

**SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, MAY 22, 2019
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, May 22, 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, Mary Jo (Tode) Hafen and Wendell Gubler
Interim City Manager: Brock Jacobsen
City Recorder: Chris Shelley

Others Present: Jack Taylor, Public Works Director; Corey Bundy, Building Official; Brad Hayes, Parks & Trails Director; Randy Hancey, Fire Chief; Bob Nicholson, City Planner; Bob Flowers, Police Chief; Adam Loser, DR Horton; Logan Reid, SBHA; Ezra Lee; Jason Smith, Rosenberg Associates, Brent Oakeson, Utah Local Government Trust

1. **Call to Order:** Mayor Rosenberg called the meeting to order at 5:00 p.m.

2. **Opening Ceremony:**

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

- Councilman Basso arrived at 5:07 p.m.

3. **Communications and Appearances:** None.

4. **Conflicts and Disclosures:**

- Tode Hafen declared that her son is one of the developers for the property being discussed in Item C7.
- Mayor Rosenberg said that the firm he is employed with is working on Item C5.

5. **Working Agenda:**

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

1. Public Hearing to discuss and receive public input on the adoption of the tentative Operating and Capital Budgets for FY 2019-2020.

- Brock Jacobsen, Interim City Manager, said that this is the budget that Council has discussed many times. There has been a small change in the General Fund. The General Fund budget is \$6,138,732 and increase of 6.91% from last fiscal year. The majority of revenue comes from taxes: \$2,638,554. He said that the transfers are transfers from the Enterprise Funds for services provided by the General Fund and paid for in the General Fund. Also, in transfers is the fund balance the City is using this year to balance the budget. He stated that the General Fund Expenditures are the different Department funds that are part of the General Fund. Some of the departments are increases and some are decreases (see attached). Fire and EMS, Chief Hancey is making sure expenses and payroll are getting allocated to the proper fund and that's why there are some changes. He said concerning personnel that merit increase averages 3.97%, we are requesting no new positions, the Health Insurance renewal came back at 4.7% which is below the PEHP average, the Utah Retirement Systems were flat, and we are requesting to keep the 2% 401K/457 match which we had last year and is included in the budget. He talked about some of the projects and equipment that the City is looking to purchase this year. The Street Department has \$20,000 for its share in purchasing a dump truck. This is split with the Water, Sewer and Storm Water. Park Department has \$22,000 for security cameras at Gubler Park and \$120,000 for the remodel of Canyon View Park tennis courts to pickleball courts. That Santa Clara Kiwanis has donated funds toward the remodel. They have been donating these funds for the last 5 years to help with that. Parks also has \$48,000 for a dump truck. Sport Field has \$75,000 for 2 new trucks. The EMS needs new heart monitors for \$24,000 and radios for \$5,000. Administration and the Court has \$10,000 for security cameras at City Hall and Administration also has \$18,000 for 2 new servers and computers. The Building Department has \$5,000 for a new projector in the banquet room. The public will be able to use the projector. He talked about the Impact Fees. The main projects are in the Parks Department this year. They are going to construct bathrooms across from City Hall and they are working on the Swiss Memorial Park on Chapel Street and the Lava Flow Trail extension, which includes a bridge. The Swiss Memorial Park is getting close to having its design done. He also talked about the impact fees for Public Safety. We have \$372,000 for the remodel of the Rachel Drive Fire Station. He spoke about the Enterprise Funds. The Water Department budget is \$2,053,492 a 4% decrease from last fiscal year with \$1,783,902 in water sales. Part of their expenditures includes \$150,000 for a new metering system, \$25,000 for share of the dump truck and \$40,000 for replacing trucks. He said after meeting with Tantalus and Eaton the \$150,000 might increase depending on how many meters we choose to change out at the initial change. He said they met with Eaton and if we did roughly half the system it will cost about \$455,000.

- Herb Basso asked if there has been a calculation of the savings through this proposed metering system in terms of labor saved and so on.

- Jack Taylor, Public Works Director, said they haven't yet but he can do that.

- Brock Jacobsen said the Sewer Department budget is \$811,689, which is an increase of 2% from last fiscal year. Expenditures include \$20,000 for its share of the new dump truck and \$35,000 to fix sewer access manholes on Lava Cove Drive. The Power Departments budget is \$5,104,703, which is a decrease of 2% from last fiscal year with \$3,607,767 from power sales. Their expenditures include \$150,000 for the new metering system, \$80,000 for truck replacement and \$5,000 for a secondary locator. The Storm Water Department budget is \$579,805, which is a decrease of 78% from last fiscal year. That has to do with the landslide project that was mostly completed. Expenditures

include \$25,000 for its share of the new dump truck and \$50,000 for the BMX track. The expenditures could increase depending on what the last phase of the landslide project bids come back as. He didn't put any numbers in for that because he had no idea about the amount. When the numbers come back the budget can be amended.

- Mayor Rosenberg said that 75% of that will be FEMA reimbursed. He can come up with some numbers for that.

- Jack Taylor told City Council about the new dump truck the City is buying. It is a little bit bigger than the 554 that the City has right now.

- Wendell Gubler asked how the replacement truck program works.

- Jack Taylor said the trucks in his department are the ones the City purchases each year and then we sell them, so we can purchase new ones.

- Wendell Gubler asked if the \$80,000 in the budget reflects the sale of the old trucks

- Jack Taylor said that it is not showing the sale of the truck.

- Brock Jacobsen said the \$80,000 is just the expense but there is revenue that would be coming in.

- Wendell Gubler asked if we knew over time how much we are making or losing over those trucks.

- Jack Taylor said he gave that to the Council a short time ago and it shows what we sold the trucks for and what we purchased them for.

- Brock Jacobsen said that last year we didn't lose any money and we are hoping for the same thing this year.

- Jack Taylor explained that because they only have the truck for a year there is no maintenance, tires, batteries, etc.

- Wendell Gubler said he understands that, but it doesn't show that in the expenses with the \$80,000 budgeted.

- Mayor Rosenberg said that is the expenses part of the budget but he needs to look at the revenue entry that offsets it to see that.

- Jack Taylor explained that if we get to a point where we are losing money on those trucks we won't do that trade out program anymore.

- Tode Hafen asked how the City is doing with the reserves. What is the percentage?

- Brock Jacobsen said that projected next year it will be about 20-21%. We are down a little bit because we are using \$273,000 to balance this budget. Within that we are projecting about \$167,000, which will be restricted. Unrestricted is about 19%.

- Herb Basso said he can see that Council is not approving this tonight. When is final approval? And are there any other additions or changes?

- Brock Jacobsen said it is June 12. There aren't any additions or changes at this point.

- Herb Basso said we should make the decision on the metering system by then, right?

- Jack Taylor said we should know in the next couple of weeks where we were at or at least how much we need to budget.

- Herb Basso said that the Fire Department was going to do a lot of trimming down of that addition to the Rachel Fire Station.

- Mayor Rosenberg said that he'll have to because he only has \$372,000 in the budget.

- Chief Hancey said he did get some figures and sent some information to Brock and the Mayor recently. They have chipped away at it, but it is still significantly higher than that amount.

- Mayor Rosenberg said he also has on the list for potential CIB funding. We will probably put together a CIB funding application and maybe get some grant money. He said he talked to Mayor Hart of Ivins City and he is in support of it and so there are still a

couple of funding things we want to talk about. We are exploring options.

- Brock Jacobsen said they have even discussed changing the layout of the station. There are options we have.

- Mayor Rosenberg said he has asked the structural engineer to look at it and he hasn't gotten any feedback on the foundation costs, but he will follow up on that.

5:23 p.m. Public Hearing Opened.

5:23 p.m. Public Hearing Closed.

B. Consent Agenda

1. Appoint Brock Jacobsen Interim City Manager.

- Mayor Rosenberg said there will probably be some additional discussion on what direction we want to go but we need to formalize this appointment. Brock has been acting in this role since Ed left so we need to make this formal.

Motion to Approve the Consent Agenda.

Motion by Tode Hafen, seconded by Jarett Waite.

Voting Aye: Tode Hafen, Jarett Waite, Herb Basso and Wendell Gubler.

Voting Nay: None.

Motion Carried.

C. General Business:

1. Presentation of the 2018 TAP Award. By Brent Oakeson, Utah Local Government Trust.

- Brent Oakeson said he is with the Trust, which is an insurance mutual. They insure over 500 different entities in the State and Santa Clara is one of those they partner with. He works with Chris and Brock on several things. He said they have a program that they do called a TAP program (Trust Accountability Program) and Santa Clara has participated in this for 5 years in a row. The program helps organizations to reduce their losses. It is all about risk management and preventing accidents and injuries and putting programs in place to prevent those things. Chris and Brock have done a great job of reducing losses and working on those things to make that happen. He came to present that award to the City for 2018 for taking part in this. He said with that they send out a check for 5% of the City's liability premium, which came to \$2,675. The City also qualifies for a discount.

- Mayor Rosenberg recognized Chris for this award and said that she deserves the recognition for it because she does all the paperwork for it.

2. Consider MOU Agreement between Southwest Behavioral Health Center & Santa Clara City approving \$2,280 (per state fiscal year-based on a population estimate of \$0.38 per person) to establish formal partnership with Santa Clara City and Southwest Behavioral Health Center in addressing prevention of behavioral health issues in Washington County, UT. Presented by Logan Reid, Director of Prevention & Education Services.

- Logan Reid, SBHA, said they came last year to Council and talked to Council about one

of the main issues that they face in prevention. They have very little resources to implement services to prevent problems with addiction and behavioral mental health. They get very little funding from the County and State level. His entire department is funded by a Federal grant that they get. He spends a lot of his time trying to maintain his employees by writing Federal grants. He said they came to the Council last year to make a proposal. The Federal grants they get are focused specifically on substance abuse prevention which means that he can't use them for suicide prevention and they are proposing something that has never been done in any other communities in the State of Utah which is to get local funding from cities that would allow them to hire a full-time licensed prevention specialist to focus specifically on suicide prevention. Last year he just presented the idea. He didn't have the details on the cost or what they were specifically asking. The Council was very supportive of the idea and so were the other communities he talked to as well. Most of the communities said they are in the middle of their fiscal year and come back when they are writing their budgets. He said they did a population estimate and came up with how much it would be to hire a full-time licensed staff person to focus on this issue. The total cost came to around \$65,000 a year including benefits and everything. So, for the population estimate for Santa Clara it comes to just over \$2,000. They are asking if the City would be willing to partner with other communities to provide that funding to Southwest Behavioral Health Center and they will hire and train a full-time prevention specialist to focus on suicide for the County. They decided that they couldn't wait so they went ahead anyway. He introduced Theresa Willey. She has been working for the Behavior Health Center for 20 years and is the most experience prevention specialist and is also highly trained and passionate about addressing suicide prevention. They used some temporary funds in order to put her into that position. She established the Reach for Hope Coalition and has them following an evidence-based prevention model to start implementing services in the County. She has also started to write grants to get some operating funds, so we can start implementing services. She got a \$13,000 a year grant for the next four years from the State of Utah and she got another grant from the Governor's Office that they are going to use to implement some services with the Shivwits Tribe at the community center on the reservation. He said they are making huge strides with this position.

- Mayor Rosenberg said that this is in the budget.

- Wendell Gubler asked how big the problem of suicide is and is it with youth or others.

- Logan Reid said we have a big problem. It is growing. He said each year as they look at the rates of those who have considered suicide, have attempted suicide or who have died by suicide, all three of these categories the rates are increasing every year for the past 5 years. He said particularly with youth they have seen a major increase in the number of youths who report to have depressive symptoms or extreme anxiety. We have a higher rate of youth in Washington County that are meeting the criteria for serious mental health needs and seeing an increase in the number of kids who are self-harming. The issue is getting worse every year.

- Tode Hafen said she would really like to know the numbers on it. She said as Council interacts with the public it is helpful to have those numbers. She asked if we were making any headway.

- Logan Reid said right now the goal is to slow the climb. He said that Theresa is passionate about bringing those numbers down. He said they want to focus on evidence-based methods. He said they would be happy to come back to Council and give a presentation with better details. In the presentation he can show Council all of the things

they are doing at the Center. He said they are starting to see some positive results. One of the things written in the MOU is they are expecting the cities to hold them accountable for this. If they are going to get money, they are going to have to show they are doing something good with it. He would like to come back to the City once a year to report how they are using the money and show what progress they are making. Their plan is to do a quarterly report and then come in at the end of the year to do a presentation. He said that St. George City and Hurricane City have approved this as well.

Motion to Approve MOU Agreement between Southwest Behavioral Health Center & Santa Clara City approving \$2,280 (per state fiscal year-based on a population estimate of \$0.38 per person) to establish formal partnership with Santa Clara City and Southwest Behavioral Health Center in addressing prevention of behavioral health issues in Washington County, UT.

Motion by Herb Basso, seconded by Wendell Gubler.

Voting Aye: Jarett Waite, Tode Hafen, Wendell Gubler and Herb Basso.

Voting Nay: None.

Motion Carried.

3. Consider amending the Parks Fee Schedule and approve Resolution 2019-09R. Presented by Brad Hays, Parks & Trails Director.

- Brad Hays talked about the City facilities fee schedule. The changes are in green and the older fees are in black (see attached). He said they are trying to manage the fields a little bit better and cover the costs. For Gubler Park they have made some changes in the fee schedule. Previous it was \$250 per field per day and it didn't matter what type of sport or what type of preparation or what was needed for that particular field. He said they reduced the fee for Gubler Park to \$200 and added extra fees for pitcher's mounds and prep and things like that. Little League prices have increased quite a bit. We want to encourage people to use Gubler Park first. Actual costs for Little League per day is \$250 but includes the mound. We have to do a lot of work to get the mounds ready for each tournament. We have spent a lot of money on clay and things like that.

- Tode Hafen asked if this just includes tournaments. What about if a team just uses the parks for practices. Do they still need to schedule it and pay a fee for practices?

- Brad Hays said there is a general reservation and a resident can rent a field all day long for \$15 and that includes lights. Nonresidents are charged \$60 including lights. He said another change is the City will charge deposits. The deposit is refunded if they keep it clean. We are also renting the Park across from Town Hall for \$200 a day with a deposit of \$200. The fee can be waived if the City is the sponsor of an activity.

- Jarett Waite asked if that would change the registration field fees for the athletes that play for our local little league.

- Brad Hays said those fees have nothing to do with our little league as far as what they pay. Little league does an in-kind contribution to the City. He said they are asking to close the fields in April and May specifically for little league.

- Herb Basso asked if there is access to water such as a hose in case there are spills and that sort of thing or are they just picking up trash and our crew is cleaning.

- Brad Hays said right now as it stands our crews clean everything. We will be holding them more responsible. He said they will withhold deposits for not picking up trash and just dumping things.

- Herb Basso said these fees aren't too out of line. We have the best fields. He said the

crews are overworked and asked Brad to tell them that we appreciate them.

- Brad Hays said that is part of the reason we are doing the fee schedule change for Little League because if we have crews at both fields it takes all our people for just the tournaments and we don't have anyone left to mow, clean bathrooms and that kind of thing.

- Herb Basso asked if Brad has a little money for seasonal part-time workers.

- Brad Hays said they have a part-time opening available right now, but it won't be filled until fall. There is money in the budget for the sports field mounds replacements. That is what the \$50 fee is for.

- Tode Hafen asked if there were new scoreboards on the horizon anywhere.

- Brad Hays said there can be. We need to work with Senior Games to see if they can help with that. We could maybe use some County fees. The scoreboards were put in in 2004 and are out of date.

Motion to Approve Amending the Parks Fee Schedule and Approve Resolution 2019-09R.

Motion by Tode Hafen, seconded by Herb Basso.

Voting Aye: Herb Basso, Jarett Waite, Wendell Gubler and Tode Hafen.

Voting Nay: None.

Motion Carried.

4. Consider request for Zone Change from R-1-10 to Historic District/Mixed Use Zone on 0.48 acre located at 2728 Santa Clara Drive and approve Ordinance 2019-06. Applicant: Ryan Anderson. Presented by Bob Nicholson, City Planner.

- Bob Nicholson stated that Ryan Anderson is here at the meeting and he is the applicant and property owner. The General Plan shows this in the Historic District. It is 0.48-acre property. The purpose of this asking for a zone change from R-1-10 to Historic District Mixed Use is to allow for a mix of uses on the property. Ryan proposes to build an accessory building to the rear of the existing home. There will be no change to the existing home at this point. The home fronts on Santa Clara Drive. This has come to the Heritage Commission on April 11 and they spent quite a bit of time on this issue. They made a recommendation on the proposed zone change and the accessory building. The Heritage Commission looked at this building and made some recommendations and they support the change in the zoning. The Heritage and the Planning Commission support the change to the zone to make it Historic Mixed Use, but they withheld final approval on the accessory building. The accessory building design is still being worked on and the Heritage Commission suggested a few changes and Ryan has been acceptable. He was going to meet with Mandy Gubler. One of the ideas was something similar to the mercantile building. The ordinance allows for a height of 25 ft and the building for the most part is 25 ft, but it pops up 1 ½ ft in the center where they put the sign. The bulk of the building is 25 ft and Heritage Commission felt okay with that height. When an accessory building is over 1,000 sq. ft of ground floor area that requires a review and approval of Heritage Commission and Planning Commission. They recommend approval. The ground floor area is 3,652 sq. ft and it is two-story. Both Heritage Commission and Planning Commission recommend approval of the zone change to Historic District Mixed Use and also approval for the accessory buildings subject to the following conditions: 1. The height limit would be as proposed. The applicant proposes a 26.5 ft to the top of the parapet for a portion of the front façade however the majority of

the building would remain at a maximum 25 ft height limit. 2. They have recommended approval not to exceed 3,652 sq. ft as proposed by the applicant. 3. The fire code requires a minimum 20 ft wide access lane to the rear building and that needs to be shown on the site plan where that will be located. The applicant is considering two options. One is a joint lane with the property to the east, which is owned by Sam Edwards. It would require the removal of two mature trees. Ryan is also working with the property owners to the west, which is the Wittwers with a lane that would straddle both properties. At Planning Commission that wasn't resolved so that is a condition. 4. Prior to the issuance of a building permit the Heritage and Planning Commission will have a final review and approval of the building materials and design specifically the doors and exterior finishes and landscape plan.

- Herb Basso said that if we have the design site plan and the ordinance approving allowing for parameters of various designs and materials, do we want to take the applicant through several steps or can the City Staff approve it.

- Bob Nicholson said the Heritage Commission has that responsibility and they said they would like to see the final design. It is just a matter of Ryan getting that final design worked out.

- Tode Hafen said that landscaping would be a big deal. Ryan was open to that. Does it need to be part of that or recorded?

- Bob Nicholson said that would be good to include that in the minutes and the motion.

- Tode Hafen asked if the trees would have to be removed or are they going to try and go around them.

- Bob Nicholson said only if the fire lane goes between the Edwards house and Ryan's property.

- Ryan Anderson said his first plan is to purchase some property. They are meeting this week and are open to it. If he can work something out with the Wittwers his access will be around the west side of the house. If that can't be worked out his only other option is to go between the two houses and the 2 trees will have to be removed.

- Tode Hafen said we really need to look at that. She is opposed to removing the trees.

- Ryan Anderson said he doesn't want to see that happen. He is doing his best to make sure that doesn't happen. He mentioned there is a fire hydrant 20 ft to the left.

- Chief Hancey suggested putting sprinkler in the building.

- Jack Taylor asked if the back wall was discussed in the design of taking care of the issue in back.

- Ryan Anderson said no but there is some storm water issues and canal issues that need to be taken care of before he can get a building permit.

- Mayor Rosenberg said the City has some obligation there too.

- Jack Taylor said the City is but Ryan needs to make sure that gets done.

- Mayor Rosenberg said he will have to rectify the drainage where it comes off that slope. There used to be some kind of detention basin on Christensen's property. Ryan has talked to him about it and we just need to get together and figure out what to do up there.

- Jack Taylor said they have a storm drainpipe that can be run from Santa Clara Drive up and get it to go into a box. It should work.

- Ryan Anderson said he has been able to get with Mandy and they are going to get together and go over colors next week.

- Tode Hafen said to keep her in the loop on that. There are some things we can do to that building to fix it.

Motion to Approve a request for Zone Change from R-1-10 to Historic District/Mixed Use Zone

on 0.48 acre located at 2728 Santa Clara Drive and approve Ordinance 2019-06. Applicant: Ryan Anderson.

Motion by Herb Basso, seconded by Wendell Gubler.

Voting Aye: Tode Hafen, Herb Basso, Wendell Gubler and Jarett Waite.

Voting Nay: None.

Motion Carried.

5. Consider approval for a requested Planned Development Residential Zone Amendment for a proposed townhome development located east of Rachel Drive (east of Lava Ridge Intermediate School) and north of Harmons Store on 17.18 acres and approve Ordinance 2019-05, also included in the Request is a Density Bonus approval to allow an overall density of 10.7 units per acre (185 dwelling units on 17.18 acres) D R Horton. Presented by Bob Nicholson, City Planner.

- Bob Nicholson said this is a PD-R zone and it was approved for the Knolls Pasture project. It is 17.18 acres. The representative Adam Loser is here tonight. The project engineer is Jason Smith with Rosenberg Associates. It is east of Lava Ridge Intermediate School and located between Tuachan Wash and the Lava Flow Wash. They are proposing 185 two-story townhomes. He showed Council the site plan. There are 28 buildings proposed. The townhomes range in size from 1,275 sq. ft up to 3,255 sq. ft with attached two-car garages. The buildings range in size from fourplexes to eightplexes. They are requesting the density bonus because it is over 8 units per acre. They are not requesting vacation rentals. The project amenities proposed are a pool with bathrooms and a small playground area and pickleball courts and landscaped common areas which all totals about 36 ½% of the total site. The project will have to have an HOA to maintain the common area, all the landscaping and amenities. He showed the renderings to the Council. This came to the Planning Commission and in regard to the density bonus one of the requests from the Planning Commission was that those units along Rachel Drive that they have some stone on them. The applicant has done that and has submitted a rendering of the units along Rachel Drive. The units look similar and will have this stone and wainscoting halfway up. There are two issues that the Planning Commission talked about. One is the density bonus, instead of 8 units up to 10.7. They felt with the addition of the stone that these units would qualify and the landscaping and the amenities that they have done an outstanding job of designing the units and the site. The big issue is the traffic and the road access. All the roads in the project are public roads. They conform to the City's public street standards. They are proposing to have two accesses off Rachel Drive and decel lanes will be needed. They have a traffic study underway and that report is still being worked on. The 185 units based on the ITE trip generation manual would generate just over 1,000 total trips per day. The Planning Commission is concerned about all this traffic being back onto Rachel Drive with the solution being connecting to the east to Red Mountain Drive, which is just across the Tuachan Wash. The traffic study will evaluate that and how much traffic should appropriately be put onto Rachel Drive before the connection to Red Mountain is required. The Planning Commission recommended approval of the amended PDR zone and the conceptual site plan with a density bonus to 10.7 units per acre subject to three conditions: 1. A Traffic Impact Study be prepared and submitted to the city prior to the preliminary plat being considered for approval. The TIS should address traffic issues relating to Rachel Drive, the project phasing relating to a connection with Red Mountain

Drive / Pioneer Parkway, and possible cost sharing for bridge over the Tuachan Wash. 2. The units fronting along Rachel Drive have some portion of the exterior wall in rock or something other than just stucco. They have done that. 3. The LOMR be approved by FEMA prior to considering the final plat. That has been submitted to FEMA some months ago and they are just waiting for approval.

- Herb Basso asked how close can future development come to this property line from both washes. It is dense and like a clustering so if the wash allows a no build zone that is great.

- Mayor Rosenberg said the entire wash is already owned by the City. Brad has a trail master plan on both washes. They are proposing a retaining wall between the trail and the back of those units. He asked how soon that wall will be built. Can it be accelerated so it will be built before the trail? It would be nice to build the wall at least concurrently with the trail. Santa Clara's portion of the LOMR has been done for probably six months. We are working with the Ivins side trying to get that done.

- Jason Lindsay explained the landscaped area and the lock out basements.

- Mayor Rosenberg suggested to them to establish some native vegetation back in the back because it is barren now.

- Herb Basso suggested some amenities in the far empty corner such as benches facing the scenery. He said this sounds crowded. The height affects the feeling of the density. What guidelines do we have for the addition requests of those units like so much pool or so much recreation?

- Bob Nicholson said that one standard says the stucco on the front can't exceed more than 50% of the wall area. They will meet that.

- Adam Loser explained about the open space and said that the area immediately around the pool would have lawn but beyond that it is going to be xeriscape. They may include some trails connecting the units to the recreation space. He said they felt there was an underserved market for a for sale full-time occupant property here. They would like to bring this to the City. Their initial price target is around \$250,000 for starting units. That is a really underserved market they hope to tap into in Santa Clara. They wanted to create an open feeling. They have gazebos and pergolas. He talked about the traffic study and they have the company doing that, that did the original study.

- Tode Hafen asked about the access roads off this development.

- Adam Loser said there are currently two planned entrances off Rachel.

- Mayor Rosenberg said they also have a planned one-off Red Mountain.

- Tode Hafen asked if this helps the City's affordable housing goals.

- Mayor Rosenberg said the starting point is \$250,000. Does it meet the 30% of AMI? No. He explained about the trail and a potential tunnel. The grant for the tunnel has expired and it is an expensive tunnel. It would be cheaper than a bridge.

- Tode Hafen talked about the tunnel and that it is something we need to consider with the age bracket of the kids that attend Lava Ridge. The road is already busy with the kids going across to that school.

- Mayor Rosenberg said there is a crosswalk and the trail will connect to the crosswalk. He asked if there is a connection to the trails within this project.

- Adam Loser said yes, they will. Some of the front doors will be coming out on to the trail.

- Jarett Waite asked how the stub street would terminate.

- Adam Loser said it would function like a driveway. It would give emergency access to the trail.

- Mayor Rosenberg said this project will be taking out some of the pop outs that are on the curb and gutter and replacing that. It will be a lot cleaner looking. There will be a clean edge. The median will stay.
- Herb Basso asked if parking on the interior street would be allowable.
- Mayor Rosenberg said they have designated parking and there are driveways and two-car garages.

Motion to Approve a requested Planned Development Residential Zone Amendment for a proposed townhome development located east of Rachel Drive (east of Lava Ridge Intermediate School) and north of Harmons Store on 17.18 acres and approve Ordinance 2019-05, also included in the Request is a Density Bonus approval to allow an overall density of 10.7 units per acre (185 dwelling units on 17.18 acres) with the 3 conditions placed by the Planning Commission.

Motion by Herb Basso, seconded by Wendell Gubler.

Voting Aye: Tode Hafen, Jarett Waite, Herb Basso and Wendell Gubler.

Voting Nay: None.

Motion Carried.

6. Consider preliminary and final plat for Little Lava Subdivision with 6 lots, located on the west side of Lava Cove Drive, on the south side of Pioneer Parkway. Also consider a request for a Conditional Permit to allow for short-term rentals for the 6 homes in the proposed subdivision. Presented by Bob Nicholson, City Planner.

- Corey Bundy, Building Official, said that this subdivision went through most of the approval process about 10 years ago but failed to record the final plat. Per code, due to the extended time lapsed the subdivision is now going through the process again. The property is zoned PDR which allows for short-term rentals with conditional use approval. The applicant is Ezra Lee; the project engineer is Mark Brown with Brown Consulting Engineers. This is a six-lot subdivision on 1.68 acres. The applicant requests approval of both the preliminary and final plat concurrently due to the size of the project and because it previously went through the approval process but due to the recession did not follow through to the recorded plat. The six lots are adjacent to Pioneer Parkway and a privacy wall will be required along the street. It will be the Entrada type of serpentine to match the Entrada wall. Six lots are accessed by public streets, which terminate in a cul-de-sac. The applicant originally requested approval of private streets but after Staff's recommendation he pursued public streets rather than the private streets. He changed the plats to accommodate the plat for the width of a public street and increased the front setbacks of the homes. The main issues that Staff worked with the applicant on is the request for approval on the conditional use for short-term rentals. The main amenity of the subdivision in this proposal is a pool located in between Units 4 and 5. There is also a small sand volleyball court. The applicant will also be putting a 5ft sidewalk all the way along Pioneer to match up with Lava Flow improvements. He will be putting street, curb and sidewalk all the way along Pioneer. The applicant is going to put a trail connection too. The applicant will be required to have an HOA to maintain the common areas. Planning Commission considered this request on May 9, 2019 and recommended approval of the preliminary plat and final plat with the changes to require a 5 ft tall wall along the south property line instead of a 3 ft wall for sound protection because this would be short-term rentals. It was mentioned in the approval of the conditional use that Sand Point to the north and to the east Lava Falls were both approved for short-term

rentals. Some residents did object to short-term rentals but the Planning Commission felt that 6 units would not create a negative impact on the neighbors and recommend approval of the conditional use permit subject to the applicant complying with all the standards and the City's current zoning code relating to short-term rentals and also the standard in the conditional use section including section 17.40.055 and particularly item A, Noise. The applicant said that when he drew up his CC&R's he actually went to the City's code and took out the requirements and put it in his CC&R's. Planning Commission felt that was adequate.

- Wendell Gubler asked if this was the same applicant that went through the process 10 years ago.
- Corey Bundy said no it isn't. The applicant then was in the military and never finished it. The zone change had already been established.
- Jarett Waite asked what the building square footage is.
- Corey Bundy said the buildable pad square footage is what is shown. The other area is common area.
- Tode Hafen asked about there being any language in this as they go with the conditional use for short-term rentals as far as property management.
- Corey Bundy said yes. That is in our ordinance.
- Mayor Rosenberg asked about the storm drain that comes across Pioneer Parkway behind unit 1. He didn't see it on any of the plans.
- Jack Taylor said there is not a pipe it just comes across the road and runs into the property 20 ft going west and then it comes back out and runs across the sidewalk and into the curb behind the existing home. When the curb is put in the water will still just come across Pioneer and hit the curb and go around. He said this was a lot better plan than the one that was approved previously.

Motion to Approve the preliminary and final plat for Little Lava Subdivision with 6 lots, located on the west side of Lava Cove Drive, on the south side of Pioneer Parkway. Also consider a request for a Conditional Permit to allow for short-term rentals for the 6 homes in the proposed subdivision with the condition of building a 5 ft wall and complying with City Ordinances for short-term rentals.

Motion by Tode Hafen, seconded by Herb Basso.

Voting Aye: Herb Basso, Jarett Waite, Wendell Gubler and Tode Hafen.

Voting Nay: None.

Motion Carried.

7. Consider approval for Resolution 2019-10R of intent to adjust the common boundary with Ivins City by transferring 6.05 acres to Ivins City, the property being generally located in the northeast corner of Santa Clara City. Split Rock Inc. applicant, Black Desert Resort. Presented by Bob Nicholson, City Planner.

- Bob Nicholson said this is a request for a boundary line adjustment. Split Rock Representative Patrick Manning submitted this application. This is in the northeast corner of Santa Clara. The reasoning for this is that it is much more feasible to obtain sewer to service and the line is closer to their property. This is step one. If the Council is inclined to do this, they adopt a resolution of intent and then there is a 60-day waiting period and within that there is a public notification where both cities have to put an ad in the paper once a week for 3 successive weeks. Each city at the end of that 60-day period

has a public hearing and take public comments and act on it. This would come back to Council sometime in August before we would hear the final public hearing and Council could take action. This doesn't bind the City if something comes up.

- Wendell Gubler asked Jack that is what they are saying true concerning the sewer line.
- Jack Taylor said yes. We don't have any sewer up in that area. It would be quite a bit of expense to get it there.

- Mayor Rosenberg said it has to do with the property up above it. Ivins already has to coordinate the sewer with St. George to bring the Ivins property through and they are already doing that. It makes sense to let this go to Ivins.

- Corey Bundy said they are going to put the clubhouse for the 18-hole golf course up there. They are also going to put a hotel. The hotel will be in Santa Clara.

Motion to Approve Resolution 2019-10R of intent to adjust the common boundary with Ivins City by transferring 6.05 acres to Ivins City, the property being generally located in the northeast corner of Santa Clara City. Split Rock Inc. applicant, Black Desert Resort.

Motion by Herb Basso, seconded by Jarett Waite.

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

Voting Nay: None.

Abstained: Tode Hafen

Motion Carried.

8. Consider approval of Interlocal Agreement between Santa Clara City and Ivins City to share use and cost of Kobelco Excavator, Trailer and Asphalt Layer. Presented by Jack Taylor, Public Works Director.

- Jack Taylor this Interlocal agreement is similar to the existing agreement we have with Ivins City regarding our sewer trucks. The agreement has been approved and put together by our City Attorney, Matt Ence. We are going to share the Kobelco, trailer and asphalt layer. Ivins City will pay us \$35,000 for that equipment and we will share the costs, which will be paid quarterly 50-50% on those three pieces of equipment. The equipment will be stored at our City yard and eventually some of it can be placed in the Ivins yard. It is set up that if we have an emergency any of that equipment is Santa Clara's to be used first. If we have a flood our track hoe would stay in Santa Clara.

- Herb Basso asked what the \$35,000 cost is.

- Jack Taylor said that is their share of the Kobelco and trailer and asphalt layer.

- Brock Jacobsen said these were already purchased and Ivins is just paying us to buy into it.

- Mayor Rosenberg asked Jack where the emergency language was.

- Jack Taylor said it is on the second page at the top. He read the paragraph to the Council, "In case of an emergency Santa Clara has the first right to use of the Kobelco Excavator, Trailer and Asphalt Layer."

- Mayor Rosenberg said if the City has any emergency and we need it we are going to bring it down. If we are not needing it, Ivins can use it.

- Jack Taylor said that the maintenance and insurance is identical to the other. The term limit is the same the withdrawal is the same as the other interlocal agreement. If we decide we want to get rid of the equipment and get new equipment we would work together with both cities and make the purchase and work off the agreement.

- Mayor Rosenberg said there hasn't been any issues with the shared equipment we have

right now.

- Jack Taylor said that Ivins has been really good. They have kept the equipment clean and have brought it back with full fuel. There haven't been any problems. It is a good working relationship.

Motion to Approve Interlocal Agreement between Santa Clara City and Ivins City to share use and cost of Kobelco Excavator, Trailer and Asphalt Layer.

Motion by Herb Basso, seconded by Jarett Waite.

Voting Aye: Tode Hafen, Herb Basso, Wendell Gubler and Jarett Waite.

Voting Nay: None.

Motion Carried.

6. Reports:

A. Mayor / Council Reports

Tode Hafen:

- Asked how the Rosenlof house renovation is going.
- Corey Bundy said the garage door was put in today. All the appliances are in. The electrician was finishing up the fixtures today. A cleaning company will come in this week and we are getting ready to rent it by June 1. He is going to talk to Jensen Properties Management to see if they have a renter. It will rent for probably \$2,000 a month. It is on schedule for June 1.
- There have been problems with the motors in the glockenspiel doors. Brad and his crew have been amazing in working with people and trying to get it fixed but right now it is out of commission. They have changed the music a little bit and she is working on costumes for the 4th of July.

Jarett Waite:

- He went to the County Commission meeting yesterday and they approved the grant application for \$158,000 for the BMX track. That paved the way for Santa Clara to ask for more tourism funds. He showed pictures of the Virgin track. He thinks we will see a lot of foot traffic with our track. They are shooting for the fall to have the track done. They are talking to USA BMX to get on the schedule for qualifier. That helps the track quite a bit in the standing with USA BMX. If the track isn't done in time they will run it out of Virgin.
- Mayor Rosenberg said that the far turn on the left crosses the wash. He is working with it and he doesn't have it fixed yet. He is trying not to change the track alignment. He doesn't know if that is legal.
- Jarett Waite said he can find out and let the Mayor know.
- Mayor Rosenberg said we should be getting the Geotech report and that will tell us if there are any concerns with the fill. Then we should be able to finalize it.
- Jarett said he was reelected as the chair for the Mosquito Abatement District. The district is doing very well. They're continuing their non-evasive methods of fogging very little and it seems to be working.

Herb Basso:

- Nothing to report. He left the meeting at 7:00 p.m.

Wendell Gubler:

- The Solid Waste District had a meeting. They had a clean audit. Rocky Mountain asked for more money. We have been giving them \$50 a ton and now they want \$78 a ton. That was voted down and we will continue to go with the \$50 a ton. They are looking at having Republic bid on the recycle. Rocky Mountain is not doing what they said they would do. The tariffs are making things worse. There are people on the east coast who are talking about doing recycle again. There isn't any of that happening in the Country right now. At some point we may have to go to the customers and charge them more a month to recycle.

Mayor Rosenberg:

- There is talk of some meetings with Utopia and bringing high-speed fiber out to the community. They are getting a questionnaire ready for us.
- Brock Jacobsen suggested putting a flyer with the newsletter letting residents know about taking the survey for Utopia.
- Jarett Waite said that would be a good Facebook post to make sure it gets out to the public.
- Brock Jacobsen said he will put a link on the City's Facebook for people to take the survey.
- Jarett Waite asked if this is contingent on St. George doing it.
- Mayor Rosenberg said he doesn't know the answer to that, but the St. George Economic Development people were excited about it.
- Jack Taylor said they have to go from the west side into St. George, so they really want Santa Clara to participate. It would reduce everyone's cost eventually and have a lot better service.
- The MPO met last week and talked a little bit about the quarter cent sales tax and the transit opportunities. He has asked for a meeting with St. George and Sun Trans to find out what the City's options are.
- Mayor Rosenberg will be gone for two weeks. Tode will be Mayor Pro Tem.
- Mayor thanked Jack and his crew for getting the gate up at Country Lane. There were issues with access.
- Mayor had a complaint from a gentleman in the Heights who said we are killing all the bees because of our ordinances. Our ordinances are State law. He said he can't see anything that the City is doing that is causing a problem.
- He had a complaint from someone that lives by Santa Clara Elementary that someone made a delivery at 3:45 a.m. to the school. It happens periodically. He notified Chief Flowers and the School District. They are not supposed to deliver before 6 a.m. The superintendent will look into it.
- He made a statement in the newsletter about kids being out of school and be careful with kids in the street and make sure kids wear helmets. He has a concern about kids on golf carts.

- Jack Taylor said that Black Desert would like to move the transmission line up along Pioneer where the tunnel is going back towards the substation. They would like to have it moved to the south side of Pioneer. They are willing to pay the cost to do that. He doesn't see a problem with it, but he wanted to run it by Council.
- Jarett Waite asked if it would be put in a place that wouldn't interfere with the future

expansion of Pioneer Parkway.

- Jack Taylor said they would make sure they have it back far enough away from the road.
- Mayor Rosenberg asked if they would have to disturb some of the undisturbed lava on the south side.
- Jack Taylor said they would probably have to in order to get to the pole sites unless we can stay close enough to the road to reach them. It might be noticeable for a little while but not from any of the houses. The poles would actually be a little bit lower than they are now.
- Tode Hafen asked Corey about the silo that is going in and it is just white. What did it look like in the plans?
- Corey Bundy said his understanding is that they are going to paint it. He can go back and look at the site plan.

7. Approval of Claims and Minutes:

- April 30, 2019 City Council Executive Session Minutes
- May 8, 2019 City Council Regular Meeting Minutes
- May 15, 2019 City Council Work Meeting Minutes
- Claims through May 22, 2019

Motion to Approve City Council Executive Session Minutes from April 30, 2019, the Regular City Council Meeting Minutes from May 8, 2019, City Council Work Meeting Minutes from May 15, 2019 and claims through May 22, 2019.

Motion by Tode Hafen, seconded by Jarett Waite.

Voting Aye: Wendell Gubler, Jarett Waite and Tode Hafen.

Voting nay: None

Motion Carried.

8. Calendar of Events

- May 27, 2019 Memorial Day - Offices Closed
- June 5, 2019 City Council Work Meeting Cancelled
- June 12, 2019 Regular City Council Meeting
- June 26, 2019 Regular City Council Meeting

9. Executive Session: None.

10. Adjournment:

Motion to adjourn by Tode Hafen.

Seconded by Wendell Gubler with all members present voting aye.

Meeting Adjourned at 7:25 p.m.

Date Approved: _____

Chris Shelley – City Recorder

