

**SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, FEBRUARY 26, 2020
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, February 26, 2020 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: Jarett Waite, Ben Shakespeare, Wendell Gubler, Leina Mathis and Denny Drake
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; Ann Evans; Cindy Frei; Mari Krashawtz, SUHBA; Steve Hall, Sunrise Engineering; Allen Hall; Hollie Reina; Justin Caplin

1. **Call to Order:** Mayor Rosenberg called the meeting to order at 5:00 p.m. and introduced the Council. He welcomed everyone and thanked them for coming.
2. **Opening Ceremony:**
 - Pledge of Allegiance: Denny Drake
 - Opening Comments: Denny Drake
3. **Communications and Appearances:** None.
4. **Conflicts and Disclosures:**
 1. Mayor Rosenberg stated on the consent agenda, Item 5B1 Approval of Final Plats for The Hills of Santa Clara, Phase 2B and Phase 3, the firm that he is employed with prepared those plats.
5. **Working Agenda:**
 - A. **Public Hearing(s):**
 1. Public Hearing to receive public input on Street Impact Fees. (Jack Taylor, Public Works Director).

- Jack Taylor said that this was discussed at the last City Council Meeting. He said that there have been a few amendments made regarding the streets impact fees and projects that have come forth in the City. He said the amendments were made but we never did increase the street impact fees. He said that Staff asked Steve Hall with Sunrise Engineering to help put this together
- Steve Hall, Sunrise Engineering, stated that this is a similar power point that he gave Council two weeks ago. He explained that this is an amendment to the existing Traffic and Transportation Master Plan. The original Master Plan was finalized January 2015 and the maximum eligible impact fee at that time was \$2,155. He said Amendment 1 included Santa Clara Drive, which bumped the eligible impact fee up to 2,171 however the City Council did not increase the impact fee at that time. Amendment 2 was finalized November 2018 and that replaced the low flow crossing on Chapel Street with a bridge. He said that the impact fee classifications table was also modified with different land use classifications and the maximum eligible impact fee at that point was \$3,122 but no increase was enacted at that time as well. He said that this is now Amendment 3. He said that Pioneer Parkway, to the east of Harmon's is where they will be adding two boxed culvert bridge crossings for those washes and that is the purpose of this amendment. The estimated cost of these improvements is \$677,000 and with financing that would put it in the \$835,000 range. He said these improvements would provide access for future growth in this area. He explained that the impact fee is per single family equivalent and commercial is based on that but is the number of trips generated. This would make the impact fee \$3,497 as far as the maximum eligible impact fee that the City could enact for a single-family equivalent. He showed the table to Council. (See attached.) He said there are additional costs due to a project that is needed and due to new growth and growth anticipated to come.
- Mayor Rosenberg asked him to go through the distribution of the residential and the commercial.
- Steve Hall said he was asked to look at the distribution between residential and commercial and the number of trips based on growth that is causing the need for the infrastructure. He said at this time the City is at 55% residential and 45% commercial. That is the breakdown based on all the assumptions in the traffic model. He said he did a comparison of the percentage of trips and anticipated based on the table what would be coming in and it was on par with what it should have been as far as percentage of the funds needed to fund all of the projects.
- Mayor Rosenberg said of that needed additional funding for the transportation improvements 55% of that cost would be paid by residential impact fees and 45% would be paid by commercial impact fees.
- Steve Hall said that 55% of the new trips are from residential and 45% are for commercial.
- Ben Shakespeare asked how the fee that is charged now, equates into multi-family. Would that be the same for townhomes?
- Mayor Rosenberg said it is and it is the same for short-term rentals. They pay the same residential impact fees as a single-family home.
- Jack Taylor said that it is the same for the Street impact fee but on the Water impact fees it is a little bit different because they are charged by ERU and it depends on the size of their meter. That will determine what their fee is.
- Brock Jacobsen explained the breakdown that is shown on the table and said that a townhome is actually less.

- Ben Shakespeare said that it seemed odd to assess a one- or two-bedroom townhome the same as a 10,000 sq. ft residential home only because they are residential.
- Brock Jacobsen said whether they build a 10,000 sq. ft home or a 1,800 sq. ft home if it is a detached single-family home, they would pay \$2,155.
- Jack Taylor talked about the costs of the projects. He said there are the concrete culverts that would be used and asked if there was anything cheaper to use than those such as pipes. He said the pipes would end up needing to be replaced eventually.
- Mayor Rosenberg said the only way to try and get a reduction of cost would be to turn it into a low flow crossing. He said that these are 100-year flood capable and these are the crossings that were modeled in the LOMAR FEMA map revision. If we change the design concept and went to a low flow crossing which one of them we could it would probably change the water surface profile through that reach. The Red Mountain one is a more important crossing from a transportation element.
- Ben Shakespeare asked if the access is specific to the Black Desert development.
- Mayor Rosenberg talked about the different connections this road will have. It will eventually provide access to the Western corridor and it provides access to North Town Road and there is more traffic that is going to use that road in the future than just that particular project so we can't exact the full crossing out of them. The overall growth of the City is going to pick up that additional two lanes and additional costs of the crossing.
- Ben Shakespeare wondered how far out before the necessity of this actually takes place.
- Mayor Rosenberg said he has spoken with Patrick Manning and he said that if he wanted to go ahead and build that bridge to service his development right now he would just have to submit those design plans for City review and he could start working on a grading permit to build that structure right now and we would have to decide if we wanted to do the expansion as part of his project or wait and do it later because we haven't collected any fees for it yet. He explained that this road brings benefit to the City. It opens up our commercial area and it will bring traffic to that commercial area. He said that Sunrise Engineering has done a good job in determining the fees on the projects that are in that mix. The decision is with the Council on where they want to set that fee.

5:26 p.m. Public Hearing Opened.

- Mari Krashawtz, Executive Officer for SUHBA, thanked the Mayor and Council for all that they do. She said that they represent about 715 building industry professionals in Washington County and they recognize the need for impact fees for infrastructure when our community is continuing to grow. She said the current impact fee is \$2,155 so if the Council decides to approve the maximum allowable that would be an increase of \$1,342, which is pretty significant. She said they recognize that the previous amendments did not increase the impact fees. She asked if the City has researched how this new number relates to other cities maximum allowable impact fees. Has that been looked at?
- Ben Shakespeare said he just pulled a permit yesterday and he paid \$905 in St. George.
- Steve Hall said that St. George is unique because their impact fee is lower than everyone else's. He said that the \$2,155 isn't the highest around but the \$3,497 probably would be.
- Mayor Rosenberg said that is one of the reasons that the previous Councils have left it at \$2,155.
- Mari Krashawtz said that Washington City is usually the highest. She said that if you

incorporate all of the other impact fees it becomes a big deal and we are dealing with an affordable housing issue. It is becoming more of a hot topic so we need to keep that in consideration but we also need to balance the needs of the City. She said she would like to request an extension of this so SUHBA can review the study and overlook it.

- Mayor Rosenberg said that it is not on the agenda to take action on this tonight. He told Mari they have at least two weeks before action would be taken on it for them to review it.

- Mari Krashawtz said there were over 42,000 people who attended the Parade of Homes and that was a record. She said that SUHBA invests over \$100,000 each year in marketing the Parade of Homes and also the benefits of our communities and this does bring in millions of dollars into our communities. She thanked the City and their support.

5:31 p.m. Public Hearing Closed.

- Mayor Rosenberg said that Council will probably talk a little more about the impact fee at the budget retreat.

2. Public Hearing to receive public input on Development Fee Schedule. (Corey Bundy, Building & Zoning Official).

- Corey Bundy said that reviewing the City's fee schedule we found that St. George City's annexation fees were \$1,000 and our current one is \$500. Also our variance current cost is \$100 and we are proposing to increase that to \$550 and the same thing with appeals. He said they did a cost breakdown with the time that Staff needed to review these items and a cost breakdown in hourly wage for the City Attorney and permit tax and zoning administration and the City planner and the taking of the minutes. He said the total cost for an hour of review is about \$430. He said these increases were talked about at the last Council Meeting. These increases would basically just cover the costs of Staff and sending out notices. The costs should be on the developers not on the City.

5:34 p.m. Public Hearing Opened.

5:34 p.m. Public Hearing Closed.

C. General Business:

1. Consider approval to amend the Santa Clara City Development Fee Schedule and approve Resolution 2020-05R. Presented by Corey Bundy, Building & Zoning Official.

Motion to Approve the amendment of the Santa Clara City Development Fee Schedule and Approve Resolution 2020-05R.

Motion by Denny Drake, seconded by Wendell Gubler.

Voting Aye: Leina Mathis, Jarett Waite, Denny Drake, Wendell Gubler and Ben Shakespeare.

Voting Nay: None.

Motion Carried.

B. Consent Agenda:

1. Consider approval of Final Plats for The Hills of Santa Clara, Phase 2B and Phase 3.

- Jarett Waite said that there are recommendations from the Planning Commission and Hillside Review Board on this item. He asked if they go along with the Consent Agenda.
- Mayor Rosenberg said that if the motion includes those recommendations from the Hillside Review Board and the Planning Commission, they will go right along with it. He said Corey can address any questions on any of the conditions.
- Corey Bundy said he has a comment on Item 9 of the conditions. Item 9 is that the developer would dedicate trail easement to the City. He said that we have a warranty deed and we just need a title report with it that is approved and that should clear that item up.
- Denny Drake asked about the road improvement on lot 233. Will the developer be the one responsible for improving that road? He also asked about the power pole adjustment. Would that be the responsibility of the developer also?
- Corey Bundy said that is correct.
- Jack Taylor said the developer will avoid the power pole and it doesn't have to be moved. The road will be adjusted for that.

2. Consider approval of Arbor Day Proclamation.

Motion to Approve the Consent Agenda including the recommendations of the Planning Commission and Hillside Review Board on Item 1.

Motion by Ben Shakespeare, seconded by Leina Mathis.

Voting Aye: Leina Mathis, Jarett Waite, Denny Drake, Wendell Gubler and Ben Shakespeare.

Voting Nay: None.

Motion Carried.

C. General Business:

2. Consider approval of agreement with Snow Canyon High School Grad Night Committee. Presented by Brock Jacobsen, City Manager.

- Brock Jacobsen said that Matt Ence, City Attorney, has drawn up the agreement for this. He said the Grad Night Committee needed to relocate their storage containers off of the School District grounds.
- Matt Ence said that this is pretty straightforward. He said that Staff felt like there is some interest in helping the Grad Night Committee so they have a place to keep these supplies. They are in some type of containers. The idea was to do an agreement that was as simple as possible and protects the City from potential liabilities that may happen because of this material sitting on the City's property. This grants a license to the Committee to utilize the property. It is not a lease and they don't have any kind of a right to stay there for any particular period of time. This can be terminated at any time by the City with a 30-day notice and they would have to move the storage containers. The City would only charge them \$1 a year.
- Jarett Waite said he has been in contact with Heidi Gunn, the person that requested this. They met with the upcoming new principal of Snow Canyon High School today and it went quite a way that the City was willing to store this. The new principal understands how important this is to the community and the committee is hoping that this may end up back on the high school property at some point.
- Wendell Gubler asked why they are needing to move this equipment.

- Jarett Waite said that the School District said that they can't have this on school property anymore unless they want to move it out to the District's yard in the Fort Pierce industrial area. The committee felt like hauling that much material to the high school every year would probably cause the end of grad night. He said that Snow Canyon is the last school to have grad night in Southern Utah. They really want to hold on to it as long as possible. So they came to the City and asked if there was anywhere close to the high school that this could be stored. He said that Jack and Brad looked at it closely and decided a spot where it would work really well. They have two containers.
- Matt Ence said that there is one tricky thing about this. As far as he can tell the Grad Night Committee has no formal structure of any kind. It is a group of volunteers and it changes every year because it is new graduating seniors. The trick is that we need someone to sign an agreement with, someone to take responsibility for it. He has put Heidi Gunn as the responsible party in the agreement and he has provided that anytime they want to change that responsible party they need to let the City know in writing and the City will communicate with that new party. That is the only trick to it. There is no real financial commitment but if the City decides the materials needed to be moved whoever that responsible party is would have to take responsibility and move the materials. That is on them and not on us.
- Jarett Waite said that Heidi Gunn was unable to come tonight but she has seen the agreement and is very appreciative of the City being willing to do this.
- Matt Ence said the agreement has some fairly standard language about the City being held harmless if there are any injuries or property damage they would have to indemnify us.
- Leina Mathis asked where the materials would be placed.
- Brock Jacobsen said it is the northeast corner at Little League parking lot.

Motion to Approve the Agreement with Snow Canyon High School Grad Night Committee.

Motion by Jarett Waite, seconded by Ben Shakespeare.

Voting Aye: Jarett Waite, Leina Mathis, Ben Shakespeare, Wendell Gubler and Denny Drake.

Voting Nay: None.

Motion Carried.

3. Consider donation to Scouts. Presented by Brock Jacobsen, City Manager.

- Mayor Rosenberg said that the First Lady was pretty insistent that the Mayor put this on the agenda. The Church of Jesus Christ of Latter-day Saints is no longer involved with the Boy Scouts of America but we do have a community troop operating in Santa Clara jointly with Ivins and they have a large number of young men that have signed up for that troop or are continuing to participate. They are registered and their sponsored organization is the St. George Rotary Club. They meet weekly at the Unity Park in Ivins. Once a month their Cub Scout Dens get together and they have a large number so they have asked to use our banquet facility one evening a month for a couple of hours for their Pack Meeting. He said we have worked that out with them. They have requested a cash donation to help them with their initial start up costs. They have asked for \$200 out of our City donation account to help with that.
- Brock Jacobsen said that this is money that the City sets aside every year. He said the department heads spoke about this and they want to recommend donating \$500.
- Wendell Gubler asked if this money would stay locally.

- Mayor Rosenberg said it would go into their local scout fund to pay for awards.
- Denny Drake asked that with the Boy Scouts of America (BSA) fighting bankruptcy what does that do to the funding. They have actually filed a bankruptcy petition with the courts. They are not even functioning. He wondered if there was a better organization rather than BSA. If they want to call themselves something else and then we donate the money. He said he would hate to see an earmark for BSA.
- Mayor Rosenberg said that the Councils haven't filed for bankruptcy that is a National thing so the Councils are still functioning.
- Ben Shakespeare said the National is still functioning. They have just filed to protect themselves for now. As of now it is still fully functioning.
- Mayor Rosenberg said that this unit, this money, is staying locally to help these young men that are working with trained leaders to keep that program moving forward.
- Denny Drake said he doesn't want to see any money contributing to the BSA on a National level that would be used locally.
- Mayor Rosenberg said that this money is local.
- Denny Drake said that if we designate it as BSA they have a right to the funding.
- Mayor Rosenberg said it could be written specifically to the troop.
- Brock Jacobsen said that we want it to stay with our troop and he thinks it says Troop 407 and doesn't even say Boy Scouts of America.
- Denny Drake said that each group has a charter agreement and he doesn't know if that designates the funding that they receive will go in the Nationals or if it would stay with the local group. He said that the Friends of Scouting has always gone to the Nationals and then been distributed back. He said he is reluctant to designate money for the BSA with the way things are right now with the BSA.
- Ben Shakespeare said that bankruptcy is a legal proceeding to protect them from ongoing lawsuits. He said there is 24 kids in the troop.
- Denny Drake said that we don't know if the money is going to be appropriated on a National level even if it is donated locally. He would support this wholeheartedly to give it to a local group and know it was going to stay here.
- Mayor Rosenberg said that he knows that all the money being collected right now is being spent weekly in buying awards and keeping the troop operational. He said the money that they have to send to National right now is the registration fees and that is being paid by the individual boys. This money is for operation expenses of the troop and he thinks it could be designated that way in the motion. He said that if the City wanted an agreement signed by the leadership of the troop he thinks that would happen. The boys are all from Santa Clara and Ivins.
- Denny Drake said that these troops were established when they knew boy scouting was continuing to be a viable but he is not so sure with the bankruptcy that it will continue to be a viable. He has no problem with the BSA he just wants to make sure we keep the money where it belongs.
- Mayor Rosenberg stated that they are using the banquet room and they clean it every time and they have responsible people here during that time. He would like to continue to allow them to use that room once a month without paying the normal fee. He said from everything he has been told the cash donation from the City wouldn't go to National. This money is going to help recoup half a dozen dedicated scout leaders who are paying out of their pocket right now and we are still getting the benefit from it. He said that Eagle Scout projects still come to the City. He hopes they continue to come to the City.

- Leina Mathis asked if part of the motion needs to include the in-kind donation of the facility.
- Mayor Rosenberg said it would be good to have that in the motion in case it ever comes up.

Motion to Approve the in-kind donation for the Banquet Room once a month and the donation of \$500 to Santa Clara/Ivins Pack 407.

Motion by Leina Mathis, seconded by Jarett Waite.

- Wendell Gubler said that just states that it is for the Cub Scouts because it says “Pack”. Will that allow the Boy Scouts to use it? Do we need to word it a little differently?
- Mayor Rosenberg said the check will be issued to the Pack because they are the ones that have asked for the donation. The Pack is the ones using the building.

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

Voting Nay: Denny Drake.

Motion Carried.

4. Discussion on name for the Santa Clara River Park. Presented by Brad Hays, Parks & Trails Director.

- Brad Hays told the history on this park. He said the park was donated as part of the Rhone subdivision. He said the park is located between Chapel Street and Old Farm Road. It is on both sides of the river. He said the area is part of the old Boy’s Pond and the Girl’s Pond as part of the Graf family farm. He said he went to the Heritage Commission and asked them if they had any suggestions for names and he also invited some other people to make suggestions. The names the Heritage Commission suggested were: the Graf Family Farm Park or the Boy’s Pond Park. He also received two other suggestions: Santa Clara River Park or the Clary River Park because of the Clary bridge. He asked Council if they had any suggestions.

- Ben Shakespeare said he likes the Graf Family Park. That is who owned the land and that is where the property came from originally.

- Mayor Rosenberg said that he wouldn’t want to use the Santa Clara River Park for this park because he is hoping to someday have a Santa Clara River Parkway that goes from one end of town to the other where the City owns all of the ground down on the river bottom. He said the Graf Family Farm Park is a nice tribute to the Graf family who without them we probably wouldn’t have had this property. They were really good to donate the right of way back and the way they donated they left this area to become a park.

- Brad Hays said that it would be nice to note this history somewhere.

- Leina Mathis said there was discussion about whether the Graf name had one or two f’s. She said that if we go that route, we need to let the family decide how Graf should be spelled.

- Ben Shakespeare asked what the plans were for the park and said he has heard that a resident would make a substantial donation for plants and trees for the park.

- Brad Hays said that the Mayor said the City has some money for tree removal and clearance for the flood plain. He said there are a lot of nice features there that would allow enjoyment along the river. There are actually some sandy beaches down there that

are overgrown. There are some hills and different features. He doesn't want to put expensive features that are in the flood plain. He wants to put vegetation that recovers well if we do have a major water event.

5. Discussion and selection of Playground Design for Swiss Pioneer Memorial Park. Presented by Brad Hays, Parks & Trails Director.

- Brad Hays said they solicited bids for the Swiss Pioneer Memorial Park. He said they set a dollar amount of \$60,000 for them to work with. He said he told them he wanted it to have a pioneer theme and fit with the area. He showed Council some of the designs he got. He sent the designs to the Stucki family so they could review the designs since they donated the park and asked for their say in the design. He said the design they liked the best was option 2. Option 2 has an area for small children to play and log climbers with ropes for older children. He said the trail that goes around the park has log climbers and bridges so the design goes along with those trails. He said that the Stucki family asked that we add to the design some farm animals and a tractor. He showed another design from Garrett and Company to Council, which had a tractor and a cow.

- Jarett Waite asked what material the climbing feature is made out of.

- Brad Hays said it is made out of concrete with fiberglass in it but the logs are actual wood. The Stucki's like the tractor in the design from Garrett and Company. They also wanted a cow in the design. He said he brought these suggestions and the designs to the Heritage Commission and they had a discussion about the playground options and they were unanimous that they liked Option 2. He said he contacted the Play World Company and asked them if they had a cow and tractor they could add to their option and how much it would cost. He wasn't happy with their proposal so he went and got some more options. He showed the Council the cow option from Play World. He said it looks like a real cow but it is very expensive. It would be \$10,200 for the concrete cow. He said the tractor is more for that. He got a bid from the company that presented Option 2, Garrett and Company and got their bids. Their tractor is \$9,200 compared with the other bid that was \$15,500. This cheaper tractor is not as detailed or as fancy but a lot more affordable. The Garrett and Company cow looks exactly the same as the cow from Play World. It would be less expensive. The cost of the tractor and cow would be \$16,600 from Garrett and Company. He recommends that we get those. This would be out of the Parks Impact Fees. He said that if Council approves Option 2 they would get the log climber, the playground equipment and a cow and a tractor. The total price would be in the \$75,000 range.

- Ben Shakespeare said that the Option 2 climbing area seems small.

- Brad Hays reminded him that when planning this park, we wanted a park like Black Rock and that there will eventually be a water feature in this park.

- Ben Shakespeare asked if there was room to get the bigger climbing feature. He likes the more expensive playground feature (Option 1) versus Option 2. It is nicer. He said that Option 1 doesn't seem big enough.

- Jarett Waite asked about maintenance in caring for the wood on the log climber.

- Mayor Rosenberg wondered if it was concrete made to look like wood. Real wood would not be a good option.

- Brad Hays said that just south of the park there are climbing areas and logs and a bridge. This isn't the only play feature in the park. It will just be part of it.

- Ben Shakespeare said he likes the log feature. He would rather have more logs and

climbing space instead of tractors.

- Brad Hays said this is only showing what the City is doing not what the whole play area looks like with the culverts and logs and the climbing area. He said that Hugh Condie is donating the wood fiber for the playground.

- Jarett Waite said that with the cow and the smaller play area we are catering to younger children. He said that if the climbing area were bigger it would keep the interest of children for quite a while. He would like to make sure the material for the climbing area won't take a lot of maintenance and he would like to see a little bit bigger climbing area.

- Ben Shakespeare said increasing the climbing area is a better investment long term and would get a better use. He said it seems like there is room in there if it was reconfigured.

- Brad Hays said he could extend it more to the back wall and take out the culverts.

- Jarett Waite asked about the play feature at Black Rock Park. He said that feature seemed taller. He said that height matters a lot for kids for making it exciting and fun.

- Brad Hays showed Garrett and Company's Option 3 to Council. He said it was \$89,000. It is taller and has a lot more climbing features in it. It fits in that space. It is a lot more interactive. But it is not pioneer themed. It has a log feature that could be replaced with a cow.

- Jarett Waite asked if Council was leaning toward Option 3 would Brad have to go and have a rebid with the higher amount. It may not be fair to the other vendors if we pick something because it was prettier.

- Brad Hays said that normally when we go out to bid we get higher bids. He thinks it would be equal. He likes the playability of Option 3.

- Ben Shakespeare asked what the City's commitment to the Stucki's concerning the tractor and the cow. Are they expecting that?

- Brad Hays said he thinks there could be a cow put in in place of the log stack and they might be okay with that. He thinks they really would like the cow but not necessarily the tractor.

- Ben Shakespeare said it seems a better investment to put a nicer playground in. The playgrounds get used all day and it is nice to have something for all ages.

- Jarett Waite said that at Canyon View Park his kids like that there are areas that are designed for big kids. He said that Option 3 has that same feature. He would like to invest a little bit more and get something that will really shine.

- Brad Hays said that he felt that way too. He said they have talked during previous meetings that since the water feature wasn't being put in for a while that we ought to look at a little bit more expense on the playground.

- Leina Mathis said that on Option 2, since that is the option the family was interested in, is it possible to keep the wood feature and modify the slide/play area so that it has the height.

- Brad Hays said he is sure they could put in a little bit bigger feature.

- Ben Shakespeare likes the log feature and thinks the children will use that.

- Leina Mathis said that the Heritage Commission thought that Option 3 was a little too modern and not pioneer-ish enough which is why they liked Option 2. She hopes there is a way to improve that option and give the height that maybe we would want and give the family what they are interested in that is a better compromise.

- Brad Hays said he could go back to the two companies, Big T Recreational and Garrett and Company and make them the offer for them to improve the play area structure and he could up the dollar amount a little bit more and have them add a cow.

- Denny Drake said to tell them that there are bids from two companies and we are

looking for the lowest bid.

- Leina Mathis asked if there is a budgeted amount that we are trying to stay within.
- Brock Jacobsen said he would have to pull the capital facilities plan to see what was budgeted for the park.
- Brad Hays said it was \$650,000 for the park.
- Leina Mathis suggested that Brad find out whatever that budgeted amount is and then adjust it if we can and see what the bids come back with.
- Brad Hays said that one of them is a State contractor and because they are a State contract he wouldn't have to go back out and do the competitive bids. He asked Matt if that is correct.
- Matt Ence said that is correct.
- Brad Hays clarified that his direction is to go back and work on the larger play structure.
- Ben Shakespeare said he believes that the logs are actual wood. He thinks the logs go well with the theme and he just feels that the structure needs to be taller. He thinks it would be good to get the competitive bids.
- Mayor Rosenberg said that if the logs are wood, we need to know what the life expectancy is for them.
- Brock Jacobsen said that if it is wood there could be splinters and other things happening and that concerns him. He asked if there is any canopy structure over the play feature.
- Brad Hays said he will find out what the material is for the logs. He said there is not a canopy. That would be another \$40,000. He could ask for the companies to try and include a shade structure in the design.
- Mayor Rosenberg said he would get an option on the canopy because a lot of these structures are not playable in the summer.
- Brad Hays said he will bring this back to Council as soon as he can. He is hoping to open the park on May 3.

6. **Reports:**

A. **Mayor / Council Reports**

Ben Shakespeare:

- St. George City is now using the online inspection that we have been using for a long time. They are going to go paperless by March.
- He spoke with Sun Rock Corporation/Clive Corporation and they are committed to donating for the retaining walls for Little League. He will be sending them an email tomorrow with the request and it goes up to Northern Utah. He should have a timeframe by our next meeting. It will require communication with the Geotech. We will have the block and that is going to be the most expensive part of the project. We already have equipment and labor and we can coordinate with the City. Once the blocks are on site we can set a date to do all of that.
- Aaron Buttal, who was a big part of Little League, passed away this last week. He and his wife Jenny volunteered for Little League and he umpired. He was a big part of Little League. He donated a lot to them.

Leina Mathis:

- Heritage Commission met and we have already talked about two of the three items that

were on their agenda. The last item that was discussed will come to Council but it has to go to Planning Commission first. It is for another large garage in the Historic District.

Jarett Waite:

- There is a lot going on right now with the BMX track. The packer is here and he has done about half of the track so far. They just poured the concrete for the start hill and are working on the interior fence. They have their registration trailer on site now.
- He was elected to be the Chair for the Mosquito Abatement Board of Trustees.
- Brock is moving forward on security cameras for Town Hall. We have a new bid that we are looking at and evaluating.
- He asked about the special meeting that the Planning Commission was planning on having concerning the plans for Dollar Tree. Has that happened yet?
- Corey Bundy said that they were amiable about having a special meeting and it will happen on March 5. All the residents that were notified the first time will be notified about this meeting. The Dollar Tree plans were tabled by Planning Commission because of 7 or 8 items. The items were submitted to Dollar Tree representatives and they answered those questions and this was put back on the agenda. This is not a Public Hearing. Only one Public Hearing is required and we have already heard testimony for 3 hours. Unless there is something new in the letter submitting we will explain that this is a continuation of that Public Hearing. This will be at 5:30 p.m.
- Denny Drake said that if this is already zoned, why are we having a Public Hearing.
- Corey Bundy said because in the PD zone the site plan is the zone. It is already zoned PD but until they come in with a site plan, that zone is the PD.
- Denny Drake said we don't have a public hearing for a PD. He asked if every PD has a public hearing.
- Mayor Rosenberg said if they don't get their building elevations and site plans approved at the time the property is zoned PD Commercial it has to come back and include those items and that is part of the zone so it has to have a public hearing. He said that a lot of the empty pieces were zoned PD by the Council years ago but there was no site plans or building elevations to approve at that time so as they come in they have to do the second step of that zone change and that requires a public hearing.
- Denny Drake asked if there was a hearing to change it from commercial to commercial PD back then.
- Mayor Rosenberg said he thinks there was.
- Matt Ence said that is the interpretation of our ordinance that we have decided to use because it lists those things as separate steps in the process so because there have been prior decisions made to grant a PD zone without a site plan attached to it we have said you can have that zone designation but you still have to go through that public approval process when you bring the site plan in.
- Denny Drake asked that since it was zoned commercial initially how did it become commercial PD.
- Matt Ence said it was approved with the intent that there would be a site plan brought in later but it would still have to go through a second approval process.
- Mayor Rosenberg said he was on the Planning Commission when it happened and it changed to commercial PD. The Planning Commission wanted everything to go PD because it gave the City the additional control as part of the approval to review the site plan and the building elevations. It has to have a Public Hearing.
- Jarett Waite asked if there were any updates on the Gubler Park entrance. Did we have

anyone look at it yet? Are we close to putting signs up? Where are we at in the process? We are in the midst of the tournament season and there are a lot of cars going in and out.

- Brad Hays said they haven't met as a group of directors but can meet tomorrow morning at TRC and discuss it.

Denny Drake:

- He asked if there has been any consideration for a light on Santa Clara Drive, maybe at Chapel Street to break that traffic flow up.
- Jack Taylor said there is conduit for a light on Chapel Street and also at Gates Lane. He said there will eventually be a light because we need to break traffic up on Santa Clara Drive so cars can get out of their driveways. He said that this is in our traffic study but it needs to warrant it and it may not warrant it right now.
- Mayor Rosenberg said we would have to have a study on the delays on the side streets. He asked if it is a high accident intersection.
- Jack Taylor said no.
- Mayor Rosenberg said if there is no accident warrant, we would have to figure out a delay.
- Jack Taylor said the complaints he is getting is that the residents can't get out of their driveways and get on Santa Clara Drive.
- Mayor Rosenberg said he will talk to the transportation person at Sunrise Engineering and see what he thinks. If there is some kind of a warrant study that could happen. You have to have a warrant study done and there has to be some kind of a warrant before you can construct the signal. If there are warrants being met, it would be nice to know or how close we are to it.

Wendell Gubler:

- He went to the Air Quality Meeting today. They talked about the display that will be put up in Santa Clara City Town Hall. He gave her Brock's name as a contact. They discussed goals at this meeting. They also asked how the air quality is in Santa Clara. He asked if the City has made a decision to put in some monitors. We need to decide what we want to do. The monitors are about \$200 a piece.
- Mayor Rosenberg suggested that Wendell bring this up at the budget retreat.
- Wendell Gubler said he thinks one air monitor would be sufficient. He said they asked him at the meeting if there have been any complaints about the air quality in Santa Clara.

Mayor Rosenberg:

- He received two complimentary letters about Dustin. One came from Patty and Ray Edwards complimenting Dustin and the Public Works crew for how organized they were and for their speedy work. He said that Dustin and his son were in the park and came across an injured hiker that had called for 911. Dustin applied first aid and stayed with him until the rangers came and then helped carry him all the way back out of the park. The Mayor got a nice letter from the park manager complimenting Dustin. His crew does amazing things and he gets a lot of positive comments about them.
- The Open Meeting Training is Wed. March 18 at 4:00 to 5:15 p.m. It will take place in Cedar City so if Council wants to carpool up to it, he said, it is worth attending.
- He had a meeting with the BLM and Washington County concerning the shooting range. They went out to the shooting range site. The consultant had laid it out for the County. He said he thinks it was a favorable meeting and there was some favorable

response that the County would start pushing forward again. Commissioner Iverson said that since it is in Santa Clara that the City should take the lead on this and said the City should decide on how much money it would take and then call the County and the County will help out. If we want the shooting range the costs and the ongoing operation and everything is going to fall back on the City. It will be the Santa Clara shooting range. He said he will talk about it a little bit more at the budget retreat. The County sent over everything the consultant had put together. They spent \$100,000 to get where they are. If we decide to pursue it this is something that will have to be put in the budget, and we are going to have to put funding toward it and do environmental studies and road studies. We have a lot to do and then we can ask the County to help pay for part of it.

- Denny Drake said that there are grants out there. He talked about the NRA donating for it. They would love to be involved here. We can work those details out.

- Mayor Rosenberg said that the COG met and approved the road corridor preservation list. This is the money that we can use to get right of ways.

- He said that the MPO met and reviewed the transportation plan for 2021-2024 and talked a lot about the transportation expo. Santa Clara had a booth with a video put together by Kristelle. He said the booth was very popular. Staff did a great job with it. They also talked about some safety training going on. They had some concerns about the eminent domain bill.

- The Flood Control TAC met yesterday. There is \$50,000 of flood control money that should get approved by the executive committee on March 10th. That is for the work to clear some of the vegetation down in the Graf Family Farm Park area.

Chief Bob Flowers:

- He said that this weekend the City had a storm of vehicle burglaries and some residential burglaries. He said that we didn't sustain a lot of property loss. The most profound thing taken was an H&K sidearm. They are working to get a serial number for that so they can get that listed so they can get that on the National crime database so it can be recovered. There were 18 to 20 incidents. He said the incidents started near Bella Vista near Black Hawk behind Gubler Park and they worked their way down to Dutchman Drive and Red Mountain and Canyon View. All of the victims left their vehicle windows open or had an open garage. The thieves were brazen and came right into the garages and even entered a few houses where there were mudrooms and they were taking purses and cash. He said that as of yet no one has sustained any credit card fraud. They originally thought there were two teenage male individuals responsible for this and they obtained video yesterday that confirms that we are looking at probably four individuals which explains why we sustained so many things. One would hit a car and another would run across the street and hit another car. They were wearing bandanas and black hoodies. He said they have some leads they are following up on. He said the first incident occurred late Friday night or early Saturday morning and one of the citizens had their surveillance cameras go off and they went out and saw them cross the street to a neighbors house and they got in their car and followed them down to Red Mountain and called police and that's where we were trying to apprehend them at that point. They ran down into the wash and officers ran a track down through the wash trying to locate them but to no avail.

Brock Jacobsen:

- He reviewed House Bills from the Legislature:

HB 273 Property Rights Ombudsman - If you go to the Property Rights Ombudsman and he makes an opinion and you're not happy with it you can take it to court and if it is found at court against the City the City is then liable for compensatory damages. The League of Cities is opposed to this. This is also taking away government immunity. He said it was modified though that they wouldn't be able to go against individuals.

- Matt Ence said that if that scenario happened now and someone goes into court and the ombudsman opinion is the final result they are entitled to attorney's fees but not compensatory damages. It expands that idea that is already there in the statute.

- Leina Mathis said the League sent out some talking points that she forwarded on to Council concerning this.

HB 374 talks about plan reviews. It would create time frames of how quickly things have to be done. The League of Cities is also opposing this one.

HB 388 concerns land use.

HB 190 concerns EMS and government contracts. It talks about if entities enter into a contract EMS-wise they have to meet certain standards. He said the Bureau of EMS draws the area of EMS that they have to service. He said that they would be setting the standard. They draw that coverage area and the concern is that these areas are getting dictated but there could be no compensation for that. This allows the Bureau of EMS more control over what is happening within our own jurisdiction. Mayor Pike of St. George made a motion to oppose it.

- Chief Randy Hancey said that mileage is part of the standard rate that we can charge by the State and we charge the standard rate. He said there were 38 calls in the County area just last month alone. Those were outside our City limits. He said those areas are Gunlock, Motoqua, Shivwits, to the Arizona border on Hwy 91 and Snow Canyon State Park. He will keep close track of this.

- Brock Jacobsen said he instructed Chief Hancey to collect the data on how much we are going outside into the County area and to collect that data so we can have that discussion with the County. This bill would allow us to orphan a place and the County would have to contract with someone to provide those services.

SB 169 has to do with transportation utility fees. He has had Matt Ence look at this. They are doing minor changes but the League is opposing it.

- The League of Cities and Towns registration is coming up. He has emailed Council about this.

7. Approval of Claims and Minutes:

- Feb. 12, 2020 City Council Regular Meeting Minutes
- Claims through Feb. 26, 2020

Motion to Approve the Regular City Council Meeting Minutes from Feb. 12, 2020 and claims through Feb. 26, 2020.

Motion by Jarett Waite, seconded by Ben Shakespeare.

Voting Aye: Denny Drake, Wendell Gubler, Ben Shakespeare, Jarett Waite and Leina Mathis.

Voting nay: None

Motion Carried.

8. Calendar of Events

- Feb. 27, 2020 Budget Retreat at 12:00 PM
- Mar. 4, 2020 City Council Work Meeting
- Mar. 11, 2020 Regular City Council Meeting
- Mar. 25, 2020 Regular City Council Meeting

9. Executive Session:

1. Hold a strategy session to discuss the sale, lease, or exchange of real property.

Motion to move into Executive Session.

Motion by Denny Drake, seconded by Wendell Gubler.

Voting Aye: Denny Drake, Wendell Gubler, Ben Shakespeare, Jarett Waite and Leina Mathis.

Voting nay: None

Motion Carried.

- Entered Executive Session at 7:24 p.m.
- Reconvened at 8:15 p.m.

10. Adjournment:

Motion to adjourn by Jarett Waite.

Seconded by Ben Shakespeare with all members present voting aye.

Meeting Adjourned at 8:15 p.m.

Chris Shelley – City Recorder

Date Approved: _____