

**SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, JUNE 23, 2021
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, June 23, 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; Kristelle Hill, Admin. Assistant; Debbie Bannon, Financials; Kyle Hafen

1. **Call to Order:** Mayor Rosenberg called the meeting to order at 5:01 p.m. He thanked everyone for being at the meeting and introduced the City Council.

2. **Opening Ceremony:**

- Pledge of Allegiance: Leina Mathis
- Opening Comments: Leina Mathis

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

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

5. **Working Agenda:**

A. Public Hearing(s):

1. Public Hearing to receive public input regarding a Budget Amendment to the FY2020-2021 Operating and Capital Budgets.

- Brock Jacobsen, City Manager explained that this is the annual budget amendment that we do this time of year. He said we will be amending the General Fund and the Special Revenue Fund and also each of our Enterprise Funds. We will be amending the General Fund for \$928,000. Each one of our departments has a little bit different amendment based on the expenditures to make sure we are compliant with State Code and that our

expenditures don't exceed our budgeted expenditures. He talked about the revenue where we are going to be accounting for the increase in expenditures with our sales tax, highway tax, Rap tax and transient room tax being amended as well as building permit fees, our ambulance service charges and ball field tournament charges, fines, and forfeitures through our court. That totals \$928,000 so we will be amending the expenditures in that same amount. The Justice Court will be amending by \$10,000 in legal services. The Administration Department is amended in the amount of \$22,000 with subscription & memberships, the Solid Waste contract, legal services, and equipment. The Police Department with our contract with Ivins City is the amount of \$150,000. The Building Department in the amount of \$70,000 between legal services and professional services. The Fire Department for the amount of \$120,000 with overtime, repairs, and maintenance and for our Wild Land fire crew expenditures. The EMS for the amount of \$205,000 for operating supplies, equipment repairs and maintenance and professional services, which is our payment to Ivins. The Public Works Department for slurry seal and improvements, which amounts to \$60,000. The Parks Department for the amount of \$145,000 for operating supplies, improvements, and capital equipment. And then the Sports Field Department we have \$46,000 for repairs and maintenance, tournament expenses, building maintenance and capital equipment. All of these totals the \$928,000, which will bring the current year's budget to \$7,010,037. We are also amending our Special Revenue Fund for the CARES Act, which was \$680,425 to account for that revenue and expenditures. We are spending all of that, so we are amending the account for that. Next, he talked about the Enterprise Fund. The current budget was \$2.6 million, and we are amending this to account for depreciation. This is about a \$600,000 budget amendment. Starting with the Water Fund, it is being amended to account for some wages, costs on the Snow Canyon line, increase in water line expenses and water meters and depreciation. Next is the Sewer Fund for \$165,000 for equipment, payments to St. George City for the treatment and depreciation. The Power Budget includes the refunding/issuance of new debt. It also includes new subdivision expenses and power purchase. He talked about the new subdivision supplies and expenditures matches in the revenue to the service and materials. That is the line item that accounts for the revenue that the contractors are paying. We are amending our power purchase. We are amending that at \$650,000 and we are currently \$400,000 over budget but the cost of power has gone up, so we are amending the account for that, and our power ownership costs with UAMPS and the depreciation. The total amendment is instead of \$7,389,000 we are going to have \$11,063,830. He said with Storm Water we are amending about \$120,000 mainly for professional services, some improvements and depreciation. This is the budget amendment for this year, FY2020-2021.

- Jarett Waite asked about the charges for services for \$160,000 for ambulance services. Is that related to our new billing method? How did that occur?

- Brock Jacobsen said that part of it is charges we are collecting but previously also in our accounting we were paying out of that account to Ivins when we got those charges. Now we are paying it out of the expenditure account.

5:13 p.m. Public Hearing Opened.

No Public Comment.

5:13 p.m. Public Hearing Closed.

C. General Business:

1. Consider approval of a Budget Amendment for FY 2020-2021 and approve Ordinance 2021-08. Presented by Brock Jacobsen, City Manager.

Motion to Approve a Budget Amendment for FY 2020-2021 and approve Ordinance 2021-08 as presented.

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.

A. Public Hearing(s):

2. Public Hearing to receive public input regarding a water rate increase.

- Dustin Mouritsen, Public Works Director, explained that this is a water rate increase of .10 cents per 1,000 gallons mainly to cover the costs that have been imposed from Washington County Water Conservancy District for the same amount. This money will be used to cover that cost and also aged infrastructure, waterline repairs and possibly new employees. We are keeping the base rate the same, \$32, and the tiered system starting at .70 cents per 1,000 and on up.

- Mayor Rosenberg said this was a pass through from the Water Conservancy District.

5:16 p.m. Public Hearing Opened.

No Public Comment.

5:16 p.m. Public Hearing Closed.

C. General Business:

3. Consider approval of a water rate increase and approve Resolution 2021-09R. Presented by Dustin Mouritsen, Public Works Director.

- Brock Jacobsen said that in the motion we need to add the effective date, which is July 1, 2021.

Motion to Approve a water rate increase and approve Resolution 2021-09R with the effective date of July 1, 2021.

Motion by Ben Shakespeare, seconded by Jarett Waite.

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

Voting Nay: None.

Motion Carried.

B. Consent Agenda:

1. Approval of Claims and Minutes:
 - June 9, 2021, Regular City Council Meeting Minutes
 - Claims through June 9, 2021

2. Calendar of Events
 - July 4, 2021, Holiday
 - July 5, 2021, Offices Closed for 4th of July
 - July 7, 2021, City Council Work Meeting
 - July 14, 2021, Regular City Council Meeting
 - July 28, 2021, Regular City Council Meeting

Motion to Approve the Consent Agenda.

Motion by Leina Mathis, seconded by Ben Shakespeare.

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

Voting Nay: None.

Motion Carried.

C. General Business:

2. Approve Resolution 2021-08R appointing Election Judges and their alternates. Presented by Chris Shelley, City Recorder.
 - Chris Shelley said that when we have elections every year, we appoint election judges, and we have to do it through City Council. We have as our Poll Manager: Lesa Sandberg, who has done this previously for us, and Poll Workers: Kristen Dalton, Amber Hughes, Michael Key and Scott Beasley with Dori Beaumont as Alternate. She said that she gets a list from the County of poll workers that have volunteered before, and these names were taken from that list. She is asking for the Council to approve these names tonight so that it will be done correctly and then the poll workers will be set for the General Election. We are not having a Primary Election.
 - Mayor Rosenberg said the resolution spells out their compensation for the work: \$300 for the poll manager and \$225 each for the poll workers.

Motion to Approve Resolution 2021-08R appointing Election Judges and their alternates as presented.

Motion by Jarett Waite, seconded by Leina Mathis.

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

Voting Nay: None.

Motion Carried.

4. Consider approving an amendment to the Parks & Trails Impact Fee Facilities Plan and Impact Fee Analysis. Presented by Brad Hays, Parks & Trails Director/Marv Wilson, Sunrise Engineering.

- Brad Hays said that this amendment is for the Parks & Trails Impact Fee. He said what we are doing with this impact fee amendment is adding Tobler Family Farm Park located

at 1375 Chapel Street. When we did the impact fee analysis, we met with Sunrise Engineering to try and determine what amenities we might need. We plan to take out the house on the corner and realign the road. We plan on having a semi-decorative block wall fence with wrought iron on top. There will be a small parking area along the river to get the parking off of the street. We will also have a building with some features. We are thinking of adding a couple of restrooms and maybe a classroom or an open area with a kitchen so they can process vegetables and also conduct some classes and then some storage areas for the tools that are required for the garden. He said he did some calculations, and the improvements add \$269 per house impact fee, and it brings our impact fee ERU to \$4,526. He said currently what we charge per house per ERU is \$2,906. He said he recommends at some future point that Council looks at what we are charging for our impact fees based on increases in construction materials and construction labor. We are by far the lowest parks impact fee currently. He said he will be bringing this back to Council. He said this allows us to build things at Tobler Park and do the improvements. The improvements will be impact fee eligible.

- Mayor Rosenberg asked Brad if the costs he has in there includes the curb and gutter on Chapel Street across the frontage.

- Brad Hays said he did not include that. He thought that would be a road expense.

- Mayor Rosenberg said there will be some additional costs if we want to bring that road up to standard curb, gutter, and sidewalk. Right now, there is nothing but the pavement. This will be coming back to Council when the time comes and the Hafen home is vacated so there would be some roadway expenses relative to the transportation. We could wait and probably wouldn't do the improvements until that time anyway. It would be nice to have the sidewalk and curb in there before we do the wall. We may have to set the wall back a little bit to allow some space.

- Brad Hays said there is about a 6 ft elevation there and then it gradually goes down. He said the fence he drew on the map is pretty much the property line.

- Mayor Rosenberg said to facilitate the street improvement we would probably have to move the fence back to allow for the slope. He asked Council if they want to include the street improvements in the available impact fees or just the park improvements.

- Ben Shakespeare said he doesn't think it hurts us to include it. He said this is a good location for a central location public restroom there.

- Leina Mathis asked that if we include it in the impact fee analysis and we don't include it in Streets then are we restricted to using it out of this analysis.

- Mayor Rosenberg said yes if we are going to try and pay for the cost out of impact fees it needs to be in one or the other and he doesn't know if it would qualify for Streets so it would either be put in the Parks Impact Fee analysis as part of the project or pay for it out of the General Fund later. Chapel Street isn't on the CFP. He asked the Council if they were okay to include it on there. It will raise that up a little bit, but we are not going to implement it now anyway. We could probably make a motion to approve it conditioned upon including the cost of the Chapel Street frontage improvements and inside the project. He said he would do everything associated with the frontage of the park including the slope treatment and the Bonelli trail improvement. He asked Council if they were okay with that, and Council all agreed.

- Brad Hays asked if he should bring this back after the changes are made.

- Mayor Rosenberg said he thinks if everyone understands it and we are not implementing the dollars it is okay. When Brad comes back and implements the dollars, he should make sure he has it updated and just modify the impact fee analysis for now, so

it includes it.

Motion to Approve an amendment to the Parks & Trails Impact Fee Facilities Plan and Impact Fee Analysis as presented, and it will include the uncompleted street, sidewalk, curb and gutter improvements for Chapel Street and Bonelli Trail associated with the park.

Motion by Ben Shakespeare, seconded by Leina Mathis.

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

Voting Nay: None.

Motion Carried.

5. Consider approving the BMX Track Footprint. Presented by Brad Hays, Parks & Trails Director.

- Brad Hays said the BMX track operator, Brooke Seely, has approached the City Staff asking to fence in an area down below the substation just east of it, approximately 150 ft by 40 ft. The reason they want to fence it in is because during BMX events they use Canyon View Park and the ball fields to put up their pavilions and they have to take everything home at night so they would like an area for sponsors to be able to lock up their stuff at night. Also, if they want to do a national event, they need that space for the sponsors from BMX USA to come in and put their trailer to operate out of. He said he talked to Matt Ence, and he said that whatever City Council approves as a footprint for the BMX track so if we approve this drawing (the drawing he presented to Council) as the footprint then that would be what the lease applies to. He said what he is doing is coming back and defining an area for the lease. We don't need to modify the lease. He said he discussed the utilities with Gary Hall and Dustin Mouritsen. They would like to do a little excavation in the uphill side and bring some of that down and level that out a little bit. We may need to have a soil engineer to come out and look at it. There is a drain that goes through there.

- Mayor Rosenberg asked if this is the portion of the slope that had stability issues before.

- Brad Hays said no. It is gravel now. He said he asked that if they did fence that that they put a gate in and have utility access. Right now, we would just be approving the area that the BMX could use and not the excavation or anything like that.

- Jarett Waite asked how this would play into the paving of that area. Will it affect anything that we have already approved?

- Brad Hays said that is not a part of the engineering that we are doing. Dustin has talked with Brooke, and we have offered to do a strip of pavement down there.

- Denny Drake asked if this agreement in front of Council has already been adopted.

- Brad Hays said yes, it is approved.

- Brock Jacobsen said we are just adding this picture to it, this addendum, that outlines the actual footprint.

- Brad Hays said the BMX lease was approved before they opened for business. We are just trying to contain it or figure out where it goes so it doesn't expand outside the lease area.

- Mayor Rosenberg said the AGECE did a geotechnical for the BMX track. He said Brad may want to look at that and talk to Wayne about that soil before any cutting is allowed on that slope. Are they going to gravel it or anything for their use?

- Brad Hays said they want to pave it or at least part of it. We agreed to do the asphalt down to the gate. They will pave it inside the fence.

- Gary Hall said that when he and Brad went and looked at the substation, we wanted access to the two power poles just above the substation.
- Brad Hays said they aren't included in the fenced area.
- Ben Shakespeare said basically Council is approving the footprint but any fencing and all that will take place between BMX and Staff.
- Brad Hays said that is correct.
- Wendell Gubler asked where the finances would come to pay for this. Will there be more finances contributed by the people that are leasing?
- Brad Hays said they will do the improvements except for the asphalt that we talked about. They are responsible for the fence and moving the double gates and any improvements. Brooke says she has people lined up to do the work. We don't have anything budgeted for this. The lease won't change. Whatever the Council agrees to what the footprint is, is what the lease covers.
- Jarett Waite said it is a useless spot of land anyway.
- Brad Hays said we don't have any plans for it other than access.

Motion to approve the BMX Track Footprint as presented.

Motion by Jarett Waite, seconded by Ben Shakespeare.

- Jarett Waite asked if we need to include in the motion that the line might be slightly different because of the power pole.
- Brad Hays said he can redo the alignment to take out that pole.

Amended Motion to approve the BMX Track Footprint as presented and contingent on the line being changed so the power pole is not included in the boundary of the BMX track.

Motion by Jarett Waite, seconded by Ben Shakespeare.

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

Voting Nay: None.

Motion Carried.

6. Concept Plan discussion for his parcel located on the corner of Santa Clara Drive and Gates Lane, extending along Bonelli Trail from Gates Lane to Quail Street. Applicant, Kyle Hafen. Presented by Brock Jacobsen, City Manager.

- Kyle Hafen said he appreciates the chance to be on the agenda tonight. He said this would have been better suited to be on the working agenda on July 7, but he has a scheduling conflict with Little League All Stars. He said this is a different concept and a new idea and he wanted input from Council. He said this piece of property seems to be a piece that everyone has differing opinions on what should be there and what works best, residents, Council members and himself. He said they are trying to eliminate some additional and unnecessary costs on something that is not going to work. He said he wants to discuss in detail some of the problems this parcel has. This is a piece that is close to the river. There is some riprap that has been reinforced on the north side south of the project but there is some additional riprap and work that needs to take place. He has spoken with some engineers and gathered some rough estimates. To get the road from Gates Lane connecting over to Quail Street and then to Bonelli Trail, to get the improvements, curb and gutter and sidewalk on both sides and the plant strip, the trail that will be on the south side, the earthwork, the import of fill to elevate out of any

potential flood issues or concerns it is around \$1 million. That creates a need for them to be able to put together a project that they want to be profitable. They don't want to lose money. They still feel that an assisted living facility would be a wonderful piece. That type of density, of a use, made sense. He said he has laid out a subdivision excluding the north corner, which he says most everyone agrees needs to be some sort of commercial piece. He said there is about 9 acres in the entirety of the property, and he said they came up with about 17 lots and those lots range from 10,000-18,000 sq ft. He said it doesn't pencil. They can't develop that and build that and have it make any sense on a development standpoint because of the cost associated with improving the site. He said this concept (he is presenting tonight) is a concept they believe pencils. He said it works. It takes the front north corner, an acre, that is part of the historic district, which would be a commercial use with the attaching of dwellings. The front corner would be commercial main level and the backside would be 8 townhomes. That would fall under the mixed-use guidelines. The remaining acreage would equate to about 8 acres and would have 30 units in townhomes and 2 residential rehabilitation centers which are basically standard residential dwellings as well. That puts the density at roughly 4 units per acre. He said they are anxious to do something with this parcel. They have been working for this for almost two years now. He said they wanted input from Council, Staff, Parks and Public Works to see what their thoughts are. They have presented this concept to TRC, and they made a couple of changes based on their recommendations. He asked if this were more in line with what Council thinks would work. This would still require a zone change so it is preliminary but something they wanted to put down on paper and present to Council.

- Mayor Rosenberg asked if the 17 lots included some commercial.

- Kyle Hafen said they took the acre out because it doesn't make any sense to build a home on Santa Clara Drive or on the corner of Gates Lane so taking that element out leaves 8 acres so he drew the 17 lots on there, plus the 1 acre commercial and they would want to include 8 dwelling units townhomes attached to that commercial aspect.

- Denny Drake asked how many beds would be in the 10,000 sq ft dwellings.

- Kyle Hafen said those are residential units that would fall under the residential rehabilitation guidelines so there would be 4 additional beds in there. The lot size is 10,000 sq ft not the dwellings. There would be two separate buildings with 4 in each.

- Ben Shakespeare said this goes back to his original concern. There is detail missing and he feels that the residential needs to transition in that east parcel. He agrees that the corner is a great use. At some point it needs to transition back to the residential zone. Now this is pushing right back to the hay field.

- Kyle Hafen said those units are drawn to specs. Clearly there is a ton of space. He said those could be moved and the entire east side of the project could be just one of the residential rehab units. They don't care where the density is. They want it to look nice, be a good project and be aesthetically pleasing. If moving those units away from that parcel that is closest to Quail Street, it creates a more natural buffer then they are not opposed to something like that.

- Ben Shakespeare said it needs to transition to R-1-10 residential or some type of thing that fluids back into the valley there and allows for other landowners to do the same.

- Wendell Gubler asked if Quail Street would extend down to this project or will it cut off.

- Kyle Hafen said they don't need Quail Street to extend down. He said the city has talked about this at some point, but they are not relying on that.

- Jarett Waite said the one thing that pops out for him is the one section that is the little

pocket behind the residential. There has always been a building in that area, and he said it would be better to move that building away from someone's backyard to avoid that conflict with the neighbors. He could possibly leave more open space behind it or move that building into the other open space. It has always felt like they have designed a building to be tucked right up next to those houses that we might be able to avoid some of that conflict with residents if it is not right next to them.

- Mayor Rosenberg suggested taking that parcel that is north of the parking area and even make it a flag lot off of Santa Clara Drive. That would help buffer and if he would put a residential lot in there it would probably meet the zone and then possibly move some of the townhome development down into the heart where there is some additional space.

- Kyle Hafen said he appreciates the comments, and they want it to feel open. He said they would consider these moves.

- Ben Shakespeare asked if these townhomes would be for sale or for rent. He said that most people proposing townhomes are going to look at the density bonus and try to get 12 units per acre under the density bonus by design.

- Kyle Hafen said they are not doing that.

- Ben Shakespeare said the whole section, that corner that takes you all the way through there on the lower elevation is something different than standard $\frac{1}{2}$ or $\frac{1}{4}$ acre residential lots. He said that is where the line stands and then it transitions into the valley. He said we need to understand that in that corner the options are limited. It comes down to a certain type of residential neighborhood or an assisted living which would be his first choice because he knows this option exists. It is a corner. It doesn't work to go put $\frac{1}{2}$ acre residential \$500,000 lots on. It is a different piece just for the location and what is going to be going through there.

- Kyle Hafen said to make it pencil they needed to find something that has a little bit more density. He said they feel the density is different in a townhome then it is in an assisted living facility. They don't count the same. They are not asking for the bonus density or something that is unreasonable for the density that is there. They are looking at 4 units per acre, which is pretty standard. But they can't do 4 units per acre as a residential subdivision. That doesn't work. He said they went through the process of trying to make these residential lots within the current zoning that is there.

- Ben Shakespeare said Kyle has that east side of the property, the part that is elevated, and that is in a round-about that is the transition zone. He suggested moving that townhome section into a smaller parcel but utilize part of that density bonus to offset the difference. He would like to see something there. In his opinion what needs to be there is some type of residential lots and then let that lower elevation be what it is from there.

- Kyle Hafen said the way that it is currently zone right now as much as they would love to build a residential facility there it doesn't work for them, so they are trying to gather some input and some ideas and comments and feedback. If that is not going to pencil is the city going to help them do something so that they don't just leave it. They want to develop it. They have owned it for over five years. They want to do something with that parcel. They can't make it work with the current zoning. They need some help from the city. What is the limit here? He said what they are proposing is of high value. There is a demand for them. What do they need to do so they can get to a place where they can develop this parcel? The way it is now they can't make it work.

- Ben Shakespeare asked what the Council's feeling is about the rehabilitation units on either side of the development.

- Kyle Hafen said they are defined as residential homes. The use falls under a residential

home. They operate much differently than a townhome. This concept helps make it work or they go into higher density. Higher density down in this area is not something that people want.

- Denny Drake asked if we as a Council are to be held hostage when a developer takes a risk in purchasing property and trying to rezone if the zoning isn't there, do we make an adjustment so he can accomplish that, or do we hold the zoning that is existing as what is to be done. He said that has been his issue the whole time. This is a low-density zone. The homes are there. He said that down the road those owners' sons and daughters may split it up and make it smaller, but do we protect a zoning within the city at the expense of the developer or do we protect the homeowner. He said his feeling is that Kyle would come in with a plan that would accomplish him being able to return some money on his investment but at the same time protect the homeowners that are there.

- Kyle Hafen said his comments are on point but he would add to them as a developer they go to purchase property they don't just look at the current zoning, but they look at the General Plan and what other options are allowed within that parcel and mixed use residential is one of these. That does not mean it cannot be changed. That is what zone changes are for. They have presented plans that fall within the mixed use residential that have not been met. He said he believes the Council needs to be workable with the developers, with property owners and look at the options and decide which options they like best and they think the residents will like best. Sometimes it is not about what the residents want. Sometimes we think we all know what is best for us. He said he thinks he knows what is best for this city. Everyone has an opinion. There are rights as owners of properties, and they want to be mindful and respectful of the citizens. They have invested a lot of time with citizens concerning this property. They have tried to get input. They have purchased the property with the idea that this is how it is zoned now but these are the overlaying zones and what they are presenting falls within those.

- Denny Drake said they have made some strides to accomplish that to bring it into more compliance with the plan that was there. He thinks there is still some detail to this that would need to be further explained.

- Kyle Hafen said this conversation would be better served at a work meeting and not an actual City Council meeting. He appreciates the open discussion. He said this is conceptual. He said they are asking if they are heading the right direction. Are they getting closer?

- Mayor Rosenberg asked Leina Mathis to explain what very low density on the General Plan designation allows densities up to. Is it less than 4 or is it 2?

- Leina Mathis said she thinks it is 2.

- Mayor Rosenberg said then it is a little under ½ acre lots. He said he is just thinking the existing General Plan, a project that can be approved without a General Plan amendment. They could do the 1-acre commercial mixed use on the corner and expand it down. There is not a buffer in between that and the very low density so the General Plan right now has the mixed use adjacent to very low density. Everything to the east would have to be ½ acre minimums. What does that look like unit-wise and how many lots would they end up with in the low-density lots and what is the density they could get by with in the mixed use?

- Kyle Hafen said if they went that route, they would take the 3 acres, go for the bonus density, get the 12 units per acre, and then buffer the rest at ½ acre lots. He said that is not where he would want to live. They want to present a good project. He said they understand the current zoning has some variables they have to get through. They are

trying to look at this collectively as a project and do what works. The density seems to be an issue here. He said the number of units they are talking about equates to about 40.

- Mayor Rosenberg said the 40 units seems to be about their break even financially. Can they get 40 units under the existing General Plan designation? That has never been presented.
- Kyle Hafen said that is why this meeting can be helpful.
- Mayor Rosenberg explained how they can do this. If they can live within the density allowed under the current General Plan, they don't have to do a General Plan amendment. They would just have to do a zone change and the zone change is limited to that corner piece. The rest of it doesn't require a zone change and they can go right to preliminary plat on that. The zone change would require their full PD submittal, elevations, site analysis, site plan and all of that stuff but it complies with the General Plan. They would be submitting for a portion of the total and everything they would be doing would be in compliance with the General Plan. They haven't ever taken that approach.
- Kyle Hafen said they haven't. He talked about transitional space. They need a sellable product.
- Mayor Rosenberg said the difference is here that they comply with the General Plan that corner is going to develop, and everyone realizes that and the people that buy those lots are going to know what is on the corner when they buy them. They wouldn't have impacted any of those adjacent properties that are existing homes. They are all getting exactly what the General Plan shows. Their impact is a lot less.
- Denny Drake said he believes the neighbors would even consider less than ½ acre lots.
- Mayor Rosenberg said that would require a General Plan amendment. There probably should be a little buffer between that mixed use and ½ acre lots. He would like to see a plan where he has ½ acre developments down there over to that existing General Plan boundary and what he can do with that boundary. If the quality of that design is there and is demonstrated in his documents, with detailed site and elevation drawings on that corner of the product he is going to build that is what he thinks could sell the zone change. He hasn't gone to the level of detail that everyone is looking for. He said he is telling him what is going to be required of him to get his zone change.
- Kyle Hafen said if they spend the money and design the buildings and then get shot down for a zone change, they could be \$100,000 into this and have nothing to show for it. He said he understand the more detail the more likely it is to be approved but the outline that is within the City code speaks specifically to the concept of not having to be so detailed so that it is not a burden or expense for the developer to present to the Council for approval.
- Jarett Waite said we are all wrestling with attainable housing and how that can fit anywhere in the city. He said in the past there has been so much backlash to put townhomes in the downtown but maybe the sentiment has changed slightly because where are our kids going to live in Santa Clara. He suggested polling neighbors. He said he knows we are all thinking about where our kids are going to live 15 years from now. They are not going to be able to afford anything. Maybe a little more density in a certain section of this would be possible.
- Kyle Hafen said so having this come back with a plan that indicates and illustrates within the mixed-use residential overlay bubble, putting the density more centralized into that specific area, looking at a transitional, maybe of going to ¼ acre or 10,000 sq ft lots and transitioning into ½ acre lots as it heads toward the east. Is that what he is hearing as far as something that would like to be seen?

- Ben Shakespeare said that under what he has he could go for the density bonus now and go 12 to an acre on probably 3 acres.
- Mayor Rosenberg said that is where the quality of the design is going to come. He is not going to get 12 without demonstrating the quality of the design.
- Corey Bundy, Building Official, said we just had a quality assisted living come through with some examples of what they were going to do with their twin homes, and he can share them with Kyle.
- Kyle Hafen said we are all visionary. We want to see. It helps us alleviate concern and fears of the unknown.
- Leina Mathis clarified that the low density residential is 2 to 4.
- Mayor Rosenberg said the written text has it listed as very low density. The low density and very low are close to the same tone. He can't tell.
- Leina Mathis said very low density is 1 to 2 with the cluster they will encourage 3.
- Mayor Rosenberg said the cluster could be his buffer in between. He might be able to cluster and get 3 in that middle part with the very low on the east end and the mixed use on the west. It will comply with the General Plan.
- Kyle Hafen said this is not a definitive line. He asked Council's opinion.
- Jarett Waite said he is inclined to make the whole parcel that.
- Leina Mathis agreed with that.
- Mayor Rosenberg talked about the flood plain line. He said it wouldn't require a General Plan amendment to develop in the green. If the flood plain line was following Bonelli, and the green was intent to preserve the flood plain then he could fill in behind it. Or is the triangle supposed to be open space for some other reason? It is not ag preservation.
- Kyle Hafen asked does that indicate that the orange bubble extends down or keeping it the same and staying within the property lines.
- Mayor Rosenberg said it is going to be that everyone is going to have to make that call.
- Corey Bundy said that the open space is visual. That is where it is intended for the open space to be.
- Kyle Hafen thanked Council and said this has been very helpful.
- Leina Mathis clarified the verbiage. It says very low density is between downtown and the river and low density is in the area surrounding downtown. She also read that cluster incentive will encourage 3 units per acre if at least 50% of the parcel is dedicated as open, natural or agriculture.
- Mayor Rosenberg said they have all the flood plain ground adjacent to it that can be dedicated as preserved. That can help with that clustering. He told Corey that map needs to get updated.
- Brock Jacobsen instructed Kristelle to start working on that.

6. Reports:

A. Mayor / Council Reports

Ben Shakespeare:

- He would like to set up a work meeting to have a discussion on the signs.
- Mayor Rosenberg suggested planning it for August.
- Corey Bundy said the Planning Commission is going to have a discussion on the sign ordinance at this next meeting on July 8.

- Leina Mathis said we are going to want to have something in place by the end of the year given the legislative changes come January.
- Brock Jacobsen said we can put that on the agenda for the August 4th Work Meeting.

Leina Mathis:

- We need to set a date for the SHAC swim date that we have been allotted. She needs to get back to them. She suggested scheduling it for the Friday or Saturday prior to Swiss Days.
- Mayor Rosenberg suggested having it in August away from all the Fall activities. Maybe it could be right before school starts. It could be a back-to-school party. Council suggested August 10, the Tuesday before school starts.
- Leina Mathis said she will call the pool and make sure that date is okay.
- She asked if Council needs to do our own UAMPS registration.
- Jarett Waite said he did it himself.
- Gary Hall said they can go ahead and register everyone but if you want to register your own excursions you need to register yourself.
- Brock Jacobsen told the Council that if they don't have the email Gary or Kristelle can get them the email. The rooms are booked. He said he would like to fly the Council there.
- Leina Mathis said she did not get a notice about the HAC meeting. She will follow up on that with Shirlene Quail.

Jarett Waite:

- He said the process for the fiber is still moving forward. Right now, it is with Debbie and Utopia's finance director to look at the finances and what revenues we could use for the backing of the bond.
- Mayor Rosenberg said that TDS and Infowest want to come and talk to us.
- Brock Jacobsen said that TDS is coming to Council on July 28.
- Jarett Waite said that is good. Through this whole process we just want to have better service for our residents. We just need to find the best solution.
- He talked about the Mosquito report. There is one particular mosquito that is really prevalent right now that does carry West Nile Virus, so they are really working to get those population numbers down. There are no reports of West Nile yet.

Denny Drake:

- The wildlife assessment was completed on the shooting sports park. We do have a tortoise on our shooting sports park. He asked Brad if Keith got with him.
- Brad Hays said he sent Keith the email and forwarded it to Denny about the report and asking for guidance. He said he will probably get with us next week.
- Denny Drake said he thinks they want to discuss mitigation. There was one tortoise. He also had a question for Corey. When we're doing the townhome development on the corner (Heritage Point) what time do they put the privacy wall up? Do they wait until they are completed? He said he would hate to have a developer not put the wall up that they promised.
- Corey Bundy said it should go in on the first phase. He met with Austin today. He will have a chat with him and get back to Denny.
- Denny Drake said he talked to Gary Zabriski at Five Counties and if we are going to get any plan into the CIB Board we need to get in now for next June's allocation or we won't

get anything for another year or two. This is for the downtown fire station. We need to get with Gary Zabriski and start the process.

Wendell Gubler:

- Why did we shut down the splash pad? Was there a problem?
- Brock Jacobsen said we closed the splash pad because it was not on a recircular. It is culinary water we were using. We use about 900,000 gallons of water, which would actually supply 4.5 homes with water for an entire year and in the current situation that it was best to close the splash pad and save the water.
- Wendell Gubler said there is some misinformation out there and people are thinking it was recirculated.
- Brock Jacobsen said there was a lot of that on social media and Kristelle responded to a lot of those comments in our post.
- Mayor Rosenberg said we have asked Brad Hays that in the Gubler Park Master Plan for an updated new and improved splash pad that would include the recirculation.

Mayor Rosenberg:

- The Mayors are getting the COVID updates. There are still a few cases and most of the cases are unvaccinated people. They did have one vaccinated that went into the ICU and get put on a ventilator but there was a lot of underlying health issues associated with it.
- The Mayors are going to take the lead in putting the water conservation ordinance together that would be for all the communities. That will probably start happening fairly quickly.
- He said there is a lot going on this time of year, so he advised Council to go to their assignments and make sure they report back.
- There was a Rural Water Supply Administrative meeting today talking about water usage and about a conservation plan and a drought action plan that the Water District is starting to develop that will probably be keyed on elevations in the reservoirs. They feel pretty confident they can provide all the culinary water we want for the next 3 years but people won't be able to have their irrigation water. They are hopeful that we will get some monsoon rains coming through. They are not panicking but they are nervous.
- The MPO met and approved some corridor money. He has asked Dustin to put together the documents we need for the remaining Hamblin Parkway right of way corridor preservation. He is working on that. We met with the Staff yesterday and went through a lot of the projects that we are going to ask Public Works to help out with this year. There is a lot of them. We were able to get Santa Clara Drive and Pioneer Parkway on the Transportation Plan.

7. Executive Session:

- Mayor Rosenberg explained that Council needs to have Executive Session tonight to discuss the character, professional competence or physical or mental health of an individual.

Motion to Enter Executive Session to discuss the character, professional competence or physical or mental health of an individual.

Motion by Jarett Waite, seconded by Denny Drake.

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

Voting Nay: None.
Motion Carried.

- Entered Executive Session at 7:05 p.m.
- Reconvened at 7:24 p.m.

- Jarett Waite asked why there is no parking zone at the corner of Sage Brush and Rachel. Back when we did that PD zone as part of that we didn't require as much parking as the parking requirements had so the residents were worried there would be a lot of parking on the street and about site lines so the Council decided we should make that a no parking zone.

- Ben Shakespeare said he would like to see the actual minutes on that discussion.

- Denny Drake said he could see a problem if people feel like they can have a red zone in front of their home. We would be creating a real precedence that shouldn't be created.

- Ben Shakespeare said he would like to review the minutes before we make any decisions on it.

- Jarett Waite said it was never decided how far that would go or how that would work. It was left up to Dustin and Staff to do.

- Ben Shakespeare asked how it would be enforced.

- Brock Jacobsen said if the police see it or a resident calls up and reports it.

- Denny Drake said there is a fire hydrant that they can't park in front of. It is just past that, so you are going to go from the corner clear to the entrance of Ace Hardware on that ingress and egress and is that just to appease somebody. If we are just going to appease people, we are going to have it all over the city.

- Jarett Waite said this was discussed specifically at a meeting about doing a turn lane there or extend the turn lane all the way down and Dustin decided to paint the curb red.

- Brock Jacobsen said this decision would have been done when Jack Taylor was here. If there was a decision by Council to paint that curb red, it would have been done back when Jack was here. The Council just gave some direction to Staff.

- Jarett Waite said the way that played out is they were stripping the new section on Pioneer Parkway so Dustin said that since he had the stripping crew there, he would just go stripe that. He said he got notice from residents that they stripped it for parking instead of no parking. Dustin said he would look at a couple of options and he sent pictures and we decided that the red line would be the best option to paint the curb red.

- Mayor Rosenberg said there probably needs to be a break in it though.

- Ben Shakespeare asked, where are they going to park when they are doing the asphalt. He would like to read the minutes of the discussion. He said the discussion he remembers referred to Pioneer Parkway coming back the other way that we didn't want parking out there to block Pioneer Parkway.

- Denny Drake said he thinks we started a very bad precedent allowing that.

- Ben Shakespeare said he would like to know what the protocol is.

- Mayor Rosenberg said if Council is getting calls from residents and it is affecting anything inside a public right of way it needs to come here to Council before direction is given to Staff. Bring it to Council and let Council talk about it and we may ask Staff to get with the city engineer or get with the manual uniform traffic control devices and work up a solution. When Council gets that residential comment bring it here and let's make the assignment from the Council.

- Ben Shakespeare said he agrees.

- Denny Drake said he agrees with the Mayor.
- Mayor Rosenberg said that the residents need to come to Council and then we will address it in an orderly fashion with the Staff. He said that with this specific case we can look at the METCD and if there's no justification for it then we may take some of it off. Let's make sure it is justified.
- Leina Mathis asked if in this case we should go back and review the minutes.
- Mayor Rosenberg said either that or get Dustin to pull the METCD out and get with the city engineer and see what is justified. If it can't be justified get it off.
- Leina Mathis asked Brock if he will have Dustin look at the requirements and if we need to pull that back then let's pull it back.
- Ben Shakespeare said let's look at the minutes too. There was a lot of discussion back and forth. He would like to see the minutes on that.

8. Adjournment:

Motion to adjourn by Wendell Gubler.

Seconded by Ben Shakespeare with all members present voting aye.

Meeting Adjourned at 7:37 p.m.

Chris Shelley – City Recorder

Date Approved: _____