

**SANTA CLARA CITY COUNCIL MEETING  
WEDNESDAY, SEPTEMBER 25, 2024  
MINUTES**

The City Council FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, September 25, 2024, at 5:30 p.m. in the City Council Chambers of the Town Hall at 2603 Santa Clara Drive, Santa Clara. The meeting was broadcast on the City website at <https://santaclarautah.gov>.

**Mayor:** Rick Rosenberg

**Council Members:** Christa Hinton  
Dave Pond  
Ben Shakespeare  
Jarett Waite

**Excused:** Janene Burton

**City Manager:** Brock Jacobsen

**Others Present:** Jaron Studley, Fire Chief  
Dan Cazier, Fire Chief  
Dustin Mouritsen, Public Works Director  
Cody Mitchell, Building Official  
Gary Hall, Power Director  
Selena Nez, Deputy City Recorder

**1. Call to Order.**

Mayor Rick Rosenberg called the meeting to order at 5:36 p.m. and welcomed those present.

**2. Opening Ceremony.**

**A. Pledge of Allegiance: Dave Pond**

**B. Opening Comments: Christa Hinton**

**3. Conflicts and Disclosures.**

There were no conflicts or disclosures.

4. **Working Agenda.**

A. **Public Hearing(s) 5:30 p.m.**

i. **To Receive Public Input Regarding a Power Rate Increase.**

Mayor Rosenberg stated that due to an issue with the notice the public hearing was postponed until the October 9, 2024, City Council Meeting. He apologized for the inconvenience.

B. **Consent Agenda:**

i. **Approval of Claims and Minutes:**

- **Sept. 11, 2024, City Council Regular Meeting**
- **Claims through Sept. 25, 2024**

ii. **Calendar of Events**

- **Oct. 9, 2024, Regular City Council Meeting**
- **Oct. 16, 2024, City Council Work Meeting**
- **Oct. 23, 2024, Regular City Council Meeting**

iii. **Action to Consider an Alcohol-Free Student Proclamation to Declare the 2024-2025 School Year an Alcohol-Free School Year. Presented by Hallie Bridges, Prevention Specialist, Southwest Behavior Health Center.**

Southwest Behavior Health Center Prevention Specialist, Hallie Bridges introduced Youth Coalition Member, Austin Gardener. Mr. Gardener stated that the Washington County Youth Coalition requested the City Council's support in their mission toward a healthy community. He is a junior at Crimson Cliffs High School. This year, the Coalition has 20 members from every high school in the County. He then read the Alcohol-Free School Year Proclamation for the academic year 2024 – 2025.

Mayor Rosenberg thanked Mr. Gardener for the presentation.

C. **Action to Consider a Proclamation Declaring October as Domestic Violence Awareness Month. Presented by Susan Ertel, President, The Dove Center.**

Susan Ertel, President of the Dove Center, presented the proclamation. She was accompanied by Jon Bacon, Marketing Committee Chair, and Keli Peetz, Finance Committee Chair. Mayor Rosenberg then read the proclamation. Ms. Ertel indicated that since the new Lethality Assessment Protocol legislation was enacted in 2023, the Dove Center has seen a 41% increase in referrals to their services. Since July 1, 2024, they have serviced 267 clients. The shelter and all housing is full. She wanted the Police and Fire Departments to know how important they are to the Dove Center and expressed her gratitude that they are embracing the Lethality Assessment Protocol and getting people the help they need.

**Council Member Waite moved to APPROVE the Consent Agenda, as presented. Council Member Shakespeare seconded the motion. Vote on motion: Council Member Waite-Yes, Council Member Pond-Yes, Council Member Hinton-Yes, Council Member Shakespeare-Yes. The motion passed unanimously.**

**D. General Business:**

**i. Discussion and Action to Consider a Power Rate Increase. Presented by Gary Hall, Power Director.**

The above discussion was postponed to the October 9, 2024, City Council Meeting.

**ii. Introduce and Swear In the new Fire Chief, Dan Cazier.**

Mayor Rosenberg introduced Fire Chief, Dan Cazier. He was sworn in by Deputy City Recorder, Selena Nez. Photographs were taken with the City Council.

**iii. Discussion Regarding a Golf Cart Ordinance. Presented by Jaron Studley, Police Chief.**

Police Chief, Jaron Studley, presented the proposed Ordinance and noted that it was a continuation of a previous Work Meeting item. In 2020, a law was enacted that made it illegal for golf carts to be on any roadway in the State of Utah. The law indicates that a municipality may, by ordinance, allow people to operate golf carts on specific roadways under the jurisdiction of the municipality.

Chief Studley reported that the proposed Ordinance was sent to Mr. Ence for review and was currently in draft status. He asked for the Council's input on the Ordinance as well as the routes that they would and would not want golf carts on. The current draft states that a golf cart cannot be operated on a road with a speed limit greater than 25 miles per hour, so it could not be operated on Redwood Road or Santa Clara Drive.

Council Member Shakespeare asked if there would be language regarding crossing Redwood Road and Santa Clara Drive. Chief Studley stated that Hurricane allows an exemption to cross prohibited streets at certain crossroads. Council Member Hinton believed similar language should be added to the Ordinance. For example, to allow golf carts to cross Santa Clara Drive between Lava Flow Drive and Warrior Way. Council Member Shakespeare agreed. Council Member Pond indicated that the verbiage could be changed to indicate that they cannot be operated on a road with a speed limit greater than 25 miles per hour except to cross at accepted crossings.

Additional restrictions include the following:

- The driver must be 16 years of age or older.
- During twilight hours, the golf cart must be operated with a stop lamp.
- Golf carts cannot be operated on City trails or inside City parks.

Chief Studley reported that the first violation would be an infraction, and the second offense within 24 months would be a Class B misdemeanor.

Council Member Shakespeare asked about the interpretation of “city park” and asked if it would apply to park parking lots. Chief Studley stated that use in a parking lot would be appropriate. The intent is to keep golf carts off the trails, walking paths, and grass. They would be able to operate on streets like a bicycle. Proposed traffic regulations include making golf carts subject to driving under the influence and open container laws for drivers, but passengers would be allowed to have open alcoholic beverage containers. Chief Studley noted that the verbiage was taken from the Saint George ordinance, and it was up to the Council to determine if it was appropriate.

Council Member Hinton asked how the Ordinance would affect Black Desert. Chief Studley stated that it would affect Santa Clara residents who drive their golf carts from their homes in Santa Clara to Black Desert. Within the development, on private property, the Ordinance would not apply.

In response to a question from Council Member Hinton, Chief Studley verified that two golf carts could drive side-by-side on the road because they would be allowed to operate as bicycles and bicycles allow two abreast. They are treated like bicycles by the state, but the verbiage could be changed. Per state law, they are not required to come to a complete stop at stop signs, which he is not in favor of. Council Member Pond stated that most golf carts have turn signals and brake lights so they are able to function more like a vehicle, and he believed they should be treated like a vehicle. Chief Studley stated that golf carts are exempt from registration and insurance. Ebikes, if under a certain motor size, are also considered a bicycle. In response to a question from Mayor Rosenberg, Chief Studley confirmed that the verbiage could be amended to treat golf carts more like vehicles. Council Member Hinton and Mayor Rosenberg stated that that would be their preference. Chief Studley stated that City Ordinances can be as restrictive as the Council would like, but they cannot be less restrictive than the state.

In response to a question from Mayor Rosenberg, Chief Studley confirmed that the Ordinance would only cover golf carts, not scooters or electric bikes. Another goal is to prohibit groups of children from driving around on golf carts. The Ordinance will only allow as many passengers as there are available seats.

Council Member Shakespeare agreed with Council Member Hinton that they should not be allowed to drive side-by-side. Council Member Hinton stated that they may need to clarify the language around intersections on Pioneer Parkway and asked if they would cross in the crosswalk. Chief Studley stated that they would ride as a vehicle and cross in the lane of travel. There are stipulations regarding exercising due care and caution, being courteous and mindful, and yielding to traffic. Council Member Hinton stated that she believes it will be safer for residents, and especially children, once the Ordinance is in place.

Mayor Rosenberg asked if Mr. Ence had reviewed the Ordinance. Chief Studley stated that he sent it to Mr. Ence, but he was unsure if he had reviewed it. Mayor Rosenberg asked City Manager, Brock Jacobsen, to forward the Ordinance and Council comments to Mr. Ence for review. Once they are ready, Chief Studley and Mr. Ence should bring it back before the City Council.

*Charles Burg*, a Santa Clara resident, asked about the personnel and budget costs associated with the Golf Cart Ordinance. Mayor Rosenberg explained that the sample Ordinance was presented to the City Council at the Council’s request. The Ordinance would next go to the Legal Department for development. Once completed, the Ordinance will be presented at a public hearing where the public will have the opportunity to comment on it. Mr. Burg’s questions can be answered at the

time. Council Member Shakespeare clarified that there is no additional cost associated with the Ordinance because state law bans golf carts. Without the Ordinance, the Police Department would need to ticket everyone in a golf cart. The intent of the Ordinance is to allow residents to use their golf carts, and it should actually save the City money. Chief Studley confirmed that it will alleviate enforcement efforts. They are currently only giving warnings, but without the Ordinance the workload would increase because they would need to stop all golf carts.

## **5. Reports.**

### **A. Mayor / Council Reports**

Council Member Shakespeare reported on the following:

- He has attended a few meetings on Swiss Days.

Council Member Waite reported on the following:

- He attended the second RAP tax meeting. Shakespeare in the Park took 15 signs, so they will likely be seen around town. They asked organizations to pay \$7 per sign. There was a discussion about what cities can and cannot do, and he found the League of Cities and Towns training very helpful in that regard. There was a sense from the arts organizations that cities were not doing enough, so it was helpful in showing them why they couldn't.
- He attended the Housing Accelerator Workshop at Dixie Tech where they spoke about the possibility of more form-based zoning. He feels there are a couple of places in Santa Clara where that could help. Mayor Rosenberg clarified that form-based zoning zones for the product, which gives options to comply with the zone if the developer can meet the product. It is similar to Planned Development zoning.
- He met with Ivins City Parks Supervisor, Joseph Rawlinson to discuss how Ivins City implemented the sod-less portion of their cemetery. He then met with Mr. VonCannon and discussed what he learned. They will likely propose mimicking some of their designs in a test area in the next budget cycle to see if it works for Santa Clara. The idea is to install decomposed granite, and then terrace it with larger rocks to slow the water and prevent washout. He only found one weed in the entire sod-less area of the Ivins City Cemetery.

Mayor Rosenberg reported on the following:

- He attended a Mayors' meeting on Monday. They have been approached by Alan Gardner with American Lands Council regarding the public lands management lawsuit that the State of Utah has filed against the federal government regarding following the language of the original constitution, not the 1976 act that permanently retained land by the federal government. They have asked cities to file an amicus brief with them asking the Supreme Court to review their request. It does not affect national parks, national forests, conservation areas, or monuments. It will only impact unappropriated lands that are under federal control. They want the ability to place those lands under state management, but he is unsure if they will be able to do that because the original constitution indicates that it must be disposed of. The 1976 act resulted in a lot of federal lands and federal land oversight in the West, and they believe the oversight is becoming too restrictive. The item will be on the next City Council Meeting Agenda. Mayor Rosenberg will not be in attendance, but someone will be at the meeting to explain it in detail. Saint George, Washington City, and Washington County have expressed support. They need the commitment by October 10, 2024, for submittal to the Supreme Court. Mayor Rosenberg will forward information to the City Council by the end of the week.
- He and Mr. Mouritsen met with Zack regarding the water connections.
- Josh Westbrook accepted the Planning Commission assignment, but he is unable to start until November.

Council Member Pond reported on the following:

- He attended the media day at Black Desert with Council Member Hinton, Council Member Burton, and Council Member Waite. It was very fun. They are doing a great job.

**6. Executive Session.**

There was no executive session.

**7. Adjournment**

**Council Member Hinton moved to ADJOURN. Council Member Pond seconded the motion. The motion passed with the unanimous consent of the Council.**

The City Council Meeting adjourned at 6:26 p.m.

*Selena Nez*

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Selena Nez – City Recorder

Approved: October 9, 2024