be a problem, the 200 ft. maximum length on some of these lots that are 2 acres and 3 acres, as far as the length of the retention wall?

- Dustin Mouritsen said it could be and we could change that also.

- Denny Drake said he would think whatever is necessary is what we need to have and where we are creating some bigger lots there may be a time when that 200 ft. length should be extended.

- Dustin Mouritsen said we could just take out the 200 ft.

- Denny Drake said he would think that whatever is adequate.

- Ben Shakespeare said he likes the idea of retaining with the developer. It will be

- consistent. It will be expensive but that expense will be paid by the consumer.
- Denny Drake said this helps to eliminate a lot of the issues of who this falls on.
 - Dustin Mouritsen said all those calls went to the City and the mess that is created is a problem.
 - Mayor Rosenberg said so we are going to require walls on any grade separation so we are basically going to have a side yard retaining wall on every lot that is built.
 - Dustin Mouritsen said he thinks that we need to be able to during the overlook of construction drawings when they first come in determining that then.
 - Mayor Rosenberg said the minimum street grade is .5% so that is going to result in at least a half a foot separation on every lot so the way it is written right now that would require a 6 in. retaining wall on every lot be built at the time of development but the landscaping and the other stuff isn't done yet.
 - Matt Ence, City Attorney, said that the way the ordinance reads right now it actually excludes rock walls that are less than 4 ft. in height from the definition of retaining wall. The way it is currently written if we say "retaining wall shall be constructed" instead of "may be constructed" that will only apply to rock retaining walls over 4 ft.
 - Mayor Rosenberg said but we are talking about any retaining wall. It is not just rock.
 - Matt Ence said that is what he is saying so if we want it to apply to any retaining wall of any type we would have to modify that.
 - Mayor Rosenberg said that is what this is suggesting, any retaining wall, not just rock.
 - Dustin Mouritsen said any retaining wall: concrete, diamond block or several materials that can be used. That is why the material needs to be approved by the City during the construction-drawing phase.
 - Mayor Rosenberg said he is just wondering if we want to have "any wall 2 ft. or greater".
 - Ben Shakespeare said he agrees. On some of these a person could create a slope that would handle it.
 - Mayor Rosenberg said when the lot is designed, at the time the subdivision is developed the grade change can be eliminated at the property line where they don't need a wall. When they do a subdivision they have to establish a pad elevation on every lot and that is what we are going to be looking at to determine if a retaining wall is necessary.
 - Dustin Mouritsen said there may be some cases where they can do that but we have the option to sign off on that at the time and say there is no retaining wall required because it is not enough of a slope. He said that if we put a footage in there we are still going to have a problem.
 - Mayor Rosenberg said he would feel good with up to 2 ft. and anything 4 ft. or greater has to be designed and inspected. He said he doesn't know if we have to inspect a 12 in. wall. That is just adding expense on. The engineers would do it. Those are easy ones to do but we are going to have to pay for somebody to observe it and do the design and observe so we would add cost on the homeowner for something that is not mandated by the building code. The building code is 4 ft. and above. A lot of those diamond block types of wall that you see in the smaller applications don't require engineering until 3 or 4 ft. as well. They can just be installed by the homeowner. He said he agrees that we want to get all the walls built so we aren't leaving the question going forward. He agrees that the wall needs to be completely

located on the uphill lot. He said he thinks we ought to have a minimum wall height where it doesn't have to be shown and leave a little bit of flexibility for the developer and the builder to do some site grading. They still have to grade it so there is no separation of the lot line.

- Ben Shakespeare said that would be his other concern. If we force the developer under 2 ft. and they build it to a 2 ft. retaining wall, they can get that built to a 6 ft. privacy wall with a little bit of 2 ft. retaining underneath at the same time. He said he would rather see that "under 2 ft." pushed to where they could have that option in building privacy walls. We are not going to mitigate all disputes among neighbors.

- Mayor Rosenberg said he thinks we can show it on construction plans. It can show that that grade needs to come together at the property line and then we can double check that and if they decide they want to build one in the future they can come in and do it under the wall permit. It still wouldn't require engineering if it was under 2 ft.

- Denny Drake asked about the height standard. Why do we want to put a limitation on it at 9 ft? What if the slope is greater than that then the retention wall would have to be 10 or 12 ft? He said it seems we are putting limitation on ourselves and letting the limitation carry over the engineering.

- Leina Mathis said our code actually says if it is over 9 ft. it can be submitted to Planning Commission and they can review for an approval.

- Denny Drake said but that is from which level.

- Corey Bundy, Building Official, said that currently the ordinance says that we measure the 9 ft. from the lower side. Also if someone is going to raise that lower side above 9 ft. then they have to get permission from the property owner to do so.

- Denny Drake asked if there are any slopes that we are requiring more than 9 ft.

- Corey Bundy said our Hillside Ordinance restricts development of walls to 6 ft. They want them tiered under Ordinance 17.80 when they do retaining walls. If they would have done those retaining walls at the height they wanted they would have been 20 ft. walls. Our Hillside Ordinance wants them broken up so we don't have these massive walls.

- Mayor Rosenberg said those were approved by Planning Commission and Council as part of the development plan. He said typically if you get much over 8 ft. they make you step it back so that it is considered multiple walls and not one wall. That is for aesthetics and for stability both. The separation is put in between.

- Ben Shakespeare said that by setting the maximum the last thing you'd want is a homeowner on a lower lot and their neighbor wants to retain 20 ft. and if there isn't a limit we allow that. This way they have to come in and get it approved. He said he thinks it is important to have a maximum that goes through the process of that.

- Mayor Rosenberg said it forces them to get approved.

- Denny Drake said so we are going to have the 9 ft. height but if it is retaining more than that do we have it in our ordinance to step back and go higher, to tier it.

- Mayor Rosenberg said there is a minimum separation of 6 ft. required between the sub-walls.

- Matt Ence said the maximum for the retaining wall is 6 ft.

- Leina Mathis asked a question about the inspection. She said she understands the change in the verbiage for the design standards but the 17.28 ordinance does not require any inspections so are we also going to add that as part of that ordinance?

- Dustin Mouritsen said there is nothing in the Construction Design Standards right

now at all.

- Leina Mathis said the inspection requirement is not in the ordinance currently.
- Dustin Mouritsen said we can add it.
- Corey Bundy asked Leina if she was talking about the 17.28.030 Retaining Wall Difference In Grade.
- Leina Mathis said she was and there is no inspection required in the ordinance.
- Brock Jacobsen, City Manager, said that we are talking about on the inspection side of not inspected by the City but pushing those to being inspected by the engineer for the geotech. They would do their inspection, not the City.
- Mayor Rosenberg said on that he suggested changing the geotech firm to just a licensed engineer. He said that you don't get the professional stamp with the firm. You may or may not have a professional stamp. You want the licensed engineer to be doing the stamp and preferably the one that designed it. The biggest thing is getting that compliance letter in the final inspection. There is a compliance letter that states that the construction met the design. That it was constructed as it was designed and everything that was in the design was built in accordance with that design.
- Corey Bundy said stepping back to Leina's question, if it is in the ordinance here, if it is a fence we require a permit for it so the Building Code would require the permit holder to get an inspection and the same thing with a retaining wall. It would be required to get a building permit.
- Leina Mathis said her question is under the ordinance if a homeowner is coming in because they are modifying an existing wall are we going to require an inspection and if so is it the same inspection that is going to be done by the third party.
- Corey Bundy said no, that would be done by the Building Department.
- Mayor Rosenberg said if it was a retaining wall 4 ft. or higher it would have to be engineered and a compliance inspection completed regardless if it was a subdivision or later.
- Corey Bundy said if it was in a subdivision of course we are going to go with a third party.
- Mayor Rosenberg said an engineer who designs a wall; you want to have him certify the compliance. He said to have the engineer do the compliance even on one you are doing even under the building code so that the Building Department doesn't have to go out and make those calls. He said this should be done on 4 ft. or higher.
- Corey Bundy said that will take pressure off of us. It will be a change. We will have to send out a memo so people know there is going to be a change.
- Mayor Rosenberg said that is complying with the Building Code and it will be complying with the ordinance that we put in place. If someone wants to build a retaining wall 4 ft. or higher they have to get it engineered, that didn't change, so we are just going to say to have the engineer sign the compliance letter. He said if the geogrid isn't inspected then the wall wasn't inspected.
- Corey Bundy said that for the geogrid we require the soil people to submit a report. He said they inspect the footing and retaining walls and make sure it meets the engineering but we require a report.
- Mayor Rosenberg said the geogrid is a wall. When you put the geogrid in whatever is out in the front is decorative. The geogrid is tied in to any reinforced earth.
- Ben Shakespeare said that if it is a concrete wall with rebar and footings the cities are inspecting that based on the engineering document.

- Mayor Rosenberg said that we may need to clarify it so it is written that way. He said he can see the building inspector going out and measuring the footing width and the steel placement and verifying all that with the detail that is presented but he said he doesn't know that the Building Department is qualified to do reinforced slope.
- Corey Bundy said we don't do that. We require a soil compliance.
- Mayor Rosenberg said we may want to specify that.
- Corey Bundy asked if there needs to be something written in the ordinance saying that the Building Official will do the rebar.
- Mayor Rosenberg said that this section in 17.28.032 is any wall. It needs to be spelled out there.
- Leina Mathis agreed. She said if she is a homeowner and wants to make a modification to her wall that is where she is going to go so it needs to be identified there.
- Corey Bundy said they will write something up in that section that says they will be inspected and we will spell out the way we are doing it. A compliance report for rock retaining walls is due at time of CO.
- Mayor Rosenberg said he would even require it before CO, within 10 days of completion of the wall. If we wait until CO and they didn't do it then the rest of the house will be built and landscaped and no inspection.
- Corey Bundy said we have been pretty proactive when we see someone building a wall and tell them that they need a compliance report.
- Mayor Rosenberg said he wants to avoid the condition where it gets built and they never called the geotech to come and look at it and they finish the house, the geotech won't sign off on it and they appeal to the Council to let them get their CO because they built it and at that point in time Council is probably going to give it to them. He said to get it quick. He said that during the development they can take it clear to the recording of the plat but on a single house we need to get it fast.
- Dustin Mouritsen asked if we all agreed to change it to 2 ft. and higher to the Construction Standards.
- Mayor Rosenberg said the 2 ft. gives some flexibility to do some grading on site. He said that first section applies to new development. He told Dustin to make sure the ordinance is clear that way.

2. Internet discussion. Presented by Jarett Waite.

- Jarett Waite said he wanted to review for Council the meeting that was last week and keep Council up to date with fiber for homes and the process we are going through with that. This was a Zoom meeting and there was quite a few Utopia Staff on the line. St. George City, Washington City and Ivins City had team members online. He said he represented Santa Clara City. He said this is officially called the Southern Utah Fiber for the Home Task Force and he invited Council to attend future meetings. He said there is a link to the meeting if Council wants to watch it. The Utopia Director, Roger, gave a lengthy presentation. Some of the things he talked about were: All projects since 2010 under their new format have been into the positive and no cities had to pay into the bond at all up to this point. The Utah Infrastructure Agency is who issues the bonds and does all the fiber installation. The cities have to have some sort of revenue that they can pledge for that bonding. We wouldn't take out a bond it would just be

whatever revenue that we pledge would affect future borrowing.

- Mayor Rosenberg asked if Utah Infrastructure Agency is a State agency.

- Jarett Waite said it is. It is a governmental agency. They do all the installation, have all the employees and all the equipment and they go out for bids and do RFP's. Roger stated that we could use sales tax revenues as the backing for the bond but it gets pretty complicated so almost all the cities have just pledged their energy franchise revenue. That has been enough and that is pretty uncomplicated since that is an enterprise fund. The actual bond would be 27 years. The first 2 years are capitalized interest. If there ever were a shortfall the bond payment would be covered by subscribers. We would have to pay that but then it is recorded as an interest bearing loan and worst case scenario we would get it back when the bond was retired but most likely we would get it back as more subscribers come on over time. We don't actually lose money as a City. He said this is a really good setup. He showed two charts to Council. He said that with the current interest rates it would be down to 38.5% take rate. He said a 70% positive survey result almost always results in about a 40% actual take rate, people actually sign up. Our survey was 78%. We need 38.5% actual sign ups to never have to pay into it. Once the bond retires they are expecting their ongoing O&M for Utopia to be about \$8.00 a month so everyone's Internet price would drop by about \$22.00 once that bond is retired. One way to retire that bond quicker and get the Internet price even lower is by using American Rescue Plan funds to prepay some of that bond. He said in Santa Clara we did take that take rate down by .5% for every \$100,000 we put into it. We would not be involved at all in any of the billing or the reserve or the bond we just have to basically sign a partnership with UIA and they will handle all the billing and all the customer issues and installs. He said we will probably get some push back from some of our Internet providers in the City. They have basically had a monopoly in our City up to this point. St. George just finished their franchise agreements with TDS and he said he thinks Troy is going to work pretty hard to work with those Internet service providers to help them understand how this all works. He said he will also sit down with his friends at Infowest and TDS and explain to them how this really works. He talked about if we should be putting conduit in the ground right now. Conduit is pretty expensive right now. Roger said to let them know if something big is going in and they will go do it. They are pretty confident that cities are going to join in this and so they will put the conduit in now. He said he thought about Solace (development) and Heritage Point and some others that are coming that we might want to give Utopia a call and let them know. He said that Monty Therber from St. George City said that this will actually save money for city departments such as Internet service for police cars. He said the one sticking point is how the governance of Utopia works. Right now Utopia is controlled by the original cities that set it up. They have a Board. St. George is going to be the 5th largest city in Utah soon and for Santa Clara and Ivins to have a seat at the table is kind of concerning for such a big part of Southern Utah Internet service. Roger said they would work through that and have a subcommittee or some sort of voting process. Roger said those original cities spent millions of dollars from their own budgets to get this done and we would piggyback on. They have already built the network and have all the staff and all the equipment and now we get to jump in. Roger recognized that is an issue and we will have to work it out. He gave the Council an update as to what is next. We would sign an agreement with UIA to install fiber in our City. They said they can get the bond

done and boots on the ground within 6 weeks of City Council passing the agreement. The Task Force will meet again to see if we should do another survey because our survey is 2 years old. Roger said there could be some value in that because we might recognize some areas that don't want fiber and they could be excluded from the project. He said the consensus is pretty strong that the support is going to be there either way so we may not even survey again. There is an urgency right now because interest rates are low but are expected to raise. There are going to be material and labor shortages because there is a pent up demand in projects for fiber and there is a broadband bill that is going to take a lot of resources. We need to do this in the near future and that will really help to keep the costs under control. He said the numbers and charts are preliminary based off of the numbers they had taken when they started looking into this a couple of years ago. They are going to update all of that and then send us a draft agreement to look over and then we can go from there. He said he was really excited with what he heard at the meeting. He had about 10 questions and most of them got answered.

- Denny Drake asked what we are looking at as far as a bond. How much are they wanting us to bond for them?

- Jarett Waite said that number will be in that draft agreement.

- Denny Drake said that with a revenue bond we are talking about a significant affect on the bonding ability that Santa Clara City would have to do anything else other than this. He said it is very significant to know how much they are thinking.

- Jarett Waite said he talked to Jack (Taylor) and Brock (Jacobsen) about if we have enough Energy Franchise Revenue to cover and they both wanted to know how much but Jarett said he doesn't have the answer so we will have to get that from Utopia. He said in the next meeting he will ask to make sure we get those numbers.

- Denny Drake asked Matt Ence if Utopia is the only company or do we get to bid it out to other companies. Are we doing it for one company and are other companies may have a problem if they want the same thing done.

- Matt Ence said he doesn't know the answer other than that this is a pattern that has been followed in other cities.

- Denny Drake asked if we are giving them the franchise.

- Matt Ence said we would be giving them franchise and then using the taxpayer and City finances to finance it or at least to provide backing to the bond.

- Denny Drake asked if the reason they are asking us to bond is because they can't.

- Jarett Waite said we are not bonding at all. We are just backing that.

- Denny Drake said but we are guaranteeing the bond. Is that because they can't get it on their own?

- Jarett Waite said he doesn't know. Roger said there was plenty of money to go around that is why they would come and do it now. They just secured a whole bunch more funding.

- Matt Ence asked what the cost is to the end user who wants to utilize it once it is done.

- Jarett Waite said it is billed in two separate parts. It is \$30 a month to cover the bond and whatever Internet provider the user wants to use and whatever they charge. That ranges from \$35 more dollars up to \$75 more depending on how fast the Internet the user wants to get. The major advantages are you are not sharing the Internet with your neighbors. You get what you pay for all the time. He said the net promoter score that

was done in the survey, we were a negative 45 for if you would recommend your Internet service provider to your neighbor. The ISP reviews in Southern Utah are all terrible. There is a lot of disdain for the current setup. This shakes it up. All the Internet providers could use this line and still compete with everyone else.

- Matt Ence said that sounds like the answer to Denny's question. Any Internet service provider can come in and sell their service across it.

- Denny Drake said we do have conduit in the road that anybody could run fiber right now if they came in and wanted to. He said he is wondering why we as a City would want to be a guarantor on a bond for a company coming in.

- Jarett Waite said that would be a great question to ask Utopia. He said he is sure we would get a presentation in person once this gets a little further down the road. He said he and Brock talked about why have this and why hasn't anyone done this. This would simplify it for a lot of people so they can get really reliable good service. With the pandemic there are a lot of people working at home and remote learning and so many things that this would help. Roger shared a slide of how property values go up 3.1% when there is fiber attached to the property.

- Denny Drake said he has TDS service to his house. Would he still be paying TDS and also paying Utopia?

- Jarett Waite said that TDS can do whatever they like. They can still offer their current service or they can join and be a part of this as well. It would be totally up to those companies. He said that Utopia is just the wires in the ground, just the fiber. There would be an Internet service provider using those wires. There is enough Internet capacity at Tonaquint Data Center to provide Internet to the whole State. That is what we will be tapping into to spread to Southern Utah so there is plenty of capacity. They are talking about partnering with the Department of Transportation to have fiber go all the way down I-15. This is a great way for cities to use all that infrastructure that already exists, all the staff, equipment and everything.

- Mayor Rosenberg asked when the next meeting is.

- Jarett Waite said it is fairly soon. There is some urgency to it. He will make sure Brock is involved with it. He will have Brock send out the information when he knows. He said this will be handled city by city.

- Mayor Rosenberg asked Gary Hall where he was with power installation on Heritage Point.

- Gary Hall, Power Director, said he believes all the power is in and he thinks they might be done putting in TV and cable conduit.

- Mayor Rosenberg asked if that was provided by the cable TV providers, the conduit.

- Gary Hall said that usually STS works with TDS for the cable and then Fugals does the phone.

- Mayor Rosenberg said then those would already be owned by one of the franchises so they wouldn't be available for the Utopia stuff.

- Jarett Waite said that would be separate.

- Mayor Rosenberg said the next one to do would probably be Solace. Utopia would bring down the extra conduit so that would be one more conduit to go in for the fiber. We need to keep that in mind when we get subdivisions close.

- Jarett Waite said there is a video available that has more detail with a lot more charts and showing what other cities are doing. They would actually do St. George in two bonds over time. We would just do one and so would Ivins.

- Gary Halls said we did put some conduit in years before and some of that conduit is in for fiber. He doesn't know how far it went. It would have to be cleaned out.
- Mayor Rosenberg suggested for Gary to see what he can find out about that. That would influence the cost if we have existing fiber lines in the ground. We need to be able to tell them that up front. He said to have Kristelle start a new layer on the GIS for fiber.

3. Discussion regarding Plaque for Mural painted by Daniel Growler on Santa Clara Drive. Presented by Corey Bundy, Building Official.

- Corey Bundy said that this is brought to Council at their request to get a plaque down by the mural on Santa Clara Drive. He showed a picture of the placement of the plaque to Council. He showed the west end of the mural where Daniel Growler signed his name and that is the area that is proposed to be the placement of the plaque. When Daniel finished this we asked him for a description of what was on the mural. There are 13 circles on the mural and each one of these numbers on the plaque tells what the circles are about. There is a minor typo on line 3. It should say "and" instead of "an". This description is Daniel's description of what the circles detail: "1. The symbol of the Shivwits Band of Paiutes. 2. The Circle of the mother earth and bright color that we see every day. 3. The mother earth with the two sisters and the small white whales an the white circles of angels. 4. The circle of mother earth and the father with the long blue cape with the three worlds. 5. The earth men with the gate wheel, with the cave man writings and the alien writings. 6. The black and white earth men and the colors for day and night. 7. The mother earth, earth with the star gate wheel. 8. The circle of mother earth with the star gate wheel. 9. The circle of mother earth with the alien star ship. 10. The simple colors of the earth with the mother and small baby. 11. The black circle showing the back-eagle feathers and the three worlds that he doesn't know about yet. 12. The yellow circle is the sun god, men with the three worlds that we all live in. 13. The moon lady and her three-sister fox, each sister go on to another world to shine on." He said it is proposed, if Council wants, to put this description on the plaque and on the back we will put Daniel Growler's information on who he is: "Native American Artist, Daniel Growler, member of the Cedar City Band of the Paiute Tribe designed, and the completed, this mural August 5, 2020. These symbols were created to depict the deep spiritual beliefs of the Native peoples from the past, present, and future on our mother, Earth." There is a typo on there also. It should say "then" instead of "the" on the third paragraph. He said he talked to Brad (Hays) about it being a brass plaque, maybe 16 in. by 16 in. We would also include a picture of Daniel. This mural description is Daniel's interpretation of his artistic work. We can reach out to the Paiute band to see if they are okay with this description. He said he is looking for Council's direction on what they want.
- Mayor Rosenberg said he likes it but just make sure we get sign off from the family as well as the tribe.
- Corey Bundy said he will reach out to his daughter and get a picture from her for the mural as well.
- Mayor Rosenberg said to make sure a picture is okay. Some of the tribes have different feelings about photographs. We need to make sure we clear everything with the tribe and the family.

- Corey Bundy said it will cost about \$200 to put a better clear coat on the mural. We are going to leave it for now. The plaque would be about \$2,500.
- Mayor Rosenberg asked if Council was okay with that and they all agreed that they were. He asked what fund this would come out of.
- Brock Jacobsen said it would come out of the General Fund. He said the bid for the silicone is about \$450. That amount wouldn't need to be brought back for action from the Council but the \$2,500 would need to be.
- Leina Mathis said to make sure the typos are corrected.

4. Review and discuss the proposed Tentative Budget. Presented by Brock Jacobsen, City Manager / Debbie Bannon, Finance.

- Brock Jacobsen said the tentative budget for FY2022 should be in the Council's packet. What we are proposing for the FY2022 budget will be a budget of \$7,735,905. That is a small increase from the current year's budget. The current year's budget was just over \$6 million. Revenues are currently projected to be significantly higher than what we had projected as we were very conservative not knowing what was going to happen with the fiscal year with COVID and what the pandemic would bring but it has definitely been much better than we anticipated. At the end of FY 2020 we had a total fund balance of just over \$3 million. The unrestricted fund balance was \$1.9 million. He said with where we are projecting to finish this year we are looking to put a significant amount of money back into our fund balance. He said he ran a projection of where we would be with also putting roughly \$300,000 into our capital projects fund. It would leave us a pretty healthy fund balance but to balance this current year projected budget of \$7.7 million we would need to use roughly \$381,000 of our fund balance to do so. With that even putting money back into our fund balance after putting \$300,000 in the capital projects fund he is still projecting almost \$200,000 in the fund balance then using \$381,000 to balance we would still have an unrestricted fund balance percentage of roughly 22%. We would still have a very healthy unrestricted fund balance as things continue as projected revenue and expenditure-wise. He said that 22% leaves us in a pretty good position.
- Mayor Rosenberg said that still has some very conservative revenue projections for next year built into that.
- Brock Jacobsen said that our numbers that we are budgeting revenue-wise really are about where we are projecting to be this year. There is not a whole lot of growth into it. Our sales tax is projecting to be about \$1.45 million and we are staying at that number. We will see the growth next year when Ace Hardware comes on and other businesses. We are still trying to stay relatively conservative. He said as the census comes on and our population increases we are going to get a higher percentage of population and through all our services that we provide we are still trying to stay conservative on our numbers of where we will be on those services. He said he doesn't have a number back from the County on where property taxes will be. We budgeted a little less than we did this last fiscal year of what our increase was but we should see that same increase.
- Jarett Waite asked about the unrestricted fund balance of 22% does Brock want from the Council items on what that should be. If we want to pay down some bonds or there are some other things we want to spend the money on should we shoot for a 20-25

range. He asked Brock if he needs guidance on that.

- Brock Jacobsen said that guidance is great. We haven't really gotten to a hard policy on that. If there is guidance it probably needs to come as a formal policy where we want to be fund balance-wise. Do we want to be at 15 or 20 or stay above that? It wouldn't be a bad thing to have that guidance. We can work on a policy with Council's guidance.

- Denny Drake asked if the State has any limitations. He said he thought we had to maintain no more than 15%.

- Brock Jacobsen said it is 25% and there is push to get it to 35%. He is not sure that has been approved. It is not supposed to be less than 5% and not greater than 25%. He said we are at our projected this year at 31% which is \$2 million and that could be gone quickly so given the change to go to 35% would give us that extra cushion. He talked about the percentages for bond funding. He said he would like guidance from the Council on where they feel the City should be on the unrestricted fund balance and this could be a discussion at a Work Meeting on fiscal policy. He said we are looking to put \$300,000 into the capital projects fund in the current year's budget. That will leave us a good, healthy fund balance. This year's current budget is at \$1.3 million sales tax and we are budgeted at \$1.4 million. So for tax revenue we are going from a \$3 million budget to \$3.5 million. Licenses and permits we have already collected \$333,000 with \$318,000 of that is in building permits. He said we collected \$360,000 in B&C road funds and we are budgeting at \$375,000. B&C has some restrictions to it to what it can and can't be used for. It helps with some wages and then slurry and crack seal, signs and barricades, sidewalks, curb, gutter and things to do with the streets. We also have our street maintenance fund to help with maintenance as well. He stated the total of revenues is \$7.735 million but that doesn't take into account also any of the funds that we get from the last stimulus. As we get those we will decide how to expend those. He said one of the things we talked about at the budget retreat is some of the needs and wants and we said we are going to put the needs in the budget and make sure we have the needs in there and after we went through that Council said to try and put some of the wants in there as well. We got all the needs and the wants in there. The wants are all impact fee eligible so it doesn't affect our General Fund. Parks and Sports Field had improvements at the cemetery with curb and asphalt, finishing Lava Flow trail with Desert Village and Solace and completion of the Graff Park along Rhone Subdivision. That was the only thing in the General Fund. We talked about enlarging the City Yard but that is a large project that we didn't put in but it was there for discussion. The only other project we had in the wants was the Power Department had a line from Arrowhead to Vineyard. That is out of the Power Impact Fees. We put all the projects in there. The major projects for the General Fund that we will be doing this year; the biggest for equipment is replacement of Wild Land Engine 33. It is an old engine and is one that runs out across the Western United States on wildfires. It puts a lot of miles on and needs to be replaced. Also, our Wild Land Engine 34, the engine we keep locally to run, is struggling to run. Last week they got it back from the shop and they pulled it out of the bay and couldn't get it started again so a mechanic came over and got it started and Ty took it out and drove it for a couple of hours and when he brought it back to Rachel Drive Fire Station it stalled. This equipment runs about \$300,000. We also need to replace a chase truck for EMS/Fire for about \$60,000. We have money to purchase a new street sweeper. It is about

\$300,000 and half will be paid through Streets and the other part through Storm Water. We also have our annual slurry seal project. The other project we have is Canyon View parking lot update. We have that in next year's budget but it may happen this current fiscal year. They are getting relatively close to having the engineering done. We discussed it this last Thursday at TRC meeting. Brad had some changes to it. There are going to have to be some modifications to it in the park and at the fire pit. That project is about \$350,000. We also have \$160,000 coming from the County Rap Tax tourism funds to help pay for that. Those are the major projects. We have some smaller items: some truck replacements, some mowers and some other things we will be doing.

- Jarett Waite asked about the Wild Land Fire Trucks. Does Ivins share in those costs with us or is that all our fund?

- Brock Jacobsen said they would share in that cost at 55/45%. He said the other item that has come up for the General Fund, in speaking with Chief Hancey is our staffing level of our fire/EMS. Currently we have, with Chief Hancey and Assistant Chief Hansen we have 7 full-time firefighters and EMS. They are cut into 3 different shifts with 2 full-time on each shift. The two chiefs don't run on those shifts. They run on a different schedule so we are running three shifts with 5 people so we really need to have 6 so we are having to rely on part-time and sometimes volunteers to fill that shift. It creates some problems scheduling so one of the requests that have come from Chief Hancey is to approve another full-time firefighter/EMS position that would give them 6 to fill 2 full-time on each shift. They will still work to have part-timers again. When they go on calls when they respond there has to be a minimum of 2 firefighters on along with the chief officer so we are really looking at 3 people to run on a fire and if it takes the 2 full-times and the chief then we are stuck without anyone there on EMS so that is why we rely on our volunteers heavily. Currently that position is not in the budget that is before Council right now. If Council wants to okay that we would add that in to the budget. We have 2 full-time paramedics, Kara Tashick and Devin Hill. He said we would advertise this position to be paramedic so a full-time paramedic could run on every shift.

- Mayor Rosenberg asked how much would be added for the new position.

- Brock Jacobsen said it would be about \$80,000 for a new paramedic. It might be a little bit higher because they work 106 hours a pay period. Ivins pays 55% of this. It is an expense to the City. We still need to get with the County to see if they will participate in cost because we run service for them on Hwy 91 and into the State Parks.

- Mayor Rosenberg asked Chief Hancey if there was a problem with volunteers.

- Chief Hancey said yes. We have a hard time with part-time people because typically this is their second part-time job so it is hard to schedule part-time employees to fill slots that come open.

- Mayor Rosenberg asked Council if they want to put this item in the budget. Council all agreed. He asked if the Capital Project Fund be like a revolving thing. If we collect more revenue next year we can put more money into it and then with projects you can draw more money out of it.

- Brock Jacobsen said it is how we can keep our fund balance moving it down and putting it there and then we can fund our projects out of there instead of out of our annual revenue. In the 2022 budget we are not using any of that to fund these projects. We are going to set it there ahead.

- Mayor Rosenberg said it is sitting there if we need it then we could as part of the project. It can build. And there is no limit on that.
- Brock Jacobsen said that is correct.
- Jarett Waite asked if Council will see the list that is part of that capital facilities fund and what the actual projects that will be that that money is going towards.
- Brock Jacobsen said in 2023 in that budget year and whatever capital project we chose we can fund them with this from the capital projects fund. We could earmark money for a certain project. We are not required to do that but we could. Council could take action on that.
- Mayor Rosenberg asked if Parks has some money in there for the Chapel Street Orchard.
- Brock Jacobsen said he believes so. This budget will have it all in there. There will be some cost to outfit it like we would like to see it. Brad is well aware of that.
- Mayor Rosenberg asked if the money that we set aside as part of the right of way to move the building is in the revenue side. That money frees up for us.
- Brock Jacobsen said he thought we were paying the \$25,000 to the Church of Jesus Christ of Latter-day Saints.
- Matt Ence said that is basically paying for everything but the land. They have put the closing back.
- Jarett Waite asked where training goes under such as training for the Planning Commission.
- Brock Jacobsen said if Planning Commission does training it goes under the Building Department budget.
- Jarett Waite asked if we are planning any more of that since there is a requirement now.
- Brock Jacobsen said there is money in the training budget. The League won't be doing any training until the Fall. We will talk with the Trust and see if they do any training. We will see if there is any land use training. Some of their training can be done at home. He said we would like to push the Commission to go to the conference in the Fall in Salt Lake City. That conference provides a lot more land use options. That would be ideal to get them to that one. He said that Staff is appreciative of that needs list that Council approved. He went over the Enterprise Funds. The Water Fund has a couple of items from that needs list. We are replacing a 1999 Truck, adding a towable air compressor and our annual truck trade. The Water Fund right now is currently at \$2.292 million. Our main revenue source is metered water sales, which is budgeted at just over \$2 million. This current year's budget is just over \$2.03 million, which is slightly up. We are being fairly conservative this year with expenditures. Our expenditures are currently at \$1.8 million so we are looking at potentially \$4,000,000 being put back in the fund balance, which would be going for renewal and replacement and for depreciation of the Water Fund. Other than the 3 pieces of equipment everything else is the same. Dustin has turned on Well #7. Every year we do a replacement on one of the wells. We alternate between Wells #6 and #7 and hopefully they will continue to run well. He said that the Sewer Fund is at \$841,000 revenue and the expenditures are \$730,000. We are looking at \$110,000 back into the fund balance, which will help with renewal and replacement of the sewer infrastructure. Sewer fees are at \$759,000. That is up about \$60,000 over the current year's budget. He said in that budget there is a sewer truck that we recently purchased with Ivins City and they

pay about 59% of the annual lease payment on that and the insurance, storage and any maintenance done on that and the old truck. We share that with Ivins when we need to. This percentage is based off of sewer connections. We share in the cost of Fire and Police to and that is based off of a combination of connections and population. Ivins connections are out pacing ours so the sewer percentage could end up at 60/40% this year. The Police percentage might end up at 56/44% this year. There is no equipment or projects listed in the Sewer Fund.

- Mayor Rosenberg asked if the upsizing costs are built into the Sewer Fund for the Solace line. It is in that Phase 1.

- Brock Jacobsen said that is impact fee eligible. He said he will get that number from Dustin and note that in our capital projects what that number is and we will add that in. He said the Electric/Power current budget is \$5.416 million revenue and we will be using some fund balance to balance this budget. The residential power sales budget is \$3.6 million, which is \$140,000 more than current year's budget. Our commercial is up a little bit and will be up even more as the other commercial buildings under construction come on line. Power does have 4 pieces of equipment and projects in the budget. They have a metal building of a shop on the backside of the shop to house equipment on the outside. With the generators as we run out of space in the shop there is a building on the backside, which will be the east. It is going to be about \$60,000 to build that. We are also trading in two trucks. We have a \$200,000 upgrade at the Hassel Substation and the chipper they use for the trees needs to be replaced for about \$30,000. These projects and equipment total about \$400,000 for the Power Department. With Jack Taylor leaving we put out for linemen and we have hired Brock Hutchings. He is a 3rd year apprentice. He came from Payson City. He started yesterday. He takes his 3rd year test in the Fall. He is from Kanab. We also have Jeremy Taylor. The Storm Water Fund is \$596,000 in revenue with expenditures of \$475,000 so we are going to put \$125,000 into fund balance for renewal and replacement. They don't have any major projects. Some of that revenue that we do have in there as an expenditure is flood control. We collect it and send it on to the Flood Control Authority. That is about \$53,000 of that. He asked Council if there was any changes they would like to see.

- Denny Drake said as we looked at the Electric Fund the total fund is \$5,472,829 but total revenue is \$5,416,000. Are we budgeting about \$60,000?

- Brock Jacobsen said we will be using some fund balance to balance that budget due to those projects that are \$390,000.

- Mayor Rosenberg said we are doing a rate study too.

- Brock Jacobsen said we are currently in a rate study.

- Mayor Rosenberg said the study may recommend a change.

- Brock Jacobsen said that currently in the power we have a rate study as well as doing a capital facilities impact fee study. Our last rate increase was 2018 so we thought it was time to take a look at that. They will come back and do a presentation to Council sometime in June or July. We wouldn't recommend any change to the rate until November. We haven't done a rate increase on the water except what the Water District increase has been since 2012. We have had some discussion about looking at the water rate as well.

- Jarett Waite said on the Electric didn't we pass an ordinance where it goes up by 3%.

- Brock Jacobsen said not that he knows of. He said we have talked about wanting to

have an annual increase of something like 1% a year to try and keep with inflation but he doesn't think anything formal has come to Council. He said that looking to the future of Santa Clara our growth is going to be gone and instead of doing projects of growth related we are going to be doing projects of replacing infrastructure and that is where we are going to have to have enough in our fund balance in those utility funds and the General fund to be able to do those. We are going to have to have a mind shift on how we look at things. We need to be able to build that fund balance. Our General fund has come a long way. We have to continue to work to build that fund balance and that is being fiscally responsible and making sure we are watching our expenditures and we are doing what we need to and not getting out of hand. We need to make sure the rates are covering our expenses plus putting money away for that time because that time is going to come.

5. Discussion regarding H.B. 82, Single Family Housing Modifications.

- Brock Jacobsen said that Matt Ence is going to lead this discussion on HB 82, the accessory and internal dwelling units, that was signed.

- Matt Ence said that this bill that was recently signed by the Governor, HB 82, Single Family Housing Modifications. He said the motivation for this was concern about lack of affordable housing. What the bill does is it requires all cities to modify their residential zoning ordinances to allow rental units inside primary residential dwellings. We are mandated to bring our ordinances in to compliance with this new bill by no later than October 1. It defines the rental unit as an internal ADU or an internal additional dwelling unit. The definition it gives for that is that it is a unit that is within the footprint of a primary dwelling. We are not talking about casitas that are separate. We are talking about things like basement apartments and remodels to create a separate unit inside an existing home. The mandate is that you have to allow these in all your residential zones in the City with the exception that you can prohibit in up to 25% of your residential area zoned. That is simply acreage. Look at what your residential zones cover in the City and whatever that acreage is you can still prohibit these in up to 25% of those residential areas. There is a little bit different requirement for college and university towns. That wouldn't include us.

- Denny Drake asked if that was raw acreage. Do we count the 2,500 acres that the BLM has?

- Matt Ence said it doesn't define it but he said he would say yes. If that is zoned residential it simply says by area. It would have to be zoned residential.

- Mayor Rosenberg said there is no PD approved out there in the South Hills. There is no entitled residential zoning out there.

- Matt Ence said the bill also provides that there is only certain restrictions that the City can put on these interior rental units. He listed what those requirements are that could be imposed (we don't have to impose these requirements but it allows us to if we want to: the City can require the owner who is renting the unit to have a business license, they can also require that an additional onsite parking spot be provided by the property owner and if a garage space is converted to serve as one of these units we can require that the property owner provide replacement parking spaces for the parking that is lost. We can prohibit the installation of a separate utility meter so that if we just want them to have a single meter to pay utilities we can require that. The situations where we can

decline to approve one of these includes in a mobile home, if there is an older dwelling with a septic tank that doesn't have the appropriate capacity or has failing capacity. They are also not required to be approved on lots of 6,000 sq ft or less. This doesn't apply to townhomes at all. This is purely detached residences. We are not allowed to regulate things like the size of the unit, the size of the lot or the frontage that is required. If it is a remodel it has to comply with all the applicable codes. These are only for longer-term rentals. We are not required to approve them for short-term rentals of under 30 days. This is not for vacation rentals. The bill actually authorizes the cities specifically to monitor short-term rental websites to insure that these units aren't advertised as short-term rentals. The other thing the bill does for enforcement other than the enforcement powers the cities will already have generally, we are also authorized to impose a lien against the property. That if the property is not in compliance with an applicable requirement then we can levy a daily fine of up to \$1,000 a day. That is pretty hefty and would add up pretty quick. He said for the most part it is a matter of going into our ordinance and making the changes. He said we would want to have most of these requirements apply. Whatever the bill authorizes us to use for requirements and enforcement we would want to use or at least have it at our disposal. He said that is what we will do in drafting the changes to the ordinances unless Council tells him otherwise.

- Mayor Rosenberg asked if there were any requirements on an ADU having separate kitchens or bathrooms.

- Matt Ence said the definition doesn't expressly say that but he would say that is implied in the bill because that is a separate living unit. It would have to have a separate entrance. It actually utilizes the definition in another section of the code for these types of units and it may talk about that elsewhere in the code but just the fact that this is supposed to be designed as a separate unit other than the utility meter requirement that is kind of an exception but other than that it is to be treated as a separate residential unit.

- Wendell Gubler asked if we already have some of this like in a mother-in-law apartment.

- Matt Ence said we do have in some of our zoning that would be allowed but this is much broader than what we have provided for in the past.

- Denny Drake asked if they give any definition of long-term.

- Matt Ence said it is 30 days or more.

- Mayor Rosenberg said we can't use the websites to enforce the short-term but we can use it to monitor the long-term or that the long-term aren't being used as a short-term.

- Matt Ence we can go on to those sites and if we see a unit like this that is being rented short-term then we can go and essentially cite them and potentially levy this daily fine. The bill does also require a hearing that would have to be scheduled if we are going to take that kind of action. That is the other part of this is there is a required due process that has to happen before those penalties apply. He said he needs to take a closer look at that. He is not sure if that would need to be at Planning Commission or if we could do that at just an administrative Staff level. The administrative action would be the preference. To have a member of Staff be empowered to hear those. Our zoning enforcement official would be the one out investigating and so we would probably want to have a Department Head be the hearing official. We will work through those details.

- Leina Mathis asked if we are going to utilize the option of the 25% and if so how do we determine it. She said she knows when the legislation was discussed Representative Ward made several comments about being able to utilize a room in a home so she is not sure it requires there to be kitchen facilities and extra bathroom facilities.
- Matt Ence said he can check on that. The version of the bill that was signed was like the 5th substitute. It went through a lot of revisions.
- Leina Mathis said she remembers Rep. Ward saying several times that if someone wants to rent out a room they can do that. We might want to double-check that.
- Matt Ence said he will have to look at it closer but when you look at the definition it says “internal accessory dwelling unit: means an accessory dwelling unit created within a primary dwelling within the footprint of the primary dwelling, long-term rental of 30 consecutive days or longer”. He said when he reads the words accessory dwelling unit that means it is self-contained.
- Leina Mathis said she knows it doesn’t have to have separate access that why she thinks they are allowing the other stuff because you can facilitate that within the home.
- Mayor Rosenberg said the next step is to do some additional research and come back with some proposed changes within the ordinance.
- Matt Ence said because it is a zoning ordinance it will have to go through the Planning Commission and be recommended by them so we will have to bring it through that process first. He said the question of the 25% is ultimately up to Council. If we think there is a good reason to not implement this in a part of the City either in a particular zone that doesn’t exceed 25% of our residential area or a particular area of the City such as the Historic District or something like that the bill doesn’t require or mandate anything beyond saying we can choose not to implement it in up to 25% of the residential area.
- Mayor Rosenberg said if we did it by zoning the only areas would be the RA. The RA is probably less than 25% or maybe the Historic District. Those are definable where we are not picking one neighborhood over the other.
- Matt Ence said there are going to be some homes in the RA district where this would work really well.
- Ben Shakespeare said he worries starting to restrict. Where do you draw the line on that?
- Mayor Rosenberg said that is going to be a hard one just with our zoning and our districts and the way they are set up.
- Matt Ence said that the simplest way is just to say this applies to every residential district in the City.
- Ben Shakespeare said he thinks the restrictions are there and here is what needs to happen in order to comply. He thinks all those restrictions should be in there.
- Denny Drake said we ought to determine a licensing fee. We need to charge a license to those who are doing it because it is going to add to every bit of our police and fire protection and all of those become primary so we need to have some kind of fund to fall back on plus we need to look at someone to enforce this.
- Brock Jacobsen said the licensing fee could be the only way we know about them. We will have them on record that they have a license.
- Leina Mathis said we don’t want to make the fee onerous though because the whole purpose of this is to encourage people to do it to help with some affordability so if we

make the licensing so hard and expensive to get you might discourage people.

- Ben Shakespeare said when you have an owner occupied dwelling you are screening that renter pretty well. This has the ability to be good but he they need to have a license and they need to register it and they need to do it right.
- Mayor Rosenberg asked if this only applies to owner occupied.
- Matt Ence said yes. It is only owner occupied.
- Brock Jacobsen said they would have a renter's license or a landlord license. He said we may just go to everyone to get a license, even short-term rentals.
- Gary Hall asked if it said anything in the bill about parking on the street. Can the added parking be on the street or does it specify it has to be on their property?
- Matt Ence said he thinks it has to be off street.
- Ben Shakespeare said he thinks whatever we do that we make sure it states that.
- Bob Nicholson, City Planner, stated that right now in all the residential zones, the RA, the R-1-10 and R-1-10 Mixed Use zone, they all do allow for both internal ADU's and detached. Santa Clara is ahead of the curve really. What we will have to change is called conditional use but the code also allows Staff as part of the TRC to approve those second units but under the new one the internal ADU has to be classified as a permitted use. Right now our code says the size limits are 450 sq ft up to 850 sq ft unless otherwise approved by Planning Commission. Under the new code you can't set any size limitations on an internal. This has been an option for people to go ahead and use these in Santa Clara.
- Jarett Waite asked how this modifies the Building Code for ADU's. Has that come out yet?
- Corey Bundy said in the past when a person wanted to put the egress window or the egress out of the basement area as long as it wasn't structural but he said he doesn't know how this bill has defined it. He said he will have to look a little deeper into it.
- Matt Ence said the current State Code says that under certain circumstances such as an owner occupied dwelling that you can't require that upgrade and this bill did add a line to that section that says that that does not apply to these types of units so that does make a change there. He said the only thing he sees that would make a change in the code is that specific requirement, the egress windows. Other than that he doesn't see any difference.
- Corey Bundy said our current code says that if you do have an accessory dwelling you'd have another address so having these licensed we should probably put something in the code that gives it two addresses so emergency will know that there are two dwelling units there.

3. Staff Reports:

Fire Chief Randy Hancey

- Working on getting Engine 34 up and going.
- The remodel is moving along at Rachel Station. Cabinets are going in today. They are hoping the remodel will be completed by the end of the month.
- They had 118 calls for service last month. They seem to be gradually increasing each month. They average about 3 calls a day.
- The Wild Land Seasonal Crew applications opened up for this month. By the end of the month we should be able to hire our seasonal crew so they can start in May.

- Denny Drake asked if Chief Hancey had a number for the out of area calls.
- Chief Hancey said they have been tracking that. This past weekend they had 3 calls out into the County area. They were all pretty significant motor vehicle crashes. They responded out there with ambulance and fire. One was a life flight so it was a non-transport. Another one was a fatality and the third one was a non-transport. The only way the City gets money back for those out of area calls is if there is a transport so we need to go back and revisit with the County for us responding out to these areas so type a reimbursement or compensation for providing that service.
- Brock Jacobsen said they did put together a spreadsheet going back 3 to 5 years. We will update it with the current year.
- Denny Drake asked for a copy of that.

Gary Hall

- The new employee started yesterday. He seems pretty knowledgeable and is a hard worker. He also talked about Jeremy. He has been a journeyman for about a year. He is very knowledgeable.
- The 100 ft bucket truck should be delivered tomorrow so we can work on our transmission lines.
- Hassel Substation upgrade needs to be done before we can upgrade our Scada system. That will be happen this next year.
- They are working on the Lava Flow project. The digging is very difficult. We had to rent a hammer attachment for our mini excavator. We actually borrowed Ivins City's excavator to help dig while the other was hammering. It is pretty slow going. Then we can get that overhead line taken down behind the Westbrook's house.
- He hasn't heard anything on the air permit yet for our new generator. They should be just about finished up with it. We go a bill for some of that. He hasn't heard if it has passed yet or not. We are going to miss the summer run for that generator anyway. There is not way it will be in on time but we will be ready for next year.
- We received an award from the American Public Power Association (APPA) because we were in the top 25% for utilities our size for having very few power outages in the City. We will be getting a plaque for that. He said his crews do a really good job of preventative work such as tree trimming and replacing power poles or transformers or whatever needs to be done before we have a power outage. He commends his employees for that.
- Jarett Waite asked Gary where his office is now.
- Gary Hall said his office is now at Town Hall instead of down at the yard.

Dustin Mouritsen

- One crew is working up at the detention basin behind Ryan Anderson's house. They have most of the basin cleaned out and the pipe and the box in. It is ready to handle a storm. All they have to finish is the riprap inside of the dam and then we are creating a little spillway off of the top and tying it into another drain line.
- One crew has been out and has just finished up crack seal this week. We were able to get every road done that we are going to slurry seal. The crew set a record. They did about 55 pallets of crack seal. The most we have ever done was 40. This project is one of the bigger ones we have ever done. It is 1.6 million sq ft of slurry seal coming. We have received four bids. He said he will bring those bids to Council next week for Council's review. The company thinks they can come in about a month.

- We started Well #7 this week. It is a seasonal well. So far it seems to be running really well.
- He attended a Water Conservation District Meeting on Monday. They sent out a warning about the possibility of rolling blackouts from the wildfires because the power lines come down from Central. It came really close to having to turn it off last year. They are the ones that provide the power for Wells 6 and 7. He said that we might want to look into a mobile generator so we can at least run one well. It is enough that we would be out of power but to be out of water too would not be good. He wants to look at that if that is something that Council would be interested in.
- The South Hills waterline is coming along. They have gotten from Stucki Springs intersection all the way to the tie-in below our water tank, almost 2,000 ft of waterline so far. We haven't had any problems with the contractor. It is going really well.
- Mayor Rosenberg asked about the wells. He asked if there was a way to segregate the water once it is mixed. Would we be generating power to turn the water on to feed Ivins and St. George?
- Dustin Mouritsen said technically yes.
- Mayor Rosenberg asked Dustin to discuss this with Ivins and St. George.
- Dustin Mouritsen said if theirs weren't running they wouldn't be able to get any water into that tank so what went in would just be ours and right back out and into our other one.
- Mayor Rosenberg asked if there is a way we can isolate the water in Wells 7 and 8 into the Santa Clara system and bypass St. George and Ivins.
- Dustin Mouritsen said no we would have to let it pass through their tank and then pull it from that pipeline to ours and they could pull it out of that tank as well.
- Mayor Rosenberg said this needs to be like a compact thing. We need to have enough standby generation to be able to keep the wells running for all the communities and not just Santa Clara trying to do it for everybody. Let's see if we can get some commitment. If we put water in the tank they will use it.
- Leina Mathis complimented Dustin's crew on the sealing they did in front of her house. They did a really good job.

Corey Bundy

- New home permits issued was 21. We are at 82 homes. We issued 9 townhomes yesterday for Solace Development. We have 60 homes in plan review as part of that same development. They will be recording the next phase and there will probably be another 60. There are 8 other various plan reviews. We have one solar permit. We have 282 active building permits. Between March 1 and March 31 we did 295 building and storm water inspections. The final plat for Desert Village Ph. 2 for Cole West is going to Planning Commission for their final plat.
- We will also do a training on the 2021 Utah Legislation Session Bills. We will be talking about House Bills 82, 89 and 409 at Planning Commission.
- Scott Bannon has done 7 code enforcement work orders, 1 nuisance court case and has done his monthly dam inspection and 4 facility inspections and 10 storm water subdivision inspections. He said that 2 SWIP and State NOI (Notice of Intents) were reviewed and approved by Scott and he also helped do a newsletter. He also went to a Storm Water meeting and an Adopted Water Way meeting.
- We turned on the cooling tower water so it is all up and going. We are working on a bid so that somebody monitors that cooling tower. We need 3 bids so we are waiting for those

bids to come in.

- We have a bypass leak up in the mezzanine that is going to cost about \$1,500 to fix. We are getting warm water in our urinals and toilets upstairs because of a bypass valve. We have a contract with Ace Mechanical to come in and fix that.
- Our commercial projects up by Harmon's are coming out of the ground. There is a lot of block work going on right now on Tagg N' Go. The same block people will move over and do Mo' Bettahs. The roof is starting on Ace Hardware. Quench It has a pad.
- The Building Department has put a building survey on the website so any contractor that wants to go on there and rate the Building Department for quality of service so that way the Building Department knows what the contractors are feeling. We sent that out to all our contractors and we got 16 respondents. Most of them are positive. It was anonymous so they don't have to put their names down. If Council wants to see it, it is on the website.

Brock Jacobsen

- We are working on getting cameras in all of our parks. We are waiting on Infowest to get a few things done Internet-wise and then we will be getting the cameras up and running.
- Steve Hansen from the Trust called and wants to do a training. He will get that out to Staff and show that training. They may do some land use training with Planning Commission as well.
- April 22 & 23 is the League of Cities and Towns Conference. The first Monday and Tuesday and Wednesday of that is UCMA. He will be attending that on those days.
- We are upgrading the Parlant system. We have purchased Blackboard and are now working with them on upgrading to where they can run with Polorus. Kristelle is running the point on that. We are doing a lot of IT maintenance.

Mayor Rosenberg

- There are a couple of concerns from residents. We are getting a lot of calls concerning traffic and traffic speed particularly on Santa Clara Drive and Pioneer Parkway. He asked St. George City for some traffic data. He sent that to Council. He said he thinks he can get the Pioneer/Rachel intersection data. We have had about a 6,000 vehicle a day increase on Sunset Blvd. and Santa Clara Drive over a year from March of last year to March of this year. We had a couple of near misses in the downtown in the crosswalk on Chapel Street. The parents of one of these near misses contacted him so he told them we are looking at some of the traffic on those streets and we may consider maybe some flashing crosswalk lights that would light up when there is someone in the crosswalk. He asked Dustin to give us some ballpark prices on what that would cost. He also wants to get a bid for a warrant study for how close we are for a second traffic signal on Santa Clara Drive possibly at Chapel Street. Chapel Street is wired for one. He is not sure it will meet warrants but we have to do something to slow the traffic down on Santa Clara Drive and create some gaps for the side streets that come out there because it is fairly continuous. He is going to get some quotes and bring it back to Council. We did a warrant study for traffic signals at Pioneer and Red Mountain and Rachel and the new road that goes into Solace as part of the Solace project, the Regal Homes project and the Silverado project. The one at Rachel that goes into Solace doesn't seem like it would meet warrants for a long, long time but the one at Red Mountain and Pioneer will probably work okay for Solace and Regal homes but the next project that came in and if the Silverado project on

the south side come first that will probably warrant. He thinks the signal will come in. It is in the traffic impact study. He talked about a cost share with Black Desert and Silverado toward that signal as well. He said he is feeling a real increase of the pass through traffic through Santa Clara whether it is from Ivins or the tournaments or Hwy 91 we are seeing it here and it is having an impact on the quality of life and we maybe need to look at some changes and a safety study. He said we need to have Chief Flowers do a speed study on Pioneer Parkway and maybe one in the downtown. He asked Brock to get with Chief Flowers. He said we have to meet warrant before we can put a traffic signal in. A warrant study measures all the traffic and looks at the history and measures the delays. It tells us if the threshold has been met for the signal. We need to get a number to do the study to consider that and then bring it back to Council. We need to look at the parking at the fruit stand.

- Leina Mathis asked if we have to wait for those developments to actually get developed first or once they submit their request at that point can we put the light in.

- Mayor Rosenberg said if it met the warrants then we could. He asked Dustin to look at the potential to expand the pavement at Red Mountain and Pioneer that would allow for the turn lane to go through the intersection. Right now it dies. He asked Dustin to look at what it would cost to expand the pavement. That is something we could do right now to improve the safety of that intersection.

- Leina Mathis said the bike use has increased tremendously along there especially now with the new trail.

4. Adjournment:

Meeting Adjourned at 7:53 p.m.

Chris Shelley – City Recorder

Date Approved: _____