

**SANTA CLARA CITY COUNCIL WORK MEETING  
WEDNESDAY, JANUARY 6, 2021  
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Work Meeting on Wednesday, January 6, 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 stream on the YouTube link:** <http://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, Wendell Gubler, Ben Shakespeare, Denny Drake and Leina Mathis (Via Zoom)  
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; Captain Rich Rogers, Police Department; Matt Ence, City Attorney; Kristelle Hill, Staff; Michael Lee; Ann Evans; Megan Webber; Alison Snyder; Dyle Bond

1. **Call to Order:** Mayor Rosenberg called the meeting to order at 5:02 p.m. and welcomed everyone. He introduced the Council and stated that Councilwoman Leina Mathis will participate in the meeting via Zoom.
2. **Working Agenda:**
  - A. **General Business:**
    3. One-Way Entrance at Gubler Park discussion.

- Jarett Waite said that we have had quite a few communications with some citizens over the last little bit about some issues we have had with the one-way entrance at Gubler Park. He said he asked to discuss this tonight to see if there are any other solutions that we can come up with to help that problem. He said there are plenty of people that come out the wrong way. That upsets some of the citizens. He said the Council has talked about everything from tire shredders to speed bumps to redesigning everything and making it two-way. He said his personal view is that he doesn't want to have to redesign the whole parking lot. It would be pretty expensive to restripe it. He would like to have some speed bumps put in at just the right spots such as near the

entrances and in the middle. He invited some of the citizens to come to this meeting so Council could have some input in this. This might help the Council in their discussion to get some input first.

- Ann Evans, 3772 Nicholas Drive, said she appreciates Jarett Waite bringing this up again. She said this situation has not improved since she visited with the Council last February. She said the extra signs have been very nice, but people just disregard them. She said that over Christmas it was one of the worst holiday seasons she has ever seen for wrong way drivers coming out. It was horrible. She said she knows we have a lot of transient people at Black Hawk and she knows how difficult it is to keep track of all the people that move out and move in. It is a constant turnover. She said she talked to people when we were able to go to church and explained to them not to keep coming out the wrong way but because we are not in that same situation now, we don't have that same interaction with the people. She said she has discussed a few things with Jarett Waite. She is in favor of whatever Council can do to make this problem so that it at least comes up to what the citizens thought it was going to be in 2016. She said she likes the idea of speed tables that go all the way across the parking lot. She is also in favor of the tire shredder. She knows what it's like to have a tire shredded. But if we really intend to stop people from going the wrong way, we have to act such as this that will make them stop otherwise, they will never stop. She said they have the speed tables at the Dixie Center, and they work pretty well. She said she is desperate. It has been over 3 years and she is afraid that someone is going to get hit and killed. There are a lot of little kids who play at the four-way corner and she sees people come tearing through there. That is her main concern. She hopes Council will look at this and consider their plight. This is a plight for our community.

- Michael Lee, 2312 Jacob Drive, said he lives down the street from the entrance. He thanked Council for everything they have done so far. He said that when this was initially proposed the community there asked for some things and the City wanted to do something else and he has always felt like both sides gave a little and there was a compromise. He said his greatest fear is that the Council is going to get frustrated and throw their hands up and turn it into two-way traffic. He said he wanted to voice as strongly as he can that if a compromise has to be that it remains as it is. He said he is the Safety Person for the Washington County School District and you can't make people comply. He stated that he knows that better than anyone. You can paint every curb and put up every sign but there is no way you can make people do something. He said the last thing he wants to see is his 7-year old daughter riding her bike and trip over a stake sticking out of the middle of the street. He feels that the Council is really trying to listen to the concerns. He doesn't know what more the City is expected to do. Law enforcement can't dedicate themselves to one intersection and realistically people are going to do what they are going to do. In terms of the best/worst case scenario this is better than a two-way street. He appreciates Council considering this again and talking it over.

- Alison Snyder, 2326 Jacob Drive, said that the people who misuse the one-way and the parking lot are people who are not vested in the community. They are people who are there to play a game of pickle ball, people who are from out of State for a baseball tournament, renters who live in the townhomes and are somewhat transient. They know they are doing something wrong. She said she lives on the intersection where you come out from that parking lot and there have been a couple of incidents since

March where her kids have almost been hit by cars that are leaving. They don't stop at that stop sign. People are going to take the easiest route out. The parking lot is wider than the road they are supposed to be using. She appreciates Council addressing this. She said if speed bumps are going to be put in, they are going to have to be put in across the whole parking lot.

- Captain Rich Rogers said as a police department in talking about safety the idea of tire shredders was brought up, but it is a park and kids ride their bikes there and he thinks a tire shredder would be a horrible idea to put there. Children will ride on that and hurt themselves. He said the reason that people hurry through that parking lot is because they don't want to get caught while they are driving down that way. He said an easy fix would be opening it up to a two-way area. He said that is the police department's thought to be the easy fix for it. He said in the end they will enforce whatever it is. But it is virtually impossible for our department the size that it is to have someone up there 24/7. He said they have officers up there at special times including ballgames. When that parking lot is full it is hard for a single vehicle to get out that way. Generally, the problems with safety more occur when there is nothing going on up there and you have the pickle ball courts. He said he has sat up there personally and the two people he caught going out of there, one lived right in the neighborhood and the other one lived across the street on Jacob Drive. Generally, the people they have noticed making the wrong ways live in that area. It is more convenient going out that way then going all the way around. That is the department's thoughts on that.

- Ben Shakespeare asked Officer Rogers about a speed bump or something like that. What is his opinion on that?

- Captain Rogers said they slow people down. There is no doubt about that. It depends on the design of them.

- Wendell Gubler asked about the apartments and condominiums that are there. Is there a lot of traffic from those going the wrong way?

- Captain Rogers said he doesn't know. His experience is that the people that are going the wrong way are people that live on the south side of the park. He said that he would imagine that most people going that way would live on that side of town. They will go through there and use the pickle ball courts and rather than going all the way around they will cut right back through. That is generally what the department has noticed.

- Wendell Gubler asked that if there was a speed bump just before the stop sign would that slow them down for the stop sign.

- Captain Rogers said yes. It would slow people down.

- Jack Taylor, Public Works Director, said they do work but you have to be careful. We had an incident where we put some asphalt down in the road and some kids rode over it on their bikes and wrecked and the City got sued. We would have to make sure we put them in the right place and make sure it works because if someone goes across it on their bike and wrecks, we could possibly get sued. We have to be careful what we do and make sure it's approved and go through the proper process. He would rather see the speed bump back in the park and not out on the road.

- Mayor Rosenberg agreed with Jack in locating speed bumps in the park and not out on the street. There are a couple areas inside the park we can locate a speed bump appropriately and if we did a tabletop one, they are a lot safer.

- Brad Hays, Parks & Trails Director, said that when we did the original design for the

park, we did have a speed table and a sidewalk between fields 2 and 3 and it would go across to the school. We didn't incorporate that in the final design. He said he is dead set against tire shredders because of the safety of small children. He said his thought is a speed table will slow people down, but it won't make them go the right way unless it is bad enough that it will deter people from wanting to go that way. Unless it is something that will deter people from wanting to drive in there period it won't be effective.

- Mayor Rosenberg said that Scott mentioned some sort of a gate or an arm that would only open going the right direction. It would only trigger going the correct way. We could look at the cost of what that would be. That may be something we could look at cost wise because that would definitely slow them down and would eliminate the wrong way drivers.

- Jack Taylor said that is a good idea. He said he worries about maintenance and about kids out there hanging on it and trying to get it to go on or off.

- Ben Shakespeare said we would replace that six times a year with people hitting it and bending it and brushing up against it. It would probably work but the ones he knows of get replaced a lot.

- Mayor Rosenberg said we could look at costs on that.

- Dyle Bond said that this is about the Jacob Drive street going into the park. He reminded Council that they collected 80 signatures from residents that wanted no entrance to the park. They wanted it blocked off. The City decided it would be a one-way street and the residents agreed to that. He said they felt that was a promise from the City Council to be a one-way street. The City has put the signs up and have done a reasonable amount of work on making it a one-way street. But it still isn't a one-way street. People are still coming out of there. He said he thinks the City has made it way too hard to fix this problem. He thinks the easy solution is having a tire shredder where the stop sign is on Tuscany. He thinks that would solve all the problems. There would be room for bikes to go on the side and people to walk on the side. That is the simple solution. He talked about putting in speed bumps or tabletops and he thinks they would help.

- Mayor Rosenberg told Mr. Bond that the Council has already talked about tire shredders and there is some opinion from public safety that it is not a good idea to mix it with a park because there is some additional danger for kids relative to that. It was discussed as well as tabletops before Mr. Bond arrived.

- Dyle Bond said the only tire shredder in the area that he knows of is in Snow Canyon State Park and he talked to the leaders of the park and they have had it there for about 20 years. He asked the leaders if there have been any problems with the tire shredder and they said no. He asked if they have had any problems with cars and they said two or three. He said if the Council really wants to see how that works, they should go up to Snow Canyon Park and drive through the park campground and look at the tire shredder and see how it works.

- Mayor Rosenberg told Council that they can direct Staff to look at something more detailed and bring this item back. Is there some direction Council wants to give Staff that way?

- Jarett Waite said he would love to see what Staff thinks about how we would do the speed bumps and tabletops and how effective it would be and the different spots to put them. It wouldn't be a big expense to the City and should help with the speeding and

making it less convenient. He said he called and spoke with Michael's wife today and her main point was that she is definitely in favor of leaving it the one-way and adding speed bumps or speed tables.

- Ben Shakespeare said as far as the design we have stop signs on both sides in and out. We have arrows and the signage is up. People are going to do this. If you look at the design and the way it is striped. The City has done a very good job and people know they are going the wrong way. He is 100% against tire shredders. He said the difference between this, and Snow Canyon State Park is you have homes and residents and kids through this park daily. They play night games out there. It is a huge liability. He said speed bumps are a possibility and it would make it inconvenient coming back. He said he has no problem with redesigning it. He knows people don't want two-way and we have tried to accommodate that, but he just doesn't know what else to do. He is not opposed to a speed bump. We could look at every street in the City if we wanted to look at people violating the law and see people violating the law. It is not just solely to this.

- Denny Drake asked if the times are significant with tournaments or are we talking about daily. He doesn't understand when the problem exists.

- Ann Evans said it is all the time.

- Denny Drake said so it is not just when we are having outside people, but we are talking about the people that live in Santa Clara doing the same thing.

- Ann Evans said that at Christmas it was a lot of out of town people. She could tell by the license plates. It was all day and during the night. In the ballgame situation they are parked so it is difficult for people to come out although they just back into the parking spaces and then they just pull out and come out the wrong way. She said when she suggested the tire shredder down at the bottom end, she does that knowing that anyone in the upper park is going to be above that tire shredder. It would mostly affect the people from Tuscany, Black Hawk and the pickle ball courts because that is where 75% of the people come from on a normal day. She said the ones that live here know to go out the other way and a lot of people have learned that, and they respect our neighborhood. She stated she doesn't see the officers patrolling and she honestly thinks if they were patrolling more and wrote more tickets people would know. She said she rarely sees an officer in her neighborhood let alone in the park. She said as far as the two-way in that parking lot when there is a ballgame and its over kids are running out to the cars and you can't have a two-way parking lot with these kids running out to get in the car. It would be too dangerous in that parking lot situation. She said the salient point is it is a parking lot. It is not supposed to be a through street. That is how the City designed it. That is in the minutes and the Council can read it themselves. She said she knows that Council doesn't like the tire shredder, but this would cut down that 75% at the north end.

- Denny Drake asked if it is the speed or just the fact that they are doing it.

- Ann Evans said it is both.

- Denny Drake said that if we put in the speed bumps and that should control some of the speed but until we educate to be obedient to the law how should we correct that.

- Ann Evans said this is why we are here. She said she thought that the Council had considered a plan B or plan C if this fails but after all this time, no. She is thankful the Mayor mentioned a gate. She said that one of the things they had back in 2016 was a crash gate that was in one of the plans. Another one was a hammerhead. There were

about 5 different plans that they came up with. This one-way was a thing they came up with. She said that when they first came up with the plan of the one-way her husband said that was a plan set to fail. But she had faith that the City would stand with them. She doesn't know what the City can do. Maybe they could talk to other people that do parking lots in major areas. This really needs to be fixed. It needs to be tended to because it is a dangerous situation and she said her neighborhood is at risk. She said they experience this every single day.

- Denny Drake said that we need to control the speed factor within the parking lot. That would be number one and probably the easiest way to do that without becoming a real hindrance to traffic period would be the tabletops. He said we have the signage and if we can get people to be obedient to the law which is done mostly by cities then we relook at alternatives such as a gate or a tire shredder but if we eliminate the speed people will not want to go over those and hit the bottom of their car to get out. If we can make that initially strong enough then we hope that will turn them the other way. Until people are obedient to the law you are going to have people doing it but hopefully, we can cut back on the numbers.

- Wendell Gubler said he is against having a tire shredder. He said he thinks it would be too much of a liability and he would hate to see a kid in a tire shredder on a bike in the nighttime. He said we ought to look at trying the speed bumps. He would like Jack to come up with how many we can put in and how we could limit the speed in the parking lot. He thinks it would be a good idea.

- Mayor Rosenberg instructed Jack to get with Brad and come up with a plan and some costs and we will talk about this at a future meeting.

- Leina Mathis said she is 100% opposed to a tire shredder. There are a lot of unaccompanied children who go to that park and so that is not a wise decision. The speed tables are a good idea to slow traffic, but they are not going to entirely stop the one-way issue, but she is open to looking at those.

1. Budget Amendment discussion. Presented by Brock Jacobsen, City Manager.

- Brock Jacobsen said he shared this with Council back in December. Council instructed him to bring back some of the things that were removed from the budget. When we were in the budget process the COVID pandemic hit. He said that in the Council's packet he put together a list of things that are in the budget and not only the project or equipment that were removed but also operating expenses where things were cut back as much as possible. He said we cut to try to make things fit with the uncertainty of where the economy would be during this current fiscal year. He said from the General Fund we cut approximately \$250,000 in operating expenses, \$212,000 in equipment and improvements for a total of about \$470,000. He said that from the Enterprise funds it totaled about \$368,000. He said those were the things we removed in trying to balance the budget. He talked about the items that he would like to add back in. (See attached.) He said the numbers he had in there before didn't include the street sweeper. We still need to get the cost of leasing that. He talked about adding a bucket truck for the Power department and a dump truck for the Water Department. He also talked about wage increases and implementing those now.

- Denny Drake asked where the money is coming for these increases.

- Brock Jacobsen said the revenues are well exceeding our anticipated revenues. He

said in the General Fund through 50% of the year our revenue is at 77% of the budget so we are 27% ahead of where we have projected. He said that minus the wage increases there are all one-time purchases and we have the funds there to be able to cover these expenses.

- Mayor Rosenberg said that most of these items were in the budget before when we went through our budget development last Spring. It was only when we were anticipating that revenues may drop because of COVID that we dialed everything back to be conservative and what we are seeing is we are not being impacted on our revenue side as much as we had anticipated. So, we want to put some of those items we took out back in. The need is there.

- Ben Shakespeare said that we have said that we would reevaluate later in the year.

- Brock Jacobsen said the only item that is really new is the bucket truck in the Power Department. That is the only item that wasn't in the budget at the time but it has come to Jack's attention with our new poles that we have our bucket truck isn't tall enough to reach so for us to do some of the maintenance that we need we need a taller boom.

- Jack Taylor said that with the bucket truck we can't reach the poles to do the work if we have an outage and even with the one we have now we have to drive right up to the pole to reach the top of it. It is really tight. He said they will try to get a used truck. They won't get a new truck. They will take the old truck and put it up for sale. When we have an emergency, we have to have it. He said in the next few years we will be building that line over toward Green Valley and we will have all those poles that we will have to maintain also and there are some pretty good valleys and hills that we will have to get into.

- Ben Shakespeare commended the Staff. That is a pretty big cut going into a budget year and we are very fortunate. He appreciates Brock and Staff for holding tight.

- Wendell Gubler said that Brock was wise in pulling back and making sure we had the money. That was good judgment.

- Mayor Rosenberg said he is glad we have the opportunity to put it back in. He is glad we are not talking about the next round of cuts.

- Brock Jacobsen said we definitely have been lucky. He said he wouldn't have anticipated where we are today when we were going through this when we made the cuts. Things look good for Santa Clara right now. We have a lot of good things happening in Santa Clara.

- Mayor Rosenberg thanked Brock and said let's bring it back.

## 2. Gated Community discussion. Brock Jacobsen, City Manager.

- Brock Jacobsen said we brought this at the first regular Council meeting in December or the Special Meeting in December following the Planning Commission. The Planning Commission had reviewed it and sent it on to City Council for approval on Gated Communities where our current ordinances don't allow gated communities. Matt Ence (City Attorney) and Devin Snow worked and put together rewriting that ordinance on Gated Communities and City Council discussed it and wanted to take a further look at it so that is why we brought it back tonight for additional discussion. We have a lot of questions on exactly how we were going to allow them. Would it be under a single ownership as the Regal Homes (Dade Rose) has discussed or more of a traditional gated community where homeownership and multiple owners would be

allowed in that gated community? Council wasn't sure how they wanted to do this, so it came back to Council for discussion. Matt Ence can help with the ordinance and discussion on that. It is back to Council for discussion on how they want direction for Staff or Matt to proceed on the ordinance and what they would like to see in it if they want to change it and allow gated communities or if Council would like to leave it as is and not proceed with an ordinance change.

- Mayor Rosenberg said he wasn't there when this discussion happened before. He said that looking at it he thinks the only way he would support it is for a single ownership product. He doesn't want it to create an impediment to the community such as Entrada that you have to have membership to get into the community. He felt it could work on a single ownership property. He said that Rick Lloyd is here from Regal Homes. He is the partner associated with Dade Rose. He is available to answer questions if anyone has questions or if we want to hear from him as part of this discussion.

- Matt Ence said he hasn't made any changes since the last time it was discussed by Council. There wasn't any specific direction that came out of that discussion but just a desire to look at it more.

- Dade Rose, Regal Homes, told Council he was there on Zoom and could answer any questions as well. He said this is an exciting new residential project of these rental communities that are coming across the nation. He said to not think of them more than they are. They are important and are going to be great and give the ability to people that are trying to transition to housing and provide for their needs when they don't have a down payment to put on a house. This is a great opportunity for them. This is very similar to an apartment. The owner will put up a gate so that not anyone can just drive in and park. This will be a single owner and they would be highly motivated and economically incentivized to maintain the property. They will be spending 10's of millions of dollars as they build the property and make the improvements and they keep the houses and the roads good. The roads are all private. They would have to take care of them and want to take care of them because if they don't, they won't get any renters. If they don't do a good job people would move out. They are creating this to be a luxury community. The incentives all line up. It makes good sense and the gates provide them with safety for the residents and it also prevents any sort of bad behavior that sometimes can happen, and it is positive from a parking perspective because their people are going to park inside of their community. There are so many positives that line up with this. He hopes Council will consider this and approve it. He hopes Council will advance this forward so that we can have a vote on it and approve it. He thanked Council for the consideration.

- Ben Shakespeare said he voiced some concerns and he has thought a lot about this. He said it is a new concept and we are trying to get our heads around it and trying to better understand. He said the more he looked into it and studied it the more he looked at what it is. He said his concern was it was a gated apartment, but it is much nicer than an apartment. They are single level and low profile, so his feelings have changed a little bit now that he understands it a little better and looked at what they really are. He is not opposed to gated communities. There is safety and security in gates. He understands it better and he trusts what the legal counsel has put in there. He thinks this fills a need in our neighborhood and in our community if done right.

- Leina Mathis said she is really concerned about private streets. She said we may be

setting ourselves up for unintended consequences. She doesn't like the idea of private streets. She was open to discussing gated communities with the single owner idea only because then it is restricted just to one person and potentially that would limit the number of these types of developments that we would see. She is still open to the idea but is opposed to any private street ideas.

- Jarett Waite said that in general he is against any gated communities. It is something we haven't had in the past. He can understand where the developer is coming from of creating a safety thing there. He hasn't seen enough data to know if this would really create safety to make a change to our law to allow that. He said that was probably put in our code because of the problems in St. George City of citizens asking why their roads weren't fixed and why are their sidewalks were cracked and there was no one to turn to so they had to go in and fix it. Having the one owner does solve that. He said it isn't just the roads it is the sidewalks, the utility lines, the gutters. There is quite a bit in there and he could see a citizen calling the City asking why things aren't fixed. He could see that being problematic long term. Things could change in 20 or so years with a change in ownership. He is not a big fan of private streets.

- Dade Rose said he doesn't want people to miss the good work product that the City Attorneys put forward. He said that some of the issues that Council is talking about with private roads and how are they maintained he already explained that they have a huge economic incentive to maintain them. The tenants would be there for 6, 12 or 18 months so if they don't maintain the project these tenants will leave, and they don't lose their deposit or hundreds of thousands of dollars. They just walk away. He said that Matt has already built into the proposed new ordinance in paragraph 2G the ability of the City to require the work to be done and if they don't do the work the City can do the work and lien the property and charge administrative fees and charge legal fees against them. Matt has done an excellent job of going the extra mile to make sure that disrepair is not going to happen. He said he struggles with this because the Council is talking about how they don't like private roads. He talked about how this is similar to private lanes at an apartment project, but they don't have the units vertically into the sky. They are laid out horizontally. He can't imagine the City not allowing a property owner to have a private driveway. In their cast their driveway is the width of a city street, so it is better than a driveway and they maintain it. He said in his experience that cities like that because the cost of maintenance is on the owner and not on anyone else. He said that hopefully this gives the Council the reassurance they are looking for.

- Denny Drake said there are three things. First of all, the fact that we have police and fire protection that need to be in there immediately on an emergency situation and the gated community doesn't always have that accessibility. If someone were to die in a situation like that, he would feel that we as a community have failed them. The other thing is, as Mr. Rose talked about, the resolution of those problems even if we lien the property there is no resolution unless the property is sold, and the money is given to the City to protect the lien. If the property is sold then we have an issue with banks, ownership and what we are doing is creating a potential problem. He said he is failing to see the big picture right now so he would probably be opposed to a gated community even with a single owner because of the issues he mentioned.

- Wendell Gubler said he has done a lot of thinking about this. He said that in his lifetime Santa Clara has changed drastically. He is not sure this is the type of thing for Santa Clara. We already have a lot of vacation rentals. We already have apartment

complexes or condominium complexes much more than he ever envisioned. This is a new concept. He said that none of the places that Mr. Rose said these are being built in are small towns like Santa Clara. He is not sure this is something that he is interested in. More rentals.

- Mayor Rosenberg said that is probably the next application to come in but tonight we are talking about the gates and the ability to use gates and not necessarily a project that would involve the gates.

- Wendell Gubler said as far as the gates go, he sees some problems with the gates. The same problems that were mentioned by Jarett and Denny. He said he knows there is an opportunity to get the money but if we don't have an owner there to get the money from, we are not going to get the money. He would like to hear Jack's opinion on the roads.

- Ben Shakespeare asked that if he had a break inside his property and for whatever reason he refuses to fix it is the City obligated to fix it.

- Jack Taylor said no.

- Ben Shakespeare said if a tenant calls in demanding the City respond the City doesn't have to respond on that. It is a private property. It would be the same as a single resident. The language in paragraph F and G covers those items.

- Jack Taylor asked the developer about the waterlines. He said the waterlines would be put into their streets to the City standards and there would be individual meters that would go to each unit which would be metered by the City. Is that correct?

- Dade Rose said Jack is correct in that they would put in all the utilities and the waterlines, but they will have a master meter and they would pay the water bill. The single owner would pay it and they are solely responsible for it. The water bill will go to the owner.

- Jack Taylor wanted to clarify that there would be one meter at the gate as it goes into the development and the owner would pay that water bill.

- Dade Rose said that is correct and the same thing would be with power and with everything along those lines. They would be responsible for putting it in and they would take care of it. He said there are many smaller cities throughout the country that have this same type of community and it works very well.

- Jack Taylor said he looked on the Internet at one of those sites and saw how it was run and what it looked like and he was impressed. He thinks it would really benefit some of the people in this area. He is not really concerned about the roads if they build them to standards that the City has. He said to him we are still getting the benefit of people here but yet we are not paying to maintain the roads inside the development. He doesn't think it is much different then what we approved with the Sullivan development behind Harmon's. They have all those roads that go back into those condominiums and they are going to maintain them. They are private.

- Dade Rose said that other municipalities have felt this very same way. They say that this is the best of all worlds because we have a good product coming in here with a luxury rental community and it provides a niche for our people where maybe they don't want to live in an apartment building. They want a little privacy and are in their own single-family home. It works very well. This is not an overnight rental community. They will have a few units that will be able to do that for when one of the renters need a place for visitors to stay. The homes aren't huge. They are one bedroom and two-bedroom homes. So, they can rent one of the other houses for family

to come and visit. That is a very small number. These are intended to be long-term rentals. He said they envision people staying for well over 12 months or even years. That is one of the benefits. You don't have the turnover that you have in other apartment projects or transient rental projects.

- Jack Taylor said he imagines even though we have one meter that would meter the whole facility there would still probably be a meter fee for each unit and we would have to have a power meter on each one of the units and gas. There would be a charge for each individual unit for the water, not necessarily for the meter. He doesn't have any issues with the roads. He said there was a concern about the fire department and being able to go in and get around and being able to turn around and come back out safely and he thinks that will all come later in the approval of the development if it goes through that it will have to meet those standards or it won't be approved. He has no issues with the road or the utilities in the interior.

Matt Ence said the Sullivan project was mentioned with the condominiums and the approval that was given there. One thing that makes this unique and cuts in its favor is on a project like that we have to rely on some kind of a homeowners or condominium owners association to maintain the common areas. Here you will always have an owner who does have a vested interest in operating the property for income and profit that you don't have where you have a homeowner's association responsible. He said that doesn't solve all the issues that have been talked about, but it does cut in favor of this of a single owner being responsible.

- Jack Taylor said he agrees.

- Ben Shakespeare asked if we need to put something in there specific that the roads need to meet the City standard. It spells out everything really well as far as responsibilities. Do we need any language like that? If this was to move forward that the infrastructure within the community would meet the City standards. Is that just normal?

- Jack Taylor said he is more concerned about the quality of the water system and making sure that is built to our standards and making sure there is enough road base and asphalt and have our inspectors inspect it and make sure it is going in to the standard it should be. As far as the road work he is not sure it has to be exactly to City standards as long as emergency vehicles and things like that can enter and exit and do things they need to do.

- Mayor Rosenberg said he thinks we are getting way ahead of the ordinance and what is on the agenda tonight. All of these issues mentioned get discussed with the PD zone and we can condition within the PD zone to address the quality of the streets and the materials that go into it, the design standards, and the types of things and how the water is going to be used. The question is the gate. The gate to a single owner property. If I have a single-owner property can I put a gate on it? This is a gate to go into a community. He thinks the ordinance Matt has put together addresses the issues that he is concerned about a gated community pretty well. There are still some bugs that have to be worked out when it comes to dealing with a project plan like this.

There are some things that are going to have to be dealt with as part of their project approval and Council will get to see them and get answers to them as it goes through the entitlement process as part of the zoning change to PD. The question tonight is really that gate. Do we allow those gates, or do we basically keep it open to all single owner properties to where they can't put a gate in. This is an important issue to these

developers because they want to put a project forth and without the gate it changes that project design significantly to what has been presented to us.

- Denny Drake said that dealing with experience on gated areas one of the issues is emergency vehicles having access through the gates. He would probably leave the ordinance alone and stay without having gated within Santa Clara.

- Chief Randy Hancey, Fire Chief, said that Matt has written something in this proposal to address that. As far as fire getting access in and out of there it has to meet the fire code and they would have proprietary override key that would be a requirement for the department to get in there in and out 24/7 whenever the department wants.

- Denny Drake said that as long as the fire department had proprietary access it would be like an easement.

- Mayor Rosenberg said some systems have an actual key that will open it.

- Chief Hancey said it would only be issued for the fire department and emergency employees.

- Mayor Rosenberg said he has seen developments that have alternative access such as trash gates and it is not for ingress and egress it is just for those people to get in and out. He said that would work for a public works response as well. Matt has this written in Section 2E that addresses that. How that applies to a particular development is dealt with individually. It is project by project and they are all going to be a little bit different. He said from the projects that are starting to come in that is part of the change. A lot of people want to feel that additional safety living behind a gate. He said his biggest problem with gates is the segregation that it causes within a community. He said he thinks it creates some social division within a community. It tends to break up a community. It is a social aspect not a physical impediment. There is always a way for public safety to get in there.

- Dade Rose said they would have a secondary access and other access ways for public safety. He said for the social issue he asks Council to think of it in terms of an apartment building. They are not open to the public in that way.

- Mayor Rosenberg said he is probably okay with it in this application, but the Council are the ones that get to vote.

- Corey Bundy, Building Official, said we do have existing gated communities that are grandfathered in if this would move forward. He doesn't know if that needs to be in the ordinance to say that.

- Mayor Rosenberg said those projects were all done before gates was eliminated. Those projects go back a long time in Santa Clara. He said he doesn't know if we have ever had a problem in any of those as far as emergency access.

- Chief Hancey said he has gone to those gated communities and gotten those Knox keys for proprietary access, so fire has access whenever we need to. It has been taken care of.

- Mayor Rosenberg asked Captain Rogers if there have been any problems for the police. He also asked Jack that as far as utilities has there been any request from the HOA or an owner inside to come in and repair a street or utility.

- Captain Rogers said no.

- Brock Jacobsen said there have been some owners in Villa Bonita calling about people with access to the river.

- Jarett Waite asked Jack what would happen inside this development because this is different from an apartment building and we need to make that very clear because an

apartment building would have a big waterline going in and a big electrical line but this is going to be a lot of power lines and waterlines so what would happen if there is a major water leak and is impacting the entire City and we are waiting on an owner to go and fix it. Or what if some electrical thing goes on in there and it is shutting down a part of the grid and we don't have any jurisdiction over it.

- Jack Taylor said we would be no different than the gas company. If we have a power outage, then we would have to be allowed to go in there and maintain our power system and our transformers. If we have a meter that goes bad on one of their units we would go in and replace that unit and it wouldn't be any different than what we do in one of our residential communities. We would have to go in and fix it. He doesn't see any difference. If they put the water meter at the front of their facility the water system would be theirs. We wouldn't maintain it from the gate in unless we have an agreement and they put it in to City standards and the City will charge them for water breaks or things like that. If they can't get it fixed, we would shut it off at the meter and then they would get it fixed and then we would turn it back on when they are ready.

- Dade Rose mentioned that in Paragraph F and G that is covered. He said they wouldn't have any problems in granting the utility company easements to do this and if the City wants that right they already have it under Paragraphs F and G. If the City wanted to spell that out in the development agreement, they would have no problem with that.

- Mayor Rosenberg said the way he has seen these done in the past on the utility service is it is basically designed with the same redundancy that the regular City system is. There'll be loops and internal valves and we'll be able to isolate portions of this project. There'll probably be a dual water system in there and one will be a the fire lines that aren't needed and the separate system on the back of the main water meter will be separate from the fire line meter so that will be the culinary providing service for the culinary and the irrigation inside there on a separate one that is owned and maintained by the owner.

- Jack Taylor said that when they build the water lines, they need to make sure they are built to the City standards. That way they are not going to have a lot of problems and if they have to call on the City to come in and fix it he would recommend they have a maintenance agreement with the City to go in and fix a water break or maintain their water system for them so that their valves get exercised every year. If you don't exercise your water valves pretty soon it is stuck and eventually you have to replace that valve.

- Dade Rose said he sees no problem with that. It makes good sense. They would have no problem with that.

- Leina Mathis asked if the land use obligation follows the land so that if the property is ever transferred the new owner has to abide by the same obligations.

- Matt Ence said yes, the development agreement is recorded and is on record at the County so that anyone that acquires the land would be subject to it.

- Ben Shakespeare said that even approving this when it comes back the Planning Commission and City Council have full discretion in approving or disapproving a plan. It states this in #3. Everything is covered there.

- Mayor Rosenberg said that these are the minimum standards and additional conditions that can be implemented as part of the project.

- Ben Shakespeare said that what is driving these changes is this specific project and so there are questions in that and obviously there will be more questions but the way this is written it is very well done. It solves a lot of the questions we will have.
- Matt Ence said this idea of having a lien on the property he would probably make one small change but an important change in paragraph G and that is he would add some language there to make it clear that the lien that the property would be subject to would actually have the priority of the recorded development agreement so if later we had to enforce that that lien would be prior to any other incumbent. He said he could strengthen that a bit.
- Jarett Waite said we have talked about other gates in the City, but our prohibition is only for planned development. If you are a R-1-10 you can put a gate up on your property. Is that correct?
- Matt Ence said that is correct. That is where it is located in the ordinances.
- Mayor Rosenberg said the other gates were all PD zones. He said a person can't do an R-1-10 subdivision with a gate. It creates a private street and private streets aren't allowed by the ordinance. He thanked Dade and Rick for their input.
- Ben Shakespeare asked to be excused from the remainder of the meeting.

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

#### Captain Rich Rogers

- He said they had over 5,000 calls for the year. He said they appreciate the support they receive from the community. He talked about all the bikers and hikers in the South Hills and there are people up there shooting. That is a major safety concern.

#### Fire Chief Randy Hancey

- They now have the ability to do rapid testing for COVID. They got a State lab license to do testing for first responders. They are starting to get the vaccines for the first responders. He said they have had the most calls they have ever had. Last month they did 85 medical calls and 29 fire calls. Of the 85 medical calls they had 47 of those transported. They have been busy.

#### Brad Hays

- There is going to be a Girls Fast Pitch tournament this month scheduled for Jan. 14-18. It is 4 days long. These will be at Gubler Park. There is also a tournament Jan. 22-24. On Jan. 30 we have the Sun Marathon. It starts at Gubler Park and goes out Rachel Drive into Ivins and then up into Gunlock.

- Jarett Waite said he heard that the doors aren't working on the Glockenspiel again.

- Brad Hays said the door on the front doesn't want close when it gets cold. It is a motor issue. He ordered a new barrel with a motor in it and it is supposed to be a lot better than the motor that was installed in those doors. He said they contacted Mehr Doors, which did the installation of the doors. They are going to come out and fix it. They are hoping to have it up and working really soon.

- Jarett Waite asked what is going on at the Swiss Memorial Park. How is the progress going with the grass?

- Brad Hays said they have new sod in, and it has been watering routinely and he has checked the rooting on it, and it is rooting and looking very well. He has a couple of

details to work on the walking path in the back that the contractor needs to complete but essentially it is completed except for that.

- Jarett Waite said he saw Sherrelle at the Chamber of Commerce lunch and she approached him about being a little more involved in the community and getting to know the businesses. He said he got an email from Dawn at the Chamber asking who might want to be on an email list and Sherrelle wasn't included in that so do we want to include her in that?

- Mayor Rosenberg said to put her on the list if she is interested. It would be helpful for her to be involved with that. He said it would be nice to have someone from the Economic Development on that chamber email list. He told Brock to follow up with Ditzie.

#### Jack Taylor

- He said they have been doing normal maintenance on the public works side. The crews are doing crack sealing. There have been a couple of water breaks that have been repaired. We have a lot of commercial stuff going in. We have had a lot of power installed in a lot of these developments and we are trying to get all these commercial sites going. We are working on some right of ways with Ryan Anderson to stop the issues we have behind his property to try and get the water to go in a storm drainpipe. It looks like all the owners of the properties are willing to sign the easements. Tuesday there is a pre-bid meeting on the waterline project in the South Hills. There were 12 contractors there. He said they have been working very hard to try and get the right of way from the BLM to make sure we can get this waterline in that comes down from the water tank and over to the Edge development and down to Gates Lane. They got the comment period over and there were no comments. There has been no response back from the BLM so he finally asked the Mayor to see if he could get a response and he got a response and they have signed it and we should have the right of way by the end of the week. He is still working on a right of way from Kyle Hafen on the Kent Frei piece. He said when we got the engineer estimates for the line, he was surprised at how high it is. We have to have a booster pump to pump the water from the water tank up to the park area. The price of that is \$220,000. There won't be a lot of water at the park but there is planned to be restrooms and a drinking fountain and a pavilion and maybe a little bit of grass. There could be more in the future. Do we really want to pay that much money for a booster to push that flow up to that park? He said that in our Master Plan we actually have another water tank that could possibly go above the South Hills. We pretty much drain that tank in the summer months. At the City yard we are going to have to eventually put another booster pump in to pump the water up. It is in the plan. All the piping and building would actually work for the future and we could just enlarge the pump to be able to push that water up to the next water tank. He said he believes the pump will come in less than \$200,000 to do all that. He said we actually have \$158,000 in our impact fee study. That was approved in our impact fee study. He thinks we should move forward with it for future growth.

- Mayor Rosenberg said if you put it in this one you don't have to do the mid-pump station at the City yard in the future.

- Jack Taylor said we will still have to put another one in. He said they have put it out to bid but we have to get a certain area in the reserve, and we have to get that in before the tortoises start to move. If not, we will have to push the project back and wait until September.

- Mayor Rosenberg said this will give us a redundant line from Clary Hills and Gates up to

near the tank. That is important because if we lost that main line going up through the Hills for the tank then we would lose the tank. Having a second line up there is really important going into the summer season. It is a good project.

- Jack Taylor said this will be coming back to Council to award the bid to the contractor on Jan. 13. He asked Council if they are fine with the pump house and what has been designed here, they will leave it in the project.

- Mayor Rosenberg said he would leave it just as Jack has it.

#### Corey Bundy

- He said that we are at 58 new homes. We have 1 home in planning review. There were 13 permits from Dec. 1 to Dec. 13. There are currently 253 active building permits. We did 272 building permits and storm water inspections in December. There is quite a bit of commercial subdivision developments going on. He gave Council a list of what has been inspected. The Planning Commission is going to look at a retail center. There is a public hearing on Jan. 14 and then also O'Riley Auto Parts for their project plan. They are keeping up on building maintenance. They installed 8 hand dryers as part of the CARES Act for sanitation purposes.

#### Brock Jacobsen

- He attended the groundbreaking yesterday at the County. It is going to be a nice-looking Administration building.

- Jarett Waite asked about the camera install here at Town Hall.

- Brock Jacobsen said the security cameras are installed. There is one on the exterior they had trouble getting to, so they are going to have to come back and install it. We have bids to install the cameras in the parks. It is more expensive than we anticipated so we are going to prioritize what we need done. We are going to work with Info West on that.

- Jarett Waite asked about the CARES fund.

- Brock Jacobsen said it was not all spent. We tried to get everything done. The last project that we have for that is the cameras in the parks. What we have left we are just going to use for the wages and benefits for public safety.

#### Mayor Rosenberg

- He said he emailed the Council about the response that he got from Dan Frei today regarding Vineyard. It is some of the results of the citizen committee. They are unanimous on recommending the reconstruction of Vineyard Drive including curb and gutter and sidewalk. They have absolutely no interest in a trail or plant strip. They want to prioritize starting on the east end down the hill from Bruce and Sherry Anderson's house. They feel like that is the most dangerous. There was no consensus on the recommended method of assessment, frontage area or ERU. He said to be honest most seem to be in favor of whatever was least expensive for them personally. He said the City will need to make that decision based on what they feel is the fairest to all involved. He said it will be helpful for the committee to be willing to contact all the property owners on Vineyard. He said he is going to ask Dan Frei if he would at least try to contact them and then get that information back to the Council. There is some progress on the residents' side on Vineyard.

- He said he sent an email to Council about the emails from Bella Sol residents. When that subdivision was originally improved it wasn't just two access points it had three counting

the one that extends to the east that was a Master Planned collector road that extended all the way over to Red Mountain. The revisions that were presented for the Solace development maintained three access points and eliminated the Master Plan collector road so it should reduce the traffic in the subdivision significantly from what is approved today. That Master Planned road has been moved to the south and doesn't affect Bella Sol now. He talked about a four-way stop at the intersection. We can do warrant studies on any intersection in town. That is required for a four-way stop or a signal. He said what he would probably recommend is a traffic impact study at Rachel and the new Master Planned east/west collector. If we decide to put a signal at that point the four-way stop probably wouldn't need warrants up to the north. He said he doesn't think the traffic coming out of Bella Sol is going to warrant a four-way right now, but he would wait until we get a new study done because the signal is the better location. This is just north of the school. It is a good place for a signal because it is a three-sided intersection. Let's get that study done before we put a lot of expense into considering the one up there. The Council can use this information in their response to residents. He said the traffic through Bella Sol should come down significantly.

- He said that down at the Heritage Square at the Church building for the Church of Jesus Christ of Latter-day Saints they have put in a new red cinderblock wall that goes all the way around the parking lot. It cuts across the City property. He said we shut them down when they started it based on some drainage concerns but after he and Jack walked through the site, the drainage concerns they had at Heritage Square, they found the wall is not the drainage issue. The location of the basement entry is at the low spot of the lot, so the lot floods the home. Jack is going to have his crew go over and look at it and we are going to come up with a plan to improve the drainage protection for that building and we are going to move the access gate over closer to the Church where the opening is now. He said he has explained it to Sherry over the phone and he is waiting for her to get ahold of him and they are going to walk it and he'll have Brad and Jack go with them. The agreement with the Church for the parking lot is that the Church can cut off the City's use of that parking lot with just a 30-day notice. There is nothing to protect the long-term use of the Church property for parking. The City's need to be able to use that, is higher now than it ever has been because we built the new Swiss Memorial Park without any parking so the ability to protect that integrity of that Church parking lot and that agreement that we have with the Church to be able to use that is a little more important than building the fence across the City line. The use of the Church parking lot doesn't change and hasn't changed since before. The access to Heritage Square is going to move and it is going to be better and will protect Heritage Square from flooding by keeping that drainage on the Church side behind the wall and it also protects the residents on Victor Street. Now we have to go back and retrofit some of the sidewalks in Heritage Square which Jack has agreed to let his crews help us out with and also do a little wing wall around that stairwell. We have to do that part of it. This came about during the Christmas break. He said he decided that after looking at the agreement he thinks it is the right decision because the Church has been really good to the City. They are going to give the City the orchard and the building and the \$28,000. We can use that money to move the building or build a pavilion or whatever we want to do down there. The terms are pretty simple.

- Matt Ence said the terms are pretty simple. Basically, the Church is going to donate the property. There are some conditions as far as the use that it can be used for. They want to honor the original intent of the family that gave it to them so the City will have to agree to

those conditions. They are basically releasing the funds or releasing the City from any obligation to pay those additional funds and giving the property over.

- Mayor Rosenberg said we have to put it in perpetual open space. He said he didn't see any issue with any of those concerns.

- Matt Ence said there are going to be some things we are going to have to talk about how to manage it going forward because he doesn't know that the Church is going to provide the manpower that they have in the past. Maybe they will want to.

- Mayor Rosenberg said he is hoping that the service missionaries and the opportunity it provides that maybe they will help us with that. We may need to look at creating a foundation, a historic farm foundation, that can raise some money and putting a committee together and possibly have some of the senior City Councilmen man and chair that committee. There are some things that have to happen, but this is a win/win for the City.

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

Meeting Adjourned at 7:24 p.m.

\_\_\_\_\_  
Chris Shelley – City Recorder

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