

COUNCIL WORK MINUTES
JANUARY 20, 2016

The City Council held a meeting on Wednesday, January 20, 2016, at 4:00 p.m., in the Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Maile Wilson; Councilmembers: Ron Adams; Paul Cozzens; Terri Hartley; Craig Isom; Fred Rowley.

STAFF PRESENT: City Manager Rick Holman; City Attorney Paul Bittmenn; City Engineer Kit Wareham; City Recorder, Renon Savage; Finance Director Jason Norris; Police Chief Robert D. Allinson; Fire Chief Mike Phillips; Economic Development Director Danny Stewart; Public Works Director Ryan Marshall; Airport Manager Jeremy Valgardson; Airport Operations Brad Beadles; Wastewater Superintendent Darrell Olmsted; Golf Superintendent Steve Carter.

OTHERS PRESENT: George Colson, Keith Gilbert, Gary Arnell, Katrina Arnell, Kullen Langston, Karsten Reed, Tom Jett, Brent Drew, Melissa Wilkey, Trenton Bolster.

CALL TO ORDER: Councilmember Cozzens gave the invocation; the pledge was led by Councilmember Rowley.

AGENDA ORDER APPROVAL: Councilmember Isom moved to approve the agenda order; second by Councilmember Adams; vote unanimous.

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF COMMENTS: ■Mayor – next Wed is Local Officials Day at the Legislature. We will be going up, but back for Council Meeting. ■Budget Document Presentation – Katrina Arnell: Katrina has been the intern for the past year. We asked her to compile a document to explain the different departments and have an overview of the City that accompanies the budget. All Department Heads have it for their review. Adams – this is awesome, it is great, I was impressed when I looked through it. I know there are corrections but appreciate your time. Mayor – Katrina is on our Youth city Council.

Katrina Arnell, Senior at Cedar High School - I was in charge of creating a budget document to give a brief overview of all departments. It will serve and educate those in the Community. When I started we had a little information from different departments, so I met with Department Heads and got missing information, we would add and take things from the document. It was good for me to see how many hours and people go into making the community function. I used similar documents from other communities to help make this document. My favorite part was working with the Fire Department because I got to play with all their equipment. It was interesting to see where the tax dollars go for the needed equipment. It was an amazing experience for me. Cozzens – very well done.

Tom Jett – wow, I am glad she wasn't my competition as a youth. Mayor – it will be updated every year when we work on the budget.

PUBLIC COMMENTS: ■ American Red Cross – George Colson: thank the Mayor and Council for allowing me to be here. I cover the local 5 counties and San Juan and Grand County, over 36,000 square miles of central and southern Utah, most are sagebrush and dirt. A few weeks ago there was a fire that displaced some students, and my counterpart Michael Cartchner and I helped put them in a motel and provide them with a credit card. We respond when people are displaced from their homes and give those funds and resources. I live in St. George. Mayor – when I went over to the fire that evening, Chief Phillips informed me of the Red Cross' roll in our community. We wanted him to come and let you know what they do to provide assistance. Colson – our function is mass care, we take care of shelters. I attended the LEPC meeting today and will help them in setting up shelters and feed and water the citizens if there is a need during a mass disaster.

CONSIDER SASO AGREEMENT FOR SPHERE ONE INC. – SPHERE ONE, INC./RYAN MARSHALL & JEREMY VALGARDSON: Jeremy – Specialized Aviation's Services Operator, if you want to do business and make money you need to be an FBO or SASO. It is for Brenda Blackburn, she wants to hang on to her 135 portion, training, sight-seeing, maintenance and storage. She will contract it to Sphere one Aviation. She will contract without being a full-fledged FBO. Adams – anything different with the aircraft? Jeremy – she wants the tour groups, and Thomas has a Jet Charter fleet that he wants to bring in. Cozzens – Brenda was the FBO, but is selling to who? Jeremy – Thomas Matthew. Cozzens – can there be more than one FBO? Jeremy – yes, but it takes a long time to go through the FAA. Cozzens – does Upper Limit want to do that? Jeremy – not since they can self-fuel. Rowley – when will the sale take place? Jeremy – Thomas called today it should go through on Friday. Consent.

CONSIDER AN AGREEMENT FOR TEMPORARY USE OF WASTE WATER TREATMENT EFFLUENT WATER – KEITH GILBERT/DARRELL OLMSTED: Darrell, Wastewater Superintendent – Gilbert Development is building a solar farm and would like to purchase the effluent water for dust control. We can do that under Utah Rules, but our permit does not allow us to discharge off site. I have sent a letter to the State and have a preliminary OK from the Department of Environmental Quality. We want to enter an agreement that they will purchase water for a term of not more than 3 years. Rowley – what about Mr. Clark who we already have a contract? Darrell – Gilbert will have a limit, we are not required to give Clark water, but they are required to take our water. Gilberts have talked with Clarks and they are aware. Cozzens – how much would Gilbert take? We take off 2 million gallons a day; Gilbert will take no more than 1 million. Keith Gilbert, Gilbert Development – I talked with Bob Clark, he gave me a connection point to tie onto the water, we need to see if we need additional pumps, we have an agreement with Clark. It is preliminary at this time but we have an agreement with Bob to get water to the project. Rowley – will it really take 3 years? Keith – the first phase is 300 acres, and there are additional phases, up to 1,200 acres. Cozzens – how far do you have to run pipe? Keith – about 2,000 feet to a mile of 6 to 8 inch pipe. Cozzens – when you are through, what do you do with the pipe line? Keith – we cut it

up, it is on top of the ground, we will move it through the project, we will build ponds to discharge the water and we will draw from the ponds. Cozzens – we have talked with the Water Board about the farmers using it to recharge by using that instead from drawing from the ground. Keith – we own 5,000 acres beyond the project. Cozzens – we want to recharge, we may want to explore that. Rowley – is this the first time we have been paid for effluent? No, Clarks pay on an acre foot, their agreement is 20 years old. The Clark's also farm their land and some of our land. Cozzens – whose land will the pipe go over? Keith – Russ Reber's property, he is part of the Williams family. It will also go across Clark's property. Rowley – how was the rate set? Darrell – the ordinance. Rick – ordinance and also being outside the City limits.

CONSIDER SURPLUS OF PRAIRIE DOG FENCE MATERIALS – STEVE

CARTER/RICK HOLMAN: Steve Carter, Superintendent at the Golf Course – we have left over material from prairie dog fence, we have to declare surplus to get rid of the material. Rowley – is there a market for that? Rick – we know that DWR is working with other private property owners, that was the group that would use it the most. Isom – are we retaining enough for repair and maintenance? Steve – yes, it is holding up better than we thought it would. Cozzens – with all the legislation, is it necessary for the fence? Steve – as far as I know we still have to have the fence and maintain it, the DWR watches it. I heard SUU is doing a study and asked if they could put trail cams to see what animals cross. Consent.

CONSIDER A RESOLUTION APPOINTING TWO (2) CEDAR CITY REPRESENTATIVES TO THE CEDAR CITY REDEVELOPMENT AGENCY TAXING ENTITY COMMITTEE:

Paul – the RDA doesn't have income of its own when it has a project that has taxing entity to spend tax money. To get the entities to pledge money it is a taxing entity committee, Cedar City the County, School District and Water District. You get representatives from all those and the State School Board, they vote and it is binding on their agency. The City has two representatives, the County has 2, Water District 1 and the State School Board gets 1, Iron County School District has 2. There will be 2 meetings a year. Mayor – one thought is Ron as the chair of the RDA. Cozzens – I think Craig. Paul – you can appoint who you want, but it is usually from the elected officials. The committee will nominate a chair.

CONSIDER A RESOLUTION AMENDING THE AIRPORT RULES & REGULATIONS & MINIMUM STANDARDS – RYAN MARSHALL/JEREMY VALGARDSON:

Jeremy Valgardson – the Rules and Regulations are in your packet, it is a small amendment. There is a new tenant doing self-fueling. We have gone through the regulations and we missed a few that we want to include. They have been reviewed by the Airport Board and approved by FAA, fuel staging and fuel storage definitions. Self-fueling, we took out storage; staging, storage and transfer are all different. Staging is the vehicles to fuel aircraft. Storage is not more than 5 gallons outside the storage facility. Any fuel transfer has to be approved from a fuel rack, which is a fuel farm. When FAA inspectors come in we don't want to be written up. Adams – they will self-load from the trucks from the fuel farm tanks? Yes. It prevents a big tanker coming in and transferring fuel. We have permanent containment around the fuel farm. Action.

CONSIDER SCOPE OF WORK FOR AIP 31 (AIRPORT IMPROVEMENT PLAN) – RYAN MARSHALL & JEREMY VALGARDSON:

Jeremy – Airport Improvement Project, each year the FAA gives us a million dollars to go toward airport improvements. We will come with details later. We are looking at a terminal apron hardstand, asphalt rehabilitation, Taxiway Delta and Charlie both need work. Where the water sets is where the jet sets each day. We are starting to push SkyWest to the west. They will put a hard stand of concrete to handle up to 757, the rest will be milled and overlay with asphalt. We will phase it so it won't hinder operation. We have to do it after the fire season, but not too late so we lose the grant. We are thinking end of August. We will complete the hard stand and then move the operation to phase 1 and do the next phase. Taxiway D, the markings are confusing, old markings are showing through. We have to remove it fog seal and repaint. Cozzens – Airplanes have the same effect as a garbage truck? Jeremy - yes. The concrete is FAA concrete, very thick. Adams – when you deice planes, you don't do it there do you? Jeremy – south of the terminal is where we deice. This project will put a concrete culvert and take it to a drain base. Rowley – will it use the million? Jeremy – yes, \$1,052,000. It will go to bid and meet City and FAA policy. Paul – you get into all the Federal regulations with the FAA which makes it more expensive. Cozzens – I flew out of St. George, they have United and Delta, will we ever have another airline come in? Jeremy – it is a possibility, we are under essential Air that brings in subsidy, if we bring in another airline we could lose that subsidy. SkyWest could add a Denver rout if enplanements are high enough. Consent.

CONSIDER AN ORDINANCE UPDATING THE PERSONNEL POLICY –

NATASHA HIRSCHI: Natasha – we a few minor changes. In September we brought Chapter 7, Compensation part was to have evaluations be done at beginning of calendar year, we want that to be moved to the fiscal year, closer to the budget approval. They will be due the end of May to be timely with the budget. Also the personnel action form not being with every evaluation.

Chapter 16 is Risk Management; we will put a cell phone use when driving in place. Rick – it is a preventative measure and we are evaluated by URMMA. Rowley – I don't like the idea, how many of our people have hands free devices. Natasha – URMMA is going through changes and this is a requirement they are making. Rowley – a requirement or it would be nice? Natasha – they score us and it will be criteria with reinsurance. They can talk on the phone, you couldn't dial a number, you could answer a call with a hands free device. The policy would state “while driving a City vehicle or while driving on City business, employees may: Talk on their phone using a hands free device; view GPS or navigation coordinates; use voice commands; use the phone during a medical, fire or police emergency, or report a safety hazard or criminal activity. While driving a City vehicle or while driving on City business, employees may not: send, write or read text messages, instant message or emails; dial a phone number unless stopped; view or record a video,; or enter data into a hand-held device.”. Rowley – most is part of Utah Law already. Could the employee get an ear piece? Yes. Natasha – this is the policy that URMMA required. Rowley – in some ways you cause more of an accident

with pulling over. The next requirement is the Accident Review Committee to review accidents and make recommendations toward discipline. This is to get more guidelines.

Natasha – Workers compensation claims have never been reviewed, they will be brought to the committee also and make recommendations. It will also help keep our claims down. Mayor – the cell phone Natasha will do early morning training for the employees. Cozzens – in Home Builders debate, Vickers and Westwood said the worst legislation was the cell phone. Hartley – is it more restrictive than Utah Law? Natasha – I think so, you don't have to have a hands free device. Rowley – what happens if someone does who will see it and report it? Natasha – a policy violation, if you have numerous violations your supervisor or department head can write you up. Someone would have to report it. Cozzens – I want them to be safe, but productive also. Chief do you enforce the cell phone law, have you ever given a ticket? Chief Allinson – I am not aware that we have. Paul – how the City runs on policy, you set the policy; it is up to staff to implement policy so we will educate staff. If we get reports or complaints then the policy has a section for progressive discipline, it gives departments and managers the ability to talk with the employee and ratchet it up if there are continued violations, if there are excess you could terminate the employee. Rowley – what if we chose not to do that, how much would the rate go up? Rick – I don't know for sure, it is 1 point or a half point of the 100 points. Cozzens – Kit how would this affect your department? Kit – I have not heard complaints, we have talked about it. They don't have hands free devices. Action. Darrell Olmstead – what phones can use a hands free device and what ones cannot. We may have phones that do not use hands free devices.

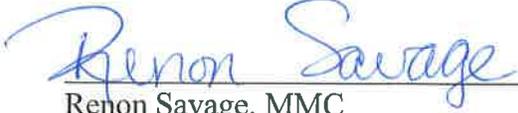
COMMITTEE APPOINTMENTS – MAYOR WILSON: Mayor Wilson recommended the following appointments: Planning Commission: Hunter Shaheen and Russ Olsen, both are eager about serving.

Danny Stewart - in the past we have had a Downtown Committee taken care of by the business owners, success has gone up and down and has been on one or two people. In the last year or so we have talked about needs, and instead of going to the Downtown Alliance, we made a Historic Downtown Economic Committee. Mayor – there are 11 members, official City committee, permanently have a member from Utah Shakespeare Festival, Tourism and Chamber representatives.

For the Historic Downtown Economic Committee: Scott Phillips, Utah Shakespeare Representative; Maria Twitchell, Iron County Tourism Representative; Chris McCormick – Cedar City Chamber of Commerce Representative; at large representatives: Mark Baruffi, Evan Vickers, Steve Nelson, Jonathan Smith, Ellen Treanor, Michelle Jorgenson, Rich Wilson, Dave Nakken. Danny came up with the names in working with the prior committee. Danny – as downtown goes so does downtown economic development. We want to keep it vibrant and maintain and improve what we have.

Paul – typically the council will adopt the bylaws and empower them to work in the scope. We should adopt it by ordinance and put it in the Economic Development portion of the ordinance book.

ADJOURN: Councilmember Rowley moved to adjourn and move into the RDA meeting at 4:58 p.m.; second by Councilmember Hartley; vote unanimous.



Renon Savage, MMC
City Recorder