

**SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, JANUARY 10, 2018
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, January 10, 2018 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: Herb Basso, Jarett Waite, Ben Shakespeare and Wendell Gubler
City Manager: Edward Dickie
City Recorder: Chris Shelley

Others Present: Brock Jacobsen, Assistant City Manager; Jack Taylor, Public Works Director; Corey Bundy, Building Official; Brad Hayes, Parks & Trails Director; Dan Nelson, Fire Chief; Matt Ence, City Attorney; Bob Nicholson, City Planner; Ann Evans; Cindy Frei; Patrick Manning; Jeff Lerner; Linda Gubler; Joe Platt; Ken Sizemore; Hollie Reiner; Roger Osness; Allen Hall; DL Rasmussen; Robert Smith; Ben Willits; Kyle Hafen

1. **Call to Order:** Mayor Rosenberg called the meeting to order at 5:00 p.m. and asked that Items 4B1 and 4B2 be taken care of first.

2. **Opening Ceremony:**

- Pledge of Allegiance: Jarett Waite
- Opening Comments: Jarett Waite

3. **Communications and Appearances:**

A. General Citizen Communications: None

4. **Working Agenda:**

B. General Business:

1. Recognize Council Members Ken Sizemore and Jerry Amundsen for their years of service on the Santa Clara City Council. Presented by Mayor Rosenberg.

- Mayor Rosenberg stated that tonight Council is recognizing Councilmen Jerry Amundsen and Ken Sizemore for their years of service on the Santa Clara City Council. He said that Jerry Amundsen is at a work assignment and is not at the meeting. He said he had a gift for both Councilmen and he told Ken he appreciated his service and his

work over the last four years. He said he has been a pleasure to work with and then presented him with a gift from the City. He said that Ken has accomplished a lot of good things during his tenure and particularly the Veterans Memorial.

2. Swear in New Council Members Ben Shakespeare and Wendell Gubler. By Chris Shelley, City Recorder.

- Chris Shelley swore in Mayor Rosenberg and Councilmen Ben Shakespeare and Wendell Gubler.

A. Public Hearing(s): 5:00 p.m.

1. Public Hearing to receive public input on the proposal to vacate an easement between lots 1 & 2 in Snow Canyon Estates Phase 2; Applicant Kent Frei.

- Mayor Rosenberg stated that this is a Public Hearing to receive public input on a proposal to vacate an easement between lots 1 & 2 in Snow Canyon Estates Phase 2; Applicant Ken Frei.

- Bob Nicholson said that this request is to vacate a gas line easement.

- Mayor Rosenberg said that this was the old gas line that was there before they did the subdivision. They relocated it already.

- Bob Nicholson said it was dedicated in 1993. Because it's an easement it requires City Council action and a Public Hearing.

- Herb Basso asked if all private and public utilities have to go in City easements.

- Mayor Rosenberg said that this was recorded as both.

- Jack Taylor, Public Works Director, said that this gas line went in so many years ago that there wasn't really subdivided lots there and they got the easement through the BLM property at that time and when Kent did the subdivision he had to pay Questar to move the gas line out of the easement that it was in. It is a public utility easement and if the City has to have one of those gas lines or phone lines moved out of their easements they have to move it. It is in the franchise agreement.

- Wendell Gubler asked if Questar was aware of what was going on here.

- Jack Taylor said yes.

- Mayor Rosenberg said that Questar was already paid by Mr. Frei to move the line. This is just the abandonment of the historic easement that was already there before the subdivision.

5:12 p.m. Public Hearing Opened.

No Comment.

5:12 p.m. Public Hearing Closed.

B. General Business:

3. Consider Approval for a request to vacate an easement between lots 1 & 2 in Snow Canyon Estates Phase 2; Applicant Kent Frei.

- Mayor Rosenberg asked if Council had any questions relative to this item.

Motion to Approve a request to vacate an easement between lots 1 & 2 in Snow Canyon Estates Phase 2; Applicant Kent Frie.

Motion by Jarett Waite, seconded by Herb Basso.

Voting Aye: Herb Basso, Jarett Waite, Ben Shakespeare and Wendell Gubler.

Voting Nay: None

Motion Carried.

4. Consider City Council Assignments for 2018. Presented by Mayor Rosenberg.

- Mayor Rosenberg said that he hoped Council had a chance to review their assignments for this coming year. He stated that he has gone through the assignments and modified a few of them and deleted the ones where an assignment is no longer required and added a couple of new assignments. He said he also rotated the liaisons that Council typically does every couple of years to give all of the Council Members a chance to work with the different departments. By assignment the Mayor has to be on the Washington County Mayor's Association. He also talked about the Assignments he is on as the Mayor and reviewed with Council their Committee and Liaison assignments. Mayor Rosenberg stated his assignments are: Washington County Mayor's Association, WCWCD Regional Water Supply Agreement (AC), Washington County Council of Governments (COG), Lower Virgin River Fuel & Fire Council & Dixie Metropolitan Planning Organization (DTEC). Herb Basso's assignments are: City Parks Department Liaison, BLM Shooting Range Development Liaison, City Economic Development Committee & Washington County Air Quality Board. Tode Hafen's assignments are: Swiss Days Committee Liaison, Mayor ProTem, City Administration Department, City Heritage Commission, Snow Canyon Joint Management Committee & 2018 Utah Legislature Liaison. Jarett Waite's assignments are: City Public Services Department Liaison, Washington County Mosquito Abatement District, CEC Board of Directors & City Social Media. Wendell Gubler's assignments are: City Building Planning/Zoning Department Liaison, Washington County Solid Waste District Board, Washington County Fair Liaison - Seed Display & Santa Clara Historical Society/Museum Liaison. And Ben Shakespeare's assignments are: City Public Safety/Fire Department Liaison, Washington County Flood Control Authority (EC), Suicide Prevention-Healthy Dixie Council & Princess Pageant Liaison. Ed Dickie, City Manager, assignments are: Utah League of Cities & Towns, Legis. Policy Committee, WCWCD Regional Water Supply Agreement (AC), Utah City Managers Association & Sand Hallow Aquatic Center Board.

- Wendell Gubler asked if his assignment with the City Planning and Zoning Department would require him to go to their meetings.

- Mayor Rosenberg said no and in fact he can attend as a citizen but cautioned him from getting too involved at the meeting because in some cases with Planning Commission actions the Council is the judicial side of that and is an appeal authority. He said that if Council wants to become more familiar with the departments and with the Staff and their work that they should contact the directors and they will familiarize Council with their roles and what they do.

- Herb Basso said that over the years he has tried hard to spend a day with them and it helps build relationships.

- Mayor Rosenberg said that Tode Hafen is going to work directly with Lowry Snow

directly with the Legislature so Council can get with her if there is something political to address.

- Herb Basso said that Council should discuss this and give Tode a little list.
- Mayor Rosenberg said that Tode has some information from Lowry Snow already and that should be put on the next meeting's agenda.
- Jarett Waite asked if the Glockenspiel should be on the list of assignments.
- Mayor Rosenberg said that Jarett and Tode will still have that responsibility.

Motion to Approve City Council Assignments for 2018.

Motion by Herb Basso, seconded by Wendell Gubler.

Voting Aye: Herb Basso, Wendell Gubler, Ben Shakespeare and Jarett Waite.

Voting Nay: None

Motion Carried.

5. Consider Approval of agreement for temporary variance for front yard wall height, Applicant Jeff Lerner, 1473 Boone Park Lane. Presented by Matt Ence, City Attorney.

- Matt Ence said that this has come about because of some discussions with Jeff Lerner about his property at 1473 Boone Park Circle. He said that Jeff owns two lots that are adjacent to each other on Boone Park. The vacant lot is on the corner of the circle. Jeff is using the second lot adjacent to his home as an extension of his yard and it is enclosed on the back and side with a six-foot wall. There is a partial wall that is 3-feet wide on the front. He has play equipment there for his children and so he has come to the City to ask for permission to build a 6-foot wall in the front of that lot. The City Ordinance says that a person can't build a 6-foot wall in the front of the setback of a residential lot. This situation is unique because it is not serving as a second residential lot but as an extension of Jeff's yard. It is also unique because of where it is situated on the corner.

- Wendell Gubler asked what the purpose was of the setback and will this cause a problem for neighbors.

- Matt Ence said that in his view because of the way this property is situated, the normal reasons that there is the setback don't necessarily apply because it is on the corner of the road and the circle. Part of the reason for a setback is to give some uniformity to the front yards as they go down a street but this is on a corner and a bend so it's not as critical. There is also a required setback on a side yard for the wall to be constructed in terms of sightlines for drivers. He feels that mitigates that issue somewhat. The negative impacts normally seen aren't there.

- Jeff Lerner, 1473 Boone Park Circle, said that all neighbors that live within 200 yards or some fixed distance of the property sign a document saying that they were satisfied and it was an acceptable adjustment to make. He said the biggest reason they want a 6-foot wall around the entire property is because their property can be accessed to get to a pool.

- Mayor Rosenberg said that the walls that have been allowed out along the street had to be back 5 feet and had to be landscaped.

- Jeff Lerner said they put in a 3-foot wall because that is what they were allowed to do and it was placed so that if this was approved they could extend it to 6-feet. The setback is there and there is landscaping out front.

- Herb Basso said part of this is that there is a feeling of openness instead of being walled in. Could this be precedence to set?

- Matt Ence said he isn't aware of any other property that is situated the same way.

- Ben Shakespeare said that Buck Hurst does and they have a wall all the way around it. It is landscaped but he doesn't know about the setback.
- Matt Ence said that this is temporary. He said that Corey suggested this be proposed to the City Council as a temporary variance and that it be documented with a recorded agreement which will be recorded against the property saying that at some point in the future if Jeff or a future owner of this corner lot wants to utilize the property as a residential lot with a home on it the wall will have to come down and they will have to comply with the setback. He drafted an agreement to that effect and Jeff will have to agree to cover the cost for Matt's time for that work so the City doesn't pay for that. That is what is before the City Council tonight. Not just the temporary variance but also the agreement that has been prepared. The temporary agreement isn't based on a fixed period of time but on a change in usage.
- Mayor Rosenberg asked if Jeff paid impact fees or pulled meters on the second lot.
- Jeff Lerner said that he didn't that he is aware of.
- Mayor Rosenberg said that is more leverage the City has. Before anyone can build a home on that lot those fees would have to be paid.
- Herb Basso asked Matt if liability would still be with Jeff Lerner even though the Council would be making the variance.
- Matt Ence said that included with the agreement is a "hold harmless and indemnification" for the City. It still has to meet the variance thresholds. There are requirements for variances that are set forth by statute. There are five that need to be met in order to grant a variance. They are: 1. Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinances. 2. There are special circumstances attached to the property that do not generally apply to other properties in the same zone. 3. Granting the variance is essential to the enjoyment of the substantial property right possessed by other property in the same zone. 4. The variance will not substantially affect the general plan and will not be contrary to the public interest. 5. The spirit of the land use ordinance is observed and substantial justice done. He stated that he thinks these five requirements are met here. He said that the variance being asked for is fairly minor in scope in relation to other things adding to the fact that it's a temporary variance mitigates some of the impact.
- Mayor Rosenberg asked that because he got signatures from other neighbors does there not need to be a public hearing.
- Matt Ence said that a public hearing was not required anyway. He said that Jeff originally came to the Planning Commission asking for permission to combine the two lots, which the Planning Commission gave with support of what he was doing, but they didn't specifically approve a variance for this purpose. Then it came back to Staff and Staff considered it. Ultimately it was decided that this was the best way to address this. He said that in his opinion this meets the statutes as far as variance issues.
- Jack Taylor asked Jeff if he is aware that there is an easement that goes along the west side of that property where the wall is built up. There is a 25-foot easement for a transmission line that is going to be built in the future. He said that he is nervous about where Jeff's basketball standard is because he doesn't want this to interfere with the power lines.
- Jeff Lerner asked if that would mean he would have to lower that piece of fencing.
- Jack Taylor said that maybe because of the netting. He might have to shorten that. He said that they have tried to move the power pole between the sidewalk and the curb and

as far back to the back corner as he can.

- Jeff Lerner said that if they need to change something to let him know.

- Jack Taylor asked if something could be put in the agreement saying that Jeff is willing to lower that net and standard if it needs to be so it doesn't come in conflict with the power line.

- Ben Shakespeare asked that if this was reversed and the house was on the corner and the applicant was trying to do this on the interior lot would this be a no from the City?

- Matt Ence said that is a completely different scenario. Aesthetically it would be different.

- Mayor Rosenberg said that from his standpoint the temporary nature of this is the key. That it is temporary by agreement and he hasn't paid his impact fees or vested the ability to build that second home there.

Motion to Approve an agreement for temporary variance for front yard wall height with language added that if the power lines necessitates the lowering of the netting or lights the owner will do so, Applicant Jeff Lerner, 1473 Boone Park Lane.

Motion by Ben Shakespeare, seconded by Herb Basso.

Voting Aye: Jarett Waite, Herb Basso, Wendell Gubler and Ben Shakespeare.

Voting Nay: None

Motion Carried.

6. Consider ratification of City Attorney revisions to South Hills Development Agreement previously approved by City Council on October 4, 2017.

- Mayor Rosenberg stated that this is to consider ratification to some changes that have been made to the South Hills Development Agreement that was previously approved by Council.

- Matt Ence said that this agreement was approved in October 2017 when the South Hills Master Plan was adopted as the PD zone for the South Hills area owned by these developers the development agreement was approved subject to some final changes. Under normal circumstances it wouldn't be brought back for another approval but he felt the changes were significant enough and important enough to bring them back to Council to explain them to Council and make sure they are comfortable with the changes that were made. The first change that resulted in changes in several places throughout the agreement is the developer has decided to maintain what was the phase 1 property in the zone it was prior to their application for the Master Plan PD change which is R-1-10 Mixed Lot size. It's the same zone that was there before. He said that their plan is to develop that property as custom homes and not part of the larger resort project. That will have to come back with plats and so forth. He said that rather than coming back and doing a new zone change, he proposed to the developer to just modify the development agreement to reflect the fact that phase 1 is being pulled out. He reminded Council that one of the things discussed when this agreement was approved was the idea of creating a bonding scheme for the recreational amenities and the idea behind it was that as each phase of the development was approved that the developer is required to provide sufficient amenities for the phases as they are developed and in order to ensure that the Council asked that there be created some bonding requirements in the agreement. He stated that through meeting with the developer's attorney, we have proposed the language that is provided: "Bonding For Amenities. When Developer submits for approval the

first preliminary plat containing units intended for short term rental use, Developer shall also (a) submit a detailed engineer's estimate of the cost to construct all of the future anticipated recreational and service amenities described in subsection vii above; and (b) identify in writing the total number of units anticipated to be used for short term rentals in the Planned Community (the "Total Rental Units"). Then as a condition of final plat approval for that phase, and for each subsequent phase containing short term rentals, Developer shall post a bond or other adequate security in an amount equal to one hundred fifty percent (150%) of the engineer's estimate, times a number which has as its numerator the number of units intended for short term rental use in the phase pending final plat approval, and as its denominator the Total Rental Units. The bond or other security shall be in one or more of the forms listed in Santa Clara City Code section 16.28.020, as amended; however, the parties agree that the bond or other security is not otherwise subject to Chapter 16.28 of the City Code. The bond or other security will be held by the City and released proportionally as amenities meeting the requirements of this Agreement are actually completed. Amenities will be considered completed upon substantial completion of any planned improvements, and receipt by the City of a letter from the Association accepting responsibility for operation and maintenance of the completed amenities." Matt said that the idea is to have an equation that takes the engineer's estimate for all of the amenities to be constructed and divide that up proportionally based on the number of units that are being developed.

- Mayor Rosenberg said that the amenities for this project are fairly significant and to require that entire amenity be built for a smaller first phase that isn't fair so to start making them bond for a portion of that right when they start building as they go. The 150% bond factor is to make sure that is enough to build that 15%. This is similar to how we do street improvements.

- Matt Ence said that this bonding is not subject to the City's regular bonding ordinance but we used it as a guideline. He said the amenities will be operated by a homeowners association of some type that the developers will set up.

- Herb Basso asked what the developers plan was in keeping the responsibility ensuring that the amenities are well kept. At what point of build out will the association take this over?

- Patrick Manning said it is the developers intention to have the hotel operation and hotel central, the amenity base, the check-in facility, the pools and the restaurant to never be turned over to the association to be maintained by the developer and hotel operator to manage.

- Herb Basso asked if the language should be changed then. From association?

- Mayor Rosenberg asked if it was going to be platted as common area.

- Patrick Manning said it would be platted to be solely owned and kept by the developer and successor.

- Matt Ence said there probably should be a change then. He asked at what point the operator will be in there operating the amenities. Will that be some point in the future or right at the outset?

- Patrick Manning said they are intending to bring in the hotel operator right away.

- Matt Ence said that there should be something for the City to put on file that says the amenities are completed and they are going to be maintained.

- Mayor Rosenberg said it will be platted as a separate parcel and not common area.

- Jack Taylor asked if this agreement would cover making sure there is enough amenities to take care of the first phase so that there are at least some amenities in and something

there for the people after the first phase.

- Matt Ence said that is the purpose of the bond. Each of the phases will come in for plat approval in due course so the City will be able to review those and see what amenities are proposed. The bond creates the incentive to build those amenities as soon as possible. He said that partly what is being done here is creating a template that could be used in the future with other projects.

- Patrick Manning said the applicant would be okay with adding language that says that when we come in with the first phase that the bond requirement would be at least sufficient to build a pool.

- Mayor Rosenberg asked about it stating that the applicant bond for an amenity deemed necessary for the number of units being platted so it would give more flexibility instead of just stating that it would be a pool.

- Patrick Manning said that would be fine.

- Jarett Waite asked if we are following the spirit of what we expect to be done as phases move along if it includes housekeeping services or maintenances as amenities.

- Matt Ence said that because those amenities are listed in the agreement they are incorporated. It is up to the Council how they want to do it. If they want to create a narrower definition of amenities to bond for, Council can do that. It does make that bonding obligation reduced. Even though these are strictly recreational amenities they are still integral to the project. It does make some sense to include them.

- Mayor Rosenberg said he likes to have the language in there because of the way this is going to be operated and this covers the proposal that they submitted with their zone change.

- Ben Shakespeare asked that if these amenities fall into different phases of the development will they be coming in through different phases of the entire project.

- Herb Basso said there needs to be some flexibility.

- Joe Platt, Developer, said there is a common sense statement that could be made. There are certain administrative functions such as housekeeping, landscaping, security that have to be done. They can't operate at all without that and give them credit for that against an amenity is maybe asking too much. He said if they are going to spend money on recreational amenities it can be assumed that the other stuff is going to be done. It will be done first, it has to be or they can't operate.

- Matt Ence said that if someone on the Council is going to make a motion to approve it would be to approve the changes subject to the change that the Mayor suggested of defining the initial amenity as sufficient to service the number of units in the first phase.

Motion to Approve ratification of City Attorney revisions to South Hills Development Agreement previously approved by City Council on October 4, 2017.

Motion by Herb Basso, seconded by Ben Shakespeare.

Voting Aye: Herb Basso, Jarett Waite, Ben Shakespeare and Wendell Gubler.

Voting Nay: None

Motion Carried.

7. Consider Amending Title 12, Chapter 12.24, Cemeteries and approve Ordinance 2018-01. Presented by Matt Ence, City Attorney.

- Matt Ence asked Brad Hays, Parks & Trails Director, if he would make some comments on this issue.

- Brad Hays said that they have added some changes to the Cemeteries Ordinance to help improve operations. One of the things that has been added is to not have burials on holidays and Sundays. The other cities don't allow burials on these days. Another part of the ordinance change is for safety of the people that work in the cemetery that open and close the plots. He said they want to put size restrictions on the size of monuments that people can put in the cemetery. He said the current practice is to use a backhoe and physically pick up the monument with a wedge or a lift and then put blocks on it and straps under it and pick it up with the backhoe and move it but some of the monuments are up around 1,500 pounds and are tall and there is a danger of them toppling and falling on someone and hurting them. He stated that they want to put a fee for if a monument is put in there before the person is buried and the monument has to be moved in order to do the opening. Then the monument company can come out and remove it rather than have City workers move it. It is a safety issue. He said they will be bringing a resolution if this ordinance passes.

- Matt Ence said he gives credit to Brad. Most of the work on this proposed ordinance comes from him and then Matt said he did some review and revision on it. There are some changes that he made in the revisions to make it more consistent with the State Code governing cemeteries. One of those is that the State Code talks about ownership in terms of deeds to plots where the old City ordinance talked about the City issuing certificates. Some of that language has been tweaked. Some of the language was about unused plots and the City being able to claim those after a certain number of years. He said he was trying to make this ordinance consistent with current law. They have tightened up some things concerning preservation to the historic part of the cemetery, the western end. He feels this is a good revision.

- Herb Basso asked how the City reclaims an abandoned burial plot.

- Matt Ence said that is addressed in Section 12.24.050. "Unused Lots: If, for a period in excess of sixty (60) years and one day from purchase of burial rights to any cemetery lot, the grantee, or persons claiming through the grantee have not used portions of the lots or parcels for purposes of burial and have not provided for the care of the lots or parcels beyond that uniformly provided for all lots of the cemetery, and during the sixty (60) year period have not given the city written notice or any claim of interest in the lots or parcels, the City may, following the procedures set forth in section 8-5-1, Utah code Annotated, 1953, as amended, or its successor, demand the grantee that they file with the city a written notice of claim or interest in such burial rights accompanied by evidence of their claim within fifty (50) days after service of a copy of notice of demand." He said he doesn't think that this happens very often.

- Herb Basso said that if someone is at the 60-year mark, will the City give them notice. Can the time be extended?

- Matt Ence said the time periods are established by State law so we are tracking what the legislature has already decided. It can't really be changed. As far as someone who wants to keep their burial plots longer, the City isn't required to reclaim the plot. This prevents issues where a burial plot has been in a family for so long and so many heirs or lost track of in the estate, this prevents title issues.

- Mayor Rosenberg asked about there being a transfer, like leaving it to a child in a will. Would that start the clock over again?

- Matt Ence said that would not start the clock over again. Once a person satisfies any requirements the City has to continue to maintain the deed they can will it over.

- Herb Basso said to define the term of abandonment. If a family member is still interested in the plot that is not abandonment. He asked about burying two-deep.
- Brad Hays said that is not permitted by this ordinance.
- Herb Basso asked if that should be considered. It saves money and saves land and that is how a lot of people do it. He asked Brad to do a little more review and research of that and on cremation and bring that back at another time. He would like to discuss that.
- Brad Hays said there is one change on Section 12.24.130, paragraph A, on the first line it should say the “west two feet” instead of “east”. Then on 12.24.100 it says, “No cremation vault shall be placed in the same plat as a regular burial plot.” He said his thought is that we don’t want bury cremations where there already is a vault or occupied location. Would this allow City crew to do cremation burials in a 4 by 10 plot? He said that should maybe be reworded. He said that they do that now they will put one at the head and one at the foot.
- Matt Ence said that can be clarified. He said what it should say is “No cremation vault placed in an already used plot.”
- Brad Hays said that is more like what they are looking for.
- Herb Basso asked if it will just be major holidays or all holidays that there won’t be burials.
- Brad Hays said it would be the City holidays. Any holiday officially observed by the City. He said that if this ordinance passes there are two resolutions that he would like to bring to the next City Council meeting. One for fees and size of monuments limitations.
- Mayor Rosenberg said that when the size limitation resolution is brought, Brad needs to bring some photos and some weights so Council can understand what it is being limited to.
- Cindy Frei, 2297 Arrowhead Circle, asked that if a person has a memorial on the plot but no body buried there is that going to be taken back.
- Matt Ence said in his opinion if there is a memorial that is a used plot.
- Mayor Rosenberg agreed with that.

Motion to Approve Amending Title 12, Chapter 12.24, Cemeteries and approve Ordinance 2018-01 with changes presented by Brad Hays and Matt Ence.

Motion by Jarett Waite, seconded by Herb Basso.

Voting Aye: Herb Basso, Wendell Gubler, Ben Shakespeare and Jarett Waite.

Voting Nay: None

Motion Carried.

12A.Consider Developer’s request for asphalt reimbursement on Rachel Drive north of North Town Road. Presented by Jack Taylor, Public Works Director.

- Jack Taylor said that in 2009 Santa Clara installed the road base and chip seal on Rachel Drive and North Town Road. The City did this with stipulation on Harmon’s coming to Santa Clara. Harmon’s wanted those two streets to connect to Ivins so that the residents in Ivins could get to Harmon’s. Bella Sol and Arcadia are asking for reimbursement of 7.5 feet of that asphalt and road base. Rachel Drive is a larger road than what the developer is required to pay for and Staff agrees with the footage on the table that Ben Willits provided. The road base was put in by the City in 2009 of over 30 feet wide and 8 inches in depth so most of the road base was reused by the developer as he rebuilt the road. For this purpose Staff believes the road base was already in and that the contractor

was able to use the surplus road base for his portion of the road. He said that the City took off \$18,552.23 of road base that was already provided and also calculated the footage and agree with the footage numbers and that number comes up to \$37,402.49 that the City would pay back to the developer for the asphalt that was installed. The reason the developer is asking for this is that this road is a larger road and is an arterial road. It's more than what the developer is required to put in so he is asking to be paid for that 7.5 feet.

- Ben Willits, Representative for Taylor Built Homes, said he appreciates Staff and cooperation on this.

- Matt Ence said that on Item 12 it looks like there are two items together in this one agenda item, the asphalt item and then some landscape reimbursement.

- Ben Willits said they are two separate items but are shown on the table.

- Jack Taylor said it is different so he thinks it would be better for Council to act on each item separately.

- Ben Willits said that the asphalt has nothing to do with the landscape portion. That has a whole separate issue and story behind it. He said it's up to the City is they want to do the reimbursement from a development credit standpoint or a straight reimbursement they are fine either way.

- Mayor Rosenberg said that would probably be left to the discretion of Staff.

- Jack Taylor said they could be given a credit on impact fees or pay it out of impact fees that have already been collected.

Motion to Approve Developer's request for asphalt reimbursement of \$37,402.49 on Rachel Drive north of North Town Road.

Motion by Ben Shakespeare, seconded by Jarett Waite.

Voting Aye: Jarett Waite, Ben Shakespeare, Wendell Gubler and Herb Basso.

Voting Nay: None

Motion Carried.

12B. Consider Developer's request for landscape reimbursement on Rachel Drive north of North Town Road. Presented by Matt Ence, City Attorney.

- Matt Ence said that this is from a discussion that the Council has had previously and Ben Willits has been to Council to discuss this issue and it's related to the fact that the meandering walls at the Bella Sol project do not match up with the property lines and so the walls meander into the backyards of some of the lots that are along Rachel Drive. He asked if Council needed more detail about that. He said there was a meeting about that with the Council and then a follow up meeting with Ben and Robert, which was a good positive meeting at which everyone expressed their willingness and desire to work together. He said he doesn't know if the City has come up with any solutions to their concern that would satisfy them so they asked for a proposal to bring to the City Council and see what Council wants to do with it. He asked Ben to talk about the proposal and what he is asking for.

- Ben Willits said after they looked at the scenarios of what would be a good equitable solution. After going back and forth with ideas they decided to propose that last section which is now being in question on Phase 6 that the City reimburse or install it themselves that whole section of landscaping so that would be a recompense for all the rest of those areas as far as the loss of property that is not in a right of way or any other legal

mechanism. He showed the Council the cost of the frontage improvement as far as the landscaping goes for just the Phase 6 portion of Bella Sol. That will go back to the City as part of the landscape area.

- Mayor Rosenberg asked if there is an estimate on the cost.

- Ben Willits said that there is. It is a rough estimate. He said they would get a final bid or have the City go on their own bidding process. The proposal is for about \$15,315.

- Brad Hays said that Phase 1 was all agreed upon and designed into the plat. Phase 4 was designed into the plat with the meandering wall and now we are at Phase 6. Why are we waiting until now to talk about this? He said his feeling is we should have discussed this at the beginning. We are not just talking about Bella Sol but the whole frontage along Rachel Drive. If someone is going to negotiate something they should do it at the beginning and not wait until some of the way through it and come and ask for money.

- Wendell Gubler asked if the developers knew this up front that they were going to have to do this.

- Brad Hays said they set down a preliminary plat and go through all this and the designs are all there and we sat down and discussed the meandering wall, the designs in there, landscape is in there. He said we approve the landscape and the design they provide to us.

- Ben Shakespeare said the meandering walls are a pain on the developer's side. They do encroach on property. You either approve at the beginning. Then you run into setback issues.

- Ed Dickie, City Manager, stated that after the first phase the City did work with Robert in trying to bring the lines in between the lots to give some relief and it worked a little bit. Each time they were hoping there was something we could do for them then. It has been an issue with them since the second phase. He said they told them they could bring it to the Council and ask.

- Robert Smith, 491 N. Bluff Street, said this isn't the first time they have brought this up. They have had many discussions. He said they were required to do this in order to record their plat. They are trying to figure out the solution. He said they are losing value of property on their lots. There are 21 total lots that this wall is encumbering. It's just under 10,000 square feet of land that they are losing. He said they looked at it with the value of the land. The value of the lost land is roughly \$80,000 on each one of these lots that have lost 200 or 300 square feet per lot. He's not asking for that \$80,000 but he feels that what they are asking for is a fair amount.

- Matt Ence said that Robert has not threatened litigation to this point but it is foreseeable that that is where the City could end up on these issues. Robert has requested an opinion from the State Private Property Rights Ombudsman, which is within his rights to do. That process of corresponding with the Ombudsman to try and begin that is what ultimately what led to us meeting together again. The potential of having to work with the Property Rights Ombudsman is still out there. The potential for litigation is out there and those things have a cost. He said he wants to be clear that the City's position is strong on these issues and he thinks that City has not done anything inappropriate here so the outcome of any kind of legal proceedings would reflect that but that being said all of that has a cost. He said that if Council wants to talk about the details and the legalities or beyond that it would be appropriate for an Executive Session.

- Mayor Rosenberg said the question is if we want to maintain the uniformity of the landscaping on the outside of the wall and facilitate the maintenance then the City at that point to take it over. The error made on this one is a lack of a development agreement at

the time the zone change was granted when the street cross section was developed. It goes back to the zone change. These guys have met as directed by Council and they have made a presentation as was directed to them by the Council to bring back to Council and if Council feels it is reasonable to do this and by doing this you can bring this to resolution, Council can go that way. If they feel strongly enough about the City's legal standing as Matt was saying you can say no to that and you can put the ball back in Robert's court and see where it goes from there. If Council is uncomfortable talking about it in the open setting we would be entitled to go into Executive Session to discuss pending litigation.

- Matt Ence said that on the issue of what's being done to prevent this in the future the changes to the wall ordinance that Bob is going to present tonight, we have actually addressed meandering walls situations and stated that it's required that there be easements in place on the City side of that wall so the City will be responsible for that landscaping so that would address at least to some extent that specific issue.

- Mayor Rosenberg stated that he feels strongly about that development agreement. Any reimbursement of a City when they go into a project if there is any type of project, road widening, water upsize, sewer upsize, any landscaping participation that's defined when the entitlement is granted.

- Herb Basso said it's not the dollars he is frustrated about but the fact that we are even having a conversation here. He asked who decides on the meandering wall.

- Mayor Rosenberg said that was discussed when Mr. Plum was in to the City originally and the road section for Rachel was being developed.

- Herb Basso said if that is desirable by a developer and the developer is going to estimate what his customer wants then the value is in the meandering.

- Mayor Rosenberg said he thinks there was some desire on behalf of the City to have it too. He said it wasn't just the developer. He thinks the City was in that too.

- Robert Smith said they have had some good discussions with Ed, Jack and Matt and others about future developments and they have brainstormed about what could have been done. He said we can't go back but they are looking for ways in future developments to do the meandering walls and keep it in the right of way without encroaching in the private property and there were some positive discussions. He talked about the property owner having to pay taxes for the property on the other side of the wall and will pay for as long as they own that lot. He talked about how Bella Sol and Arcadia are different than other developments because the other developments have lot lines and common area. The wall is not encroaching on anyone's private property.

- Jarett Waite said he is leaning towards going into Executive Session.

- Ben Shakespeare said that Staff is phenomenal and he feels like everything has been looked at. He also sees this from a landowner's perspective and he said he has no issue with the proposal. He said that road is a huge benefit for the City. He is okay without going into Executive Session.

- Herb Basso said he doesn't have issue with the proposal at all. He said he doesn't think there needs to be Executive Session if we can solve the problem for the future.

- Wendell Gubler said he doesn't think there needs to be Executive Session.

- Brock Jacobsen asked if the \$15,000 that is being requested is just on Phase 6 or is this all the way back to Phase 1 & 4.

- Ed Dickie said that it is just Phase 6.

- Brock Jacobsen asked who is maintaining Phase 6 landscape after?

- Ed Dickie said the city will just like the others.

- Brock Jacobsen said that reimbursing or paying for it is that taking in the fact that the benefit that the development gets based on the City is maintaining that and keeping that development looking good which is a benefit to that developer and those landowners helping that property have value.
- Robert Smith said that the City will still be maintaining the landscaping from the curb to the sidewalk that wouldn't be in question. It would just be the area to the wall, which is minimal.
- Mayor Rosenberg said that the City wants to maintain that.
- Brock Jacobsen said that he is just stating there is a value there not only to the City but also to Bella Sol.
- Robert Smith said they discussed that and they realize that value that is why they are not asking for anything beyond Phase 6 and they are not asking for anything for Phase 1 & 4 and won't in the future. This is much less than the impacted value.
- Brad Hays said that once we get done with Bella Sol and Arcadia the City will maintain that also. He restated to Robert Smith that he won't come back to the City for reimbursement for that area that the City is going to take care of. So is Phase 6 it?
- Robert Smith said that Phase 6 is it.
- Wendell Gubler asked if Mr. Plum platted this at the beginning.
- Mayor Rosenberg said he got the zone change. He got the preliminary plat and then it switched ownership.
- Wendell Gubler asked if this was all caused because of a change in ownership. He asked Robert Smith if he knew this up front when he bought it that this meandering wall was there.
- Robert Smith said he honestly didn't know. There was some confusion.
- Mayor Rosenberg said that he knew the meandering wall was there but not the impacts it was going to result in.
- Robert Smith said he didn't know the impacts or that it was outside the right of way or that it was a condition of the zone change that it was continuous. He thought it was a Phase 1 type of thing only.
- Wendell Gubler asked if Walt Plum knew that from the beginning.
- Mayor Rosenberg said that it was approved as one zone and one preliminary plat and one road section. Robert tried to change it on Phase 4 and Council told him no because it was part of that.
- Robert Smith said he didn't know it was a condition imposed upon the entire property. He thought it was more of his discretion so when he went into Phase 4 he found out he couldn't change it.
- Wendell Gubler asked if this is something he ought to go back to Walt Plum on.
- Robert Smith said he doesn't think he could go back to Walt Plum on anything. There could have been better planning.
- Ed Dickie said that for the motion he is wondering if you approve it up to an amount and have the developer doing the landscaping and then turn it over to the City to maintain. If we pay this or reimburse this and it's up to this amount in case it is more. It could be double that depending on what they do. It does set precedence for any other meandering wall.
- Mayor Rosenberg said it should only be up to that amount requested. He said he is not too worried about the precedence because the City doesn't have any meandering walls.
- Bob Nicholson said at the Planning Commission meeting tomorrow night they hoping to set forth clear standards that this is a developer responsibility like in most cities so

therefore there shouldn't be any more issues about the City having to pay for landscape area. The City is going to incur a huge obligation over time to maintain all these landscape strips and property owners on the other side of that wall are going to be huge beneficiaries. There are benefits to the community and to the developer.

- Brad Hays said that if Council does agree to the reimbursement the City is not interested in installing the landscape. We would like it to be installed like in previous phases and go into the 1-year warranty and be part of the bond.

- Ed Dickie said and let Staff determine how it is paid whether it's credit or a check.

- Brad Hays said the City already has the irrigation controller, the waterlines are stubbed up to there, everything is ready to go the same way with Arcadia. We're moving forward with that.

- Ben Shakespeare said that if the control valves are already there it could be negotiated down a little bit. He said he doesn't think the City has any concern on the legal side. He asked Matt Ence if we are setting precedence moving forward.

- Matt Ence said he is not concerned with any precedence here. The situation is fairly unique given the history and the circumstances.

Motion to Disapprove Developer's request for landscape reimbursement on Rachel Drive north of North Town Road.

Motion by Wendell Gubler, seconded by Herb Basso.

Voting Aye: Wendell Gubler and Herb Basso.

Voting Nay: Jarett Waite, Ben Shakespeare and Mayor Rosenberg.

Motion Dies.

Motion to Approve Developer's request for landscape reimbursement along Bella Sol Phase 6 up to \$2.00 a square foot of the 6,126 square feet up to \$12,252.00 on Rachel Drive north of North Town Road.

Motion by Ben Shakespeare, seconded by Jarett Waite.

- Matt Ence proposed that the motion be amended to include a requirement or condition that there be a simple settlement signed where the parties each agree to hold each other harmless.

- Jarett Waite asked if there should be included in the motion that the landscape will be installed by the developer.

- Mayor Rosenberg said that wouldn't hurt to the recommendations of the Staff and the funding of it would be up to the Staff.

- Ben Shakespeare said to also add that it should follow the previous design and installs that have taken place in the other phases.

Motion to Approve Developer's request for landscape reimbursement along Bella Sol Phase 6 up to \$2.00 a square foot of the 6,126 square feet up to \$12,252.00 on Rachel Drive north of North Town Road with the requirement or condition that there be a simple settlement signed where the parties each agree to hold each other harmless and with the condition that the developer install the landscape and follow the previous design and installs that have taken place in the other two phases.

Motion by Ben Shakespeare, seconded by Jarett Waite.

Voting Aye: Ben Shakespeare, Jarett Waite and Mayor Rosenberg.

Voting Nay: Herb Basso and Wendell Gubler.

Motion Carried.

- Mayor Rosenberg gave his reason for voting aye because of the potential litigation even if the City is right, the cost of the litigation would be more than the amount of money being approved in the motion.
- Matt Ence said he would be in touch with the proposed form on the Hold Harmless document.

8. Consider a proposed sign code amendment to Title 17, Chapter 17.44.130, Provision for Temporary Signs for Swiss Days and approve Ordinance 2018-02. Presented by Bob Nicholson, City Planner.

- Bob Nicholson said that this comes about because of the wooden cow replicas and some of the other signs related to Swiss Days are technically in violation of the Santa Clara Sign Code. It's a fairly simple amendment to the section. There is a section on temporary signs and under that there are 9 items that talk about criteria of temporary signs and item number 10 is being proposed. "For the City's annual Swiss Days celebration, temporary signs consisting of wood cow replicas, and advertising banners may be displayed for up to 30 days prior to the start of Swiss Days, and 15 days following the conclusion of Swiss Days. The temporary signs including the wood cow replicas shall be placed so as not to create an obstruction of view when exiting a driveway or entering a public street from an intersection. Each Santa Clara business may install one temporary banner on their building and / or along Santa Clara Drive, or an adjoining street for the time period noted above. Temporary signs that create a safety problem may be removed by city staff as they determine necessary." The Planning held the required Public Hearing and they tweaked language slightly and this is their final language. A section was also added under "Temporary Signs" which says they are not limited to location except not within the public right of way and it was added "with exceptions allowed for annual Swiss Days celebration".

- Herb Basso said that this is kind of restrictive. He said there are many supporters of Swiss Days that are not businesses but are residents.

- Mayor Rosenberg said that there are many sponsors that are not from Santa Clara. Don't we want to include them? Anyone can put up the banner and the cow.

- Bob Nicholson said that maybe it should be tweaked to say "each Santa Clara business or Swiss Days sponsor".

- Matt Ence asked if the City already has a mechanism for those people to put signs along Santa Clara Drive.

- Mayor Rosenberg said that is not part of the sign ordinance so it is violated every year during Swiss Days time. We are just cleaning it up.

- Corey Bundy said we do have a mechanism for temporary banner and people do have to come in to the City and get a sign permit for temporary signs and pay a fee. This would be for Swiss Days and there would be no fee for the Swiss Days banners.

- Herb Basso asked if the banners would have to be in support of Swiss Days.

- Corey Bundy said no.

- Herb Basso asked about inappropriate signs and said that should be monitored.

- Corey Bundy said he leaves it up to Ditzzi. He hasn't regulated the signs for Swiss Days. He said they are trying to put something in the ordinance that shows that during this special event, Swiss Days, that we can put up cows and banners. A-frames are still not

allowed.

- Mayor Rosenberg asked if anyone has ever come in to ask if they could put a sign up on their business during Swiss Days. Why are we doing this?

- Herb Basso said that we can do this in our normal sign ordinance.

- Mayor Rosenberg asked why we wanted to open ourselves up to let somebody put a sign up that doesn't have to go through the process. The City controls the sign for Swiss Days for the most part. He is worried about someone putting up an inappropriate sign.

- Corey Bundy said that there is nothing in the ordinance per se during Swiss Days that says the City can put up their own signs and regulate them.

- Mayor Rosenberg said that can be put in the ordinance just don't include the line, "Each Santa Clara business may install one temporary banner on their building and / or along Santa Clara Drive, or an adjoining street for the time period noted above." If no one has asked for that, let's not put it in there. If they want it the normal process can achieve that and the City gets to review it.

- Ed Dickie said the spirit of this was for the Swiss Days advertising and our signs and banners.

- Jarett Waite said that it could be reworded as "sponsors of Santa Clara Swiss Days can have a banner installed by the City on Santa Clara Drive" if you want to have wording to allow banners on the fence.

- Mayor Rosenberg said it could say "to be installed by Swiss Days committee". There needs to be some level of oversight on what the content of that sign is before it is put up.

- Jarett Waite asked for these signs for Swiss Days do we need to update the ordinance or is it already in the ordinance somewhere.

- Mayor Rosenberg said there needs to be an update. Sponsors signs can't be put up without tweaking.

Motion to Approve a proposed sign code amendment to Title 17, Chapter 17.44.130, Provision for Temporary Signs for Swiss Days and approve Ordinance 2018-02 with the following changes: Strike "Each Santa Clara business may install one temporary banner on their building and / or along Santa Clara Drive, or an adjoining street for the time period noted above." and instead include a line that the banner will be installed by the Swiss Days Committee.

Motion by Jarett Waite, seconded by Herb Basso.

Voting Aye: Herb Basso, Ben Shakespeare, Wendell Gubler and Jarett Waite.

Voting Nay: None

Motion Carried.

9. Consider a Code Amendment to Title 17, Chapter 17.28.030, fence or wall height measurements standard and approve Ordinance 2018-03. Presented by Bob Nicholson, City Planner.

- Bob Nicholson stated that there has been one sentence added to the Fence and Wall Section that will talk about how the fence height is measured, "Where the fence or wall is located within 5 feet of the sidewalk, the fence height shall be measured from sidewalk grade. Where the fence or wall is more than 5 feet from the sidewalk, the height shall be measured from the adjacent grade." He said that Corey has been dealing with this. This deals primarily when from the sidewalk either something that is steep, uphill or downhill or an inclination to berm something, this will clarify where that height is going to be measured.

- Mayor Rosenberg stated that there has always been a question whether you measure from the sidewalk or from the foundation and this clarifies that.
- Ben Shakespeare said that on a steep incline you could get several feet of fill from the inside so he wants to determine what adjacent grade considered foundation.
- Mayor Rosenberg said that is a good point, are you going to measure from the inside or the outside? You want to measure from the outside of the wall. Adding the “adjacent grade from the street side of the wall” should cover that.

Motion to Approve a Code Amendment to Title 17, Chapter 17.28.030, fence or wall height measurements standard and approve Ordinance 2018-03 with the amendment for the height measured from the street side of the wall.

Motion by Herb Basso, seconded by Ben Shakespeare.

Voting Aye: Ben Shakespeare, Wendell Gubler, Jarett Waite and Herb Basso.

Voting Nay: None

Motion Carried.

10. Consider a Code Amendment to Title 17, Chapter 17.16.020, to allow City Staff to approve a Conditional Use Permit for a 2nd Dwelling Unit in certain R-1-10, R-1-10/RA and RA Zones and approve Ordinance 2018-04. Presented by Bob Nicholson, City Planner.

- Corey Bundy, Building Official, stated that this was taken to Planning Commission and they felt that Planning Staff could do these conditional use permits. They did recommend to change the proposed conditional use application to make it mandatory to notify all the residents within 300 feet and invite them to attend TRC meetings and the TRC will need to allow for public comments regarding requests for a second dwelling. Right now the City’s application says they are encouraged to notify all the owners.
- Mayor Rosenberg confirmed that right now second dwellings are allowed by ordinance of the person that gets a conditional use permit.
- Corey Bundy said yes through the Planning Commission.
- Mayor Rosenberg said that what Planning Commission is saying is to let the Staff make that decision and they would become the land use authority for a conditional use permit for a second dwelling unit. He asked who the appeal authority would be.
- Bob Nicholson said the City Council would be.
- Mayor Rosenberg asked if the appeal authority would go from Staff to Council.
- Matt Ence said he would have to check on that.
- Bob Nicholson said he thinks that is the way it is. The other issue is that under the code right now the second dwelling has to be attached to the main dwelling in some manner and that is a discussion item on the Planning Commission tomorrow and Planning Commission has asked if there is a reason it was required that they have to be attached.
- Mayor Rosenberg said he thought it allowed detached as well.
- Herb Basso thinks it allows for detached and he said they have read it and reviewed it in the past. In the case of the detached there were additional requirements.
- Corey Bundy said that for whatever reason when they did the accessory dwelling it was put on there the criteria of what it could be. That will be a discussion item tomorrow at Planning Commission. He said this was brought up and some of the Planning Commissioner asked why it was requested to be attached.
- Herb Basso said he remembered the discussion on casitas and the requirements for

them.

- Mayor Rosenberg said he encourages Planning Commission to look at it.

Motion to Approve a Code Amendment to Title 17, Chapter 17.16.020, to allow City Staff to approve a Conditional Use Permit for a 2nd Dwelling Unit in certain R-1-10, R-1-10/RA and RA Zones and approve Ordinance 2018-04.

Motion by Jarett Waite, seconded by Ben Shakespeare.

- Herb Basso asked how Staff is going to discriminate in the word “certain” in “certain R-1-10, R-1-10/RA and RA Zones”.

- Mayor Rosenberg said the ordinance doesn’t have the word “certain”.

- Matt Ence said where the zones are specified, the word certain needed to be added.

Voting Aye: Jarett Waite, Herb Basso, Wendell Gubler and Ben Shakespeare.

Voting Nay: None

Motion Carried.

11. Consider Approval of a Road Dedication Plat for portions of Santa Clara Drive, Lava Flow Drive and Country Lane. Presented by Bob Nicholson, City Planner.

- Bob Nicholson this plat is the road dedication along SITLA frontage and that road exists now and apparently that has never been formally dedicated so this is the road dedication. This is all SITLA Trust Lands. In addition to that they have a 10-foot wide public utility and drainage easement along most of these streets so it meets the requirements.

- Mayor Rosenberg said it is a prescriptive road and fully improved. All of the road improvements have been put in. It has never been on a road dedication plat. SITLA desired to have that platted for the title of it. SITLA wanted to formally dedicate the road so there is no question as they are negotiating with developers and other things on those vacant lands out there. This is a housekeeping measure to tie up the existing rights of way and easements that are currently in place and being used.

Motion to Approve a Road Dedication Plat for portions of Santa Clara Drive, Lava Flow Drive and Country Lane.

Motion by Jarett Waite, seconded by Wendell Gubler.

Voting Aye: Jarett Waite, Wendell Gubler and Ben Shakespeare.

Voting Nay: Herb Basso.

Motion Carried.

5. Reports:

A. Mayor / Council Reports

Ben Shakespeare:

- None.

Jarett Waite:

- Attended the Mosquito Abatement Meeting and the district is doing well.
- Attended the ribbon cutting of the “A Class Act Consignment” on Santa Clara Drive and the owner has done a really good job with everything. He was impressed with her staff and the way the shop looks on the inside and with her products and prices. He told her that the City appreciated the work she has done.
- He asked if there are going to be any more Bridge Design Review Committee meetings.
- Mayor Rosenberg said yes. He said that they are still working on the right of ways, the 30% submittal for the bridge and when they get to that 30% they will come back to the committee and show them what they’ve got. He said from the actual construction drawings that it looks just like the rendering that was done. He said the City is negotiating with the church piece. They are going to do the borings for the bridgework tomorrow and Friday. The surveys are all done. The alignments are in development. It’s moving forward. The alignment is being tweaked a little bit to avoid the church structure and also to avoid disturbing the Hafen home. It will turn the north leg of it into a two-phase project. Phase one will provide the asphalt surface that will get down to the bridge, curb and gutter improvements.
- Jack Taylor said they got the appraisal on the church property and he sent that to the Mayor today. The other pieces will be done quickly.

Herb Basso:

- Nothing.

Wendell Gubler:

- Asked if there was going to be Council Meeting on Feb. 14.
- Ed Dickie said it will be brought before the City Council to see if the meeting should be cancelled because of Valentine’s Day.

Mayor Rosenberg:

- The Mayor’s Association will be meeting in February and the COG is meeting in February.
- Jack Taylor said that UAMPS is going to be in Washington County to talk about the carbon-free project. They are going to be discussing the power sales contract on that project and they are going to be Washington City at their Council chambers and if we can get everyone there on January 23 at 2 p.m. we wouldn’t have to have them come to a special Work Meeting here. The Mayor said he is available.
- Ed Dickie told the Council it would be good for them to make it to that.
- Jarett Waite said he could make it.
- Mayor Rosenberg asked Jack to email the Council a reminder of the meeting with the date and time.
- Herb Basso will try to be there.
- Wendell Gubler won’t be able to be there.
- Ben Shakespeare said he will be there.

6. Approval of Claims and Minutes:

- Dec. 13, 2017 City Council Meeting Minutes

- Claims through Jan. 10, 2018

Motion to Approve the Regular City Council Meeting Minutes from Dec. 13, 2017 and claims through Jan. 10, 2018.

Motion by Jarett Waite, seconded by Herb Basso.

Voting Aye: Herb Basso, Wendell Gubler, Ben Shakespeare and Jarett Waite.

Voting nay: None

Motion Carried.

7. Calendar of Events

- Jan. 11, 2018 Economic Summit
- Jan. 24, 2018 City Council Regular Meeting
- Feb. 7, 2018 City Council Work Meeting
- Feb. 28, 2018 City Council Regular Meeting

8. Executive Session: None

9. Adjournment:

Motion to adjourn by Herb Basso.

Seconded by Wendell Gubler with all members present voting aye.

Meeting Adjourned at 8:05 p.m.

Chris Shelley – City Recorder

Date Approved: _____