

**SANTA CLARA CITY COUNCIL WORK MEETING
WEDNESDAY, JUNE 7, 2017
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Work Meeting on Wednesday, June 7, 2017 at 5:00 p.m. in the City Council Chambers of the Town Hall at 2603 Santa Clara Drive, Santa Clara, Utah.

Notice of the time, place and agenda of the meeting was provided to the Spectrum and to each member of the governing body by emailing a copy of the Notice and Agenda to the Spectrum and also, along with any packet information, to the mayor and each council member, at least two days before the meeting.

Present: Mayor Rick Rosenberg
Council Members: Jerry Amundsen, Ken Sizemore, Mary Jo (Tode) Hafen, Herb Basso and Jarett Waite
City Manager: Edward Dickie
City Recorder: Chris Shelley

Others Present: Jack Taylor, Public Works Director; Brad Hays, Parks & Trails Director; Corey Bundy, Building Official; Matt Ence, City Attorney; Kye Nordfelt, Southwest Utah Public Health Department; Nick Lang; Lois Lang; Cindy Frei; Greg Kemp; RJ Kemp

1. **Call to Order:** Mayor Rosenberg called the meeting to order at 5:01 p.m., introduced the Council and welcomed everyone.

2. **Working Agenda:**

A. General Business:

1. Presentation on Vapor Shops by Kye Nordfelt with the Health Department.

- Kye Nordfelt showed a power point presentation to the Council. He said that his main focus is preventing kids from using tobacco. A number of cities across Washington County have banned smoke or vape shops. None exist at this time in Santa Clara and he said he wants to make the Council aware of the option to consider putting a similar ordinance in place that St. George City has and that Washington City is about to approve which is banning businesses that sell these products. He said this is important to consider because use rates of e-cigarettes have increased by about 300% among teenagers. He said there are a lot of misunderstandings about e-cigarettes. Studies are coming out now that say that e-cigarettes affect all the major organs in the body. People put nicotine in these e-cigarettes but they can also put any drug that can be liquefied into them. Police routinely find e-cigarettes that have marijuana in them. The more retailers that provide tobacco products increases the likelihood that kids are going to use them. That's why cities should consider banning these businesses. Smoking is 3.2% higher in schools and neighborhoods with the highest outlets available to provide tobacco products. And adding one e-cigarette retailer within a

quarter mile radius of a school increases the chance of kids trying e-cigarettes by over 30%. He said they do stings and send in underage buyers and they catch these businesses selling to underage buyers.

- Herb Basso asked about the penalties for doing this.

- Kye Nordfelt said that the clerk will get a criminal citation and then the business has a civil penalty issued to it. He said they see an increase in use of the e-cigarettes because they are marketed to kids. They are colorful, flavorful, they smell good. It's hard to smell it on kids. Overall advertising has increased for them. E-cigarettes can advertise unlike cigarettes. Tobacco shops like to push the limits. He talked about when they sold Spice. They also sell drug paraphernalia. The shops also disregard the laws. He asked what cities can do to help. He said that the State Legislature gave municipalities the authority to do what they want regarding these businesses. He suggested that cities should ban tobacco specialty businesses from being established in their communities. He said that he has talked to Staff and there has been tobacco specialty business interested in establishing their business in Santa Clara.

- Herb Basso asked about specialty products. Can a convenience store be banned from selling them?

- Kye Nordfelt said convenience stores can sell e-cigarettes and they currently do. The difference is the atmosphere. Some of the tobacco shops have lounges, popular music and it's all to appeal to the buyer.

- Herb Basso asked why the State Legislature isn't considering the e-cigarette to be a tobacco product.

- Kye Nordfelt said they have battled with the Legislature over the past 8 years trying to get them to define tobacco products.

- Mayor Rosenberg asked Council if this is something they want Staff to look into and maybe bring an ordinance forward.

- Jarett Waite said that he has looked in the City Ordinance and tobacco isn't mentioned anywhere. He would definitely be interested in Staff looking at this.

- Herb Basso said he likes the idea of pursuing it because it is 100% detrimental and very attractive to young people.

- Mayor Rosenberg directed Ed Dickie, City Manager and Matt Ence, City Attorney to look at St. George and Washington City's ordinances and bring something to Council for consideration.

- Ed Dickie stated that St. George's ordinance is in the drop box and he will send it over to Matt Ence.

- Herb Basso asked if the word tobacco could be changed in the ordinance so it's not so limiting.

- Matt Ence said that in this case the City is going to want to stick fairly closely to the definition that is used by the State because that is where we are empowered to do what we would do. The thing to remember with all restrictions like this, and the same with sexually oriented businesses, is that this has not been contested yet. It's possible that a total restriction could be challenged and what we may end up seeing is more of a time a place type of a restriction. The code authorizes us to do this so let's do it while we have that cover if that is the will of the Council.

2. Vineyard Discussion.

- Jack Taylor, Public Works Director, said that in 2004 the City did an SID. It was broken up into five zones. The streets that were in the SID were Old Farm Road, Vineyard (which was in two zones), Lava Flow, Arrowhead and Black Rock. The City Council went ahead with all the roads except for Vineyard. They had enough people to do it but there was enough political pressure that they decided not to. He talked about how many Santa Clara valley residents were established before the street design was considered for drainage, traffic flow, aesthetics and safety. Most current streets in the valley were not engineered for direct runoff. Sizeable pools of water often form on roadsides and developed properties during and after storms causing cleanup problems for property owners. Unsupported road edges on many streets break up creating road hazards and unsightly collection sites for water and debris. Roadside property values are decreased due to aesthetics, drainage and problems with inconsistent road surfaces. Street maintenance is difficult due to original material and substandard quality. Roadside maintenance is difficult due to lack of curbing. Roadside surfaces are not uniform. They vary in width, texture, roughness within short distances. Safety is a primary issue with residents who are forced to walk on roadways. Greater hazards and increased traffic volume is incurred on roads in the valley where there are schools because parents will feel forced to transport their children to school. This will increase the safety issues for the children who do walk to school. He said the City put the SID together in 2004 and in Zone 1 the total cost would have been \$9,000 per ERU and in Zone 3 the cost would have been \$7,000 per ERU. ERU stands for a residential water connection. He said they are getting more people coming to them asking what the City is going to do with their road. They are worried about the safety hazard and the storm drain issues. The City has already paid for the streets to be engineered and designed to put storm drains in where they are needed. They put the storm drains and big pipe in when the Santa Clara City building was built. He said that a section still needs to be run behind the City Offices back to the Graf's house, probably a 24-inch pipe. There are two places on Vineyard that would definitely have to have storm drains put in. He said that one of the reasons that things haven't been done on Vineyard is because there is a water line that is aged and it's time to replace it and also water services to individual homes. We don't want to put a new road over an old water line. He said they could go down there and do a chip seal over the top of it or a slurry seal but that would just be putting a Band-Aid on a problem of a substandard road. He said he will do what Council wants. He said they could have a town meeting and call the residents in and see if they are interested in doing an SID or it can be left like it is and do a chip seal or the water line can be repaired, the road can be rotor milled and a new road can be put back in exactly where it is now and do the storm drain and not put in curb or sidewalk. There will still be safety issues with pedestrians and kids without the curb and gutter. He asked the City Council what they would like him to do.

- Nick Lang said that he walks Vineyard from Lava Flow to Old Farm Road every morning. He said they have had an opportunity to talk to some of the neighbors and he said he gets a feel that they really don't want curb and gutter. He said that he and most of his neighbors would like to have a street with gravel on the side. He said that he paid for his own asphalt and sidewalk in front of his house. He said he liked the idea of having a town hall meeting. He said it would be nice to fix the street. He said he got a bid for slurry seal, which is \$1.50 per square yard.

- Jack Taylor said that the price they got this year was 11 cents a square foot.

- Nick Lang said he has done the calculation, which would be about 16,700 square yards that need to be done. He said he appreciated the crack seal that was done. He said that the general feel of the residents on Vineyard is that they want to keep the no curb and gutter but have lots of gravel on the side. He mentioned all the other roads in the City that are slurry sealed.
- Mayor Rosenberg said that the City has a plan every five years to redo the slurry seals and it helps maintain the existing asphalt. The problem with Vineyard is it never has been built to a standard that provides the cross drainage and the uniform surface so it's always going to be that rough surface.
- Nick Lang said they never do really have problems with rainstorms.
- Mayor Rosenberg said that if the City is going to spend \$25,000, he would like to look at replacing the water lines, putting in the storm drain and rotor milling that existing base and adding additional oil and putting it to the proper grade.
- Nick Lang said he thinks that is a good idea as long as they don't have to have the expense. He said the kids don't walk to school anymore.
- Mayor Rosenberg said his kids wouldn't either if they didn't have a sidewalk or a place for them to walk. The kids are out in the roadway because there isn't a place for them to walk.
- Nick Lang said that there should be a meeting and invite everyone that has equity in their homes and get their point of view.
- Mayor Rosenberg said that is probably what we will do. He said he would like to see Staff put together some costs for some of these options for Council to look at. At the same time if we replace the water lines down there, that will be a City expense. He said there are a couple of small segments of the road that need to be finished. It is a matter of making some connections. He said let's find out who wants curb and gutter and who doesn't and if the ones that want it are willing to step forward and pay for part of it. Let's figure out what the City's obligation will be so we can start looking at it from a budget standpoint and let's figure out what project costs would be to go down there and put in something that is built right.
- Nick Lang said he appreciates putting up signs concerning the speed limit. He thanked the Council.
- Herb Basso asked for the history of maintenance for Vineyard. He said for 15 or 20 years they haven't seen maintenance and he wondered if we had more maintenance on the non-curb and gutter street that we would have with asphalt. The option is can the City include Vineyard on the maintenance program like they do every other street.
- Mayor Rosenberg said that if that pavement strip doesn't have the proper grade then all you are doing is painting it. Water can't get away from it. You have to work on a road from the foundation up.
- Herb Basso asked how old the water line is.
- Mayor Rosenberg said it is 40 years old at least. The water line needs to be replaced and so do the services and then we need to put in a quality product there.
- Nick Lang said there is a problem with younger children driving apparatus along there.
- Lois Lang said it sounds like there are several options. She asked if a storm drain and some of the other improvements could be done without curb and gutter.
- Mayor Rosenberg said sure. He said he doesn't want to go out and spend a bunch of money on road maintenance until we look at some of the options. He said if Jack

comes up with a number, we can start looking at the budget with the different categories, the water fund, the storm drainage fund, street maintenance can all contribute and maybe we can achieve this quality road. He said he wants to give Council a target. What will it cost to put the travel lanes on Vineyard in a condition where it can work on the five-year plan.

- Lois Lang appreciated all of the options. She thanked the Council.

- Ken Sizemore asked Jack if the water line replacement is on a capital improvement schedule now.

- Jack Taylor said that it's not but it needs to be put on. When you get to a point where it starts having a lot of breaks on it that it costs you so much for maintenance then we went ahead and tried to do it. We have held off because of this road issue. If we just do the asphalt who is going to pay for it? The residents are going to have to pay some of it. The road is substandard; it's not wide enough. The City doesn't have enough money to pay for all of it. If we use the RB&C funds then we aren't going to be able to do maintenance on anything else in the City. He said that on old infrastructure we can't collect impact fees for an 8-inch line that is already there. If it has to be upsized because of growth, they'll pay the difference between an 8-inch and a 10-inch so to have this on the capital facilities plan as far as impact fees...

- Mayor Rosenberg asked if there was a line in the rate study that talks about capital improvement replacement.

- Ed Dickie said yes.

- Mayor Rosenberg said that fund, that money, would work for that improvement. He doesn't know if there is much in there.

- Jack Taylor asked if he was talking about the renewal and replacement fund. It doesn't ever seem like it is real money. He said they have had 3 or 4 breaks in the last year or so. There have been more than 10% in a year.

- Herb Basso said that residents have been allowed to build for 40 years but his feeling and the feeling of the residents is they haven't seen the money spent from taxpaying people for 40 years on Vineyard.

- Jack Taylor said that when Mike Shaw was with the City, they overlaid Vineyard. Brand new asphalt.

- Herb Basso said when we have this meeting we need to have the history of maintenance on Vineyard. That would be helpful.

- Ken Sizemore said that when he bought his house, the value of the house included the curb, gutter, sidewalk, improved road. He said he paid a premium because that was already there and the subdivision developer spent that money up front to make that happen. The people on Vineyard didn't have to spend that money up front.

- Herb Basso said that we don't want to even now.

- Ken Sizemore said that is the difference in terms of investment.

- Mayor Rosenberg said that everybody else that has bought a finished lot, like Ken, has paid the ante, and Vineyard has never paid the ante.

- Herb Basso said that for 40 years the City has allowed them to build and now they want them to do something different.

- Mayor Rosenberg said that since 2005 everyone that has built on Vineyard has paid full price.

- Ken Sizemore said that two of those people have contacted him and asked why they have had to pay all this.

- Mayor Rosenberg said that the City made them ante up so the money would be there when eventually Vineyard would have to be improved.
- Jack Taylor said that the people that actually built on Vineyard before that had to sign a document saying that when the City decided to do an SID that they would participate and when it came down to participating in the SID they said they didn't want it.
- Herb Basso said that the City got them to sign something that they didn't want to sign.
- Jack Taylor said that was the option for them to subdivide.
- Mayor Rosenberg said that they did not comply with the subdivision ordinance but the City allowed them to subdivide anyway if they signed the agreement. There was no extortion involved.
- Herb Basso said that we should make sure we bring all the information out whether it's favorable or not so that the arguments can be shortened and more clear.
- Mayor Rosenberg said that what we will do is let Staff put together the numbers, come back to Council and then we'll set the date. He doesn't want to set the date and then be scrambling for numbers. He said lets, put some numbers together, look at some options and then bring it back.
- Jack Taylor said just to be clear, the Mayor wants numbers regarding the road, asphalt and fixing the storm drain.
- Mayor Rosenberg said he wants that to be an option.
- Jack Taylor said that option #2 would be with curb and gutter, asphalt, storm drain and sidewalk. And water line on both options.
- Herb Basso said option #3 would be just slurry.
- Jack Taylor said that if this is going to be an SID how do we do that SID? Is it through ERU? What about the vacant property back beyond Vineyard? Do they participate since they are going to use that road? Is it just the people that front Vineyard?
- Mayor Rosenberg said he would do just the developed properties right now so you wouldn't do curb and gutter and full width against Shelby's field. Let the undeveloped pieces develop as they come.
- Jack Taylor said that the 3rd option, slurry only, would be about \$14-15,000.
- Greg Kemp, 2495 River Circle, said he has heard from a lot of folks that live on or have to travel over Vineyard and they think it is a cow path and it's hazardous especially when you have to go through the "s" curve and there are kids there. He was there when the City did the SID proposal the first time and there was a lot of political acrimony that went on because of that. There were a lot of people who were adamant that they didn't want that street improved. He said most of the opposition was cost. They wanted to keep it looking rural so they didn't have to pay. Some people that he has talked to have wondered why there are streets with full standard curb, gutter and sidewalk and fully improved streets and their neighbors on Vineyard don't.
- Jack Taylor said that when they didn't meet subdivision standards the City put together a document saying that if the residents will sign this document saying they will pay the funds to have the curb and gutter put in, that they will do it. Those same people came in a protested against the SID.
- Greg Kemp said he had a problem with the City backing down from that. Did these people who have fully improved streets to City standards with curb, gutter and sidewalk have to pay for that?

- Jack Taylor said that as far as he knows they did.
- Mayor Rosenberg said that some of them did. A few of them didn't because of the projects the City was doing.
- Greg Kemp asked about Arrowhead. About half of it is improved and then it stops.
- Mayor Rosenberg said that a portion of Arrowhead got funded for the same reason. The storm drain got put in off of the highway. He said if we do the option where the water line is replaced, the City is going to pay for that because it is capital replacement on the water line, pavement above it will be part of that. Storm drain will be the same way. Council will find money to do some of this stuff using the various City funds that are available.
- Greg Kemp said that since 2004 there have been a lot of improvements throughout the City and for good reason Vineyard has been neglected. He thinks most of the opposition then was cost. There are a lot of people for whom Vineyard is a safety issue and an aesthetic issue. He said that if there is an amount that needs to be paid 13 years of neglect ought to have got them a little bit of credit with the City.
- Herb Basso asked if Vernon and Victor were included in this.
- Greg Kemp asked what was done on Lava Flow.
- Mayor Rosenberg said that when the first phase of the Vineyards went in the developer paid to upgrade Lava Flow as part of their development costs. They paid the money to the City, the City put it into an account, they went through the SID process and then they went back and spent the money. The sidewalks on Lava Flow were paid for individually by residents. That is why it is hit and miss.
- Greg Kemp said the time has come. He said he is speaking in support of what the Council is doing because they are trying to solve the problem.
- Mayor Rosenberg said that we are going to give Staff some time to put together some costs and then we are going to have a town hall meeting. He asked Greg Kemp that when the date is set, if he could do a little PR work and round up everyone to come.
- Greg Kemp said he would be happy to. He asked the Council to not let the squeaking wheels drive the bus. He feels that's what happened the first time.
- Herb Basso asked Staff to make sure they bring in all the information including history of the maintenance or non-maintenance of Vineyard.
- Greg Kemp brought up the issue of people parking almost perpendicular along Vineyard with the back of their vehicle stick out.
- Mayor Rosenberg said that Public Safety probably needs to look at that.
- Herb Basso said that he thinks the same process that we go through for Vineyard ought to be the same for all the roads downtown.
- Greg Kemp expressed concern about the checker boarding of all the roads. It needs to be uniform.
- Tode Hafen asked if there were some monies in the fund that have been charged to these people that have built since this date and have they paid for curb, sidewalk and half the road.
- Corey Bundy, Building Official, said that Gates put in a bond. He said that the City got a cost estimate from an engineer and then it was put through the City Engineer to make sure the cost were right and then they bonded for that amount. Some people have paid already.
- Mayor Rosenberg said that after the SID hearing Council put an ordinance in place that any new building permit on a street that wasn't built to standards had to either

bring the street to standard in front of their home or pay the cost to do it with the 20% inflation factored before they could get the permit. The non-opposition agreements are still there. The City could legally challenge them if we wanted to. Let's get the estimates together, look at some options, let Staff look into where they are going to find some money and let's have a town meeting.

- Greg Kemp talked about his concern of cost disparity.

- Jack Taylor said he can put the numbers together and the footage in front of people's property and give the costs for the different options.

- Mayor Rosenberg advised Jack to look at the Road Master Plan as far as the width and the traffic flows and then build it to that standard but exclude the undeveloped properties because the Master Plan takes into account the impact of them when they do come. We can give the undeveloped property the option. We may have to bump the road maintenance fee to make up some short fall.

3. Discussion on Updating the City Ordinance.

- Matt Ence said that this is on the agenda because he talked to the Mayor a week or two ago about looking at how we can do some kind of comprehensive update to City Ordinances. He said we have gone with a piece meal approach, when issues arise we address those issues. There is nothing wrong with that except over time there becomes some inconsistencies that have found their way into the ordinances. Once in a while there are some errors that could become clearer. He said his thought is that it might be a worthy effort to go through a section at a time and making sure there is consistency, correcting errors, eliminating or changing things that are inconsistent with recent changes in State Code. He gave the conditional use permit application of Verizon as an example. Some of the codes are outdated and not completely consistent with the State Code that governs land use. He said that one way to do this is for the City Council to appoint an Ordinance Review Committee who's sole job would be to take the Ordinances a piece at a time, read through them, come up with recommendations to the City Council as to how they could be revised to make them better and take a systematic approach and do it over time. That could be a committee that the Mayor is empowered to add and subtract people from as needed. It wouldn't be too labor intensive. They could meet once a month and each month there could be an assignment for those committee members to review a section of the ordinance and then come back and compare notes and come up with recommendations. Is this something that Council wants to pursue? Another way to go about it is to have himself (Matt) and his Firm to do this as part of their responsibility as the City Attorney. He said they would still be involved in the process if a committee is appointed. He thinks the Council will get a better look at the Ordinances if there are a few people with the right expertise looking at it from their various perspectives. He said they have recently been contacted by Harmon's who is changing what they do with their cooking classes and they are wanting to serve hard liquor in their cooking classes. They are asking for a change in their liquor license. It is a classification that the City didn't add to their Ordinances the last time they were updated. In order to give them the license they are looking for it would be a full service restaurant license and we would have to add that classification to our City Code. They need to get our approval before they can take it to the State. This would be brought back in the next couple of meetings to the Council

if Council is interested in this.

- Mayor Rosenberg said that right now the most that Harmon's can get is wine and beer in Santa Clara. There couldn't be a Chili's or some chain restaurant in the City. They would have to dial back on their service in order to come to Santa Clara.

- Matt Ence said that there isn't in the Ordinance right now a classification that matches the State classification for a full service restaurant. It wouldn't be a very big change to our ordinance since we went through that process of updating our ordinance fairly recently when we went through that process to bring our procedure more in line with the State. We would be talking about just adding an additional classification to the list. It could be a simple change to the ordinance but one that could have a real effect if you got someone who wanted to come in and ask for the same thing. One of the things the State Code does allow that we haven't looked at before is they only allow a certain number of licenses at a given time and it's based on population and legislature and we have the power to do that. If we are going to look at adding another classification that would be one option.

- Mayor Rosenberg asked how Council feels about Harmon's request. Is that something that Council wants to consider?

- Jarett Waite said he is inclined to say yes. Partially because it is in their building and it's not visible unless you're on the balcony. It is close to kids and a church but it's worth considering.

- Jerry Amundsen said that when Council toured the Harmon's in Salt Lake City and they brought this up, everything was in a cabinet and not out in the open and it's just brought out for the cooking class.

- Matt Ence said they would have to comply with all the requirements of the full service restaurant requirements. They would have to have a separate area for preparing the drinks, it's out of site where people are dining, they can only serve them with food and all the kinds of restrictions that would apply would apply in their case. The license they currently have is an educational license, which is somewhat of a catchall.

- Herb Basso asked if this was granted could it be restricted just for the classes.

- Matt Ence said they would be fine with that. He said he spoke with their representative about this and asked her what their intentions were and that is what they want to do, such as having a margarita with a Mexican food class. They are asking for this now because they are preparing an application for four or five stores statewide to take to the State Alcohol Control people and get this licensing for all of those stores including our store.

- Tode Hafen asked about the vicinity of the school, park and church. Is that a State law or did we decide their location works.

- Matt Ence said that he thinks that when Council looked at the distances they were actually okay on the distances. They didn't even need that exception.

- Herb Basso said he is not supportive of it because of his values.

- Mayor Rosenberg said it sounds like there is a majority of the Council that is willing for something to come back on this.

- Herb Basso said to make sure it's tight, the label of cooking classes for example. Make sure it doesn't get misused or abused. Limit by time, the class itself, how long. He likes the idea of an Ordinance Review Committee.

- Mayor Rosenberg said that Council will be involved on an ordinance-by-ordinance basis and they may be asked to serve on the committee to review a particular ordinance

having to do with their area of expertise.

- Matt Ence said that he thought we could start with some ordinances that really need a good look such as the Subdivision Ordinance or the Zoning Ordinances.

- Mayor Rosenberg asked Matt to put together a recommended priority list and we can start talking about people and schedules.

- Matt Ence said he will bring back more of a concrete proposal for the Council. With the committee we will want the Council to vote on it and authorize this to go forward.

- Ken Sizemore said that one of the things that needs to be incorporated in this process is the leagues list of all of the things that need to be fixed because of the last Legislative session.

- Matt Ence said they have talked about some of those things already. He has met with Ed Dickie and some of the Staff on some of those specific issues. It's an ongoing thing as circumstances and the law changes. There is enough time that has gone by since some of these ordinances have been adopted. It would be a good thing to get them updated.

- Ken Sizemore said that what was talked about tonight with the Vap Shops will not have the same rules in two years.

4. Budget Discussion.

- Ed Dickie said that there are a couple of things on the budget highlights. There are minor little edits. He asked for the Council's approval to purchase up to four or five SUBA's, breathing apparatuses for the Fire Department. Right now it is critical to get four. He was hoping for a grant. He is still going to try to get grants to get more of them. If Santa Clara does partner up with Ivins we want to make sure that we are on the same page with some of the equipment that they need. This is more of a priority than the truck for the chief so Ed took the truck out of the priority list and he replaced it with the radios and the SUBA's we can do with the current budget. He has money in his current budget because we let a full-time fireman go and we haven't replaced him yet. We would like to authorize up to \$35,000 to purchase these and we would amend the budget. On June 28th it would come back to Council for approval. We have SUBA's but they are old and worn out. They need this equipment.

- Herb Basso said that this is a big item and it may be necessary to hire a grant writer.

- Ed Dickie said the other thing on the budget is the ERU's. We could decide to have the businesses pay more for the ERU's. The other one was the Storm Fee. This is the last year we will be paying on the bond for the Laub Pond Dike that was upgraded. We have a new bond coming on, the CIP bond for the hillside. He said he doesn't have numbers right now. This is something the Council should discuss. The majority of it is going to come out of the Storm Drain Fund.

- Jack Taylor said that everything is being billed in the Storm Drain.

- Mayor Rosenberg said he would like to see what impact it has had on commercial businesses if the ERU is on the commercial side. The ERU's are based on meter size.

- Jack Taylor explained about the ERU's and the meter sizes.

- Mayor Rosenberg said that the Transportation Impact Fee also came up with some ERU's based on vehicle trips. For the street fee, go back to the transportation definition for the ERU because it's based on trips per day. Each fee needs to be tied back to the purpose of the fee. Don't use the water ERU to calculate the storm drainage

monthly fee. The ERU number needs to come from inside the Capital Facilities Plan for each use.

- Ed Dickie said that maybe with these fees we can get with Brock and come up with some numbers and we'll bring it to the next Work Meeting. We will bring some recommendations of what we might be able to do with some ERU's so it doesn't affect the residents unless they have a bigger meter.

- Mayor Rosenberg said that if a business provides detention you can't hit them with the storm drainage user fee.

- Ed Dickie said the other item to discuss is the restroom for the cemetery. We didn't budget that. We don't have it in our Capital Facilities Plan. It's not impact fee eligible. Brad has a couple of cost estimates if that is the direction we want to go. It could go on the priority list and then we can see where we are at. We budgeted \$720,000 for our property tax and the County is projecting that we will get \$760,000. We won't put that in the budget right now. We are going to be conservative. There is a good chance we will be able to get all of the things done on the priority list. The restrooms would be RAP Tax eligible. If we take some of that RAP Tax we would push back the Canyon View project.

- Brad Hays, Parks and Trails Director, said that at the Budget Retreat Council discussed having \$60,000 a year for Parks RAP fees and we agreed at that time that we would redo the Canyon View tennis courts. That was estimated at \$65,000. That would take a year to save for that. The additional RAP Taxes would be used for the playground, about \$120,000. With our current amount we're bringing in, it would take two years to save for that. If we use the RAP Tax we will have to push those back a few months or a year.

- Herb Basso asked why we couldn't justify a bathroom at the cemetery park verses a regular park.

- Brad Hays said an Impact Fee analysis was done in 2013 and we had just done the cemetery expansion and with that we included asphalt and a few other improvements but there wasn't restrooms included at that time. We could come back next year, which is 5 years out, and amend the Park Impact Fee study we could add that in there and then it would be Impact Fee eligible. But at this time it is not.

- Mayor Rosenberg said that the Parks Impact Fee study could be amended right now and make it eligible.

- Brad Hays said they could do that, too, because the park on Chapel Street was added and the park on the Rosenlof property was added. And the South Hills was added so we already amended it 4 times since 2013.

- Ed Dickie said that would be the recommendation if we go that route. If Council really wants a restroom at the cemetery that we amend the Parks Impact Fee so we can take that money.

- Jack Taylor said that the street would have to be torn up and go through the parking lot that was just done. We would have to go and tie into the sewer line on Ancestor Way. That is the only place we have sewer. We could put in a grinder pump. That's another option.

- Mayor Rosenberg said there could be a grinder pump that sits outside the restroom building. It's about the size of a garbage can and then probably about a 3-inch pvc pipe that doesn't have to follow grade. It can follow the roadway so it could be minimal bury and tie it into the sewer so the cost to install sewer would come way

down. That restroom is not going to generate the flows.

- Jack Taylor said it will probably wear out because it's not being used enough. That could cause more damage because it won't be used a lot.

- Mayor Rosenberg said to probably put in a pump just for that. It will be easier to maintain even though it will cost some power. It will be cheaper than trying to maintain a big line that doesn't have anything in it.

- Herb Basso suggested putting in a restroom without tying into the sewer line.

- Mayor Rosenberg said that this is within 300 feet of a sewer and by State law if you are within 300 feet of a sewer you have to put one in. That applies to a septic system too.

- Ed Dickie asked Council if they are okay if the Parks Capital Facilities Plan is amended to add that as a project.

- Mayor Rosenberg said his only concern is there are 3 other parks so the impact fee is going up, up, up. He asked Brad if he had any idea what the fee is going to do by adding all this stuff in.

- Brad Hays said he doesn't know.

- Mayor Rosenberg talked about the expenses for the Chapel Street Park and the Adventure Park.

- Brad Hays said that the parking lot is being done at Gubler Park this coming year and that is going to use up a lot of the impact fees.

- Mayor Rosenberg said it is a good idea to update the study at least to the point that we look at the fee to see what it is going to do. What will the update cost?

- Brad Hays said it will cost about \$11,000.

- Mayor Rosenberg said that within a year it is going to have to be done because of the Chapel Street Park and the Adventure Park.

- Tode Hafen asked how critical the bathrooms at the cemetery are.

- Ed Dickie said that is what he is asking. This is something we can get ahead of and discuss during the budget in February or March. Is this something we have to move on now? Can we have that discussion then and we can see where we are at with the reserve and the RAP Tax coming in. And that is when we would also plan 2018 in the fall doing the Impact Fee Study amendment again.

- Mayor Rosenberg asked Ed if he can find the \$11,000 in the budget for the update.

- Ed Dickie said they could but he would prefer to do it when it's up in 5 years.

- Mayor Rosenberg said that we can't wait 5 years unless we are just going to sit on those other two properties.

- Brad Hays said that the Chapel Street Park is in the plans now and the Rosenlof property park is in the plan.

- Mayor Rosenberg said that if we are going to get the grant in a year for the Adventure Park, we are not going to have any money at all to spend on it.

- Ed Dickie asked if the Adventure Park is in the plan.

- Brad Hays said that the plan was amended to add it. It doesn't have the numbers to it, it is just part of the long-term plan. No costs are plugged in.

- Mayor Rosenberg said that if there isn't any cost built into it then it's not in.

- Ed Dickie asked if it is in does that mean we can't use any impact fees.

- Brad Hays said it is impact fee eligible but there aren't dollar figures assigned to it. You have to go through every line item of that park and put a dollar figure to it.

- Tode Hafen asked about putting the restroom in on the Rosenlof property.

- Brad Hays said it would be used for Swiss Days, the bike races, weddings and that sort of thing. It would be open all of the time. Part of the bathroom area will be a drinking fountain.
- Herb Basso said he is in favor of the bathrooms and water fountain there. It should be open all the time even in the winter.
- Tode Hafen asked where that restroom plan is on the priority list.
- Brad Hays said it is Item #2 and they want to have it in by Swiss Days. He said that Gubler Park parking lot is #1, the bathroom across the street is #2 and the trail behind Harmon's is #3.
- Ken Sizemore said that on the cemetery restrooms in particular, he likes the suggestion of discussing it at the Budget Retreat in February and seeing where we are at with funds. He asked Brad if he has a spot at the cemetery where it would be the prime location for the restrooms.
- Brad Hays said there are trails there, the Veterans Memorial and the cemetery entrance so he would like to put it to the south of the Veterans Memorial on the trail so it's accessible to everyone.
- Herb Basso said to connect this to the trail then it opens up the funding opportunities.
- Jarett Waite said that he is with Ken on waiting until the Budget Retreat.
- Ed Dickie said that for the citizens interested in a restroom at the cemetery, we can tell them this year we will be discussing it and there's a chance it may go in next spring if we can fund it. He also talked about \$1,000 for the Southern Utah Bike Alliance. They want to put bike signs in on the bike lanes on Pioneer, Hwy 91, Country Lane, Hafen Lane, Arrowhead Trail, Lava Flow and a few more roads. Ten in all. The signs are \$100 each.
- Jarett Waite asked if they are the same signs that are popping up in St. George.
- Ed Dickie said that he can find that in the budget if Council is okay with that. They are funding a lot of it. What the City is funding is the poles and the man-hours to put the poles in. He also said he had a question on #1 on the budget. Why doesn't it show 2016-17 Fund Reserve numbers? He said they don't have the numbers yet. He said they anticipate the number to be larger when they do get the actual audit. The fund balance is \$919,614, which is 20.56%. The County property taxes will bring that up another 1%. This will come to Council to be approved at the City Council Meeting next week. He said that if Council is okay with it, they will keep the priorities the same. He said they took out the Fire Chief's truck and the Conference Room update may be able to come out too. He talked about the lighting in the Council Room and updating the T.V.'s. He is hoping to update both rooms for around \$25,000.
- Jarett Waite asked if that needed to be put in this budget so there isn't such a rush. Should it be moved over to a top priority in this next budget and then we know the money is going to be there?
- Ed Dickie said that can be done if they can't get in and do it. He said if that is the case we can do it in July. Brock is talking to them. He said that is what they will do and that will become priority A. He will talk to Brock and let Jarett know.
- Jarett Waite asked about the Chapel Street Bridge. Are we spending money this year on that?
- Jack Taylor said that we are going to spend money on design.
- Jarett Waite said that several citizens asked why the City is spending money on that now and that it is a waste to build it on Chapel Street Do we revisit that at a different

meeting?

- Mayor Rosenberg said several years ago a study was done and it presented four different locations that would work. Each one had their own challenges and advantages and disadvantages. Each one was selected based on the accessibility of the existing road infrastructure width cost. Chapel Street was one of the higher recommendations because of the erosion resistance it has at the bottom and the proximity to the Road Master Plan. Chapel Street brought them directly to the downtown. It's also adjacent to the development that is putting pressure on to get it built in.
- Jack Taylor said that it's closer that later to be built. We can't allow any more homes to be built on the other side of the river.
- Jerry Amundsen asked Jarett what the citizen's concern was about the bridge and why do they think it is a waste.
- Jarett Waite said that they feel it is so close to the other bridge.
- Jerry Amundsen talked about if we have another flood like in 2010, people would be stuck at home across the river or they can't get home because there isn't a secondary route. There needs to be a secondary bridge even if it is a mile away.
- Mayor Rosenberg talked about the other location options and how expensive they would be.
- Jerry Amundsen talked about the Western Corridor and the bridge would have to meet the UDOT MPO standards.
- Tode Hafen said that this is needed now but this isn't going to be the end all. This is not going to be the only bridge.
- Mayor Rosenberg said that the Sycamores offered to upgrade the Chapel Street Bridge and make it a covered bridge.
- Jack Taylor said that the City has done a lot of planning and that there is stuff in the ground that can't be seen for this future bridge and the turning lanes that we have planned for. This is something the City has invested a lot of money in over the years to determine this. Putting in a bridge in the other locations would mean cutting into the hillside. There would be major scarring on the other side of the road and with the Hillside Ordinance; we may not even be able to do that.
- Herb Basso asked if there was going to be a public meeting soon to discuss this. He said that we ought to have a presentation on why the bridge should go on Chapel Street.
- Ed Dickie asked Corey Bundy to get a rendering of the covered bridge from the Sycamore developers. It could be put up at the public meeting so the citizens would know what the City is considering for that bridge.
- Mayor Rosenberg said to be careful of that. The Sycamore developers are not obligated to anything. He said to let the developer present it and about their project. They can have their own area at the public meeting. The meeting will take place on June 20, 2017.
- Jack Taylor said they have been working on the right-of-way, getting that area platted so we know where the bridge goes and get that purchased through the COG funding. We are in the middle of that.
- Mayor Rosenberg said that we got Chapel Street on the COG right-of-way funding.
- Jack Taylor talked about Ramona's home and there is enough area in front of her house to put a road through there. Her brother's know what is going to happen there.

They would like the City to purchase her home and let her live there. Rick and Hans were involved in the discussion and planning.

3. Staff Reports:

Brad Hays

- He had a meeting this week with the Washington County Trails Committee. The committee is made up of people from the BLM, private industry and different cities in the County. The committee wants to bring all the GIS files from all the municipalities and the BLM and all the partners together to build one trail map that can be used through applications on a cell phone so when people pull up trails, they can look anywhere in the County and find a trail. The point of bringing all this together is that the Commissioners want to attract people that go to Zion National Park and try to show them that there is more than Zion here in Washington County. It will be part of a marketing tool. He said they will be meeting every two weeks for the first few months. He and Bradi sat down and updated the City's trail plan and all the current trails are up to date in there and they have provided that to the County. He wants to bring the Master Trails Plan back to the City to review it. It has been about 7 years since we have had a good look at it. He said a lot of new trails have been added since the Master Plan came to the City Council. He said that there is almost a loop that goes around the City.

- Herb Basso asked about the committee that Brad is on. Is there a concerted feeling that they want the trails to connect everyone? He asked if that was a dying idea.

- Brad Hays said that part of the job of the committee is to look at the trails that we have and then to see what we need and then go and try to compete for some of the grant money from the State to make sure that the trails through the cities are interconnected. He said that is why he is interested because he would like to see us connect to St. George.

- Mayor Rosenberg told Brad that his Staff did a great job with the Veterans Memorial dedication.

- Ken Sizemore asked if there was an increase in applications for a few more pavers and engravings since the dedication.

- Brad Hays said they have. He said there are a total of 700 pavers in the monument and only about 100 are used and there is quite a bit engraved on the front of the stone and the back is going to be used also. He said he asks people when they donate that the Veteran only be identified once, either on the vertical stone or the paver stone. That allows us to honor Veterans for a lot longer so we don't run out of room. The monument is paid for completely by donations and a little bit from the recycling fund. He talked about the cost of Kenworthy to come out and engrave on the stone. It is \$300 for the first hour for them to come out and \$150 for each additional hour after that. He talked about the different areas of the stone: one area is for names of Military that were killed in action and another area is for someone who was a prisoner of war.

- Tode Hafen asked how they needed to be connected to Santa Clara to be included.

- Brad Hays said his understanding is that they had to live in Santa Clara at some time during their life.

- Tode Hafen said that some of the trees at Canyon View Park need to be trimmed and some of the trees that are planted up that street need to be supported. They are leaning.

Jack Taylor

- There has been some well problems over the last week and a half. They started to get a vibration in well #6. Two lengths of the 5/16th shaft, the bearings went bad and it was starting to wobble. He said they didn't have anymore in stock and so they had to order some. They just barely got well #6 back on. It is operating now. The bad thing is when a well goes down we have to buy water from the Water Conservancy District that is 3 or 4 times higher priced. He said they replaced the bowls on well #7 a few months ago. He said they pulled the bowls today and it looks like the bearings in the bowls are shot. He doesn't think it was installed correctly. He said they are going to be rebuilt in Cedar City and he is hoping to get #7 back on right away.
- The Balancia home has been taken down. The track hoe is now at the Larson home and the trees in the front have been removed today and they will be starting on the Hafen home tomorrow. He said people have been asking for things from the property and he has tried to accommodate them.
- He said that he has met with Dave Miller who installed the lighting system in the City Offices. One of the problems is you can't get the ballast that run the lights anymore. He said that we have a special ballast so we can dim or brighten the lights and they are expensive and hard to find so Dave said we need to rewire the lights for LED lights which has a driver and we won't keep having problems and it will save the City money in the long run. For the big lights it would be \$300 or \$400 for each light. That is what we are going to have to do to fix this problem. He said they will get some bids and some prices and get back with Council.
- UAMPS sent out an email today on reservations for the summer UAMPS Conference at Squaw Valley. The dates on that are August 13-16, 2017. He said he sent that email to Ed and Ed will send it out to Council. Everyone needs to go online to register for what they want to do. Everyone can sign up for classes and what their families want to do and how many want to go. He told Council that if they have any problems with that to get back with him and he will make sure it gets done.
- Jarett Waite asked Jack about the Solar Workshop. Is it just for him and Jack?
- Jack Taylor said he thinks it's just him and Jarett.

Corey Bundy

- We are currently at 163 residential home permits issued with 72 of those being multi-family. He has 14 in review. By the end of June we will have 177 home permits issued.
- Harmon's strip mall pad has broken ground and in a couple of months they will start building the structure that will be Café Rio.
- Mountain America Credit Union will be going for their permit on June 20 with the Planning Commission. They will probably start their groundbreaking as soon as they get out of that meeting. They have already asked about the grading and land-disturbing permit.
- They are going to have a zone change for the park across from the City Offices. We are going to change it to mixed use so Brad can put in a bathroom over there. Right now it is R1-10. That will be on June 20.
- There are several Public Hearings for the Historical District boundary change and the Historical standards.
- They are working on the subdivision standards for grade elevation change. Anything more than 3 feet they want the subdivider to put in retaining walls. They are having a lot of problems with developers leaving it to the homeowners.

- Jim Ence's final preliminary plat will be coming to Planning Commission and then on to City Council.
- A tattoo art business wants a conditional use permit to go into the shops at Santa Clara. They say all the neighbors are in favor of it. It may or may not be a controversial issue. It will be a tattoo and piecing business. They have had a background check. It seems like a good business.
- Paradise Village at Zion wants to amend its plat. They own all of the property so we don't have to do a Public Hearing.
- The seal on the cooling tower pump went out. The pump was supposed to be switching off and it has been running so it froze up. He said they have it all working again but there is some cost associated with that.
- Tode Hafen asked about the Public Hearings for the Historical District and the Historical Standards.
- Corey Bundy said that with the boundary adjustments a letter was sent out letting everybody know that are being considered that they are invited to the meeting so they will know about the boundaries being adjusted. Bob will discuss the standards. All the Title 17 Ordinances will be together will go at one time so we don't have to pay multiple fees.
- Mayor Rosenberg asked if the meeting on June 20 is an open house format or a Public Hearing format.
- Corey Bundy said it is an open house format. The Planning Commission and the Citizens Committee will be manning the banquet room. There will be a lot of posters out and it will be an open forum from 4-6 p.m. The Planning Commission will have the Public Hearings at 6:00.
- Mayor Rosenberg said there should be something where the citizens can write down comments or questions.
- Corey Bundy said they will have nametags for all the Planning Commission and the Citizens Committee and they will have a comment box for people to put comments in. They are getting a banner made that will say Santa Clara Open House and it will say General Plan underneath so the banner can be reused if there is another open house. This will mostly be relative to the South Hills.
- Tode Hafen asked if the Historic District will be included as part of this open house. The EDC should be invited.
- Corey Bundy said they will be invited.
- Mayor Rosenberg said it needs to say that on the invitation and make the chairman aware of that so they can be there to answer questions.
- Corey Bundy said that the Council is encouraged to attend this open house also.

4. Executive Session: None

- Tode Hafen said that she got a phone call today from the Tourism Bureau and they are putting out a magazine and they want an outline of things that a person can do in Santa Clara. We need to send them a list of things to do; the Jacob Hamblin home, stop and have lunch downtown, etc. She asked Council to send her a list of things to do.
- Chris Shelley reviewed the list of four candidates running for City Council: Ben Shakespeare, Ken Sizemore, Chris Barella and Wendell Gubler and the Mayor's seat is unopposed. There is no Primary.

5. Adjournment:

Meeting Adjourned at 8:07 p.m.

Chris Shelley – City Recorder

Date Approved: _____