

**SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, JUNE 12, 2019
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, June 12, 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; Matt Ence, City Attorney; Lexie Leavitt; Sophie Robinson; Laine Leavitt; Tom Nisson; Brian Chadaz, Chairman of the Board of Directors for DRMC; Krista Whipple; Makayla Leavitt; Mitch Cloward, CEO Dixie Regional Medical Center

1. **Call to Order:** Mayor Rosenberg called the meeting to order at 5:01 p.m., welcomed everyone and introduced the City Council.
2. **Opening Ceremony:**
 - Pledge of Allegiance: Herb Basso
 - Opening Comments: Herb Basso

 - Councilman Ben Shakespeare was excused from the meeting.
3. **Communications and Appearances:** None.
4. **Conflicts and Disclosures:** None.
5. **Working Agenda:**
 - A. **Public Hearing(s): 5:00 p.m.** None.
 - B. **Consent Agenda**
 1. Cancel the July 3, 2019 City Council Work Meeting & July 24, 2019 Regular City Council Meeting.

2. Consider additional funding for the Rosenlof Home. Corey Bundy, Building & Zoning Official.
 - Corey Bundy said there were some cost overruns because they had to replace the floors and the toilets in the bathrooms. They did not end up painting the exterior but did replace the garage door. The total cost came to \$38,090.11. We have already paid out about \$10,000 so the remaining amount is \$27,853.59. We have been able to rent it. The renters will be paying \$1,995 a month and will rent it for a year. 10% of the rent goes to the management company for managing the house. The repairs were about \$4,000 more than expected.
 - Tode Hafen asked if Corey anticipated any more expenses for repairing the home.
 - Corey Bundy said he doesn't. He said that when the renters moved in he was informed that the City had to put blinds in the home. It is State law that the owners have to provide blinds in the bedrooms. The washing machine discharge pipe didn't work so the plumber had to go over to repair it. There will be some small maintenance items but those will be handled through the management company and just taken off the top.
3. Set Public Hearing for Budget Amendment for FY2018-2019 for June 26, 2019 at 5:00 p.m.
 - Brock Jacobsen said this amendment is to make sure the City complies.
 - Tode Hafen said she will be out of town that day.

Motion to Approve the Consent Agenda.

Motion by Herb Basso, seconded by Wendell Gubler.

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

Voting Nay: None.

Motion Carried.

C. General Business:

1. Introduction of the 2019 Santa Clara City Royalty. (Sophie Robinson, Lexie Leavitt, Laine Leavitt) by Monica Bracken.
 - Monica Bracken introduced the new royalty. She said they need service hours and reminded Staff and the Council that they are willing to help out in any way. She said to please involve them in ribbon cuttings. Sophie would like to help with the Mayor's Walk for Swiss Days. Her platform is getting people out to enjoy the trail system in Santa Clara. They are going to update the float and put a glockenspiel on it and make it look more like Swiss Days.
 - Mayor Rosenberg thanked Monica for all that she does and told her the pageant was great.
 - Sophie Robinson introduced herself. She is Miss Santa Clara 2019. She has lived in Santa Clara for over 3 years and loves living here. She likes to hike and be outside. She has been on the track team for the last couple of years. She met Lexie and Laine Leavitt running track. She said they are all excited to work with the Council this year and learn more about the City Council and Mayor.
 - Lexie Leavitt has lived in Santa Clara her whole life. She is excited to work with

Sophie and Laine and she is excited to give service.

- Laine Leavitt has also lived in Santa Clara her whole life. She expressed that she feels blessed to serve in the royalty with her sister and with Sophie. She enjoys the mountain biking trails.

- Monica Bracken asked if Council could have a picture with the Royalty.

2. Dixie Regional Hospital Update. Presented by Mitch Cloward, Administrator.

- Mitch Cloward, CEO of Dixie Regional Medical Center, congratulated the City Royalty and said he is a Santa Clara resident. He expressed his gratitude to the Mayor and the City Council. He acknowledged the presence of Brian Chadaz who is the Chairman of the Board of DRMC. He said that Brian leads with compassion and integrity. He said that Brian and the Board serve in an unpaid capacity. He said we have world-class health care. They are working on getting away from curing and treating disease to preventing it. There was an announcement made nationally today that Intermountain Health Care through our local precision genomics cancer center is that they are going to partner with a company called D-Code and over a period of five years are going to sequence the genes of 500,000 people in the State of Utah. They are going to identify the mutant gene and get ahead of the progression of disease. That is groundbreaking for health care across the world. There has never been a study like this. They are going to transcend curative and treatment resources and identify that mutant gene and try to eradicate that disease before it ever manifests itself. That is world-class health care. He said they can now replace heart valves through a tiny catheter and patients can often leave the hospital within a day after the procedure. And they now have an MRI in the operating room, which they use when they are operating on someone with a brain tumor. They are also trying to make sure that patients feel like they are being treated like a family member. He talked about the fact that Stanford University has a laboratory in DRMC cancer center.

- Mayor Rosenberg expressed appreciation to him and to DRMC.

3. Youth Futures Shelter Home Presentation. By Krista Whipple, Program Manager.

- Krista Whipple said she is the program manager of Youth Futures. They are a youth homeless shelter that is located on Tabernacle Street in St. George. They take in youth between the ages of 12 and 18. Youth Futures grew out of a youth crisis hotline. From the hotline kids are connected with therapists, doctors, clinics and services. They were getting a lot of calls from kids who said they didn't have a place to stay. There was no place to send them. There were no youth shelters in all of Utah because there is a law that you can't harbor a minor. That is intended to protect kids but is preventing people from doing something about the growing problem of youth homelessness. The founders of Youth Futures got together with other community activists and they lobbied the State Legislature to have that law amended so that there is now a licensing procedure in place to open these shelters. Youth Futures was the very first youth shelter to open their doors in Ogden in 2015. The second location is here in St. George. It opened last October. Each location can take up to 16 residents. There is also a daytime drop in program so youth can come in for a meal or to do laundry or take a shower. They have 24-hour therapists on call. Anyone between 12 and 18 can come in and receive services. They have plans to expand. They do intensive case management with all of the kids and get them enrolled in school if they aren't already. They make sure they have transportation

to school. They help them with getting an I.D. finding a job. A lot of the kids go into Job Corps, which is a really good option for them. Every kid comes with a different set of problems and their staff is ready to start helping to address those problems. Usually kids are homeless due to issues beyond their control. This shelter is considered a temporary, emergency shelter. They don't take custody of the kids and are not their legal guardian. They work to reunite the kids with their families if that is safe and possible or get them into a stable long-term living situation. They are trying to make sure that no kid sleeps on the streets. They are specifically here for Washington County kids and don't take referral from outside the County. This service is supported by the community and is intended to support the children of our community. She invited the Council to come for a tour. She told the Council how they can help if they are interested in supporting the program. Kids need a way to access their services. She said if they can't get to their facility they can access a safe place. A safe place is any location willing to put a sign in their window and kids can come in and approach an employee for help and the employees who work there will call Youth Futures and they will come out and pick the kid up and take them into shelter. They notify DCFS and the parents when they take the kid in. They are not being harbored secretly. She said the way the City can help service the kids in Santa Clara is by opening up safe place locations. Any City owned building such as libraries, fire stations, Town Hall, etc. can be a safe place. They will come out and train the employees. She can leave contact information so a training time can be set up.

- Mayor Rosenberg asked how they were funded.

- Krista Whipple said their funding comes from a variety of sources. They have a development team that works on year round grant writing and fundraising. They do have some Federal and State grants but the bulk of money comes from private individuals or organizations that allow grants for charities. They are community supported so their pantry and resource room, which is full of clothing and hygiene supplies, are donated by local community members that bring those things to their door. They are a non-profit. They do pay their Staff and try to keep things running so they can keep their doors open.

- Wendell Gubler asked why they chose St. George and Ogden as their two locations in Utah.

- Krista Whipple said their founders live in Ogden and the issue of homelessness is a much more visual problem up there and they were seeing a lot of kids on the street so they opened the first shelter there. She said there is about 5,000 kids that will experience homelessness every year and so one youth shelter in the entire State located way up in the north was not enough so they started looking to expand to other cities. They had a meeting and asked where they should go next and it was decided to go to St. George and nearly on the same day there was a group of people in St. George meeting about the growing youth homeless problem and how it could be solved and one of the men on that committee had heard about Youth Futures in Ogden and called them. It was a long, difficult, complicated process to get the shelter opened. They renovated an existing house to meet commercial standards. They usually have 9 or 10 kids at a time.

- Jarett Waite asked about Switch Point.

- Krista Whipple said that Switch Point cannot accept unaccompanied minors. They can take in youth that are there with their parents. She said they have a close relationship with Switch Point and they refer the youth to Youth Futures. If a kid comes to them that is 18 and has graduated from high school or is too old for their program the kids are referred over to Switch Point.

- Tode Hafen thanked Krista for what she and Youth Futures is doing.
- Krista Whipple said she loves what she is doing and is important work.
- Jarett Waite said Santa Clara police force needs to be aware that Youth Futures is there.
- Brock Jacobsen said he will make sure Chief Flowers is aware of it.
- Tode Hafen asked if there were any safe places already in Santa Clara.
- Krista Whipple said that Dutchman's Market is a safe place. She said she has a small committee of people who are working on expanding and would like to get them in every neighborhood.
- Tode Hafen asked if it had to be a business or community building.
- Krista Whipple said it can be anything except for a private residence or a school. They do have to clarify that they don't hire sex offenders and they have to have somebody over 21 years old who works there. It does not have to be open 24 hours a day. They put a sticker in the window with a phone number so if it is after hours of the business the kid can call or text that number. She thanked the Council for their time.

4. Consider adoption of the Santa Clara Final Operating and Capital Budgets for FY2019-2020 and approve Ordinance 2019-03. Presented by Brock Jacobsen, Interim City Manager.

- Brock Jacobsen said they had a public hearing a few weeks ago. He said we had a couple of changes since then and he gave the new packets to the Council including those changes. We received the property tax notice from the County and how much they are projecting for property tax revenues so that number has been updated to \$902,665. He said there is an adjustment of the expenditures in the Administration Budget to account for the Primary, which we will be having an election, and we added funding to there. That was all that changed in the General Fund which took the General Fund Budget from \$6,138,732 to \$6,151,732. In the Enterprise Funds we made a change in the Water and the Power Department. This is to go along with the AMI Metering. We had originally had budgeted \$150,000 in each of those funds to account for the change to AMI but looking at that instead of doing it in phases because doing it in phases we are double paying to do the meters, so we upped that to \$300,000 in Water and \$400,000 in Power and hope that will get us close. We may have to go up a little above that depending on what it comes out after negotiations. That would do an entire change out.
- Herb Basso said that at that meeting when the AMI metering was discussed they asked for some figures for the cost of reading all the meters and the hassle it is to change them all out.
- Jack Taylor, Public Works Director, said that right now the City is spending at least \$4,000 a month in reading those meters.
- Herb Basso said he sees this as a great savings to the City and the employees can be used in other places.
- Brock Jacobsen said those are the only changes in the budget since the public hearing.
- Herb Basso asked why we needed a primary election. Can we save money by just having one election?
- Chris Shelley, City Recorder, said that it is the State law on elections. You have to have a primary if you have more than double the amount of seats that are open. More than six in this case.
- Brock Jacobsen said the primary will reduce it to six. The budget goes into affect July 1. He said the impact fee is included in the budget to help with the Fire Station remodel.

Currently we have budgeted for that \$372,000 of impact fees. We are working on some revising of that remodel and it will probably be more than that amount but once that is figured out we will come back to Council for that.

- Mayor Rosenberg said they have formed a committee that is looking at it and Councilman Shakespeare is helping with that. They are working on some options to potentially reduce the costs. Let's let that committee go through that process and then come back with a recommendation to Council. At that point if there is additional money available we can talk about a loan from the CIB.

- Jarett Waite asked where the Fund Balance will end up.

- Brock Jacobsen said the Fund Balance will still be over 20% after this year. We are using about \$233,000 of Fund Balance to balance the budget. We are still in a healthy place financially.

Motion to Approve adoption of the Santa Clara Final Operating and Capital Budgets for FY2019-2020 and approve Ordinance 2019-03.

Motion by Herb Basso, seconded by Jarett Waite.

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

Voting Nay: None.

Motion Carried.

5. Award Workers Comp Bid. Presented by Brock Jacobsen, Interim City Manager.

- Brock Jacobsen said the Workers Comp was up for bid. We made it so that it would coincide with our Fiscal Year. Utah Local Governments Trust has been our Workers Comp provider gave us a 6-month extension to put it out for bid so we could get all our insurance on the fiscal year so we put it out for bid and received 3 bids. One bid from Workers Compensation Fund, one from Olympus Insurance and one from the Utah Local Governments Trust. The Workers Comp bid came in at \$41,329 annually. ULGT was \$45,800 and Olympus was \$47,422. The ULGT is not the lowest bid but we have participated in their TAP program the last few years, which makes the City eligible to receive a cash incentive of 5% of the annual premium, which was \$2,675 last year. They also provided options with liability property and auto insurance discounts that would total \$22,000 decrease in addition to the workers comp decrease. The ULGT also knows us and has worked hard to provide additional savings to the City. After reviewing the bids, it is Staff's recommendation that we select ULGT to provide workers compensation insurance for the City.

- Mayor Rosenberg said the Trust has been helpful to the City over the years.

Motion to Approve Award of Workers Comp Bid to Utah Local Governments Trust for \$45,800.

Motion by Tode Hafen, seconded by Herb Basso.

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

Voting Nay: None.

Motion Carried.

6. Approve the AMI Smart Metering Bid. Presented by Jack Taylor, Public Works Director.

- Jack Taylor said that over the last few months Staff and Council have reviewed the two

different AMI metering companies. He and Staff agrees that Eaton Company has more to offer than the Tantalus Company that also presented to us. We have talked to other cities that have chosen Eaton and they have great reviews. Eaton is a large company that has been in business for over a century and they have a lot of backing. They have trained Staff here in Utah for great support. Eaton has people here in Utah to give us support. The Yukon software has more options with no extra cost. There are no recurring costs. Eaton will interface with other brands of meters so we have a large variety of meters that we can use on our power system. There are no other companies in Utah that are using Tantalus. It is Staff's recommendation that we move forward with Eaton and work with them in developing a contract and a price that would work for Santa Clara City. This is the way the metering system is going with time of use, demand. We can turn the meters on and off with the press of a computer key. Customers can come in and see what time of day they are using the most power, the type of demand or the time of day. Sherry will receive notice if a customer has a broken pipe or leak, so someone can come out and take care of it. There are a lot of benefits.

- Jarett Waite said he asked them about websites that show usage and they said that only 3% of the residents use it and then it drops off to about .1% so it is not worth the extra money to pay for that. He appreciated their honesty concerning that.
- Herb Basso asked about the City cancelling or lowering the turn off, turn on fee because it will not cost the City to send someone out now.
- Jack Taylor said the meters will show if there is a power outage. This will send a message immediately if there is an outage and the crews will know exactly where they need to go. It will also show a low voltage issue.
- Jarett Waite said we would get the full Yukon software package. We won't have to pay for every little upgrade along the way.
- Jack Taylor said we can save some money by purchasing our own server and having the Yukon software downloaded on to our server and we recommend doing that. We have plenty of room in our IT room. It will save about \$9,000 a year by having our own server.
- Brock Jacobsen said we will have to purchase our own server but it will pay for itself in about a year and a half.
- Jack Taylor said the newer meters that we have can be sold to other cities.
- Herb Basso asked if this would change in fee structures. And would this change the cost of a resident wants a second meter.
- Jack Taylor said it shouldn't change anything unless some meters are reading incorrectly. A second meter would cost a little bit more money. We will have to change our connect fee. The old meters will be replaced. It will take a year or a year and a half to change them out.
- Tode Hafen asked if there will be an additional charge for existing residents.
- Jack Taylor said no not for existing resident. For people building new homes that might increase just a little bit. He also talked about the replaceable batteries and the water meters. He said there is a 10-year warranty on the battery and it will be a lot cheaper than buying the ert's. He said they had a meeting with the water canal company and they want to sell water to the residents in the new developments. So, when they buy the meters to go on the secondary water system they are going to buy the meters that we need with the ert's so that the City can actually read those, and we will be working with the canal company of those. It could be a benefit for the City.
- Mayor Rosenberg said the City will probably end up doing the installation. We will be

coming back to Council with a recommendation that we mandate secondary systems throughout the City in all the new development. We would have to set fee schedules and work out the billing. The City is going that way to help promote the conservation so we start using secondary water rather than culinary water to help culinary go farther. We would probably be leasing the water from the canal company and selling it to residents. We want to keep the water here. We are meeting with the Water District tomorrow at 11:00 at Ron Thompson's office.

- Jack Taylor said that what we are looking for tonight is approval from the City Council to go back to Eaton to develop a contract that we can bring back to City Council for approval and move forward. The price they quoted is \$761,331.98. We don't need Council to approve that amount. We will still be negotiating with them to develop a contract and we will come back with a dollar amount for approval.

Motion to Approve the AMI Smart Metering provider to be Eaton and for Jack Taylor to begin contract negotiations with them.

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. Discussion on the Parks Capital Facilities & Impact Fee Analysis and set a Public Hearing for July 10, 2019. Presented by Brad Hays, Parks & Trails Director.

- Brad Hays said the last update to the Parks Capital Facilities Plan was August 2013. We normally update it every five years so we are a little bit behind. The numbers Council will look at tonight are 20 years out so all the property and all the requirements are stretched over that period. It is based on the General Plan and the projected population growth to determine the Parks future needs. He said there is currently a baseline for parks property. We have 10 acres per 1,000 people. So we currently have approximately 81 acres of parks. The cemetery is .3 acres per 1,000 people and trails is 9.6 acres per 1,000. Any future growth will be based off of these numbers. Parks are divided into four types of parks. The cemetery is a type of park and there are aesthetic and heritage type of parks. The arboretum is an aesthetic type of park. Heritage Square is an historical park. Trails are also included in that 10 acres per 1,000. This impact fee analysis has a lot in it and it drives the maximum allowable charge up. He said we have 3 community parks north of Harmon's that are in the plans. That will allow us, if someone comes in with a development, that we have a park in the plan. Just because it is in the plan doesn't mean we have the money to do that. It is just in the plan. Every dollar we use of impact fees has to be approved by the City Council. We are trying to be proactive. This hopefully has everything in it so we won't have to keep amending it over the next 5 years. He is bringing it before Council, so they can review it and then will set a public hearing with the recommendations the Council has, and then bring it back for adoption in July. He said that page 16 has a map and where all the parks will be located.

- Tode Hafen asked which park was next on the list.

- Brad Hays said there are currently 3 projects in the works. There are the bathrooms for Heritage Park across from Town Hall, the trail behind Harmon's and the Swiss Pioneer Memorial Park. He said the plans toward the park in the South Hills is progressing. He met with the SWCA, the people who did the environmental assessment, and with the

BLM and we have met all of the requirements and answered all the disputes we had in the last public comment time and everything is done so we should be getting the lease very soon.

- Marv Wilson, Sunrise Engineering, explained how the percentages were figured. He said the population projections were the same ones used on the City's other master plans. Brad said he didn't want to see an increase in the impact fee but we didn't include the land costs of the park west of Gubler Park. The Council can choose to keep it where it is at. The level of service went up significantly. Santa Clara is a little high compared to its neighboring cities.

- Brad Hays explained that the City actually owns 95 acres but the usable acres are only 80.1.

- Marv Wilson said the roads are not included in the Parks. You will pay the same either way. We can justify it either way. There are no residences south of the point where the road will be built.

- Mayor Rosenberg said it is a potential access to the Western Corridor so it can be brought back in. He said this should be left on the transportation side to avoid any park overlap. It is a road project that you're impacting not a park project that can complicate the EA's for the Federal funds. He suggested leaving it out and then bring it back if we decide to amend it.

- Jack Taylor said his biggest question is when is that going to happen. If the park happens sooner in the South Hills, he doesn't think there can be a park built up there without having a road to it. So if that park happens sooner than some of the other things we might want it in there so if we do have funds we can do both the streets and the parks. It might be smarter to put it in the parks.

- Brad Hays said when they first had this discussion with BLM they were going to donate some road base and help improve that road. They also have a trailhead up there. Maybe we could get some help.

- Jack Taylor suggested going to the County and getting some help from the County.

- Mayor Rosenberg said we might be able to get some tourism money.

- Jarett Waite said that the BMX track is included in this plan. If it were not included in this plan would that change the fee dramatically?

- Brad Hays said it isn't affecting the fee very much.

- Brock Jacobsen asked Marv if the plan had in there the portion for the MBA for City Hall that was in the previous impact fee study.

- Marv Wilson said it was included in other plans but he doesn't remember seeing it in the parks plan. He said they will double check on that.

- Brad Hays said that Staff isn't recommending the increase. He said they recommend staying where we are or a slight reduction.

- Tode Hafen said she doesn't know if we should reduce it but maybe stay where we are. It is hard to get it back. It would be great to stay where we are.

- Herb Basso said he likes keeping it where it is.

- Marv Wilson said they don't have to make a decision right now.

- Mayor Rosenberg said there will have to be a public hearing.

- Marv Wilson said that Brad wanted the Council to be informed and see if there is any input before the public hearing.

- Tode Hafen asked him to give them a comparison to surrounding cities.

- Brad Hays said he has that and will get it for Council.

- Mayor Rosenberg said that parks are the most popular service that we provide right

now. He said that it sounds like the Council is pretty satisfied with the proposed parks and trails and that they don't want to recommend an increase in the impact fee.

- Herb Basso asked when the Public Hearing will be.

- Marv Wilson said the Public Hearing is scheduled for July 10, 2019 at 5:00 p.m.

- Mayor Rosenberg said he won't be here that night so Tode will be the Mayor Pro Tem.

Motion to Set a Public Hearing for July 10, 2019 at 5:00 p.m. to discuss the Parks Capital Facilities & Impact Fee Analysis.

Motion by Jarett Waite, seconded by Herb Basso.

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

Voting Nay: None.

Motion Carried.

8. Consider Approval of Ordinance 2019-07 Amending the City's Street Improvement Policy to address improvements to streets outside of future subdivisions. Presented by Matt Ence, City Attorney.

- Mayor Rosenberg said that Matt Ence put together the ordinance language. It is in the drop box. There are a couple of comments on it.

- Matt Ence said he wanted to give some explanation to the approach of this. Our ordinances already require street improvements when properties are subdivided. The issue that we are attempting to deal with here is streets where lots are already present or developed. An example is Vineyard. What do we do in terms of street improvements along Vineyard Drive? That is not the only example. Looking at the current requirements of our ordinance, the idea was to bring those sections of town that are not going to have subdivisions created in the future and bring them in under the same requirements of future subdivisions and create a trigger so that something would trigger those requirements and how those costs are borne between the people who own the property that are affected by the improvements verses the portion that is borne by the City. Those are the things we tried to accomplish with this in the context of making changes to our existing ordinances.

- Mayor Rosenberg said there were a couple of things that he had on the list on B. Streets and Project Areas. One was unimproved frontage on Arrowhead Trail that needs to be included on that list. And then Hafen Lane.

- Matt Ence asked if we wanted to do those as two separate projects.

- Mayor Rosenberg said they would probably be two separate projects. He described each portion of those streets that need to be included.

- Herb Basso said, in case we miss something, is there anything else that should be on this list.

- Matt Ence said this does provide, it says, "with recommendation from the TRC and Planning Commission the City Council can designate any other area". It is a catchall.

- Mayor Rosenberg asked in B. Section 2 if "mitigate" is the right word for "help mitigate growth".

- Matt Ence said as he was looking through this again he made a change there. He changed it to "mitigate the anticipated impacts of growth or development".

- Mayor Rosenberg said under C. Streetlights, we haven't included streetlights. Do we leave streetlights in there?

- Jack Taylor suggested leaving it in.

- Mayor Rosenberg asked if it would be on the City's side for the City to pay for it. If we put it in, someone has to pay for it and then we have to fight the night sky thing. Is Council okay with it? We can do directional lighting. He said he thinks the street lighting design is going to go toward protecting the night sky and from the safety aspect of having the lights we want to bring it up to the standards. We can leave it in and add it to the City's side. He asked about Section E. He said the owners of the subdivision in this case would be the owners of the special project area, right?
- Matt Ence said that was right. Anywhere we say "subdivision" we mean either a subdivision or the project area.
- Mayor Rosenberg said that we are going to make them bond and make the owners pay for the bond. It is a requirement of new development already. The City will advertise for bids for the paving and curb and gutter. We'll get a guarantee bond from the contractor. That would break that cost out of the bid so we can charge the property owners that or do we pay for it. You should only have to bond for what the property owner is paying for. The property owner is paying for the curb and gutter and any asphalt in excess. We wouldn't expect them to bond the City improvements.
- Matt Ence said it would say based on the engineers estimates they bond for their portion of the costs.
- Mayor Rosenberg said Matt will have to figure out the language for that. He also said that Storm Water is on there twice. Storm water is all on the City's side. The right and acquisition costs are divided. The City is going to do the surveys for dedication and the property owners have to dedicate it. They are not really paying but they have to commit to provide the right of way. If they want to have any document or anything reviewed that is their side.
- Matt Ence said that civil engineering costs are on the City side so he will put "civil engineering costs including required surveys". On the owners side he will leave "right of way acquisition costs".
- Mayor Rosenberg suggested putting "necessary right of way dedication" on the owner's side.
- Matt Ence said what he is wondering is if there is a situation where there is a property owner who is not participating for whatever reason but we still need to acquire some right of way from them in order to provide the necessary property. That cost, which is a pure right of way acquisition cost that cost would go to the property owner as well. He said, none of this is triggered until the property owners want it.
- Herb Basso asked if the City needs that land, are they the purchasers?
- Mayor Rosenberg said that with the streets we are talking about and with the existing right of ways that are out there he doesn't think it is going to be a problem. We can make it work. The only time it would come into play would be transitions or off site utilities.
- Matt Ence said that on the owner's side he is changing it to "right of way and public utility easement dedication as needed".
- Herb Basso asked if 28 ft would be covering everything.
- Mayor Rosenberg said that is the minimum.
- Herb Basso said if the City needs it, there should be something in there that says it will be on the City side.
- Matt Ence said he just realized that "sidewalk" is not on the list anywhere. He will add it on there.
- Tode Hafen said it needs to be added on there.
- Mayor Rosenberg said what they are doing down the street is the citizens are buying the

concrete and the City is installing it.

- Tode Hafen asked if that is typically what would be done.

- Jack Taylor said this is a smaller project. He doesn't know if that can be done on Vineyard. The sidewalk costs need to be on the owner's side. If we can do that and we have the time to do that we could save the residents some money. Our guys are experienced enough to do that. Other services would be dropped off if we took the time to do that.

- Mayor Rosenberg said to put in there "4 ft sidewalk, 4 inches thick". That piece down by the school is a safety issue. He said under Section G, "private streets" is written in there. He doesn't want that wording in there. He asked about addressing the corner lots with the owner only paying for one side of a corner. He would like to see that in there where the owner only pays for their long side. The City will pay for the short side. It is a fair precedent. Section M, "planned development area, subdivision, designated street project areas" is there anything else in the City other than those three things? Can the Planning Commission modify streets anywhere?

- Matt Ence said according to that, yes.

- Mayor Rosenberg asked if that was the plan.

- Matt Ence said that is currently in the ordinance. He didn't change that.

- Mayor Rosenberg asked Matt that if it is in the other Standards, does it need to be put in this one.

- Matt Ence said we would have to check to see what is in the other Standards. He said he just lifted the existing ordinance and then revised it. 80% of this is in the current ordinance.

- Herb Basso said our City Attorney did a good job writing this up. He said his concern is in what was discussed in the Work Meeting a couple of months ago. We spent a long time with this. He said it feels like Council gave the attorney a different picture than what was discussed. He said they talked about creating an ordinance but also giving the choice to the people not in rather they want to do this or not but in the type of curb or whether they wanted curb. He told people we are moving forward on Vineyard. But this is telling people they have to have things a certain way. What happened to the choice we were going to give them? We said that.

- Matt Ence said as a practical matter, who makes that choice?

- Herb Basso said he thought they talked about deciding to give that option to the residents on the streets. But we would have some options to show them as to what would work and what it looks like.

- Matt Ence asked if that means every property owner would have that choice.

- Herb Basso said that would be part of the 80% vote or majority vote. He said there was a lot of discussion about giving them choices but having the framework that an ordinance would provide. He said the framework became to restriction in options and creativity. We said we would take it to the people and he said he feels we are not taking it to the people. He asked why the vote is being split on Vineyard. It is one road. He thinks it should be one section. He would recommend to not split Vineyard.

- Mayor Rosenberg said if they are not listed separate you would have to wait until you had 80% of them together and that may be another 12 years.

- Herb Basso said if one or two of the sections vote one way and the other another way then you have a problem on Vineyard.

- Mayor Rosenberg said that the ones who want it will get it.

- Herb Basso said he doesn't think the vote will be any different.

- Mayor Rosenberg said the thing he likes about splitting it is that it reduces project size so it is an easier bite to take down. When you look at the City's cost is it's big project.
- Herb Basso said he is for one vote and if we can fiscally only do a quarter of it at a time that is what we will tell them we can do.
- Matt Ence said another approach we can take is not to have a list of project areas and essentially say that when a group of owners come in and want this to happen City Council will review and approve a project area for them. It is a little different approach and makes it more driven by who wants this and who doesn't rather than dividing the City into sections. Once the group of people come to the City and want their road to be improved then that triggers the cost sharing and so on. He also has a concern with giving a choice to the type of improvements that go in. We have City standards for roads so the way that we implement what Herb suggests is to make changes to those standards to provide different options or we provide something in the ordinance that says the City Council can make changes to sections of those standards in certain circumstances. If you do that for these areas you are potentially doing that for everybody.
- Herb Basso suggested making that for areas that already have homes on them.
- Mayor Rosenberg said that we need to be careful because this is a mechanism to bring substandard streets to a standard and our standard is already defined. The only way to do what Herb is asking is to go back and change the standard to allow the more rural setting streets... We want to maintain that some thought that we are providing a mechanism to bring a street to standard and the City is offering to participate in that cost if enough owners agree to do it. Changing the standard is a different discussion.
- Herb Basso asked that if we take it to the people on Vineyard and the vote is yes, we are requiring the property owners to put in curb, sidewalk and gutter where we are not requiring Lava Flow to put in sidewalk. How can we be inconsistent?
- Mayor Rosenberg said sidewalk is the homeowner's responsibility.
- Matt Ence said we could use this on Lava Flow. Sidewalk would be all that we would be doing. You could say that this currently doesn't meet the City standards. Again this is created by the residents wanting to do it and the residents being willing to put up the money for it.
- Herb Basso said in taking Matt's comments we might have to apply this so it's fair and equitable for everyone and you still have to vote on it. It is important that we do that.
- Mayor Rosenberg reminded Herb that in new subdivisions they have to do it to meet the standards.
- Matt Ence said that Herb has made reference a number of times to a vote but there is not really a vote. The way this is written, the property owners, at least 80% of them, have to commit in writing to participate financially. There is no vote called. He doesn't want there to be a misunderstanding that the City will call for some kind of a vote. It is all property owner driven.
- Mayor Rosenberg talked about the issue of 80% saying yes but 20% saying no. How do we force the no's to put in a sidewalk, curb and gutter or dedicate the right of way?
- Herb Basso said he has heard the comment that they don't want the curb and gutter even if the City paid of all of it and another comment about that they don't want to pay for something they don't want.
- Matt Ence said there is no mechanism in here to get anyone to pay that doesn't want to pay.
- Mayor Rosenberg suggested changing it to 100%.
- Matt Ence said that there is nothing in there that requires every owner to participate in

the cost. The owners that want to do it have to come up with 100% of their share whether they represent 80 or 90% or whatever. The City has one thing it can do when someone doesn't want to dedicate something. You can condemn it.

- Mayor Rosenberg said we can condemn the right of way. Do we have to pay for the curb and sidewalk for the holdouts?

- Matt Ence said no. That is part of the project cost that goes to the owners. The 80% would have to come up with 100% of their cost. He said to remember that there are already mechanisms in the law to require someone to pay for public improvements. He said an improvement district could be created.

- Mayor Rosenberg said if the 80% come to the City and want to do it, they could be offered the SSA as an offer to fund the project and assess those 20% who are not willing.

- Matt Ence said that this just says that 80% have to commit and they have to come up with 100% of their share. There is already a mechanism for this in State law. Why duplicate that.

- Herb Basso said we want to keep good, strong, happy neighborhoods. He said he hopes we would have a public information meeting to introduce the new ordinance. He would like them to hear the same thing.

- Matt Ence said he thinks that is the job of the residents that want those improvements to go out and educate people on how it can be done. They will have to comply with the ordinance. He said we just need to make available a copy of the ordinance. He doesn't think what this is, the City taking responsibility to go out and make sure these improvements get done. What we are saying is owners and residents if you want these things done here is what you have to do.

- Jarett Waite said it is a great deal for the residents. The City is covering a lot of the costs for improvement.

- Herb Basso said the document should answer the resident's questions and everyone gets the same answer no matter their street.

- Mayor Rosenberg said we are not doing any improvements or forcing anyone into anything. All we are doing is providing a mechanism if they want their road improved.

- Tode Hafen said she remembers the discussions the Council has had to provide something universal so that's why there is this document. Beyond that she knows there have been residents inquire already and approach this. This is an option and they are all asking for the same thing so it will be here in this document and it will be straight. She said she remembers in the discussion talking about how the improvements need to be up to City standards with sidewalk on both sides. With City standards there has to be sidewalks in front of every home. This is the first step that we need to make sure that this ordinance is in place. Step two is if the residents come in we can put some figures together of what this might cost and look like and get deeper into that upon their request. Then once that is provided to them then the neighborhood group can come in if they decide they are going to do that. That is step three.

- Herb Basso said he is agreeing except for the points he made about having more flexibility on certain design and he feels adamant about not splitting up Vineyard. He said a resident on Vineyard wanted to do this very thing. He said he was told they have to rent the hall to have their meeting. Hopefully we aren't going to charge residents to have a meeting. We can certainly provide an access for the neighbors to get together if they want to.

- Tode Hafen said at that time with the neighborhood meeting there wasn't enough information. This would be different.

- Herb Basso said he hoped Staff would be at a meeting like this and maybe a representative from the Council.
- Brock Jacobsen said that would be dependent if they wanted us to be there. He is not aware of anyone coming to ask if they could use Town Hall for a meeting. He would love direction on that. He would like to give Staff direction if people come in and want to use the banquet room for a meeting. Do we allow that? He asked Council to think about that because that is direction he would like to have. He said for other civic meetings they charge a deposit for civic use.
- Herb Basso said we are creating an opportunity to improve the City and have a set ordinance. He would hope that we could at least allow them to meet here.
- Mayor Rosenberg said there still has to be control over the use of the building. He said the City policy is to require a group to take on the responsibility to take care of the building while you are there and clean up when you leave. The money is just to facilitate that. If a group of neighbors approach us and want to have a community meeting at Town Hall and discuss the impact of possibly improving our street, there probably wouldn't be a fee as long as someone in that group was willing to step up and say they will be responsible for the building.
- Herb Basso asked if we are including streets that front the various streets.
- Mayor Rosenberg said the corner lot would be included. We are not extending it onto other streets. This is a generic way to improve the road. The City is going to pay for a big chunk of this. He said we have made some significant changes tonight. Do we want to see this again before we vote on it?
- Jarett Waite said it says "utility upgrades greater than" and there is nothing after that. What is that supposed to be?
- Matt Ence said that is a good catch. He thinks it is supposed to say "greater than necessary to service the property in that area".
- Mayor Rosenberg said the City is paying all of the utility costs. So it is irrelevant unless they don't have a service. The language might have to be tweaked there. It would need to be paid for as part of this. We will pick up the utility replacement and upsizing but if it is a new service they will pay for it.
- Herb Basso asked if a resident would have to pay to have their meter moved if they don't want it to be where the City placed it. He asked if meters are always in the right of ways.
- Jack Taylor said if we go through there and put curb and a sidewalk the box would be tied to either the curb or to the sidewalk with another piece of concrete so that it wouldn't be able to be mashed down.
- Jarett Waite asked if we wanted to include verbiage about financing or is that not the place.
- Mayor Rosenberg said that is not the place. That is going to be case by case. Any existing financing that is out there is available. We can't talk financing because there are too many variables.
- Jack Taylor asked if there needs to be something in there that says the City has to have the funds.
- Mayor Rosenberg said that is in there and it talks about the priority of the projects.
- Jarett Waite talked about splitting up Vineyard. He likes the idea of dividing it but are we penalizing those particular neighbors near the trouble lots and maybe never gets done because it is too expensive.
- Mayor Rosenberg said what would end of happening if that lot with the crazy sidewalk

was the only lot on Lava Flow that wasn't done we would tell him to pay for the Arrowhead frontage and we'll pay for the Lava Flow frontage or you build the wall and we'll build the sidewalk or something like that. It is a safety issue.

- Tode Hafen said this isn't perfect and it isn't going to be perfect but it is the best we can do. This is a gift to the residents. She hopes they see that. We are trying to fix the problems that are already there.

- Mayor Rosenberg said that this is the most generous one we have ever done.

- Herb Basso asked if there is a cost if the work negatively impacts a citizen's trees.

- Mayor Rosenberg said that when they dedicate that right of way they dedicate everything in there.

- Jack Taylor said his biggest concern is all the rumors. Somehow we need to have a meeting to make sure that everything is clear. There needs to be one voice, probably the Mayor's, that lets them understand how and where this is at and that it is up to them after that. Maybe even have Matt do that.

- Matt Ence said that tonight is the meeting. Where are the residents?

- Tode Hafen said that is true. It is on the agenda. She suggested just providing interested residents with correct printed information.

- Mayor Rosenberg said that once this is approved we can have a meeting and tell them what it means and how to use it. That is not a problem. You will have to get a mailing list for all the residents on those streets. We'll have to write the letter that goes out to them so that they know this is not a mandate to improve their roads.

Motion to Table Ordinance 2019-07 Amending the City's Street Improvement Policy to address improvements to streets outside of future subdivisions to allow the City Attorney to make the recommended revisions City Council discussed and bring it back to the next City Council Meeting.

Motion by Herb Basso, seconded by Jarett Waite.

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

Voting Nay: None.

Motion Carried.

9. Discussion on Rural Street Standards. Presented by Mayor Rosenberg.

- Mayor Rosenberg said this is the same discussion Council just had so there is no need for this item.

6. Reports:

A. Mayor / Council Reports

Tode Hafen:

- Brad has been working on the motor for the glockenspiel.

- Jewell said she isn't getting enough water for the trees.

- Brad said he will check it out for her.

- She asked Matt about Jenkins Oil.

- Matt said they are moving slowly with Jenkins Oil. They are still operating to some extent. We need to move it forward.

Jarett Waite:

- They had a meeting for the BMX track design. Mayor called the meeting. It was a very good meeting. We have discovered ground water at 4 ft where we are planning on building the snack bar. That has changed some things and we have rearranged some things but he thinks it will come out better. He talked to Brooke today and we are looking at putting a shipping container instead of building a building and decorating it to look really great. The track is coming along nicely.

Herb Basso:

- He asked if anyone was going to the Water Information meeting tomorrow.
- Tode Hafen said she is planning on going to that.
- Herb went to the Air Quality Meeting. They had been meeting for a while and didn't know that the City was interested. She has his contact information now. They are concentrating on dust control for construction sites. They asked if we would be interested in putting up a \$265 air quality monitor in Santa Clara. They want us to pay for it. They want a second one more on the west side. He thinks we ought to do it.

Mayor Rosenberg:

- Dean Cox said at the MPO meeting last month that he will get with Ron Whitehead and set up a meeting with the BLM and they are going to shape the discussion of the shooting range. There was an article in the St. George News on the shooting range and the dangers of all the shooting in the South Hills. The County has to turn in the application for the RP&P to the BLM for them to process it. Right now it is up to the County. He suggested to Council to call Dean Cox and Victor Iverson and Gil Almquist.
- The Verizon silo is up and looks really good. He asked Matt if there is any information on the lawsuit.
- Matt said it is proceeding. We have dates schedule for the court to hear the cross motions for summary judgment. It was either August or September. Nothing is really happening right now because we are waiting for that. All the pleadings have been filed by both sides. At this point with it being built it comes down to whether the judge would actually require Verizon to tear it down which is very unlikely at this point.
- He talked about the City getting involved and help sponsor a community scout troop. He asked if everyone was okay if he put a blurb in the newsletter inviting people to respond if they are interested mainly to attract adult leaders. We would need a department to step up and be the sponsor. We thought about the parks, but they are the number one provider of service projects and you are not supposed to service your own sponsor, so the fire department is our next choice and maybe even using the station on Circle Drive for some meetings.
- Chief Hancey said they would be interested in helping out.
- Mayor Rosenberg said that if someone approaches to say they are interested make sure to get their contact information and there will be a follow up meeting in July. He has been contacted by the community troop and they will support us in any way they can. It won't cost anything for the first 18 months so we have a year trial period. It is all exploratory right now. He thinks the Cubs program will happen.
- Mayor reminded Council to register for UAMPS.

- Jack Taylor said they are looking at amending the Streets Impact Fee study. On Tuachan Wash, those two culverts that are going in, do we want to put any of that on the

storm drain or do we want to put it all on streets?

- Mayor Rosenberg said we would have to put it all on streets. They are not really storm drainage collectors. They are road crossings.

- Chief Randy Hancey said the Wild Land crew is still doing their project work. He said they have finished the mitigation project on Tuachan Wash and down off of Country Lane and are closing down the grant on that. They are putting a committee together to explore different options for the Rachel Fire Station remodel. As soon as they get more details they will bring it to Council to keep Council aware of what is happening.

- Brad Hays said that the bathrooms for Swiss Days Park are out to bid now and closes on June 25. He said they should have the final plan tomorrow for Chapel Street Swiss Pioneer Memorial Park. They are meeting tomorrow to look at what they have. The trail legal descriptions are moving forward on the trail so we can go ahead with that.

7. Approval of Claims and Minutes:

- May 22, 2019 City Council Meeting Minutes
- Claims through June 12, 2019

Motion to Approve the Regular City Council Meeting Minutes from May 22, 2019 and claims through June 12, 2019.

Motion by Jarett Waite, seconded by Tode Hafen.

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

Voting nay: None

Motion Carried.

8. Calendar of Events

- June 26, 2019 City Council Regular Meeting
- July 4th Independence Day - City Offices Closed
- July 10, 2019 City Council Regular Meeting
- July 24th Pioneer Day - City Offices Closed

9. Executive Session: None.

10. Adjournment:

Motion to adjourn by Herb Basso.

Seconded by Tode Hafen with all members present voting aye.

Meeting Adjourned at 8:20 p.m.

Chris Shelley – City Recorder

Date Approved: _____