

**SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, SEPTEMBER 23, 2020
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, September 23, 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 steam on the YouTube link: <https://www.youtube.com/channel/UCxLBLm30-XLqM1AEmhpcMA>.**

Present: Mayor Pro Tem Jarett Waite
Council Members: 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; Bob Nicholson, City Planner; Kristelle Hill, Staff; Brian Chadaz, DRMC Board Chair; Terri Draper, DRMC; Mitch Cloward, DRMC; Sarah Weston.

1. **Call to Order:** Jarett Waite, Mayor Pro Tem called the meeting to order at 5:00 p.m. He welcomed everyone and introduced the Council members.

2. **Opening Ceremony:**

- Pledge of Allegiance: Wendell Gubler
- Opening Comments: Wendell Gubler

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

4. **Conflicts and Disclosures: None.**

5. **Working Agenda:**

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

B. **Consent Agenda:**

1. Approval of Claims and Minutes:

- September 9, 2020 Regular City Council Meeting Minutes
- September 9, 2020 Executive Session Minutes
- Claims through September 23, 2020

2. Calendar of Events

- Oct. 7, 2020 City Council Work Meeting
- Oct. 14, 2020 Regular City Council Meeting
- Oct. 28, 2020 Regular City Council Meeting

Motion to Approve the Consent Agenda.

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:

1. Intermountain Healthcare update. Presented by Mitch Cloward, Administrator.

- Mitch Cloward, DRMC Administrator, said the hospital received some National recognition from US News and World Report that rated them as one of the best regional hospitals in the Country and the State of Utah in providing leading edge health care services. He said they have one of the largest trauma centers in the State. He said they are on the National stage in recruiting scientists and physicians to provide world-class health care here in St. George. He said he believes people connect with the name of St. George more than Dixie and the brand name recognition helps them grow and expand their services nationally and globally. He said their mission is centered around people. They want to help people live the healthiest lives possible. He stated that Leina Mathis served on the hospital board for 12 years.
- Brian Chadaz, Board Chair, said that the hospital has a great relationship with the community it serves. When the hospital has some significant capital projects the citizens step up and contribute substantially towards that. He said that Dixie Regional Medical Center, soon to be St. George Regional Hospital, is one of the very largest hospitals within the intermountain system. The patients that go there get personal treatment. He said he is a liaison with the community and receives feedback from the community. A large amount of the comments he receives are favorable. He said that we are privileged to have the level of services that we do here. They have a lot of talent at the hospital with our management team and our doctors and nurses. They also have a great Board and a diverse Board.
- Mitch Cloward said they want to continue to provide cutting edge health care services. He talked about cardiovascular services and the new device that the hospital has called the watchman device that can be implanted into a heart and reduces the need for blood thinners. He said it is important for them to remain innovative and be on the leading edge of medicine nationally and across the globe. He said they have physicians now that are called Cardiovascular Hospitalists whose only job is to care for heart patients in the hospital. They have no patients outside the hospital. They are there at the hospital 24/7. They also have Pediatricians that don't have their own practices. All they do is care for pediatric patients in the hospital. They also provide great spine care at the hospital and have a national contract that will be bringing people from all over the country to our hospital for spine care including spine surgery. They are also providing the opportunity for anyone to come and participate in a study that allows their genes to be sequenced.

The human genome project took ten years and millions of dollars, but they can now sequence a person's genes in a couple of days for free. They are using this information to try and identify heart conditions or cancer conditions that can be detected and prevented from ever manifesting themselves. He said they are trying to get ahead of disease. They can identify what a person has predispositions for and then target strategies to help them prevent that disease from manifesting itself. They are focusing on saving costs and lives. He said they believe that care should be accessible 24/7 no matter where you are so they have developed Connect Care and a person can connect with a provider on the phone 24/7 and it is a very reasonable cost. They have a partnership with Dixie State University around sports medicine and are going to build a sports medicine facility on their campus. They have athletic trainers, orthopedic surgeons and a group of healthcare professionals that care for the student athletes. He said they are continuing to grow, and their Sunset Clinic is very, very busy. He said the annual flu shot is available and they will be giving those out starting Oct. 1, Monday through Friday, 8 a.m. to 5 p.m. and they bill insurance for that. They are building a clinic in Washington Fields that is about the same size as the Sunset Clinic. They are also expanding health care services in Hurricane. He thanked the Council and Mayor for their service to the City.

- Ben Shakespeare said he is grateful for what the hospital has done for our community. People are moving here from all over the world and the hospital is the number one reason that they can be here.

- Brian Chadaz said that is the number one thing on people's list as they get older is what is the health care like in an area. That is very important to have a great medical system in our community.

- Denny Drake said we appreciate the quality of what we have here. We have the best quality of health care in the country and it is due to the IHC partnership with the cities and local people.

- Wendell Gubler said that Governor Herbert moved Utah County back to the orange level for COVID-19. Where do we fit as far as COVID and how are we doing down here?

- Mitch Cloward said it is a smaller percentage of the population that needs hospitalized care for COVID. He said a couple of months ago we were averaging about 25 patients a day with COVID that needed care. Before school started, we dropped down to about seven or eight. Now we are back up to seventeen or eighteen patients a day. He said they are watching very closely. Everyone wants this to go away.

- Leina Mathis thanked the hospital representative and stated that she knows how dedicated they are. She asked if there is any talk of expanding the Sunset Clinic.

- Mitch Cloward said they have 5 acres there and they have one more opportunity to expand. He said that instead they are looking for land in other areas of the County where they can continue to provide convenient close health care. He said they may start looking at Ivins or other areas where there is more growth. They own land by Sun River and Washington. They are building a clinic in Little Valley and they are looking at the demographics in this area to figure out where they should be purchasing land for future growth.

- Mayor Pro Tem Waite said that his brother-in-law who is a pharmacist at the hospital said there is an effort to not put patients on ventilators but instead on oxygen when they have COVID because it makes the recovery rate much better. He asked how that is going.

- Mitch Cloward said it is going very well. Treatments have advanced and most of the

patients are not on ventilators. They are on another floor in the hospital rather than the ICU. It is working well. The sickest of the sick would end up in the ICU on a ventilator now. He said our seniors are highly vulnerable.

2. Consider approval of a proposed amendment to Title 17, Section 17.66.040 to require a building elevation drawing as part of the site plan process in a standard Commercial Zone and approve Ordinance 2020-13. Presented by Bob Nicholson, City Planner/Corey Bundy, Building & Zoning Official.

- Bob Nicholson stated that in the standard commercial zone the ordinance currently requires that an applicant submit a site plan to the City for review by the Planning Commission. He said that what this proposal would do would add in addition to the site plan require a building elevation so when an applicant in a standard commercial zone comes to the City Planning Commission they would have to have a site plan plus a building elevation sketch. This is like what we have in the PD commercial zone requirement. Nearly all the commercial property that is currently zoned commercial is PD commercial. There are about 3 properties that are just zoned commercial. The Planning Commission felt it would be beneficial to have a chance to look at the building elevation drawings. The ordinance in front of Council is simple. He said that based on comments that we received at TRC it was scaled back. He said they added the language, "and building elevations approval" and "A site plan along with building elevations shall be submitted, drawn to scale, and of sufficient size and detail to show building appearance and location, yard setbacks, ingress and egress drives, parking areas, landscaped areas, and such other improvements as may be required relating to specific use proposed." He said that in paragraph two, "The building elevations plan shall show and describe the exterior building materials and colors, including roof materials and exterior appearance for all sides of a proposed building." was added. In paragraph three it says, "The planning commission shall review and approve all plans prior to the issuance of any building permit for site improvement, or construction permit for utility systems and building construction." He said this is a pretty simple amendment to the commercial zone. He said they are working on revisions to the PD chapter. That has come before the Planning Commission twice and before the Council once or twice and it is still being massaged. That has more detailed design. This could be on the City Council's next agenda. It has more detailed recommendations regarding design. The Planning Commission has recommended approval.

- Mayor Pro Tem Waite asked what kind of teeth this provides to the Planning Commission. If they don't like what is on there can they just make a comment or is this making sure things don't slip by the Planning Commission.

- Bob Nicholson said that on a property that is already zoned commercial so if the Planning Commission didn't like it, they can request that they bring it back and make request of things that can be done. They may ask for cooperation instead of by the force of the code. He said he thinks most applicants want to satisfy the City so if they got recommendations that would mean something to most of them. The zoning action is a legislative action and there is no compelling the City to change the zone so if someone is asking for a standard commercial zone and they didn't like the look of the building they could turn that request down. If it is already zoned commercial, we may not have great power to deny it, but it could be tabled, and the City could make requests. In the PD commercial there are already some design standards in that chapter. In the standard

commercial chapter, there are no design recommendations.

- Denny Drake asked where the TRC meeting comes in this process.
- Bob Nicholson said that is the Staff meeting that is held every Thursday.
- Denny Drake asked if the builder would bring his site plan to TRC with the building design and get recommendations from Staff as to what they need to do.
- Bob Nicholson said they would get recommendations and at that point most of the applicants try and follow those. TRC is the first step.
- Ben Shakespeare said that in reading this he doesn't know how much teeth it gives other than it allows the Planning Commission and Staff to look at it. He said his concern on both sides is everyone has a different opinion on how it looks. He urges a little caution. Most applicants certainly try and do it right.
- Leina Mathis said she thinks the intent is different. If we want to have control for design standards, we would put it in a PD commercial zone. This is just a way to look at the elevations and that is really all we are doing. Just to know the intent of the builder.
- Denny Drake asked that in the process if the builder/developer does not agree with the Planning Commission's decision do we still have the options of the City Council reviewing it.
- Bob Nicholson said that is a good question.
- Denny Drake said his concern is that the recommending body would have the final decision, but the elected officials are the ones that are actively involved with the people. The recommending body is an appointed body and he believes the decision-making should be left to the elected officials with a recommendation from that body.
- Bob Nicholson is not sure if something like that exists in the code. He said a sentence could be added to this proposed amendment under paragraph three, "The planning commission shall review and approve all plans prior to the issuance of any building permit for site improvement, or construction permit for utility systems and building construction." and add "where the applicant is dissatisfied with the decision of the Planning Commission they have the right to appeal to the City Council.
- Ben Shakespeare said he believes that already exists.
- Bob Nicholson said that any decision by the land use authority can appeal to the City Council.
- Ben Shakespeare said what this is simply doing is giving the technical review committee (TRC) and the Planning Commission the ability to see elevations coming before them.
- Bob Nicholson read from "Appealing Land Use Authority's decision" in Chapter 16.050. "Any person adversely affected by the Land Use Authority's decision in administering or interpreting the land use ordinance may appeal that decision to the City Council by alleging there is an error in any decision or determination made by the Land Use Authority. The City Council shall hear and decide appeals from administrative decisions in applying the zoning or subdivision ordinance."
- Denny Drake said we need to make sure the ordinance that we are passing reflects that also.
- Bob Nicholson said he doesn't think there would be any conflict because right now these site plans go to the Planning Commission and we are not changing that. This paragraph said that if anybody disagrees with their decision, they can appeal it to the Council.
- Denny Drake said that the Planning Commission does a great job for us and that recommendation as a body we need that help. In answering to the electorate, the Council

needs to be the one to make that decision.

- Wendell Gubler asked if there is a reason why this amendment has come forward. Has this been a problem in the past? Has the Planning Commission had a problem with it?
- Bob Nicholson said the Planning Commission requested this. Part of it came out of the instruction at Jim's RV.
- Denny Drake said he would recommend approval with the change mentioned.

Motion to Approve the proposed amendment to Title 17, Section 17.66.040 to require a building elevation drawing as part of the site plan process in a standard Commercial Zone with the sentence added that states, "where the applicant is dissatisfied with the decision of the Planning Commission they have the right to appeal to the City Council" as per 17.16.050 and approve Ordinance 2020-13.

Motion by Denny Drake, seconded by Ben Shakespeare.

- Ben Shakespeare said he doesn't think the added sentence needs to be put in there. It is already in the chapter before. They already have the ability to appeal. He is fine with what is put in there, but the language is already in the code.
- Denny Drake asked Bob if he feels it ties back into that.
- Bob Nicholson said it applies to everything in the code. That chapter references everything in the zoning ordinance. Anything where the Planning Commission is delegated as Land Use Authority that decision can be appealed to the City Council.
- Denny Drake said then he will remove that stipulation.

Amended Motion to Approve the proposed amendment to Title 17, Section 17.66.040 to require a building elevation drawing as part of the site plan process in a standard Commercial Zone and approve Ordinance 2020-13.

Motion by Denny Drake, seconded by Ben Shakespeare.

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

Voting Nay: None.

Motion Carried.

6. Reports:

A. Mayor / Council Reports

Wendell Gubler:

- Nothing to report.
- Leina Mathis said she has had residents call her and tell her they have opted out of the recycling and they haven't received any confirmation of their opt out. They are also concerned about someone picking up their Blu Can after they have opted out.
- Wendell Gubler said that someone will come and pick up the can. He is not sure about the process of confirmation though.
- Brock Jacobsen, City Manager, said that if residents want a confirmation, they can call the City Office and talk with Sherri and see if she has received the information. He said he hasn't seen anything from the Solid Waste District as to how and when the pick-up of the cans will take place. He thinks it won't happen until January when the new recycling program kicks off. He said the opt out form comes to the City and the City passes the information on to the Solid Waste District.

- Kristelle Hill said they are sending the forms through the website and it automatically goes to the Utility Department, but she could have an automatic email sent back to the residents after they fill out the form confirming the information.
- Leina Mathis thinks that would be a great thing to do.

Denny Drake:

- Nothing to report.

Leina Mathis:

- Attended the League of Cities and Towns Meeting today.

Ben Shakespeare:

- Dixie State University went over their 5-year plan and it exceeded all goals that they had set within that plan. Good things are happening in the community.

Mayor Pro Tem Waite:

- Met with Brock Jacobsen and several City Staff members and with a company that does security cameras. It was a very advanced security system. This bid was more expensive than the other bid. He said they will bring in the previous bids and see how they compare and then have something for the Council.
- He attended the League of Cities and Towns today also. He said he attended the discussion on COVID-19 best practices. He talked about how other cities used their CARES Act funding such as updating the offices to touchless equipment and purchasing masks to give to the community. He said he had a discussion with Brock on how to spend the CARES Act funding. We could get up to \$700,000. Some of it has been spent already on improving teleconferencing options. He asked Brock to look into if there are any kinds of business grants so we could help residents with utility bills.
- Brock Jacobsen said the guidance on how the money can be spent is so vague. The money can be used for the front-line workers, for public safety, for public health and a lot of cities are using it for their fire departments and EMS because things have changed on how they deal with people. The State got wind of this and went to the Treasury and they said the money can't be used for that. Then they said you can, but you have to document that they have substantially changed but they give no clarification on what that means. The Secretary of the Treasury said that they weren't going to ask for that because their roles have changed and how they are doing things. But what they are really looking for they don't give any guidance on or what documentation they need to have.
- Mayor Pro Tem Waite said that any guidance Council can give on this would be helpful. He said he is a fan of helping our local businesses.

- Jack Taylor, Public Works Director, talked about a discussion there was concerning impact fees. He said the Mayor suggested putting together a spreadsheet that shows figures and has the impact fee. Kristelle worked on this and did a really good job on the spreadsheet.

- Kristelle Hill said she made the spreadsheet so it could easily calculate all the fees. She explained the spreadsheet to Council. She said you add the square footage to the spreadsheet and then they decide what water connection and sewer connection they want. It will automatically change the fees depending on what they choose. There are a lot of options for electrical. The street impact is based off the permit category and that will be

- automatically calculated from that. It breaks out the water, sewer and power. If they want to put in their own valuation they can at the top of the spreadsheet.
- Jack Taylor said they talked with Steve at Sun Rise Engineering and asked him to put in some other categories that could possibly come to our community and put them in there also. These numbers come right out of a book and it's been proven, and it is a spec that all engineers use when they put their impact fees together and so it has been studied. He said some of the categories are hard to pick.
 - Leina Mathis asked if there is guidance on what category gets used.
 - Jack Taylor said we try to pick the category that we feel that matches.
 - Ben Shakespeare said this is where we need to visit. He asked why there was such a disparity.
 - Jack Taylor said it is all based on trips. It is all driven by trips.
 - Brock Jacobsen explained the different kinds of trips and categories.
 - Jack Taylor said it all depends on what is happening in each individual city such as roads needing to be built, traffic signal that need to be put in, projects in the Master Plan being not as comprehensive as ours.
 - Ben Shakespeare talked about the maximum eligible number. Are we looking to encourage retail in the City? As a taxpayer we should say "absolutely". Are our fees going to be a deterrent for stores wanting to come in? He said the spreadsheet is fantastic. He would love to see the sales tax dollars come to our City.
 - Bob Nicholson said that cities can decide what they could charge and what they will charge. He talked about some cities offering bonuses also.
 - Jack Taylor said he thinks Ben is right. There is no reason to not look at incentives. It is up to the Council.
 - Leina Mathis asked about the additional categories that have been added to the spreadsheet. Do we have to redo our impact fee study?
 - Jack Taylor said no. It all still functions off that \$400 per ERU per 1,000 ft. The number stays the same.
 - Ben Shakespeare said we need to have this discussion. We need to pay for the roads and bridges. He supports the idea of bringing in retail businesses that generate sales tax.
 - Brock Jacobsen said the impact fees pay for new growth. They don't pay for the maintenance, which is where the sales tax comes in.
 - Jack Taylor said we can continue this discussion in a Work Meeting. He said he really likes the spreadsheet because we can just punch in the numbers and it gives developers a good number. He said that power hit a new peak this summer with over 19 megawatts. He said he will find out tomorrow if we are still moving forward on the carbon free project. Two cities have dropped out of the project. Most still want to stay in.
 - Leina Mathis asked if we need to have a vote on that.
 - Jack Taylor said we don't if we don't change our entitlement and keep our entitlement share at what it is. He said he has gotten from Council that we want to keep moving forward. It is a good project. If we don't have a resource to pick up the load from the growth, we are getting the only place we can go is to the market and the market could be crazy. The coal fire plants are getting shut down. There has to be something else. He suggests sticking in with this project. If a lot of people drop out, we will have to drop out because it will become too expensive. He said that we are still waiting for the Department of Energy funding.
 - Ben Shakespeare said this is a good project. It is sustainable and clean, and it is long term.

- Jack Taylor said that all the meters have been installed. They are saving the crews a lot of time so they can do other work.
- Leina Mathis said the new utility bills are fabulous. They have a lot of information on them.

7. **Executive Session:** None.

8. **Adjournment:**

Motion to adjourn by Ben Shakespeare.

Seconded by Leina Mathis with all members present voting aye.

Meeting Adjourned at 6:13 p.m.

Chris Shelley – City Recorder

Date Approved: _____