

**SANTA CLARA CITY COUNCIL WORK MEETING  
WEDNESDAY, JUNE 3, 2020  
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Work Meeting on Wednesday, June 3, 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. **The Meeting will be available to view Live Stream on the Santa Clara City website at [scity.org](http://scity.org), then click the YouTube button.**

Present: Mayor Rick Rosenberg  
Council Members: Jarett Waite, Wendell Gubler, Ben Shakespeare, Denny Drake and Leina Mathis  
City Manager: Brock Jacobsen  
City Recorder: Chris Shelley

Others Present: Jack Taylor, Public Works Director; Brad Hays, Parks & Trails Director; Corey Bundy, Building Official; Randy Hancey, Fire Chief; John Walton; Kristen Walton

1. **Call to Order:** Mayor Rosenberg called the meeting to order at 5:01 p.m. introduced the Council and welcomed everyone. This meeting is taking place on Zoom. It is a digital meeting.

2. **Working Agenda:**

**A. General Business:**

1. Cemetery policy discussion.

- Brock Jacobsen, City Manager, said that Councilman Shakespeare requested this item to be on the agenda tonight. He said that there was an issue a few weeks ago with a family wanting to have a burial over the weekend when some family from out of town was here. He said the City policy currently is for a weekend burial to have a 72-hour notice to coordinate everything with the mortuary and make sure Staff is available and make sure things are done properly. He said the City couldn't accommodate that because of the time frame. The family spoke with Ben Shakespeare and that is why he asked to review this policy tonight. He said the family is going to participate in the discussion tonight.

- Ben Shakespeare said he thinks it is important to hear from the family. He said he reached out to other cities and to the local mortuaries to see what other cities do on their policies. He said he believes the City has the 72-hour policy because Staff has Fridays off. He said that the other cities he talked to are 48 hours and that is what the mortuaries said also. He asked the Walton family to share their experience and their

frustrations. He said he thinks it stems into Monday not doing morning burials. He said that after talking with the mortuaries he learned that 80% of what they do falls on Saturdays, so the 72-hour has brought some frustration.

- Brock Jacobsen said that Brad Hays has the research and he knows what other cities are doing. He said that City employees work on Fridays and the policy has been the same as long as he has been here. He would like to hear from Brad about the policy.

- Ben Shakespeare said he thinks we ought to hear from the residents first. He thinks Council needs to hear from them on this first.

- John Walton said that Kristen's father passed away on a Wednesday afternoon and they had family coming down to see him before he passed away. The family decided Wednesday evening that they wanted to have a Saturday funeral and the mortician said it would be no problem but he called late morning on Thursday and said he talked to the City and we would have had to let them know by the close of the day on Wednesday before a Saturday funeral. He said the mortician was surprised that the City couldn't accommodate it. The family went ahead and had the Saturday funeral but had to wait to bury Kristen's dad on a Monday. He said it wasn't the end of the world, but the family would have felt better about it if they had been accommodated. He said he recognizes that the City has to have rules and they have to be followed but in reaching a balance for what is appropriate for the City and what's an appropriate service for the citizens of the community frankly it just didn't feel like the right balance to them. He said that a huge percentage of funerals are on Saturday and having a family member pass away on a Wednesday and desiring to have a Saturday funeral didn't seem out of the ordinary. He said they thought the policy should be revisited.

- Mayor Rosenberg asked Brad to explain how the policy reads right now and some of the reasons for it.

- Brad Hays, Parks & Trails Director, read from the current Ordinance, 12.24.90 "Burial Hours, Sundays and Holidays: No graveside or interment will be allowed in a Sunday or State or Federal Holidays or any other holidays officially observed by the City including Swiss Days. On all other days, graveside service interments will be allowed between the hours of 10:00 a.m. and 4:00 p.m. All graveside services and interments must be arranged through the cemetery superintendent 48 hours in advance of time set not including any intervening Saturday, Sunday or holiday." He said that is where the 48 hours comes from. If it goes into a Saturday, then it extends it out. This ordinance was originally brought in from St. George City. They have the same requirement except theirs is set 72 hours. The reason we do that is simply because we want to make sure that our people have time to do their paperwork, and research and not make mistakes. There have been problems in the past where burials have happened and for some reason they didn't get in the right place. It also takes time to locate the plot physically. We have three sections in the cemetery. There is the historic section, the old section and the new section. He said that until we get a work order from the mortuary, we don't have any information to start that. We got that work order from the mortuary about 11:15 on Thursday for the Saturday burial. Before that we didn't have the information to properly research and locate the burial rights. He said that once the work order is turned over to the crew for the opening, there is a lot involved in the opening. He said that sometimes families will have 3 or 4 different plots and some families have up to 40 plots in the old section. He said we have one crew that does

everything in the Parks Department. They also do the burials in the cemetery. We don't have a crew that is set aside to do that. Our crew does that and they are good at it, but we want to make sure we are accurate. Once the crew gets the work order they go out and measure. They measure two times and depending on what part of the cemetery it is it can either be easy or difficult. The historic section can be very difficult because the monuments aren't accurate; the measurements of the plots and the areas are not exact. The old section is the same way. A lot of makers there are inaccurate. Sometimes it takes us several hours to locate a plot. The new section is a lot easier. We know where everything is at. Everything is marked but we still measure it out and we double measure it and double-check it before we do anything. Once they have it marked out, they paint the square on the ground and then they bring in the sod cutter and cut the sod and then they roll it up. Part of this burial opening and almost any burial in the new section and especially the old section there is an amount of time that we have to make sure there is room to get the dump truck in, the backhoe in and also to get a vault truck in so we have to make an avenue for all of those to get in so a lot of times we'll have to move monuments. On average that is about 4 monuments that have to be moved. The monuments are extremely heavy. We have it in our ordinance where we can have people pay to have the monument people come out and move the monuments. If that is the case that is another reason for the 48 hours. If we move them, we pick them up and some of these monuments have a base and a base plate and the monument and they are extremely heavy. If we are moving multiple ones, we don't want to feel rushed so that an accident could happen. Once they move the monument, they open the plot and at times we find a lot of debris in the ground, especially in the new section, so we like to allow four hours for the opening. Once that opening is done and they get it all cleaned up, they have to close it, make it safe until the burial. They put plywood over it. This all takes a lot of time. That is why we have the 48-hour requirement. Any less time makes it extremely difficult to do a good job and be safe and accurate. That is the reason we have that in our ordinance. He said that Ivins City has the same ordinance. He said he has tried to follow the ordinance as best as he can.

- Wendell Gubler asked if when there are special circumstances like the Walton's had is there a chance that we can look and see where this burial plot is and if it is in the new section it probably wouldn't take as much time to take care of it because you have the new section well mapped. He said that if it was in the other two sections, he can understand the problem with the monuments and so forth. Is that a possibility? He said he would imagine most of the burials now would be in the new section.

- Brad Hays said that most of them are in the middle section unless it's an unexpected death. A lot of those burials are in the new section. Usually the deaths of natural causes such as old age are in the old section. He said that what Wendell is suggesting is a possibility, but we still need a reasonable amount of time to do the opening.

- Ben Shakespeare said he would like to look at the ordinance because in listening to it, the 48 hours wasn't the question it became the 72 hours where it came into question. He said the everything he researched and the calls he made everyone was at 48 hours even for Saturday burials. But listening to what Brad read it sounds like that was a case unless the request is made on Saturday or a Sunday or a holiday and then you need 72 hours. He said the request was made Thursday morning for a Saturday afternoon burial, which is more than 48 hours. He said the family was told it had to be

72 hours and they couldn't be accommodated until Monday. He said if someone requested this on Wednesday morning, they could have a Friday burial but if they request it Thursday morning, they can't do a Saturday burial. He said the ordinance didn't sound like it made an exception for Saturday. He said he might have misunderstood. He asked Brad to read the ordinance one more time. He said he doesn't believe this request was under the 48 hours. They were within the 48 hours. His concern came from the fact that the family was told 72 hours and so we couldn't accommodate them. That is why he thought it was because of the Staff's Friday work schedule. He would like to have some clarification.

- John Walton said there is a difference between the St. George policy and the Santa Clara policy, and he thinks that accounts for the mortician confusion feeling like Thursday notification would be fine. St. George City doesn't exclude the Saturday from their 48 hours, and he said it appears to him that the Santa Clara ordinance does that. He said if they had asked on a Thursday morning, which they did, if it had been on a Friday instead the mortuary would have told the family that is not possible.

- Mayor Rosenberg asked Brad what the latest is that a person can call for a Saturday funeral. Does it have to happen by close of business on Wednesday or can it happen Thursday per our ordinance.

- Brad Hays said it could happen first thing in the morning on Thursday, but he didn't have the statistics from the McMillan Funeral Home by 11:00 when he had to go to a meeting. They had called ahead of time and given us the name and the name was incorrect so we couldn't find that in our records and when we did get the proper name the wife's name didn't match the name of the burial that we were doing. There was a little bit of confusion. He said that after his meeting he came back and was told it was all worked out and we are doing it Monday. He said that when we did our ordinance, he took the information out of the St. George ordinance and put it in our ordinance. He said it was then reviewed at a City Council meeting and Matt Ence, City Attorney, changed the wording to 72 hours because on a weekend it is longer. He said we need to have the information up front from the mortuary so we can call and make the decision. This is one we probably could have done on a shorter notice.

- Ben Shakespeare said he is still confused because he was told it was 72 hours. Is it 48 hours or 72 hours for a Saturday burial?

- Brad Hays said it is 48 hours unless there is a holiday, or a Saturday involved. He read, "not including any intervening Saturday, Sunday or holiday". In other words, the 48 hours doesn't include an intervening Saturday. He said he understood that to be 48 hours during the weekday, Monday through Friday.

- Kristen Walton said that when your loved one die's you are not thinking of the cemetery. The day of the death that is not what you are thinking about. It is not until the next day when you meet with the mortician and that should factor into how the City works with families who are dealing with a loss. When we met with a mortician at 10:00 on Thursday morning and he called and said 48 hours she said she thought that was great because the funeral wasn't until 2:00 on Saturday afternoon and it seems reasonable to her.

- Ben Shakespeare said that is the way he has read the ordinance and the funeral homes told him that is the way they have done it with other cities as well. He has been in the Walton's shoes and he would like to review the policy and see if we can't find the best way to make this work. He said it does sound like, the way the ordinance is written,

we are different than these other cities.

- Mayor Rosenberg suggested getting the ordinance in front of the Council and read through it and if the other cities allow the 48 hours at the time of the call then we should be able to make that work. We may have to have an exception of if it is in the old part of the cemetery that we need additional time to move monuments, but we can make an effort to try and make that 48-hour time work similar to the other cities. He said he thinks there is one extra word in the ordinance that is causing some confusion and he wants to get the ordinance in front of us where we can all read exactly what it says and make a tweak. If it needs to be adjusted, let's make an adjustment. He said he feels for the family and he also feels for the Staff. There is some responsibility on the mortuary to make sure the order comes to the City correctly and that the right names are on it. He told the Walton's that we can look at it and make some tweaks to try and make it as convenient as we can for the families who have lost their loved ones. He thanked the Walton's and said he appreciates their patience and working with the City. He said he would like the Council to make some tweaks and he would run it by the Walton's before the final change is made.

- John and Kristen Walton thanked the Council.

## 2. Water District rate increase discussion.

- Brock Jacobsen said we received notice from the Washington County Water Conservancy District (WCWCD) that they are again this year intending to raise the wholesale purchase rate of water from the district by \$0.10 per thousand gallons. This will be the fourth year in a row that they have done a \$0.10 increase. The first year they did it we made an adjustment. We chose to reduce the number of gallons given with the base rate. We created the lowest tier, which we felt like would cover us for several years, so we haven't done a rate increase the last two years when they have increased their rates. We feel this time with our growth and our well that went down a couple of years ago and that our need to purchase water from the district is becoming more frequent our rates need to be in place to cover that cost. He said we need to have a discussion on this and then bring it back to Council for approval. He said he would like to discuss passing on the \$0.10 rate increase on to our residential and commercial water rates by adding that amount on to each tier of our water rates.

- Denny Drake asked if the district has said why they are continually increasing the rate. Do we have representation on the Board?

- Mayor Rosenberg said that none of the elected officials are from Santa Clara.

- Denny Drake asked if they are having an increase in the cost of water they are producing.

- Mayor Rosenberg said the increases are tied to the Lake Powell pipeline. They implemented several years ago to start stepping the rates \$0.10 a year to help fund the Lake Powell pipeline project.

- Denny Drake asked if the Lake Powell pipeline project doesn't go through, will they refund that money back.

- Brock Jacobsen said that most municipalities have been increasing their rates. They have been passing this right on through each year.

- Wendell Gubler said that this year is a very interesting situation because the City's budget has been being cut so why isn't the district. He thinks we ought to ask that

question.

- Mayor Rosenberg said their public hearing is tonight. It is a live meeting at the Water District office.

- Ben Shakespeare said that at a meeting he was at, they said that their belief is that by increasing costs it will encourage conservation. He said we don't need to increase costs and Southern Utah has done a very good job of conserving. There are groups out there that believe that simply driving power and water costs up it will force conservation. The sad thing is at the end of the day the people that can afford the power are fine it hurts the lower class the people that struggle to pay the power and water and they are the ones we are trying to protect. He said he is all for it if it is justified but he gets concerned when rates are raised just to force conservation.

- Wendell Gubler said they like the idea of catering to special interest groups. They always seem to have an agenda and he doesn't like that idea at all.

- Mayor Rosenberg said the Water District has set up a three-headed approach to fund the pipeline project. One is to increase rates. One is to increase impact fees. The other is to increase taxes. They balanced those increases between the three trying to not hurt one sector any more than necessary. If they don't raise the rates, then they have to make up the money by increasing the property tax levy or by increasing the impact fees. The impact fees go up more than \$1,000 per year so they have put a big chunk of the burden on new growth to pay for the project.

- Denny Drake asked if this is money being pooled.

- Mayor Rosenberg said they do have several projects that are ongoing and are not part of the Lake Powell pipeline project but the biggest project coming up to maintain the water source and supply is the pipeline project and so they are building a pool and it shows in the audit that that fund is consistently growing to help pay that project off as well as paying the costs they are incurring now with the engineering and design studies. The increase had a period to it like 8 or 10 years. We can get some more information from them and we can call Zach in front of the Council and have him justify it to us. We are just looking to Council to see what you want to do. We didn't implement it last year. We absorbed it. We didn't pass it along and kept our normal rate schedule. Jack is hesitant to do that a second year. It is up to Council.

- Ben Shakespeare said he doesn't like absorbing it either. He doesn't feel that all the pipeline costs should fall strictly on impact fees. He said the State needs to look at funding a portion of this. Southern Utah has a huge economic impact on the State financially for the good. We absorbed it last year so if there is an increase that does come from the district, we probably need to pass that along. He asked about the amount of water we buy from the district. We have our own wells so what percentage of our total water comes from the Conservancy District?

- Jack Taylor, Public Works Director, said we get about 830 gallons a minute out of Well #6 and we used to get about the same amount out of Well #7 and we kept raising it up trying to get an area in the well that we wouldn't pull sand and we spent almost \$100,000 on trying to do that. We had to cut down on the amount of water we are pulling from that well to 500 gallons a minute and so we have lost that other 300 gallons a minute, so we are buying that from the Conservancy District. We are short compared to what we used to have and then if we do happen to lose one of the wells then we are buying more from the district. Two years ago, we lost Well #7 and we had to pay a significant amount to the district. The issue is we are getting to the point

where we are buying more and more water because of our growth. Our wells don't produce enough to cover our peaks. The more growth we have the more we are going to continue to drop into that more expensive water. We produce it for about \$0.35 a thousand depending on the year, but we are paying quite a bit more than that from the district.

- Ben Shakespeare said where we skipped last year and didn't pass on the increase and Jack is feeling like we need to increase our rates to cover some of the costs or in case we can't produce the water.

- Jarett Waite asked how healthy the water fund is. He said that the last time Council looked at it we were doing just fine even without the increases. We could do a little more homework and maybe not increase it the whole amount and have different groupings get the increase.

- Brock Jacobsen said the water fund is doing well. The concern long term is to make sure we have funds in place for renewal and replacement. If we don't, the renewal and replacement get more expensive each year and the last time we did a rate adjustment was 2017. We didn't do a rate adjustment in 2018 or 2019, so we took two years of absorbing the rate increase from the district. The water fund is in good shape and we want to make sure it stays there.

- Jack Taylor said that in 2018 and 2019 we pulled over 28 million gallons from the district.

- Denny Drake said that as a City we can't afford to absorb the rate increases if we are using a considerable amount of water from the Conservancy District very long or it will start affecting the water fund. What Jarett was talking about it true. If we knew the ratios of what we are getting from the district. If this is a justifiable increase, we have to pass it on, or we are going to have a water fund that is going to be depleted.

- Mayor Rosenberg said he tends to agree with that. It has been two years that we have absorbed it. We probably need to increase the rates a little bit and we can do some checking to see if the increase should be the full \$0.10 or if we can back it up to 7 or 8 cents.

- Jack Taylor said we are pulling almost 20% from the County.

- Denny Drake said that is significant over a time period.

- Jack Taylor said that if we lose a well that percentage would go even higher. That is what would really hurt us. Even though we are pulling only 20% that is going to continue to rise. We have to protect ourselves for if a well goes down and for future growth.

- Ben Shakespeare said that the irrigation water should help.

- Denny Drake said that all that does is increase our culinary flow. The problem with the reuse water is they are still planning on building the big reservoir in Warner Valley and we are still going to be charged a fee to distribute that. That is one of the reasons we need to look into our sewer agreement with the regional sewer line to see if we get water back without having to pay for it.

- Mayor Rosenberg said there is new people in charge so maybe we can make a little headway up that way. He asked Council how they feel about bringing this back with the \$0.10 increase or do a little homework on this and maybe make a recommendation for something less.

- Jarett Waite said he could justify doing the \$0.10 right now because this is the third year. The City has held off for two other years.

- Denny Drake said and when we do increase it, we need to explain this to the residents that the City has been absorbing the increase for the last two years.
- Ben Shakespeare said he would agree with that.
- Wendell Gubler said we ought to take the increase now but explain it. And then look at it each year.
- Mayor Rosenberg said that is what we have been doing. We look at it, and if we don't feel good about it, we absorb it and if we think we need it we implement it. He will have them bring this back to Council for approval.

3. Discussion regarding parking on Heights Dr. next to City Hall and the Kohler project.

- Mayor Rosenberg said that Herb Basso sent an email out to Council with some photos and with his concerns. He sent the Mayor a text right before the meeting and said he couldn't be commenting at the meeting because he is out of town. Jarett wanted to talk about it also. Mayor said that one of the parking issues right now is due to the construction on the project. The contractors can't get their trailers or equipment on site so they park on Heights Drive which is the closest place to the site that they can park and he would like to see the construction get finished before we made a decision about changing anything on Heights Drive. He said that one concerns he does have is if we cut the parking on Heights Drive you are going to move it to Vineyard Drive and that will create the same issue on Vineyard Drive which is farther away from Santa Clara Drive so it may make it safer but Vineyard isn't fully improved or full width so there will be a safety concern passed to Vineyard where you have more kids then there are in Heights Drive. He asked what Council's thoughts were.
- Jarett Waite said he would like to discuss the width of Heights Drive compared to other roads. It is so short. Is there technically supposed to be room for cars to park on both sides and two cars going down?
- Jack Taylor said he doesn't have exact measurements on that road, but it is awful tight if you put a car on each side and try and go through it. There would be no way for two cars to pass each other with a car on each side. It is not wide enough.
- Mayor Rosenberg asked if it is a standard 50 ft section.
- Jack Taylor said he thinks it is. But when you get two cars on each side it is tight.
- Mayor Rosenberg said it is that way to keep the speed down. The problem is they are leaving Santa Clara Drive at a higher speed.
- Jack Taylor said one suggestion is we could talk to the developer and maybe offer some of Town Hall parking where they could pull their cars here and park instead of on the road. That would help until they get done.
- Mayor Rosenberg said the asphalt section on Vineyard is even smaller. It is 23 ft. We don't want to move the parking down there. We could open the parking. He hates to make that a practice because these are contractor with trailers, and they are going to suck up four or five parking spaces. He would like to put some pressure on Kohler to get this project built. They have been in construction for a long time. It would be nice if it could get built or at least to the point where they could park on site. He understands it takes some time to get construction subs. Maybe we could limit some of the parking as it approaches the radiuses on Santa Clara Drive to where there is good visibility as you come off the road, so the visibility is not blocked right there. That is one of the safety issues that were brought up.

- Ben Shakespeare said it may help to limit the parking to one side of the street.
- Mayor Rosenberg said we could ask for them to do that, but he doesn't know if we can enforce it. It is a public street with parking allowed on both sides unless we want to close parking on one side. The parking would probably be closed on Town Hall side but that doesn't help with safety concerns on the frontage with their driveway. You have more parking on the City Hall side.
- Ben Shakespeare said that is the side he thinks they would want to park on. They are coming off Santa Clara Parkway.
- Mayor Rosenberg said he noticed tonight that the Heights Drive frontage against the Gates' house has two of their kids parked on it. If you close it on that side now you are impacting that neighbor. We could close parking in front of the project itself and tell them they can park in the City lot if it is full and see if they would use it during construction that may be something we could do. He probably wouldn't recommend doing more than that because it is going to be hard to enforce and you will pass the impact directly down Vineyard. They can't park on Santa Clara Drive. There is not a lot of parking on Vineyard without blocking driveways. He asked Council if they have heard from any of the residents besides the email that Herb sent.
- Jack Taylor said he hasn't heard any complaints.
- Mayor Rosenberg said the project has a reduction in parking because it is a B&B and not a residential project, but they do have onsite parking it just isn't built yet and that is where they are using their material storage for the project.
- Leina Mathis asked if there is any indication on how much longer it may take to complete the project.
- Corey Bundy, Building & Zoning Official, said that the update is the architect wants to build something unique and so it is slowed down the construction considerably because it is not standard construction. He wants to make those buildings look historical on the outside and on the inside. Corey said he is more than happy to talk to them and encourage them to park onsite. He doesn't have a date for when this will be finished.
- Mayor Rosenberg instructed Corey to ask him for a completion date. A realistic date. Let see if we can get him on the record.
- Corey Bundy said the City should put "no parking" there for a certain area there off Santa Clara Drive so people don't park close to the intersection.
- Mayor Rosenberg asked Corey to talk to him and let him know we may close or limit his on-street parking on his frontage to improve safety concerns.

#### 4. Public Safety Tier 2 Retirement discussion.

- Brock Jacobsen said that legislation over the last number of years has been working on adjusting the Tier 2 Public Safety retirement. They have chosen in the Legislature to adjust the Tier 2. Tier 2 came about during the downturn in the economy and it went into effect July 1, 2011. All employees hired after that date are in Tier 2 of the Utah Retirement System. In that Tier 2 retirement system there is two funds. When they are hired, they have one year to decide which tier they want to be in. There is a hybrid system and a defined contribution plan. In the hybrid retirement system part of the retirement goes into a pension and part of it goes to a 401k. There is an employer cap to how much the employer can contribute to that retirement. If the contribution

retirement rate goes above that employer cap the employee is then required to pay that increase. That pension contribution rate has increase over the years and employees haven't been asked at this time up until this year to contribute. On the 401k side they get what the contribution rate is and that is it. They never have to come out of pocket. In the revamping of the Tier 2 they have chosen to increase the employer benefit amount so the amount the employer is required to contribute to 14.08% so a 2% increase. But the actual full rate is 16.35%, which leaves 2.27% for that hybrid plan to come from the employees so they would be required to fund that. In the 2020 Legislature they decided to give an option to cities to pick up and pay that additional 2.27% that the employee is supposed to pay. We have an option to pick up that 2.27% of that costs for the employee. If we pick it up for the hybrid option, we also have to do it for the 401k. We would not only be paying the 14.08% for the 401k but also the 2.27%. Their actual rate would go to the 16.35%. This option comes out after tax, so it is a little bit different than the normal retirement. The total cost of the adjustment of the retirement system going up to the 16.35% would be just under \$12,000. To pick up the 2.27% is about \$6,300. To do that we have to pass a resolution and paperwork. He is bringing it to Council tonight as a discussion. Does Council want to pick up that 2.27% of the retirement for those in the Tier 2 Public Safety? He met with those in the Tier 2 and let them know that this is a possibility but as of right now they are required to pay that 2.27%. That was the choice they made when they chose that plan and they knew that was a possibility. It is up to Council if we would like to pick it up and not have it come out of pocket or leave it as is.

- Denny Drake asked if it is going to make it easier to retain employees. Are the other cities picking it up or are they allowing the employee to do it?
- Brock Jacobsen said that based on the information he has seen from the surveys that have gone out it is about 60% that have stated they are going to pick it up. The other 30% the majority have not yet decided. There are only a handful that said they are not picking it up. It is just under \$12,000 total. But it is the \$6,300 that would be the additional cost to the budget if we picked it up.
- Leina Mathis asked if this is only for Public Safety and Fire Fighters and not for all public employees.
- Brock Jacobsen said that was correct. This is just a change to the Tier 2 Public Safety and Fire Fighters.
- Leina Mathis asked if Brock thinks the Legislature is going to do anything for the remainder of the public employees.
- Brock Jacobsen said he believes they will. He said he can see a real push for public employees because of this change they have made for public safety. He said the Council can do a resolution where if they chose to pick this up it would state "not to exceed 2.27%. It is possible this rate could go up and next year it could go even higher. If it did go up the employee would be required to pay that amount.
- Ben Shakespeare clarified that 12% of their salary annually goes into the State retirement plan. Is that correct?
- Brock Jacobsen said that currently for the Tier 2 that is correct. Public Safety is 12.08%. He said the employer rate goes to 14.08% but the actual rate is 16.35%.
- Mayor Rosenberg said that is all being paid by the employers. It is not a matching program.
- Brock Jacobsen said the hybrid option has a pension and 401k option whereas the

defined contribution is all 401k. It is all 100% paid by the employer.

- Ben Shakespeare said that if the employees made a choice to choose the one where it is required to come out of pocket, the City is already paying their percentage. He doesn't know if the City should be on the hook if the employee chose the benefit of the 16%. If the option is there and they could have chosen either way he doesn't feel the City is responsible to pick it up. It is a very good retirement package. He said he doesn't think it should fall on the taxpayers to cover that difference.

- Leina Mathis agrees with what Ben said. The employee consciously made that choice knowing they may have to put something additional into it.

- Jarett Waite said he agrees. He reminded the City Council that this would be a pay raise and we decided not to do raises this year. We put a freeze on all pay raises this year. He doesn't think we should pick up the 2%.

- Denny Drake said he thinks everyone stated the feelings of a conservative person. He said the public safety employees put their lives on the line, which is different from a regular employee. But we are already contributing a considerable amount to them and so he thinks we leave it alone. The employee chose that route to be a participant.

- Brock Jacobsen said that if it comes back next year or that option changes, he will bring it back to Council. He reminded Council that on a resolution they could do less than the 2.27% if they wanted to. If there is ever in the future something they wanted to change. He thinks it can be implemented at any time. We have that option this year, but he doesn't know about next year.

### **3. Staff Reports:**

#### Fire Chief Randy Hancey

- They had a fire out in the Anasazi Valley area. It was a 2-3-acre fire. They went out on it at 2 a.m. and finished up with it at 6:00 this morning. The Wild Land crew went out there this morning to mop up the hot spots and monitor it. They also have some training going on today. This afternoon there was a structure fire in Ivins. It was contained to the bathroom of a single-family residence. Shortly after that they had a cardiac arrest on Hwy 91. It has been an eventful busy day. He said that recently the crew went out on a childbirth call. He said it is a busy time of year. The County is into fire restrictions now which means no fires outside the designated fire ring and no fires allowed in any unincorporated areas in the County.

#### Brad Hays

- Lava Flow Trail is moving along well. They are ready for curb and gutter on the Rachel Drive side. They will be putting road base and pavement down most likely next week.

- They are working on the finishing touches on the Swiss Memorial Pioneer Park. They are still waiting for the playground, but it is supposed to arrive by June 15. They are also waiting for the shade cover. COVID-19 epidemic has slowed down orders on things he is trying to get in for the park. He is hoping it will be complete by July 1.

- He has been working on getting estimates for paving Canyon View Park and paving the area down the road by the pickle ball courts and some work on Little League Park and the parking area down below. He will be bringing that to Council probably by the next meeting.

- Leina Mathis asked if we ever came to a resolution on the one-way at Gubler Park.

- Brad Hays said he has been working on that. He said they put a huge “do not enter” sign going on the one-way where it comes off of Tuscany Drive and also a “no right” sign. He said he is increasing the signage up there hoping that will help.
- Brock Jacobsen said there was a couple of additional signs installed and Straight Stripe painted a few arrows and a big “one way” going in. There have been a few things done to help create awareness of how traffic is supposed to flow there.
- Leina Mathis asked if there has been any more concern from the neighbors.
- Brock Jacobsen said he has not had any emails about that.

### Jack Taylor

- The bridge is pretty much completed. The lights are up. Dustin completed the trail that goes along the river up to the bridge. People can get on the trail and go all the way over the bridge. They also added road base on the end of all the corners so that people can get on and off the sidewalk. We have also put water in each side of the bridge. A water meter was installed so Brad can get landscaping in and the water is there to do the landscaping along the Rhone subdivision along the trail. Also going up Chapel Street toward the Hafen home that is also ready now and can be landscaped.
- They are working on the 69kv line. Hunt Electric and our crews have been working together. We borrowed Hurricane City’s 90 ft bucket truck and used it for a few days. That was very nice of them to let us use that. He said it will be close to being done by the end of the week.
- The crews have the curb and sidewalk done along Arrowhead by the elementary school all the way in and the driveways are completed and asphalted. It will be a lot safer and it looks so nice. We got nice compliments from the residents there.
- They have ordered a “no airbrake” sign for the top of Santa Clara Drive so drivers will know that there can’t be airbrakes as they come off that hill.
- Denny Drake asked Jack if he has seen what the big rock trucks are doing to the road. He asked if there are any restrictions on rock trucks in the community.
- Jack Taylor said he met with Feller and Feller said they will repair that when they are done. He said that this is a perfect example of not having curb and sidewalk along the edge of the road. The edges start to break off and it continues to sink. He said he doesn’t know about the restrictions. He talked about all the rock. He said he talked to Alan at Rosenberg and asked him to put the rock on the slopes of the hillside. It would help with runoff and sloughing off there.
- Jarett Waite said he drove the bridge the other day. He didn’t remember there being plans for a parking area on the other side. He said it was super nice to be able to pull off and take a little stroll. Kudos to Jack and whoever put those on the plans.
- Jack Taylor said they are going to get that area striped for parking. He said they also need to get the fence up for Mr. Williams. He is getting a lot of trespassers. We will get that done next week.

### Corey Bundy

- He said they had 68 new home permits. There is one in plan review. It looks like we might hit 80 new home permits.
- Dollar Tree plans will probably be submitted around June 21. He has had several phone calls about their design.
- Tag and Go is in the process. That would be at the Pioneer entry at Harmon’s facing

Pioneer.

- Jim's RV requested a CO and it was denied until everything on his site plan is installed including the landscaping. They finally settled on a color on that rear wall. The landscaping was started today. They are going to be putting the columns on the front to dress up the metal building look. He was told he needed his fencing in and the slats in the fencing and everything that was on his site plan needed to be completed. It is looking good with the parking lot. The Planning Commission agenda will be going out tomorrow. We have three public hearings scheduled on there. The first one is for the FEMA landslide mitigation project parcels that were left R-1-10. They will be changed to Open Space. That recommendation will go to Planning Commission and will be forwarded on to Council for that zone change. There will also be a public hearing for an Assisted Living done on Gates Lane and Santa Clara Drive. It is a Kimball Rogers and Kyle Hafen project that would require a General Plan amendment from Low Density Residential to Mixed Use Residential on 5.97 acres. They also want to go back to back with a zone change. They have met with Staff and we feel comfortable with their project. It looks like a real good project and is something that Santa Clara needs. We will see if Planning Commission has some recommendations. He said they will also have an ordinance modification. It was tabled last Planning Commission for some modifications. There was some discussion about the 30% open space to the PD zone. That will be going to the Planning Commission for their discussion to see if they like the revisions between Devin Snow and Bob Nicholson. They are also going to have a commercial discussion as directed by Council to see if they want to eliminate the Commercial Zone or whether they want to make modifications to it, so it is similar to our PD zone and gives us more control.

- Staff wise there was a Staff member who was concerned about being exposed to COVID, so she was tested and stayed home until she got the test back. The test came back negative and she will return to work tomorrow.

- The glass in the Parks Department has been installed. Plexiglas has been installed in the Building Department. This coming week we should get the door and the columns installed and then the glass company will come and measure for the glass in the Administration building.

#### Brock Jacobsen

- Next week's City Council Meeting agenda will include the approval of the FY 2020-2021 budget, setting a public hearing for FY 2020 budget amendment for June 24, a discussion about the State Courts not allowing the Court to hold live court sessions yet so they are doing everything by Zoom or by phone so we don't know when they will be allowed to come back and have them in person but they have issued some guidelines based on the phase.

- Chief Flowers is going to be holding a training on Tuesday at 5:00 p.m. in the banquet room. The training is concerning a lot of issues going on in Country such as use of force and those kinds of things. Council is invited to attend that training and ask questions and see what they are doing. They will have some food at 5:00 p.m.

- This next year we are looking at changing accounting software. There is only one other one that is used in the State for municipalities our size. It is called Pelorus. We did a demo with them in 2010 and we really liked it, but they were relatively new so there was some concerns about how their customer service and support would be. They have taken off and we had some needs with them, and they look good, so we are possibly bringing an

agreement for approval to Council to change that software. The conversion is a little bit of money, but the ongoing maintenance will pay for itself in a year and a half. The monthly cost is much less.

- He has spoken with Corey and people are asking when the banquet room will be available for rental again. He asked if Council has any feelings on that. Should we be able to rent that out to people now if they submit a plan and follow guidelines or do we want to hold off until we get to Green Phase?

- Mayor Rosenberg asked if we were talking weddings and things like that. You could open it up to 50. It's the social distancing and the masks that need to be observed. He doesn't mind renting it out with a 50-person cap as long as they recognize the risk and do some things to help minimize it.

- Brock Jacobsen said that they would probably have them submit a plan, so the responsibility is on them to follow through the commitment they have given. They would have to submit something in writing.

- Mayor Rosenberg said he thought we were getting close to going to Green Phase and then we had 150 new cases of COVID-19 over the last seven days. The I.C.U. beds are about 90% occupied. He said he will find out more information tomorrow. We can do some research on how we could open the banquet room. Gatherings are still limited.

- Brock Jacobsen said we will remain where we for now.

- Leina Mathis said if they submitted plans to the City and it is kept within the 50 people could we have them sign an agreement and then they would assume the liability for that.

- Mayor Rosenberg suggested that Brock get with Matt (Ence, City Attorney) and see if there is a "hold harmless" or something like that that we could put in the agreement.

- Brock Jacobsen said there is currently in our rental agreement a "hold harmless the City" if anything happens.

- Mayor Rosenberg said there would probably need to be some new language specific to COVID.

- Ben Shakespeare said it may not hurt as a Council to review the plan with the Police Force concerning rioting. We don't have a large police force. He said it worries him a little bit when you hear these groups going into suburban America to cause violence. We just need to review our policies as a City as to how we handle that. He said if there were to be protesters and it turned violent, we need to review our plans for that. And with this COVID and pandemic we need to review our policies and procedures for that. This is all new to each of us. We need to have an understanding as a City and Council and community what our plan is and how we will handle it. This has been on his mind.

- Mayor Rosenberg said that is part of the training on Tuesday night to go through that policy and how our police respond to an incident like the individual that was killed and the training that they go through and the response to those things in the City. He encouraged and recommended to Council to attend that meeting. It will be beneficial for the Council to be there.

#### **4. Adjournment:**

Meeting Adjourned at 6:50 p.m.

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Chris Shelley – City Recorder

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