

**SANTA CLARA CITY COUNCIL MEETING  
WEDNESDAY, JANUARY 9, 2019  
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, January 9, 2019 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; Bob Nicholson, City Planner; Randy Hancey, Interim Fire Chief; Matt Ence, City Attorney; Melanie Abplanalp, County Clerk's Office; Kyle Hafen; Scott Stephenson; Kim Hafen, County Clerk's Office; Patrick Manning; Joe Platt; Nate Muno; Cindy Frei; Brady Platt; Richard Rivera; Ben Willits

1. **Call to Order:** Mayor Rosenberg called the meeting to order at 5:02 p.m.

2. **Opening Ceremony:**

- Pledge of Allegiance: Herb Basso
- Opening Comments: Herb Basso
  
- Councilwoman Mary Jo (Tode) Hafen was excused from the meeting.

3. **Communications and Appearances:**

A. General Citizen Communications: None.

4. **Conflicts and Disclosures:**

- Mayor Rosenberg stated that on Item #5, The Cinnamon Circle Hillside Review Board, he will be making that presentation tonight.

5. **Working Agenda:**

A. **Public Hearing(s):** None.

## C. General Business:

### 1. Discussion on Vote by Mail. Presented by Kim Hafen & Melanie Abplanalp, Washington County Clerk's Office.

- Kim Hafen explained why the County is where it's at with voting. The voting machines were purchased in the early 2000's with Federal money. The County had about 350. As the County continued to grow they brought some of those machines back into more of the corridor population area. A lot of precincts had to be converted to by mail voting. As those machines started to age they were no longer supported by the manufacturer. The Lieutenant Governor, who is the election officer for the State, his office went through a process to select a new vendor for voting equipment. ES&S was the selected vendor. The County selected the option of going Vote by Mail. The by Mail equipment the County purchased cost about \$360,000. The State Legislature reimbursed about \$330,000 so the County paid about \$30,000. He said that if the County had tried to match the machine for machine it would have cost a little over \$2 million. He believes that the Vote by Mail elections are a bit more expensive than the other way. He talked about the unexpected large turnout for the last election and said it was a bit overwhelming. He said it worked out well. He talked about the concerns of the past before Vote by Mail such as the polling locations some of which were schools. We tied up their libraries. Also having to staff those polling locations was an issue. We saved a lot of money on poll workers, but we did have to hire people to help process the ballots. He talked about the new equipment. There is a machine that checks signatures. He said that people have questions about being able to get results on election night. Depending on when people vote, election night results aren't as complete as they might have been historically. He said the County can help support Santa Clara elections if it is Vote by Mail. He said they don't have the old machines, so they can't bring machines over and vote the old way. The City's ballot should be relatively small. He said some City's print their own ballots and count them themselves. He said they can help if the City wants to print ballots. He said it would be around \$7,000 for the City to Vote by Mail. It would be twice that if the City had a Primary Election and a General Election. If the City wants to do something different then Vote by Mail the County can put the City in contact with some of the vendors can help with an election.

- Herb Basso asked what the percentage was of the Election Day voters. Was it 20%?

- Kim Hafen said no it was not even close to that number.

- Herb Basso asked about security. He suggested having the County let people know about the security measures they take.

- Kim Hafen talked about the security measures such as the bar code, signature verification. There are things in place.

- Ben Shakespeare asked if the 2020 Election was going to be Vote by Mail Statewide.

- Kim Hafen said that Emery and Carbon County haven't changed to Vote by Mail yet. The other 27 counties are Vote by Mail going forward.

- Mayor Rosenberg asked how soon the County needs to know how Santa Clara is going to do elections. He asked if it was soon enough if the decision was made by March.

- Kim Hafen said they don't need to know too soon. He said March would be fine.

- Mayor Rosenberg said the Council will put that on their to do list.

## **B. Consent Agenda:**

1. Set Public Hearing for Jan. 23, 2019 at 5:00 p.m. to receive public input regarding Vote by Mail.
2. Approve the 2019 Public Meetings Schedule.
3. Approve Proclamation setting Jan. 20-26, 2019 as School Choice Week in Santa Clara.
4. Approve Budget Calendar.

- Herb Basso had a question on the public hearing for Vote by Mail. Will there be more information for that public hearing? Will there be something printed for the citizens?
- Mayor Rosenberg said that the public hearing is just to solicit public input on how the process should take place.

### **Motion to Approve the Consent Agenda.**

**Motion by Herb Basso, seconded by Wendell Gubler.**

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

**Voting Nay: None.**

**Motion Carried.**

## **C. General Business:**

2. Consider approval of recommendation by Planning Commission & Hillside Review Board for The Edge at Grand Desert, Ph. 1, located in the South Hills area, generally south of Gates Lane and upslope to the south. Presented by Bob Nicholson, City Planner.

- Corey Bundy, Building Official, said that Phase 1 of The Edge at Grand Desert is seeking preliminary plat approval from the City. The first step of the process is review of the Hillside Review Board recommendations. The Planning Commission and the Hillside Review Board have considered this request and recommend approval for the project with the following conditions: 1. No disturb zone, or no build zone shall be designated on the plat and in the CC&Rs and during mass grading, there needs to be a fence to represent the grading areas. 2. Walkout portions along the north edge, back lot drainage with consideration to keep the water from flowing off the hill down to the lower portion of the property. 3. Horrocks Engineering to provide labels on the side slopes of the grading plan. 4. Phase I and the two access roads may be graded at this time. Everything south of Phase I will not be graded with the exception of minor grading for the access road. 5. With regard to retaining walls, they have exceeded the Ordinance for Hillside with regard to height and continuous walls in several places. The height will be within the wash on the access road that will not be seen and tiered to allow for the grading. The continuous portion will be located along the access road. Block will be used for the material on site or something of similar color that is aesthetically acceptable. 6. Fences facing lower areas will all be same color and type of construction, will be aesthetically pleasing and should also be included in the CC&R's. 7. The geotechnical considerations for landscaping should be included and what is put in place to avoid having large quantities of water soak down into the blue clay is out of line of site. 8. Walk-out lots shall be identified on the

final plat.

- Mayor Rosenberg said that these are recommendations from the Hillside Review Board and the Planning Commission for the hillside grading portion it's not the preliminary plat approval.

- Corey Bundy said that this is a request to approve the Hillside Review Board and Planning Commission's recommendations for the grading.

- Mayor Rosenberg asked if this was unanimous at Planning Commission.

- Corey Bundy said yes.

- Mayor Rosenberg explained condition #7 to the Council. The outside landscaping needs to be controlled so that the moisture content isn't changed in the blue clay.

**Motion to Approve the recommendation by Planning Commission & Hillside Review Board for The Edge at Grand Desert, Ph. 1, located in the South Hills area, generally south of Gates Lane and upslope to the south.**

**Motion by Jarett Waite, seconded by Ben Shakespeare.**

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

**Voting Nay: None.**

**Motion Carried.**

3. Consider approval of Preliminary Plat for The Edge at Grand Desert, Phase 1, located in a Planned Development Residential Zone on 36.48 acres (Phase 1) located in the South Hills area (generally at the south end of Gates Lane and extending upslope to the south). Presented by Bob Nicholson, City Planner.

- Bob Nicholson said that this is a preliminary plat, so Council will see it again as a final plat. The applicant is Sycamore Development Group. This is in a PD Residential Zone. The General Plan designates this area both as open space and Medium Density Residential. Phase 1 has 36.48 acres, 11.5 of which would be disturbed. In Phase 1 there are 52 units. Density is approximately 5 ½ units per acre over the entire 82 acres. Phase 1 consists of 10 single-family lots and 3 3-story condominium buildings each of which have 14 units for a total of 42. Building heights per the development agreement and their plans show single-family homes can be up to 26 ft and the condominiums up to 36 ft. They submitted renderings as part of their PD Zone change. They are craftsman style single-family homes. The base requirement is 2 parking spaces per unit. Because these are all approved for short-term rentals there is an additional parking requirement, which is guest parking in the amount of one additional space per every two bedrooms in excess of the first bedroom. The applicant has agreed to comply with this and in fact they are plan exceeds that amount. The applicant proposes a total of 123 parking spaces, which would exceed the minimum of 117 parking spaces. 81 of those parking spaces are under the buildings and 42 are proposed for just outside the buildings. The 10 single-family lots all have the 2 spaces per home plus additional parking. The lots are very large. Based on the actual parking demand experienced in Phase 1, parking requirement for Phase 2 through 8 may be adjusted to reflect the actual demand as experienced in Phase 1. The goal is to neither under park or over park.

- Herb Basso said they might discover they need less normal parking and more oversized parking such as for a boat or suburban.

- Bob Nicholson said they are all approved for short-term rentals. There is an amenity requirement for short-term rentals. The amenities proposed for Phase 1 include an

outdoor pool and clubhouse. The project also plans to accommodate bike trails within the project area. Other amenities are proposed in future phases and they will be reviewed with the detail plans for each future phase. He talked about the amenity site. The requirement from the City would be for them to bond for the amenities to make sure they would be installed. They understand that amenities need to come in a prorated fashion along with the development. As long as they bond or guarantee the amenities that would be acceptable. The Zoning code requires a minimum of 30% of the project area to be in useable open space. The applicant's concept plan shows that 45.7 acres or the entire project area will remain undisturbed and this represents approximately 63% of the entire project area. A landscape plan is required as part of the PD-Residential zone submittal requirements. A landscape plan has been provided for phase 1, which shows landscaping (trees, shrubs and ground covers) around the condominium and pool area. The main access point initially will be from Clary Hills Drive and will wind uphill through a ravine to the development site. A second access road which also serves as emergency access is proposed through BLM land to the west of the development site and connecting back to Clary Hills Drive. An alternate second access could be to the east and down slope connecting to the future extension of Chapel Street and the pending Chapel Street bridge over the Santa Clara River. All the streets serving the project will be public streets complying with the city's public street design standards. To meet the Fire Code standards and for overall public safety concerns, the City recognizes that a second access over the Santa Clara River is needed, in addition to the Gates Lane Bridge. There is a plan for a bridge over the Santa Clara River at the end of Chapel Street. On the south side of the Santa Clara River, the plan is to connect Chapel Street to Clary Hills Drive and connect to Gates Lane. This access would provide the needed second access to developments on the south side of the Santa Clara River. It is anticipated that the Chapel Street bridge will be constructed during 2019 and available for use sometime in early 2020. As of 12/7/18 there were 54 existing homes on the south side of the Santa Clara river, and approximately 23 additional lots considered "vested" on the south side of the river in recorded plats. Based on the Fire Code the city must require a second access over the river when the total housing count (issued building permits) exceeds 100 dwelling units, unless the units are fire sprinkled. Upon the permitting of 100 dwelling units, the second river crossing (i.e., Chapel Street bridge) must be under construction in order to allow for additional dwellings to be permitted. The building permits are issued on a first-come, first-served basis to those with complete permit applications. The PC recommends approval of a proposed city policy that sets forth how permits will be allocated in the event that permit requests exceed the allowed number of dwellings under the 2015 Fire Code and access requirements. The recommended Conditions of Approval for Phase 1 Preliminary Plat are: 1. Comply with the hillside development recommendations approved by both the Hillside Review Board and the PC. 2. Plat is subject to the building permit limitation based on one current access across the Santa Clara River. A total of 100 dwelling units can be permitted for the area south of the Santa Clara River until the Chapel Street bridge is under construction. The available building permits will be issued on a first-come, first-served basis to those with complete permit applications. Units that are fire sprinkled are not subject to this limitation. 3. Applicant's engineer shall evaluate and recommend a good sewer line design to ensure proper sewer flows and avoid a stagnant area due to flat sections of the sewer line. 4. Amenities: Build or bond for the recreational amenities shown for phase 1 which is an outdoor pool and clubhouse. 5. Water line must be looped for phase 2 but not required in phase 1. 6. Building design

shall follow the building elevation drawings presented to and approved by PC on as part of the phase 1 plat. 7. Proposed walk-out basement lots shall be identified on the final plat. 8. Any conflicts between the above conditions and the Development Agreement shall be resolved.

- Herb Basso asked if the single-family units can be vacation rental units.
- Bob Nicholson said that is correct.
- Jarett Waite asked how this fits height wise on the hill. Is this at the crest of the hill and they are behind?
- Bob Nicholson said they are at the crest of the hill.
- Ben Shakespeare said with regard to the 100 building permits the applicant is asking for 10 single-family lots to be added to that number so we will still be well under the 100.
- Bob Nicholson said that in all likelihood the cap will never come into effect.
- Patrick Manning, Applicant, said the single-family homes will be at the crest of the hill. There is a street that will be behind the homes and then the buildings beyond that to the south.
- Jarett Waite said that all the concerns of the view from the Jacob Hamblin home are not there at all.
- Patrick Manning said there won't be 3 story building on the crest line. You will be able to see the single-family homes. The two homes that are in design right now they are anticipating being 2020 Parade of Homes homes.
- Ben Shakespeare asked which lots are the walk out lots. Are they all 1 through 6? He also asked about the roads for the Parade of Homes homes.
- Patrick Manning said that 1 and 2 are not and the rest are. They are all custom.
- Corey Bundy said they can start 1 Parade home with owner, builder, developer but they have to have a fire protection all-purpose road up there for the home.
- Mayor Rosenberg said there has to be an all-weather road surface, so at least a gravel surface and the water system has to be operational for the fire protection.
- Herb Basso said that the developers came to a joint meeting of the Heritage Commission and the Economic Development Commission a few weeks ago. The EDC has been supportive. No one was against this development.
- Bob Nicholson said the Planning Commission vote was unanimous.
- Ben Shakespeare asked Matt Ence, City Attorney, if everything is in place.
- Matt Ence said that the development agreement is in place, so they will need to comply with it at their final plat. When Council votes on this preliminary plat that doesn't include the decision on the building permit limitations as the next item on the agenda. The Council will take action on that separately. The motion doesn't need to address that.
- Jarett Waite said that there have been other short-term rental developments where the City has held CO until a certain portion of the amenities were done. How is this different?
- Matt Ence said that we negotiated extensively with these developers to put language in the development agreement covering what amenities were required and when they need to be constructed. They will have to comply with those requirements.
- Mayor Rosenberg said they have to provide the land area in their Phase 1 and their bond for the improvement costs of the amenity but they want to leave some flexibility to massage that with the adjacent phases. The development agreement requires them to provide the area necessary and the funding to build it but doesn't make it mandatory that they build it at that time. It gives them a little bit of flexibility moving forward.

**Motion to Approve the Preliminary Plat for The Edge at Grand Desert, Phase 1, located in a Planned Development Residential Zone on 36.48 acres (Phase 1) located in the South Hills area (generally at the south end of Gates Lane and extending upslope to the south) with the conditions that were imposed by the Planning Commission.**

**Motion by Ben Shakespeare, seconded by Herb Basso.**

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

**Voting Nay: None.**

**Motion Carried.**

- Mayor Rosenberg mentioned that they are going to work with the City in providing a staging area for construction of the bridge up near Gates Lane. This will allow the City to do construction on that bridge without having construction traffic going in front of Ramona Hafen's home off Chapel, so we will reduce the impact to her.

4. Consider approval of calculation of available building permits on the South side of the Santa Clara River based on Fire Code and access. Presented by Bob Nicholson, City Planner.

- Matt Ence said that this issue has been one that has existed for a period of time. These developers are helping to solve the issue. He showed Council a letter he had prepared for the Planning Commission and talked about the table that was in the letter. It talks about the number of building permits that have already been issued south of the river. There are currently two projects there not including the one approved tonight. The two projects are The Hills @ Santa Clara and they have approximately 68 lots of which 45 permits have already been issued. The other is The Sycamores, which has 33 lots of which 6 have been issued to date. The issue is that the building code requires that every project that is over a certain number of units have 2 fire accesses and as things currently stand the only fire access that we have to the South Hills that complies with the fire code is the Gates Lane Bridge. The Fire Code says that in a single-family project the maximum number of units that should be constructed with only a single fire access is 30 units so if we were to enforce the fire code as written right now we would have already exceeded the number of building permits and we would be saying no more building permits, period. Nobody wants that. What we are proposing is to address the issue by making a little bit of an adjustment to the building code requirement and also addressing how the City will portion the currently available building permits to make sure it is fair to those who may apply for those building permits. The 100-building permit number came from the multiple family residential development. There are 3 caps in the fire code: the single-family residential development, which is the 30; the multiple-family residential development, which is 100; and the multiple family sprinklered which is 200. He said that by the time we started addressing this issue we already past the 30 so it became a question of how we deal with this. He said that this is what they are proposing, and he thinks the Planning Commission approved this.

- Bob Nicholson said that they did.

- Matt Ence said they are proposing to take the 100-unit cap from the fire code which applies to non-sprinklered multiple family residential development and we use that as the cap for south of the river. We have 51 building permits issued in the before mentioned subdivisions plus 3 other building permits issued outside of those 2 subdivisions for a total of 54 building permits already issued south of the river. If we apply that 100-unit

cap that means we have 46 building permits available still to be issued. This is a temporary issue. As soon as the Chapel Street Bridge is completed and the access roads to it then this issue goes away because that becomes the second access for the South Hills. The proposal is to take the 100-unit cap, apply that as the cap for the South Hills. The second part of this proposal is to recognize the fact that a previous developer, the developer of the Hills @ Santa Clara made significant contributions to the existing access, the bridge and the road and so on. Their remaining lots in the Hills @ Santa Clara would have building permits set aside for them and that is a total of 23 lots. So, there would be 46 available building permits and half of those would be reserved for The Hills @ Santa Clara and the other 23 would be available for first come first serve from any other property owner. He said that if a developer comes and we are at the 100 cap they have two options: wait until the bridge is built or they put sprinklers in. The project approved tonight, the condominiums will be sprinkled. They don't even come into the equation of the 100. The other single-family lots do come into that equation so that could be 11 of those 23 available building permits. He thinks the bridge will be finished before this becomes an issue.

- Mayor Rosenberg said that there have been other property owners out there that have come and talked to Staff about potential development. We want to have this in place before they start into that process. We are moving as fast as we can as far as the funding and getting the bridge constructed. The plans are done and it's going to bid next week. We are planning on awarding that contract in February or March. They will be given 16 months to have that project built and open. The City is doing what needs to be done to get that second access over there. We are going to try and get it done before the first of April 2020. We are going to the CIB in February or March for the final financing for it. We have done some things to reduce the cost. We have scaled some improvements back a little bit. Things are moving forward in a good positive direction and he agrees with Matt that he doesn't think it will be an issue.

- Wendell Gubler asked to hear from the Fire Chief to see how he feels about the South Hills and how he would handle fires with only one bridge.

- Randy Hancey, Fire Chief, said that is a concern and that is why we would like to have two access points. If the bridge goes out and there is an emergency on that side of the river and there aren't buildings that are sprinklered it creates a big problem.

- Wendell Gubler asked even if they are sprinkled isn't there going to be a problem.

- Chief Hancey said yes for life safety and trying to get to someone who needs rescuing such as the EMS coming in. It creates a problem.

- Mayor Rosenberg said something that has also been done is the sediment that was deposited in there as part of the 2010 flood is gone. The flow capacity underneath that bridge has been significantly increased just recently. We are doing some things to make that bridge safer and reduce the risk. We'll continue to press forward on getting the bridge done.

- Ben Shakespeare said he doesn't see this as an issue. We are just putting in language to protect ourselves.

- Matt Ence said that if Council approves this policy one other thing we are going to do is bring back an amendment to our ordinance that temporarily modifies the fire code to make it consistent to what we are talking about tonight and it will be specifically applied to the South Hills. If we do reach that cap then his recommendation is going to be that we consider doing a temporary moratorium, a formal action to put a moratorium on building permits in the South Hills, which we can implement for 6 months if we need to

under State code.

- Wendell Gubler asked how the fire code is created.
- Matt Ence said that we follow the International Fire Code.
- Wendell Gubler asked how we can go from 30 to 100 if it is something that is specific.
- Matt Ence said that is why we need to bring back an ordinance to amend that.
- Mayor Rosenberg said that the Council for the International Fire Code puts a base plate together and the State adopts it and they tweak it and the Cities adopt it and they can tweak it. We can tweak it.
- Wendell Gubler said it is more than a tweak to go from 30 to 100.
- Mayor Rosenberg said he would rather have 100 single-family residences than 100 townhome apartments because that would be 5 or 6 homes under fire than just 1.
- Matt Ence said the number 100 is what is proposed because it is already there for the multi-family, but the number could be higher or lower as long as we reasonably justify it. The Fire Code is proposed by an International body that has no binding power until we adopt it. The recommendation is to proceed in this fashion. If this is approved we will bring back an ordinance, which will require all the proper notice and so on.
- Mayor Rosenberg said that when the project of The Hills @ Santa Clara was initially approved and the infrastructure was started that was a multi-family project.
- Jarett Waite said that Matt said that we can amend the fire code with good justification so what is that justification that we are using tonight to set that 100.
- Matt Ence said that we are trying to balance two things. We are trying to balance the concern about safety and fire access with a legitimate concern with property owners and their property rights and their ability to develop their property and those two things combined with the fact that this is temporary in nature that we have the process already started to put the second access in that is more than adequate justification for this proposal.
- Herb Basso asked Matt if in the motion it should state that this is temporary and have some type of limitation.
- Matt Ence said he thinks that the ordinance that is brought back will address that. The ordinance will say that until a second access is completed to the South Hills this is the limit. The cap is arbitrary. It is meant to mitigate the risk.
- Wendell Gubler asked how many houses need to be over there before there can be a fire station.
- Chief Hancey said he doesn't have an exact number but it needs to be considered.
- Mayor Rosenberg said he thinks the Public Safety Capital Facilities Plan shows that.
- Brock Jacobsen said that there is one in the Capital Facilities Plan for a joint police/fire station on that side of the river.
- Mayor Rosenberg said that there is a date in that plan now. He can't remember what it is.
- Herb Basso asked the Chief to review that and come back to Council with the plan.
- Mayor Rosenberg said that Public Safety is going to be updated this year.
- Brock Jacobsen said that they have spoken with Ivins City since the departments are combined and we are going to RFP together and have the same engineer to look at them both.
- Mayor Rosenberg said the fact that those two departments are merged requires us to go back and update that CFP now. The Chief will be able to look at that timing for that station in that review process.

**Motion to Approve calculation of available building permits on the South side of the Santa Clara River based on Fire Code and access as presented tonight.**

**Motion by Herb Basso, seconded by Jarett Waite.**

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

**Voting Nay: None.**

**Motion Carried.**

5. Consider approval of Hillside Review Board recommendation regarding landslide repair for the area south of Cinnamon Circle. (Allen Hall, Rosenberg Associates). Presented by Bob Nicholson, City Planner.

- Bob Nicholson said at the Planning Commission in December the Mayor did an outstanding job explaining this. Both the Hillside Board and Planning Commission unanimously made approval.

- (Mayor) Rick Rosenberg, Rosenberg Associates, 812 Lava Flow Drive, said that the City is the owner on this project. This is one of the last remaining items as part of the Truman Drive landslide stabilization project. This is a FEMA funded project. The result is in the purchase of four properties including 3 homes that were subsequently removed and demolished. The project is the grading of the scarp. The landslide had a near vertical scarp at the top behind the Hafen home. As part of the demolition of the Hafen home and Larsen home that was laid back a little bit but in order to increase the factors of safety for the remaining homes up on top of the slope the Geotechnical report recommended that that scarp be laid back to at least a 2:1 slope or flatter and so the grading plan we took to the Hillside Review Board shows us going down to the top of the old landslide bed material and then laying that back toward the circle at a 3:1 slope. That material will be excavated from the site and hauled out. The material will be taken over to the site of the new BMX track and it will be stockpiled there. The contract on this job is just to move that material from this site to that site. That will provide the material necessary for the BMX track. This project is funded as part of the grant funds. We still have some unspent funds to do this movement. We want to get in there and get it done before the end of March. The last part of the landslide project is installing 12 monitoring stations along the slide and putting in very tight survey control, so the City is able to go and routinely monitor location and elevation to see if there is any additional movement that is happening in that slide area. We will do a detailed aerial survey of the whole thing so that we have a good topography and we'll put in ground stations. We will probably implement as a City annual checks. We'll surveyors out there and check those elevation locations on the 12 monitoring stations and start building a track record to see if we're still getting some settlement and if we're still getting some lateral movement. It hasn't demonstrated any since we took the homes off. We haven't seen any lateral movement or cracking in this area. He said he is a little optimistic. But it has been extremely dry and typically we see movement after a wet period. This project was to reduce risk, it was not to stabilize the slide. That slide can still move a little bit.

- Herb Basso asked that when this is finished are we putting park benches up there or something like that?

- Mayor Rosenberg said that is going to come back to Council. He said they are going to bring a zone change back. He said he and Bob have been working on a conservation open space zone. It is an open space zone that basically says it is going to be open space forever. That is part of the FEMA grant requirement to go into permanent open space

and be protected so no one can buy it. He said they are going to try as part of the grading to get the trail grade from that cul-de-sac. We could end up with a trail from Truman Drive and tie back up to Cinnamon Circle. He thought about the City building a wrought iron fence around it. He said that the pillars will just be buried. They will have a trench dug right next to them and be rolled into them. You won't be able to see it. One of the Hillside recommendations is to reseed this area. We are going to come up with an upland dry mix and we'll put it on. If we don't have the right conditions in the Spring it will happen in the fall. He thinks the cheat grass will take it over. They took this to the Hillside Board and the Planning Commission and got favorable recommendations. Council is the last stop. He has been waiting to bid until Council has formally approved it.

- Herb Basso asked about putting in retention rolls.

- Mayor Rosenberg said they can do whatever the City wants to pay for. He talked about mulching.

**Motion to Approve Hillside Review Board recommendation regarding landslide repair for the area south of Cinnamon Circle. (Allen Hall, Rosenberg Associates).**

**Motion by Ben Shakespeare, seconded by Jarett Waite.**

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

**Voting Nay: None.**

**Motion Carried.**

6. Consider approval of Resolution 2019-02R, a Resolution approving the intent to adjust a Municipal Boundary Line (Applicant Scott Keller). Presented by Bob Nicholson, City Planner.

- Bob Nicholson said that Scott Keller, the property owner is proposing to do a boundary line adjustment between Santa Clara and St. George City. 23.6 acres would be transferred from St. George City to Santa Clara. The property is on the north side of Pioneer Parkway and just west of Lava Cove Drive. It is part of the Entrada project at this point. The applications have gone to St. George City and here. The St. George City Council is going to discuss this at their next City Council meeting. The first step in the process is for each City to adopt a resolution of intent to this adjustment. After the adoption there is a 60-day public notice comment period and each City has to publish a notice once a week for 3 weeks and at the end of that 60-day period have a public hearing. Chris has already set March 13th for the Public Hearing. So far St. George seems accepting to it. It is driven by sewer service. Scott Keller has been back and forth between Jack Taylor and Scott Taylor. He thinks this resolution is pretty good to annex the 23 acres into Santa Clara. It solves a sewer problem for him. The only issue is St. George is questioning that there is a little notch on the west boundary. Brett Hinke went to the County. The County told Brett that notch is in Santa Clara already. St. George feels it is in there. We have 2 months to get that issue resolved. This is a resolution to adopt this and move it forward. It will be back before the Council in March. There is one plat with both cities to sign it. He is thinking about building single-family homes or an assisted living facility. He has never mentioned vacation rentals.

- Ben Shakespeare explained the sewer issue. This makes sense for us because that property will be a nice addition to Santa Clara but it also because of the way that sewer has to come through there it makes sense bringing this property to Santa Clara.

- Mayor Rosenberg said that St. George will let him build a super expensive line to stay in the city or they will let him enter in an agreement with Santa Clara to accommodate that sewer which is an option if this doesn't go through. The annexation makes really good sense. This same issue is going to come up again and again on this ridgeline that separates us and St. George. Both cities benefit if we work together on those services.

**Motion to Approve Resolution 2019-02R, a Resolution approving the intent to adjust a Municipal Boundary Line (Applicant Scott Keller).**

**Motion by Ben Shakespeare, seconded by Herb Basso.**

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

**Voting Nay: None.**

**Motion Carried.**

7. Discussion for approval to allow Ivins City to place Ivins Welcome Signs in Santa Clara City boundaries. Presented by Jack Taylor, Public Works Director.

- Jack Taylor said they wanted to run this by Council to see what they thought. He showed Council a picture of the Ivins City sign. It will be 24x30 in. They would like to place it in 5 different spots. The first one doesn't affect the City. #2 sign would be placed on Pioneer Parkway and 400 East. They propose to put the sign on the northwest corner. The ground is not developed. His recommendation is for them to put that on the Ivins side of the road. They want to put another sign on Rachel Drive. Sign #3 is on North Town Road and 400 East. They would like to place the sign on North Town Road. Sign #4 would be going north on Rachel Drive and they want to place the sign on the line between Ivins and Santa Clara. Sign #5 is just below the storage units on Santa Clara Drive and they would like to put a sign on the south side of Hwy 91. That one doesn't involve us. Sign #6 is on their property. He said he has good direction from Council. He will talk to them.

**6. Reports:**

**A. Mayor / Council Reports**

Ben Shakespeare:

- He wished the Council a Happy New Year and is looking forward to 2019.

Jarett Waite:

- He got a call from Brooke Seely about the BMX track. USA BMX got a call from a St. George resident who has land and wants to build a track. They told that person no because they don't line to build tracks that are within 50 miles of each other. The BMX representative was really pleased with the Santa Clara location.

- A resident called to thank the Parks Department for taking out the trees on Pioneer Parkway that were buckling their block wall. He was wondering if the bushes can be taken out and new landscaping put in.

- Ed Dickie, City Manager, suggested talking to Brad about that.

Herb Basso:

- He talked about the dirt in front of his place. He thinks there is a problem with the

sweeper and it doesn't seem to be picking up the dirt.

- Jack Taylor said that it has turned into mud. What needs to happen is it needs to be washed down. He thinks Gilbert Developers will do that and clean it up when they are done.

- Herb Basso said the EDC will be meeting soon.

Wendell Gubler:

- Needs to be excused for the meeting on Jan. 23, 2019.

Mayor Rosenberg:

- Received a couple of thank you cards.

- He talked about the project in the river and the progress being made. They will start the restoration planning on the downstream and they will start harvesting material tomorrow.

- The MPO met and presented the long-range transportation plan for the regional roads in the MPO and funding that they collect now versus the cost of all those projects is woefully inadequate. They need to figure out some way to fund those regional road projects. For Santa Clara that would include the Western Corridor. The connection to Plantations Drive in St. George and the connections to Gates are both on that list. There was a supplemental meeting last night. The Mayor's Association met with the County Commission and put the pressure on the County Commission to consider adopting either the 3rd Quarter 1% or the 4th Quarter 1% sales tax that was allowed by the Legislature to help offset those transportation costs. If we don't start setting aside those funds right now it will cost a lot more money later. We'll end up losing some of the money that we put in now to maintain our existing roads will have to go to fund the capital projects so the quality of the roads that exist will start to deteriorate. The Commission has another meeting scheduled for Monday. They are going to submit the resolution out to the cities and ask the cities if they would support the 4th ¼ of 1% additional sales tax. He recommends to the Council to support that need. There will be a resolution coming at the next meeting or the one after that. In the 2016 session of the Legislature they established ways for local governments to create additional transportation funds via sales tax. There is a time limitation and if it isn't done by July then the option for us to do it as a City but as Mayors we felt it would be better for the County to do it with the cities support.

- Met with the Tourism people this morning. They have a new consultant that is looking at their long-range plan as far as developing tourism. There will be more information coming on that.

- Jack Taylor complimented the Mayor on the river work that is being done. With his hard work we were able to get \$75,000 from the Flood Control Authority for the river work. He said they were able to uncover a large amount of rock, which they can use on the bridge and will save the City an enormous amount of money. He also talked about nuclear energy. The DOE said they want to fund the first two modules which will take 99% of the risk away from us as far as if they have any problems when they are building it. (See attached.) They are also looking at possibly financing the whole thing. He will keep Council posted on it. He also talked about the City's wells. Well #7 is 17 feet from the top off. The 10 in pipe and the shaft are worn out so badly they can't be put back in. They also put a camera down in it. They can't see where sand has bridged the gravel pack. The last-ditch chance is to pull the well up to 520 ft. They have some 8 in pipe and they will inspect it to make sure it is in good shape and if it is they will exchange the

10 in. pipe for the 8 in and we would have to buy a new shaft and oil tube that goes down the center of the 8 in pipe. We are looking at about \$45,000. If this doesn't work the next step would be to start the process with the State and move the well. It would be over a million dollars.

- Wendell Gubler asked if it would make a difference going from a 10 in to 8 in pipe.
- Jack Taylor said that what it does is put more pressure going up the pipe and hopefully it will push what sand there is in the pipe when it's pulling it through the bowls that the sand won't fall back down and sit on the top of the bearings and wear.
- Council says they are in support of trying this.

**7. Approval of Claims and Minutes:**

- Dec. 12, 2018 Regular City Council Meeting Minutes
- Claims through Jan. 9, 2019

**Motion to Approve the Regular City Council Meeting Minutes from Dec. 12, 2018 and claims through Jan. 9, 2019.**

**Motion by Ben Shakespeare, seconded by Herb Basso.**

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

**Voting nay: None**

**Motion Carried.**

**8. Calendar of Events**

- Jan. 10, 2019 Economic Summit
- Jan. 21, 2019 Martin Luther King Day (Offices Closed)
- Jan. 23, 2019 City Council Regular Meeting

**9. Executive Session: None.**

**10. Adjournment:**

Motion to adjourn by Ben Shakespeare.

Seconded by Herb Basso with all members present voting aye.

Meeting Adjourned at 7:46 p.m.

\_\_\_\_\_  
Chris Shelley – City Recorder

Date Approved: \_\_\_\_\_