

**SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, JANUARY 13, 2021
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, January 13, 2021 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 on the YouTube link:** <https://www.youtube.com/channel/UCxLBLm30-XLqM1AEmhpcMA>. Council Chambers will be available to residents, but we will have limited availability and follow Covid-19 guidelines.

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; Bob Nicholson, City Planner; Officer Briggs; Kristelle Hill, Staff; Dade Rose (via Zoom);

1. **Call to Order:** Mayor Rosenberg called the meeting to order at 5:03 p.m. and welcomed everyone. He introduced the Council. Councilman Shakespeare texted the Mayor and said he would be late to the meeting.

2. **Opening Ceremony:**

- Pledge of Allegiance: Mayor Rosenberg
- Opening Comments: Mayor Rosenberg

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

4. **Conflicts and Disclosures:**

- Leina Mathis said since the Council will be talking about the bond, she wanted to disclose that she works for Zions Bank.

5. **Working Agenda:**

A. Public Hearing(s):

1. Public Hearing to receive public input regarding Santa Clara City Hydrant Meters rental fee change.

- Mayor Rosenberg reminded Council that this is something they reviewed in the Work

Meeting. He said there is an item in the packet.

- p.m. Public Hearing Opened
- p.m. Public Hearing Closed.

2. Public Hearing to receive public input regarding Low Impact Fee Development (LID).

- Mayor Rosenberg stated this is something Council talked about extensively in the Work Meeting. It is a fee to do the Low Impact Development (LID) reviews and it is a pass-through fee that the City Engineer charges directly to the developer.

- p.m. Public Hearing Opened.
- p.m. Public Hearing Closed.

B. Consent Agenda:

1. Approval of Claims and Minutes:

- Dec. 16, 2020 Special City Council Meeting Minutes
- Jan. 6, 2021 City Council Work Meeting Minutes
- Claims through Jan. 13, 2021

2. Calendar of Events

- Jan. 18, 2021 Martin Luther King Day (Offices Closed)
- Jan. 27, 2021 Regular City Council Meeting
- Feb. 3, 2021 City Council Work Meeting
- Feb. 10, 2021 Regular City Council Meeting
- Feb. 24, 2021 Regular City Council Meeting

3. Set a Public Hearing to receive public input on amending the Operating and Capital Budget for Fiscal Year 2020-2021 for January 27, 2021 at 5:00 p.m.

Motion to Approve the Consent Agenda.

Motion by Jarett Waite, seconded by Leina Mathis.

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

Voting Nay: None.

Motion Carried.

C. General Business:

1. Consider amending the Santa Clara City Hydrant Meters rental fee and approve Resolution 2021-01R. Presented by Jack Taylor, Public Works Director.

- Mayor Rosenberg said that the Staff would like to raise the meter fee deposit from \$800 to \$1,500 and the daily rate from \$2.50 to \$5.00 per day and also implementing a fee for non-compliance for bringing in the meter for monthly readings. The first offence is \$50.00, second offence \$200.00 and third offence \$500.00.

Motion to Approve the amendment for the Santa Clara City Hydrant Meters rental fee and approve Resolution 2021-01R.

Motion by Denny Drake, seconded by Wendell Gubler.

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

Voting Nay: None.

Motion Carried.

2. Consider amending the Low Impact Fee Development (LID) fee and approve Resolution 2021-02R. Presented by Jack Taylor, Public Works Director.

- Mayor Rosenberg said this is the low impact development fee as we previously discussed.

Motion to Approve the amendment for the Low Impact Fee Development (LID) fee and approve Resolution 2021-02R.

Motion by Denny Drake, seconded by Jarett Waite.

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

Voting Nay: None.

Motion Carried.

3. Consider Awarding Bid for the South Hills Water Line. Presented by Jack Taylor, Public Works Director.

- Jack Taylor said we had the bid opening yesterday and we had seven bidders. One bid was thrown out because they forgot their bid bond and so we ended up with six bidders. Luckily the bid that was thrown out was high, so he wasn't the lowest bidder. The engineer estimate for the project was \$1,297,000. Progressive Contracting Company gave us a bid of \$1,293,575.12, which was lower than the engineers estimate. Staff would recommend that we approve and award the bid to Progressive Contracting Company and move forward with the waterline project.

- Mayor Rosenberg told the Council that the bid calculations were in their packet. He stated that this is a budgeted item and is in the budget to complete.

- Jack Taylor said it is not.

- Brock Jacobsen, City Manager, said it is not in the budget, but we will put it in. It is an impact fee eligible item so we will amend and put it into the budget. There are funds in the impact fee fund to cover the project. We will go through the budget amendment process.

- Wendell Gubler asked how the other bids compared. Were they pretty close?

- Jack Taylor said the next closest bidder was \$100,000 higher. The third bidder was about \$131,000 higher. They just kept getting higher. He said that we know PCI and they have done a good job. They have done work in our City before. They are a good contractor and we feel comfortable with them. Our engineer feels good about them.

- Brock Jacobsen said they have done some work for us during the 2010 floods.

- Leina Mathis said she went back and looked at our Water Impact Fee and most of the items on here were included in our Water Impact Fee but on the Water Impact Fee it has a tank listed. Are we putting in an additional tank as well?

- Jack Taylor said in our design if we get more growth in the South Hills, we have a tank that would go just above the park area that is designated up above the water tank. That is

where we would put the next tank for storage.

- Mayor Rosenberg asked if that tank was needed for the area south of the park over the hill on the back side.

- Jack Taylor said yes if we go over the hill that is when we are going to need it. If we never go over the hill, we probably won't need it.

- Leina Mathis asked if the existing tank would be sufficient for everything that is going in on the east.

- Jack Taylor said he thinks so. We would have to review that with the engineers again just to make sure. Right now, that tank fills from the bottom up like a bathtub because the tanks in Snow Canyon are actually higher than this tank so it flows uphill. When we have high demand usage the water doesn't make it up to the tank as quickly as it should and so eventually, we are going to have to put booster pumps to pump it and fill the tank. We have another booster station there that we are going to use to boost the water up to the park but also, we would boost it up to the next tank so that we have storage for high peak demands. We still might need the tank for just high peak demand and storage even if we don't grow in the South Hills.

Motion to Approve Awarding the Bid for the South Hills Water Line to Progressive Contracting Company as presented.

Motion by Jarett Waite, seconded by Leina Mathis.

Amended Motion to Approve Awarding the Bid for the South Hills Water Line to Progressive Contracting Company for \$1,293,575.12.

Motion by Jarett Waite, seconded by Leina Mathis.

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

Voting Nay: None.

Motion Carried.

4. Consider approval of the First Amended Interlocal Agreement Supporting the Renewed Mojave Desert Tortoise Incidental Take Permit Issued to Washington County. Presented by Mayor Rosenberg.

- Mayor Rosenberg stated that this is the renewal of the take permit that is required for the HCP operation. It basically provides for the collection of the fees to maintain the HCP that allows the private properties to continue to be developed under the current program. This is something that they have been working on for a number of years to get it back in place. This is a 25-year extension. It is important that we do this. This is going around to all the communities in the County that are impacted by it. We are supporting the County with that.

- Jarett Waite asked if the fee changed at all.

- Mayor Rosenberg said the way they collect the fee has changed. They are not going to collect it at development time anymore. It is just going to be collected with the building permit. He said it is on page 2 of the agreement, right at the top, "In connection with the issuance of each building permit of a new residential, commercial or industrial structure, a fee of two tenths of one percent (0.2% or 0.002) of estimated construction costs of the work to be performed under the permit". When this is effective, we won't have to collect those fees at the platting anymore. We need to pay attention to that, so we don't overcharge the developers. He said that most the communities have approve this.

- Leina Mathis asked about the reserve zone 6 that is in the agreement. Does any of that actually get up to our City or does it only go as far as the most northern part of St. George?
- Denny Drake said that zone 6 is actually over by Leeds but they are including some more zone 6 but he doesn't know how they determine where it is going to be.
- Mayor Rosenberg said it is on the west side. It goes out to the west and comes north of the St. George boundary. It does impact some of the properties in Santa Clara.
- Denny Drake said that zone 6 and zone 4 are both relocations of take areas where they have moved tortoises and will relocate them into these areas, which makes it habitat.
- Leina Mathis said the way she was reading it is sounded like part of the zone 6 that may affect us is because of the trade with the northern corridor taking part of the corridor out and it made it sound like we could lose some of the trails out in our South Hills.
- Mayor Rosenberg said he doesn't know that we would lose the trails. There are trails within the HCP everywhere. He said where he sees it potentially having a major impact is on possibly construction of the western corridor and some potential expansion including the shooting range. We could see some impact to those areas. There is going to be some impact relative to the South Hills. He said he and Denny were talking about getting together with Keith over at the BLM and try and nail down what exactly those impacts are so we can bring that back to Council and make decisions on what we are going to do with the BLM portion of the South Hills going forward.

Motion to Approve the First Amended Interlocal Agreement Supporting the Renewed Mojave Desert Tortoise Incidental Take Permit Issued to Washington County.

Motion by Denny Drake, seconded by Leina Mathis.

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

Voting Nay: None.

Motion Carried.

5. Consider approval of an Interlocal Agreement for Tourism Money and Resolution 2021-04R. Presented by Brad Hays, Parks & Trails Director.

- Brad Hays said we have talked about this previously in City Council meetings. This was a request that Santa Clara City went to the Tourism Board to request help to construct the parking lots along Canyon View Drive and Little League Park. They gave us partial funding of what we asked for, but we did pretty well on the request. We have phased the project to try and do the two upper parking lots along Canyon View and as much as we can do down at Little League not including the Little League parking lot with the funds that we have available. The agreement will provide the City \$160,000 in matching funds to do the project. They had wanted us to do the hard match on the money that they gave us. We do have the money in Rap Tax to do the hard match. As of Oct. 3, we had \$155,000 in the Parks part of that, so we have the funding to go ahead with the project. Right now, Jared from Rosenberg Associates is working on the design and we'll get some engineering estimates with that and we will have a better idea where we are at with the money we have to work with. He said he is hoping we can use some in-house labor to get some of that done and save us some money.
- Denny Drake asked about the diesels that are parked in the parking lot. What is going to happen once we pave that parking lot?
- Brad Hays said we currently have it posted for "No Over Night Parking" but they

continue to park in there.

- Denny Drake said the weight of those is going to wreak havoc on the parking lot if are continued to be allowed to park there once it is paved.
- Brad Hays said if we can enforce the no parking there and we can have those people move those vehicles away if it is an issue.
- Brock Jacobsen said that once we get it paved to avoid those issues, we will have a conversation with public safety to make sure that is enforced.
- Mayor Rosenberg said the other thing we can do when it is designed the location of the tree islands and those types of things can really discourage the easy flow through that is available right now.
- Brad Hays said that Jack told him that the asphalt won't be thick enough to support those heavy vehicles in there.
- Officer Briggs said they will instruct their officers about that problem and let them know to start issuing parking tickets unless we have an absolute that we can't to cause damage and just let them know that we would probably have to set up a tow service to come out and move the vehicles. He said they can always do a parking citation and work out an agreement with a tow company where they do a relocate and just move it somewhere else so they don't have the impound fees but there may be a cost from the City for relocation.
- Mayor Rosenberg asked if these were locals. Are they residents that drive the big trucks and just park them there on the weekends?
- Brad Hays said that one of the gentlemen he talked to live in Santa Clara, but he has since relocated in Ivins, but he still likes to use the parking there.
- Mayor Rosenberg said probably because it is convenient. It is going to get less convenient when they have to negotiate the parking lot. He said this may be something we need to talk about finding a place for residents. If this is a large demand on the residents' side, we could maybe try and identify one. We will start the enforcement once that project starts.
- Leina Mathis said that if we know who the individuals are it would be nice where we allowed them to do that to this point to give them a warning rather than just cite them up front.
- Brad Hays said he occasionally sees them there and he can just talk to them and let them know. He said he is sure they would appreciate that.
- Brock Jacobsen said it has been posted for a while that there is no overnight parking allowed. They are aware.

Motion to approve an Interlocal Agreement for Tourism Money and Resolution 2021-04R.

Motion by Jarett Waite, seconded by Leina Mathis.

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

Voting Nay: None.

Motion Carried.

6. Consider approval of Ordinance 2021-01 Establishing conditions for approval of exceptions to the General Prohibition on Private "Gated Communities/Planned Development Districts" Title 17, Chapter 17.68.40. Presented by Matt Ence, City Attorney.

- Matt Ence said that this was discussed by Council in the Work Meeting last week. The

proposed ordinance has not changed except for the one item he mentioned at the end of our discussion last week. He made a change to Section 2G. He changed the language there regarding the lien and the foreclosure of that lien to strengthen that a little bit. This proposed ordinance is an attempt to allow a fairly narrow type of development to go forward with gates and private streets consistent with the Regal Homes development that is being proposed. He said that Dade Rose has joined in for this meeting (via Zoom).

- Mayor Rosenberg said the Planning Commission recommends approval of the proposed code amendment noting it was restrictive in terms of allowing gated communities and very few are likely to meet the criteria for allowing the communities. He reminded Council that this was discussed at the Work Meeting.

- Jarett Waite said he has really wrestled with this and he has made quite a few phone calls and talked to a lot of people about it. He said he got overwhelming responses that we should not have gated communities in Santa Clara. He said most of the comments included that it would create a separation in our community with the idea that you can drive in front of my house but I can't drive in front of yours and some commented that they lived in a gated community and had lots of issues inside the gated community that had nothing to do with the gate being there. Another comment he heard quite a bit was having this much land under one landlord was concerning with there being so little land in the City and giving up this much to just one entity and not knowing how it will be run in the future regardless of who is developing it. He only had one person that thought this would be okay but everyone else did not like the idea.

- Denny Drake said he has had the same comments that Jarett has had concerning creating an atmosphere of separation and the reason that it was not initially in any of our ordinances was because of that. He has had a few negative responses to that also.

- Dade Rose said he appreciates the opportunity to make a few comments. He showed a picture to the Council of where the gates would be and how the project is supposed to work. He described the project to Council. It would be on 16.5 acres just off of Red Mountain Drive and is part of the greater Black Desert project as well. They are in the process of acquiring areas 7 and 8. He said they intend to go forward with this project gates or no gates. They will have 199 homes and 400 parking spaces throughout the community. They will have a rec center and an office and a resort style swimming pool. They would have guest parking spaces outside of the gates and they guests would walk in and be able to talk to the property manager. They would have wide private drives built to City specifications. They would also have a secondary emergency access. He said this is really not that different than what Sullivan has done and some of the other neighborhoods in the area. The benefit here is almost all of these homes will be rented out for long periods of time. This is not a nightly rental community. He said most apartment buildings have security access and that is what is happening here except these are individual homes. It is private but it works. He said they fully intend to go forward with this project and the gates make it nicer and better for the community. They have a wall on the perimeter that was requested by the City. He asked the Council to think of the millions of dollars they will have invested in this and if they don't take care of their roads and their gates and their community the renters will leave and the owners will be stuck with paying the bills and so that puts it on them to take care of this and make it nice and make it welcoming. He hopes Council will consider it.

- Mayor Rosenberg thanked Dade and said we appreciate his perspective on this issue.

- Leina Mathis told Matt Ence that she appreciates the effort that he put in trying to do something that was restrictive knowing how Council feels about gated communities. She

said she still struggles with the idea of a gated community and she said she is taking this project out of the mix because in her view the project has nothing to do with it. It's whether or not we want gated communities as a whole. She said she has looked at this and the one thing she appreciated is that even if we approve the ordinance, we don't have to approve a single gated community going forward even if that meets the ordinance because of how it is written. She said she thought about the next request that we could potentially get and what would the ordinance actually allow and she said she thinks we could have someone come to the City and want to put in a compound and that would be allowed under our ordinance. She said she is looking at all the potential consequences of that.

Motion to Deny Ordinance 2021-01 Establishing conditions for approval of exceptions to the General Prohibition on Private "Gated Communities/Planned Development Districts" Title 17, Chapter 17.68.40.

Motion by Jarett Waite, seconded by Wendell Gubler.

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

Abstain: Ben Shakespeare.

Voting Nay: None.

Motion Denied.

- Mayor Rosenberg asked if there is any desire by the Council to make any changes to the ordinance. Is there a line of something that can be modified that could happen and maybe come back with another vote or motion or are the Council members pretty well set?

- Denny Drake said that Leina did a good job thanking Matt. If we were to have the ordinance this would be the kind of ordinance we would want. He said he just gets a general feeling that gated communities within Santa Clara a lot of residents are opposed to that and that is the issue.

7. Consider approval of Ordinance 2021-02 Updating the Recycle Ordinance. Presented by Matt Ence, City Attorney.

- Matt Ence said this is also an item that we discussed previously. We found out from the Solid Waste District that there was an error in one of the numbers so this new ordinance is solely to modify the ordinance that was already passed to make that one correction. He said we decided to bring it back as a separate ordinance rather than reconsidering the previous ordinance. That was the quickest way to do that. He said it was just one digit that was off.

- Mayor Rosenberg said there is a \$0.10 increase from the current rate of \$4.45 to \$4.55 for year one of the agreement.

- Matt Ence said that was the only change. Everything else is staying the same.

Motion to Approve Ordinance 2021-02 Updating the Recycle Ordinance.

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.

8. Consider approval of Parameters Resolution 2021-03. Presented by Brock Jacobsen, City Manager.

- Brock Jacobsen said this is the bond parameters. He said the Mark Anderson from Zions Bank is joining Council on Zoom tonight. He said this is the parameter setting forth the parameters for the resolution for the bonding. It sets forth the amount. We cannot borrow more than \$4 million and it sets forth the maximum year we can amortize over and the interest rate maximum and it lays out what bonds we are going to be refunding which are the 2012 and the 2017 electric bonds as well as issuing roughly \$1.2 million in new money for purchase of a new generator for the Power Department.

- Mayor Rosenberg told Council that in their packet there is a good description of it. He read, "The resolution authorizes the issuance and sale of not more than \$4,000,000 aggregate principal amount of bonds. It sets the forth the maximum years the bonds can be amortized over, 15 years, and the maximum interest rate the bonds may carry. The 2012 electric bond has a \$451,000 outstanding and the 2017 has \$1,885,000. We will be issuing \$1,200,000 in new money to pay for a new generator."

- Jarett Waite said we have spoken about how by doing this we wouldn't be able to refund this in the future. Is that addressed in this at all?

- Brock Jacobsen said the one that we talked about that we wouldn't be able to refund is the MBA bond. It would not be callable. These bonds would still be callable at any time.

- Mark Anderson, Zions Bank, stated that at this point in time Zions Bank is anticipating being the purchaser of these bonds and working with Brock to get enough information to support a credit package. Zions Bank, if they are the purchaser, would allow the bonds to be called at in time in the future if the City found a more advantageous way to pay them off faster. He said this resolution also delegates authority to the Mayor and Brock to determine the method and how the bonds are sold, and the Mayor and the recorder can execute the bonds as long as they're within the parameters approved by the Council. Because new money is being added to this financing a public hearing is required and there is a public hearing date of Feb. 10, 2021 and then they will notice that appropriately with bond Council in the next few weeks.

- Leina Mathis asked if these are uniform bonds so that we are not re-amortizing the payment.

- Brock Jacobsen said yes that is what we are looking to do. The current ones will stay on their current schedule.

- Mark Anderson said what occurs is they basically add three years to the term for the new money but the payment schedule for the 2012 and 2017 bonds remain the same.

- Jarett Waite asked if on Jan. 27 the Council will have an item on the agenda to set that public hearing.

- Brock Jacobsen said that no, in these parameters it sets forth for that public hearing to be on Feb. 10. If we need to do an actual item on our agenda but it is in this parameter that Council is going to adopt it sets forth for the public hearing to be on that date.

- Denny Drake asked if Council is approving this without the public hearing.

- Brock Jacobsen said Council will adopt this parameters resolution adopting the parameters of what we are going to do and in adopting this Council is also setting a public hearing for Feb. 10, 2021. That is when we will have the public hearing for the public to weigh in if they are in favor or not. It is mainly for the issuance of new money, bonding for new money. If we were just refunding, we wouldn't have to have a public hearing.

- Jarett Waite said he wanted to note that the time listed in the packet needs to be changed from 6 p.m. and it will probably be at 5 p.m. on that day.

Motion to Approve Parameters Resolution 2021-03 which sets a public hearing for Feb. 10, 2021 at 5:00 p.m. which changes the time listed in the packet of 6:00 p.m.

Motion by Jarett Waite, seconded by Denny Drake.

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

Voting Nay: None.

Motion Carried.

6. Reports:

A. Mayor / Council Reports

Ben Shakespeare:

- Nothing to report.

Leina Mathis:

- Nothing to report.

Jarett Waite:

- He had a CEC meeting this week. They have a reporter that mostly focuses on the cities and she is unhappy with how she has been treated in the community with not having media credentials. She tried to go to the inauguration of Governor Cox and got turned away. He said they had a really good discussion and redefined her role as a community reporter instead of a news reporter. She expressed that she has to hunt down stories and it is hard. He said he gave her Kristelle's name and everyone that does the newsletter for the City should be in contact with her because she really knows what is going on in all the different departments and might be able to feed her a story. She is going to call all of the cities once a month to see if there is something they would like covered. He said they are still considering rebranding the CEC. They think that can really help.

- He went to a Mosquito Abatement meeting. The Mosquito Abatement District is very efficient. Every year they have been able to put away about \$90,000 because they know they will need a bigger building in the future. They have been very prudent so they could have savings. The District is doing very well.

- Mayor Rosenberg said the Mosquito Abatement crews are getting trained on willow cutting and restoration right now so we may have another team we can use for that type of work. They have been good helping us as we go through the Flood Control Authority projects and giving us some input, so we don't build something that becomes an immediate mosquito breeding area. He said he appreciates their help and he asked Jarett to pass that along to them.

Denny Drake:

- Nothing to report.

Wendell Gubler:

- Nothing to report.

Mayor Rosenberg:

- The Mayors got their update from the Health Department and the hospital. There are dire conditions at the hospital. They had six deaths in a 24-hour period on Monday. It is causing stress on the nurses and doctors and there is not let up in sight. The Health Department gets 1,400 doses of the vaccine a week. They are over scheduled right now. He asked Chief Hancey if the fire department personnel got vaccinated.
- Chief Hancey said they are in the process of getting it done right now.
- Mayor Rosenberg said that Dr. Blodgett at the Health Department did indicate that if the City feels like there is other Staff that are considered first responders in addition to fire and police that we can sign up on a website. Vaccinations are going well in the schools. About 50% of the staff at the schools are okay getting vaccinated, 25% said no to the vaccinations and 25% can't decide. Classes are continuing with masks and they are vigilant with their masks. They have upped the attendance at sporting events to 4 fans with the participant. There have been 80 positive cases among the student body and that is dropping down. There are about 3 times that many in quarantine. They are seeing about a 3% positivity rate in the testing of the athletes before they can participate. They should have started the K-12 testing today. There are 20 cases of COVID among the study body at DSU. They are following the same protocol as last fall. They are limiting spectator sports but that will be ramping up.
- He said the decision was supposed to come out today on the Northern Corridor.
- Unemployment claims are lower than they were a year ago today, so they are doing pretty good with employment.
- He talked about the garbage along the highways getting bad. They have lost the ability to use the inmates to clean it up and UDOT has had cuts so there is limited assistance there as well. The County has decided to provide a truck and trailer and the Solid Waste District will provide the labor and they are going to use the Lend A Hand volunteer program to help out on some of the side streets. The County and the District will be working on the I-15 corridor but they have requested that if we have volunteer groups within the City they can maybe help out on some of the other corridors like Santa Clara Drive or Sunset Boulevard or other areas that may become an issue. If we do notice trash piling up, we could maybe set up a volunteer committee or go to some of the churches or the schools and see if we can seek some volunteers to help clean that up. He asked Council to keep their eyes open. They are looking for partnerships with communities to help keep the roadways clean. They do have that truck and trailer available so if we do have a cleanup day, they can provide that. He told Brad that as he is in the parks and out in the South Hills if we need some assistance that way, they will come to our aid in that.

Jack Taylor:

- He wanted to let the Council know that we did have our review of our engineers. There were nine of them that put in for our pooling. He asked Jerry Amundsen to sit in on our committee. He said they reviewed the engineers and they scored them. He showed Council how they scored them. They will now take the top five and call them and have their lead person come in and the person that is actually going to work with the City as they review plans for the engineering duties of the City. They will be interviewed and then we will decide on the City Engineer. It could be the same company as before but we are going to review all of them and interview them and we are also look at costs and who the person is they are going to send over to do plan reviews and to come to our TRC meetings and we want to know what that hourly cost is going to be.

- He said that when the waterline is started the road going up to the water tank will be closed during the week when they are digging. The road will be opened back up on the weekends.
- Mayor Rosenberg asked if the road will be completely blocked off where ATV's won't even have access.
- Jack Taylor said there are other ways that they can get around there, but they wouldn't be able to go up that road. We don't want them to think they can go up there and then start making their trails off and breaking down our turtle fence.
- Mayor Rosenberg said it probably wouldn't hurt to do some type of an announcement. He asked Kristelle to put it on the City's webpage and on social media about the closures and if we can have some information on the times when it is going to be closed so we can get this out to the public because that is such a high use area. We will probably need some enforcement leverage if we are going to make it work and keep them off the undisturbed area. He said we may want to contact Patrick about that area at the bottom of the hill that they use for parking now. That is probably going to become busier during the day because they are limited from going out past that area. Jack may want to contact Patrick and give him a heads up and make sure it is okay that we use it.
- Leina Mathis asked if there was any idea how long the construction will take.
- Jack Taylor said they will start from the Edge development out because we have to get away from the Reserve before the turtle habitat gets going again and the turtles start moving. Then they will put the turtle fence out going over to the tank. It just depends on where we get to. He said it could go into September.
- Mayor Rosenberg asked what their time for completion is.
- Jack Taylor said it is left open, but he thinks it goes into September or October. We did that for the purpose of making sure that our bids stay down. We didn't want to put too much pressure on them with the tortoise and things we have to deal with out there. He can get a schedule for the Council.
- Mayor Rosenberg said that would be helpful to get to Kristelle so we can put the length of the construction in that literature and then as we go through Jack can update it and let people know how things are going.

Chief Hancey:

- The fire department responded to a fire over at Memorial Park restrooms the other night. Some damage was done.
- Mayor Rosenberg asked when the cameras in the parks are going to be operational.
- Brock Jacobsen said that Brad Hays is working with Info West on getting Internet access that we need in those spots. Some of the cameras are going to start going where we already have access. Gubler Park has already been set up.
- Brad Hays said Swiss Memorial Park because of its location Info West is going to come out and do a site survey and we can't put the camera at the restrooms so we might end up putting it on the pavilion. We ordered cameras for Gubler Park, Canyon View Park, Little League Park and then we will add the splash pad and the maintenance building area where the pickle ball courts are later. He is working with Ryan Bowler right now to try and figure out where we can put the cameras and where we can get Internet. He said that they want to get the bandwidths worked out before we get any farther into the process.
- Mayor Rosenberg asked if the restrooms get locked at night.
- Brad Hays said we do not have the combination locks on those bathrooms yet. We have them at Canyon View and we have been having problems with them locking at night.

Only one out of the four-bathroom locks work like they are supposed to. He said a locksmith is scheduled to come out and do some training for our crews and see if it is a problem with the locks or people programming them. They are supposed to come out tomorrow. If we figure out the problem we are having with the locks, we will go ahead and add those two restrooms on there.

- Jarett Waite said he thinks it would be in our interest to get some cameras that run on batteries to spotlight some areas that we have trouble in. They are not that expensive, and it might be a good investment for the Parks Department.

- Brad Hays said he got an estimate for the damage to the restrooms today. He is working with Chris at Travelers Insurance with the damage at that bathroom and it is estimated to be \$6,855 through North Star to fix it.

- Leina Mathis asked if there is any way to track down who it was.

- Officer Briggs said they had a promising lead at Canyon View Park. There was some evidence and receipts. So far, they have had nothing pan out. They have a kid that they suspect of it but there is no way to tie any evidence to it. The parents are really cooperative but there isn't any evidence to prove that it is this kid. He said he knows there is a problem and the officers are being told to spend time at the parks. Recently Ivins City has been having problems at their parks also. St. George has had some big cases at their parks. It seems to be a growing trend with the parks and the damage. Sgt. Hallman is the night shift sergeant right now so him and his crew are doing the night patrols and they were the ones that responded on the fire in the bathroom down at Memorial Park. He said they are doing what they can, but the problem is, it is hit and miss and if they are doing it at night under the cover of darkness they can see and hear us coming.

- Mayor Rosenberg asked that Officer Briggs keep him and the Council in the loop on this. He said he appreciates the police's good work.

Officer Briggs:

- They have been down an officer for a while. Officer Shumway ended up leaving and her spot was finally filled, and a selection was made and a conditional offer for Jake Adams. Jack Adams has some prior history with Washington County. He was the undersheriff for a period of time. He really appreciates Chief Flowers and our department and the way we operate, and he wanted to come here. He has a lot of experience and he has a polygraph background. He will be a good pickup for our agency. He will start periodically around Jan. 25. Officer Jesse Hall has been called up and he is at Camp Williams on standby because they are looking at doing a deployment to Washington D.C. for the protests and the problems they are having back there. He is a member of the Triple Deuce. They will be down another officer because of that. He said they are trying to move some officers around to make sure we have some adequate coverage for the shifts.

- He said they got approval for the crossing guards to get COVID vaccines. That was a concern because they had so much contact with the kids, so they get a thumbs up to fall under the first responder list.

Brock Jacobsen:

- He asked about the date for the Budget Retreat. He said we usually meet around the end of February. It is usually on a Thursday. He suggested meeting Feb. 25 or Feb. 18.

- Council's consensus was Feb. 25, 2021 at 10:30 a.m. and there will be lunch at noon.

He said that at the meeting on Jan. 27 the budget calendar will be brought for approval.

- Masks were bought for Staff and for the Council with the City logo. They have also ordered youth sizes that will be delivered to the elementary schools and Lava Ridge.
- LTC was yesterday. He said that House Bill 82 concerning ADU's will make ADU's a permitted use and cities cannot establish any requirement or restrictions to that. It could also prohibit some HOA's from outlawing ADU's. They did some polling and it is overwhelming the opposition from the League on this. That is a big concern. He also talked about House Bill 98. It talks about building inspections. An applicant who pulled a building permit could opt out of having city inspections and they would be able to get their own licensed inspector to do inspections and they could also opt out of plan review with the city and the city would not be able to adopt any building design standards. They are pushing back on that one as well. He talked about House Bill 23 states that if someone wants to do a referendum that didn't meet the April 15 deadline there is a way they can still get on the ballot for November. They did discuss the cost of housing going up. They said the cities are driving the cost and delayed inspections are part of the problem.
- Corey Bundy said the Utah Chapter of Building Inspectors are aware of these bills coming in and so is the Building Officials Chapter of Utah and they have lobbyists that will speak their support of denial of these requests.
- Mayor Rosenberg talked about "What's Up Down South". He said it is all virtual. It starts tomorrow.

7. **Executive Session: None.**

8. **Adjournment:**

Motion to adjourn by Denny Drake.

Seconded by Wendell Gubler with all members present voting aye.

Meeting Adjourned at 6:30 p.m.

Chris Shelley – City Recorder

Date Approved: _____