

**SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, APRIL 14, 2021
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, April 14, 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: Dustin Mouritsen, Public Works Director; Corey Bundy, Building Official; Brad Hayes, Parks & Trails Director; Gary Hall, Power Director; Randy Hancey, Fire Chief; Matt Ence, City Attorney; Bob Flowers, Police Chief; Kristelle Hill, Admin. Assistant; Megan Webber; Allen Hall, Rosenberg and Associates.

1. **Call to Order:** Mayor Rosenberg called the meeting to order at 5:00 p.m. He introduced the City Council.

2. **Opening Ceremony:**

- Pledge of Allegiance: Ben Shakespeare
- Opening Comments: Ben Shakespeare

- Mayor Rosenberg asked Brock Jacobsen, City Manager, to explain the updated Zoom option for the Live City Council meetings.
- Brock Jacobsen said that there have been some updates for our system with Zoom. Kristelle (Hill) has been working on this improving some video quality online for the live stream and with that upgrade there will be closed captioning. He asked those speaking to speak directly into their mikes and to try and not speak over people so the closed captioning can work.

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

4. **Conflicts and Disclosures:**

- Mayor Rosenberg stated that the preliminary plat (Item 5C2) for Solace Subdivision was prepared by Rosenberg Associates.

5. Working Agenda:

A. Public Hearing(s): None.

B. Consent Agenda:

1. Approval of Claims and Minutes:

- Mar. 24, 2021 Regular City Council Meeting Minutes
- Mar. 24, 2021 Executive Session Minutes
- Apr. 7, 2021 City Council Work Meeting Minutes
- Claims through April 14, 2021

2. Calendar of Events

- April 21-23, 2021 League of Cities & Towns
- April 28, 2021 Regular City Council Meeting
- May 5, 2021 City Council Work Meeting

3. Set Public Hearing to receive public input regarding the Proposed Tentative Budget for FY 2021-2022.

- Brock Jacobsen stated that the Public Hearing for Item 3 is set for April 28, 2021 at 5:00 p.m.

Motion to Approve the Consent Agenda.

Motion by Denny Drake, seconded by Wendell Gubler.

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

Voting Nay: None.

Motion Carried.

C. General Business:

1. Consider approval of Interlocal Cooperation Agreement with Washington County for Medical Surge and Event Equipment distribution and joint response & operations. Presented by Randy Hancey, Fire Chief.

- Chief Hancey said this agreement is for medical equipment to be distributed to Santa Clara/Ivins Fire & Rescue upon signed agreement. Medical equipment has been purchased by the County with "Cares Act" funds to be dispersed among participating agencies to combat the effects of COVID-19. This equipment is also available for use in medical surge and standby events. Santa Clara will receive an Ambulance with gurney, which should arrive in May, or June, auto pulse device, heart monitor-AED, and disposable medical supplies. In the event this equipment is requested for a medical surge or event, Santa Clara/Ivins Fire & Rescue would send the equipment and personnel, as available, for use in such an event. The personnel would only come if it wouldn't deplete our resources in our City and if we were able to provide the medical personnel to go along with that equipment. This equipment would be utilized in day-to-day operations as

agreed upon. This does not cost anything out of pocket to the City to purchase this equipment. It has already been purchased, most of it, through the County with these COVID funds. It would just be for our participation in this agreement upon approval.

- Mayor Rosenberg asked about Item 7 on page 3, "This agreement shall be jointly administered by the Hurricane Valley Fire SSD Chief or his designee and the Washington County Emergency Operations Manager or his designee".
- Chief Hancey said this was put together by Chief Tom Coleman who has a Special Service District (SSD) in the Hurricane area, so he is the one who spearheaded this and brought it before the County Commission, so he is the administrator of the program. He has purchased a lot of the equipment. It will be dispersed through his agency or entity and when we get the serial numbers of that equipment that will be categorized and dispersed.
- Mayor Rosenberg asked if that would show up on the City's asset sheet or Hurricane Valley's.
- Brock Jacobsen said it should show up on our asset sheet. They purchased it but they are giving it to Santa Clara City or the other municipalities that they purchased for. We are just giving the agreement that in the case of these emergencies we will send it to that emergency.
- Chief Hancey said we are free to use it in our day-to-day operations such as the ambulance, power gurney, all the equipment. We just need to replenish it and have it available to use in the event that the County calls for the use of that equipment.
- Ben Shakespeare asked if there is an ongoing cost to it.
- Chief Hancey said it is a 5-year agreement and along with that agreement there is warranty with the vehicle that the ambulance along with the electronic heart monitor-AED that we will get. The service agreement is purchased along with that. Really the only cost is if we use some disposable supplies, we just need to replace those.
- Ben Shakespeare asked Matt Ence, City Attorney, if he has looked at this agreement.
- Matt Ence said yes.
- Leina Mathis asked about Item 8 of the agreement. It says that with the withdrawal termination that the equipment goes back to the County. So, after that five-year period or the five-year optional extensions for a year does that mean after the five or ten years that we are going to have to surrender that back?
- Chief Hancey said the way he understands it is only if we terminate the agreement. As long as we are entered into the agreement or renew it, it is ours to keep and to use.
- Jarett Waite asked what will happen after the agreement ends.
- Chief Hancey said he believes it states a year-by-year agreement can be renewed.
- Jarett Waite asked what will happen after the ten years.
- Chief Hancey said he will look into that and see.
- Mayor Rosenberg asked what would happen after the ten years. Would we keep it? He said in six or seven years from now we will be spending money on maintenance and then at the end of it are they going to just come and pick it up?
- Chief Hancey said he thinks we can release it back to the County if we don't want to keep it.
- Matt Ence said that as it is currently written it does say that the equipment will be surrendered back when the agreement ends whether it is cancelled or terminated.
- Mayor Rosenberg said it is kind of like a no-payment lease. We turn it back in at the end of the agreement and use it as long as it is in effect. If it gets to be a maintenance drain, we can call them to come get it.

Motion to Approve Interlocal Cooperation Agreement with Washington County for Medical Surge and Event Equipment distribution and joint response & operations.

Motion by Jarett Waite, seconded by Leina Mathis.

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

Voting Nay: None.

Motion Carried.

2. Consider approval of a Preliminary Plat for Solace Subdivision, a single-family subdivision in a R-1-10/RA Zone on 44.49 acres generally located along North Town Road and east of Bella Sol Subdivision. Presented by Bob Nicholson, City Planner.

- Corey Bundy, Building Official, said the zoning on this is R-1-10/RA. The General Plan designation for this project is Mixed Use Residential and Open Space for the Tuacahn Wash. It is on 44.49 acres for the R-1-10/RA Single Family Subdivision area. The applicant is Shawn Sullivan, and the project engineer is Allen Hall with Rosenberg Associates. This proposal is for 128 single-family lots with a density of approximately 3.0 lots an acre. The request is approval of a preliminary plat for Solace Subdivision with 128 single-family lots in 3-5 phases. The Tuacahn Wash runs through the property and provides open space and also provides a paved trail along the west side of the wash. Lots are proposed along both sides of the wash. The soils report prepared by AGC states the property is suitable for residential development. City Staff has requested that secondary water irrigation lines be installed within the subdivision to allow for secondary irrigation water to be used for landscaped areas. Traffic access will come from multiple streets including North Town Road from Rachel Drive, proposed Affirmation Drive (60' Right of Way) which will be an east-west street connecting Rachel Drive and Red Mountain Drive, which borders the subdivision on the east side. All interior streets will be public streets meeting the city's public street design standards. Right of Way has been reserved for the future extension of Red Mountain Drive and Hamblin parkway as shown on the preliminary plat. Staff has requested that the developer improve (i.e., pavement, with curb, gutter, and sidewalk) on approximately half the width of Red Mountain Drive along the subdivision's frontage. A Traffic Impact Study (TIS) has been completed by Avenue Consultants, a local traffic-engineering firm (Jerry Amundsen, et al). It determined that a traffic signal at the intersection of Affirmation Drive and Rachel Drive is not required as part of the proposed subdivision. The Tuacahn Wash tributaries were consolidated some years ago into the main wash channel which runs somewhat to the east of the former braided wash. Erosion protection rock rip-rap has been placed along the wash under a previous grading permit. Mr. Jared Bates, P.E. with Rosenberg Associates previously provided both a letter and map explaining the consolidation of the Wash over the past decade. The applicant proposes to preserve and enhance the Tuacahn Wash 100 year floodplain by constructing a trail on the west side of the wash. FEMA's 100-year flood plain boundary is an objective standard for preserving river and wash areas, and the applicant plans to keep the 100 year flood plain area as permanent open space. No development is proposed within the 100 year floodplain of the Tuacahn Wash. The road crossing of the wash will use a triple barrel box culvert as proposed in the City's Transportation Master Plan. The lots range in size from 7,680 sq ft to 18,405 sq ft. The proposed density for this single-family lot area is 3.0 lots / acre, with the 2.0 acre floodway area excluded. Solid block walls (6' high) are proposed around the perimeter

of the project where double-frontage lots are proposed. The privacy wall will be placed along Rachel Drive, Red Mountain Drive, Hamblin Parkway, and Affirmation Drive. A 10' wide landscape strip will be installed along the street side of the privacy walls as per City code. An HOA will be established to maintain the common area landscape strips. Also, standard city street lighting will be installed per City code throughout the subdivision. He stated that Staff recommends approval of the proposed preliminary plat noting that certain issues need to be resolved prior to submitting the final plat. Planning Commission recommends approval of the preliminary plat as presented.

- Denny Drake asked about where it dumps out onto Rachel, how far is that from the school? He said with that being the only outlet for that subdivision until we get Red Mountain developed if those developers along Red Mountain would be interested in partnering and finishing Red Mountain, then we would have a second outlet for all those homes.

- Mayor Rosenberg said we talked to Patrick Manning and the Black Desert group which basically owns all the property down to the wash and they are planning on as part of the golf course construction building Red Mountain up across the wash and leaves one piece between Solace and the turn into the golf course maintenance building. He said he thinks they would partner with them. As we did the traffic study the one study addressed three potential developments including the Silverado development along the south side. When all the projects happen, we will probably get the signal at Red Mountain. He said there is a commitment in the development agreement. We are still waiting for that to come back to Council.

- Denny Drake said we have 165 townhomes being built right there across from the school that is going to dump onto Rachel Drive and we run 40 acres of home back onto Rachel at the same spot and it looks like we've got a real problem at 8:00 a.m. and 4:00 p.m.

- Mayor Rosenberg said one thing we are also doing with this project. There is a deceleration lane planned on Rachel Drive turning into it. We tried to open that intersection up anticipating that it is going to be a busy intersection so we made some improvements to the street connection to facilitate it and the last remaining median at the north end of Rachel will be removed so that can be restriped and have that additional movement in there to help with that as well.

- Allen Hall, Rosenberg Associates, said in the short term the irrigation line is going up through there so we would have a gravel secondary access in the short term.

- Mayor Rosenberg said the City of St. George is getting final design right now to install the irrigation line that is going to serve the new golf course at Black Desert and part of that irrigation project rough grades the roadbed to put that line in. There would probably be a construction access that could be used during construction of the project. The City has public road right of way all the way through Red Mountain now. He said he talked to the developer about that, before he could do full build out on this, he would run into the same fire marshal limitation of 30 homes on the west side of the wash. When he gets 30 homes on the west side of the wash that automatically kicks in that second access. The right of way is there.

- Ben Shakespeare said that access could be the gravel road.

- Chief Hancey said that is right. It just has to be drivable, hard-packed surface that they can get fire apparatus and equipment up a secondary access to those homes.

- Denny Drake said but if we are going to eliminate some of the traffic on Rachel, you would want it passable for a town car.

- Mayor Rosenberg said we do have in the City's Transportation Capital Facilities Plan some funds budgeted for the crossings associated with Red Mountain. He said he thinks the signal and the crossing is in that plan. There is the ability to build that. And that is assuming Black Desert went away.
- Jarett Waite said he got contact information for Utopia and he is wondering who we want the City to reach out to and tell them about this as discussed at our last meeting where they might come down and put the fiber in.
- Mayor Rosenberg suggested getting with Gary Hall because it is going to go in the power trench and the City installs the power.
- Gary Hall, Power Director, said that the contractor does. The developer has their contractor do the trenches.
- Mayor Rosenberg said the City provides the materials. He said Gary should contact Utopia.
- Jarett Waite said he will send that email to Gary.

Motion to Approve a Preliminary Plat for Solace Subdivision, a single-family subdivision in a R-1-10/RA Zone on 44.49 acres generally located along North Town Road and east of Bella Sol Subdivision.

Motion by Leina Mathis, seconded by Denny Drake.

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

Voting Nay: None.

Motion Carried.

3. Consider approval of Bid for Slurry Seal Project. Presented by Dustin Mouritsen, Public Works Director.

- Dustin Mouritsen said we put a slurry seal project out to bid and received four bids for about 1.6 million sq ft of slurry. American Pavement came in cheaper than the other companies. He said he is asking Council's approval to award that to them. He also gave Council a list of the roads that are going to be done and they are already prepped with crack seal. American Pavement has come and slurried in our City many times and have always done a great job for us and honored their warranty.
- Denny Drake asked what their warranty is.
- Dustin Mouritsen said it is a year. They also take care of all notifications to the public. They take care of everything.
- Ben Shakespeare said that in the past they have been excellent.

Motion to Approve the Bid for Slurry Seal Project to American Pavement Preservation LLC for \$222,085.42.

Motion by Ben Shakespeare, seconded by Leina Mathis.

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

Voting Nay: None.

Motion Carried.

4. Consider approval of Interlocal Agreement with St. George City for the Iron Man Event. Presented by Brock Jacobsen, City Manager.

- Brock Jacobsen said this is an interlocal agreement. It is the interlocal agreement that

we have approved in the past. It is just bringing forth the new dates of the Iron Man races that will be here in the area that will be coming to our City depending on which race it is. This is just updating the dates and setting forth that for the local agreement. There are five races that are mentioned in Section 1: Ironman 70.3 World Championship – St. George (2021), Ironman American Championship – St. George (2022 and 2024), and Ironman 70.3 North American Championship (2021, 2023, and 2025).

- Mayor Rosenberg said the first North American Championship is 17 or 18 days from now. He said the County is excited about this. It is sold out. There are 2,700 athletes allotted. The top 100 are coming. Some of the elites will be here. They are still looking for some volunteers. There is a website for anyone who wants to volunteer for that. It will be a busy weekend.

Motion to Approve the Interlocal Agreement with St. George City for the Iron Man Event as presented.

Motion by Jarett Waite, seconded by Ben Shakespeare.

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

Voting Nay: None.

Motion Carried.

5. Consider approval of updated Building Official and Planning / Zoning / Economic Development Coordinator Job Descriptions. Presented by Brock Jacobsen, City Manager.

- Brock Jacobsen stated that Council has talked about this previously creating a new position and removing from the current building officials job description some of his duties in planning and zoning and allowing the building official to stay with handling the building inspections and planning and reviewing where the experience and education is. Currently we outsource our planning and zoning. We have a contract with that. We put that out for contract and do that on a contract basis. There was discussion with Council to create a position here within Staff. We also talked about economic development being added into that job description. We sent that back to Tech Net to work on the job description and the market analysis and they put together a job description that took the planning and zoning aspects out of the Building Official's job description and added a few things to that and when we sent back for the economic development they added in the economic development section as the economic development director coordinating the economic development for the City, working on creating relationships with businesses and with the Chamber, the County EDC and working with EDC Utah to make sure that we continue to develop the commercial we have in the City and creating relationships to bring businesses here. He asked for the Council's review and approval and asked if there are any changes that needed to be made. This allows the Building Official to focus on what they need to and also brings this in house to where we can have a little more control and direction as to where our planning and zoning goes as well as creating new economic development which we have not had.

- Jarett Waite said there is one typo on the Economic Development Section on Page 1, third paragraph, last line, where it says, "Santa Clara Area Chamber of Commerce". Isn't that supposed to be "St. George Area Chamber of Commerce"?

- Brock Jacobsen said yes, it is.

- Mayor Rosenberg said this is something he and Brock have been talking about for some

time wanting to make sure that we have some planning officials on board. We want to make sure we have someone with the City and someone who can start looking at economic development opportunities within the City working with some of our businesses and some of the Chamber activities and being the City's cheerleader.

- Ben Shakespeare said there are some opportunities out there. He talked about the South Hills and the shooting range.

- Mayor Rosenberg said there is really not a Staffer right now to look at all that stuff. This would give us a person to be able to do that.

- Corey Bundy said this would help with our ordinances. With all the legislative and all the changes their making the ordinance really needs some attention.

- Mayor Rosenberg said this person could possibly help with training of the Planning Commission too.

- Jarett Waite said the agenda item also mentions an updated Building Official job description. Are we going to see that as well?

- Brock Jacobsen said no. All that is changing in the Building Official job description is that planning and zoning section is just removed from their description. Once this is approved, we can bring that back to approve that one.

Motion to approve the updated Planning / Zoning / Economic Development Coordinator Job Descriptions as discussed.

Motion by Denny Drake, seconded by Jarett Waite.

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

Voting Nay: None.

Motion Carried.

6. Reports:

A. Mayor / Council Reports

Leina Mathis:

- Nothing to report.

Ben Shakespeare:

- He complimented and thanked the police. What they are doing makes a difference.

- The caution signs at the end of Bonelli are gone. His port-a-potty was tipped over.

They have the young men with a white Ford truck on camera tipping the port-of-potty over and ripping those signs out and putting them in the back of their truck. He will get the video to the Police. He is really glad we are getting the cameras at the parks in the City.

- He is getting questions from residents about Vineyard Rd. He told them the ordinance has been passed and it is there for them to take advantage of. Do we know where the residents are at on that?

- Mayor Rosenberg said the last conversation he had with Dan Frei who is the chairman of the Citizen Committee is that the majority is in favor of the curb and gutter and sidewalk and are in favor of some type of assessment district to where each property owner would pay the cost and as described in the ordinance, they are looking for some long-term financing to go along with that. We have money in the budget set aside for Vineyard to get the engineering going. Then we can proceed with discussions if we want

to create a special assessments district to do a phase of that. There may be an opportunity for some State funds that we could choose to spend some of that on Vineyard as well. We are working on a way to do some financing and get the engineering done and we will get back to the residents. He said he would like to see a first phase of that done before the end of the calendar year.

- Denny Drake asked if one of the concerns was how they were going to assess it.
- Mayor Rosenberg said they came back with the preferred method of frontage foot, going by the frontage. There will be an opportunity for public comment if it does go through an assessment district and that can be explored in more detail. It seems like a majority of the property owners are in favor of that.
- Ben Shakespeare said with traffic everywhere, that is going to become more of a route for people. This needs to get done and the sooner the better.
- Mayor Rosenberg said we are also looking at having some warrant studies done and safety studies done on Santa Clara Drive to look at some of the bottlenecks out there and possibly a signal on Chapel Street to create some gaps for side streets. Chief Flowers forwarded him those traffic numbers for Pioneer. He told the Chief he appreciated that.

Jarett Waite:

- Nothing to report.

Denny Drake:

- Nothing to report.

Wendell Gubler:

- Nothing to report.

Mayor Rosenberg:

- He attended the Utah Farm Bureau policy-surfacing meeting. They talked about agricultural preservation and how we can help farmers to help preserve agriculture. He said that in our General Plan we do have some language in there about preserving agriculture and the history of Santa Clara and the work we are doing with the Church of Jesus Christ of Latter-day Saints on the Chapel Street orchard falls right into that. There may be some additional things coming forward. This also concerns protecting the irrigation water to make sure we have what we need to accomplish what we do. Some more about this will be brought to Council in the future.
- The Flood Control Authority is working on updating the five-year plan.
- He met with Staff on Monday and went through City needs relative to the Flood Control Authority and the Santa Clara River and Sand Hollow Wash and Tuacahn Wash. They will get some information put together on that.

- Corey Bundy said we issued 19 townhomes today. They said they will be back next week for 24 more.

- Brock Jacobsen reminded the Council about League of Cities and Towns is next week.

7. Executive Session: None.

8. Adjournment:

Motion to adjourn by Ben Shakespeare.
Seconded by Leina Mathis with all members present voting aye.
Meeting Adjourned at 5:47 p.m.

Chris Shelley – City Recorder

Date Approved: _____