

COUNCIL WORK MINUTES
FEBRUARY 10, 2016

The City Council held a meeting on Wednesday, February 10, 2016, at 5:30 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; Events Coordinator Bryan Dangerfield; Economic Development Coordinator Cameron Christensen; Public Works Director Ryan Marshall; Public Works Executive Assistant Kathy Dahl.

OTHERS PRESENT: Arlo Fawson, Emily Goddard, Cynthia Laffoon, Shane Baker, Carol Bolsover, Blake Cozzens, David Bolsover, Ken Young, Jim Andrus, Karsten Reed, Dustin Prestwich, Kenzie Lundberg, Tom Jett, Colby Gower, Tim Watson, Ron Larsen, Corey Baumgartner, Katrina Arnell, Enoch Seegmiller, Jennie Hendricks, Shannon Avance, Nathan Merrill, Ternton Bolster, Michael Kastanes, Ann Lundberg, Jeremiah R. Davis, Kevin L. Davis, Clayton Cheney, Elaine North, Shane Prestwich, Donna Lee Shattuck, Kaleigh Bronson, Chris Holdsworth, Caleb D. Clark, Brett Taylor.

CALL TO ORDER: Councilmember Isom gave the invocation; the pledge was led by Councilmember Hartley.

AGENDA ORDER APPROVAL: Councilmember Cozens asked that item #6 be moved to the end of the agenda. Councilmember Cozzens moved to approve the agenda order with the noted change; second by Councilmember Isom; vote unanimous.

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF COMMENTS:

- Rowley – I asked about Groovefest on Monday, is there any traction at all? Mayor – at this point we don't have any new information. Rowley - I met with Frontier Homestead Board today and they are thinking about doing a Frontier Folk Fest in June with Bluegrass Music and vendors on the Homestead property but don't want to compete with Groovefest. Mayor – there are some benefit type things that have been arranged, but I don't have details. Rowley – I think it would still be a good event.
- Hartley – I had a tour of the new arts facility today, it is coming along and they are going to start moving in on March 1st. It will be a wonderful addition to our community.
- Mayor – the end of last week Rick and I were able to go and present to the Legislature on the Coal Creek Project for phase 3 funding. We presented to the Natural Resource committee we will see where it goes from here. A number of weeks ago we had representatives from the National Guard come and talk about the training and were going to stage at Cross Hollows. They staged at the armory this past weekend and did events with the Police and Fire Departments. I hear it was successful for everyone involved.

■Employee of the Month, Kathy Dahl: EAC Danny Stewart: happy to announce February Employee of the Month. This was submitted by all the public Works Divisions. Kathy's organizational skills and attention to detail and her obsession with getting things done on time help keep us organized. She is tasked with many projects from each division, from helping with blanket contracts, coordinating UDOT permits, and tracking sheets to make sure we are correctly counting the county sewer connections and receiving payment for them, to inputting chlorine & water information. She also helps track enplanements for the airport and is working to track the leases. She helps CATS with expense invoices and their quarterly drawdown report. She created work orders for public works, and tracks to completion. She is the main point of contact for calls from the public. She provides administrative assistance and takes minutes for four boards.

■Youth City Council Report from Local Officials Day: Kaleigh Bronson, Youth Mayor, report about Legislative Day at the state Capital. It was enjoyable. We went up on Friday, went to the Capital for Breakfast and orientation on Saturday and then into a mock debate committee meetings. Every year they do a different piece of legislation and usually in reference to education, this year it was about law enforcement and guidelines for body cameras. They are always house bills that will be debated in the House of Representatives; they had police officers and representatives there taking notes. Last year on the citizenship test requirements Representative Westwood said they used our quotes. We want to thank you so much for the opportunity. Katrina Arnell, the mock committee meeting was my favorite part and it was applicable to us and encouraged me to want to be more involved. Chris Holdsworth, I want to thank the Council. My favorite part was the debate as well. It was something that could be put in law, but the students were the one running the situation. ■Bryan Dangerfield. There is an item on the agenda for the Tour of Utah and I want to thank the committee, they have worked really hard. We have been working with Tour of Utah on the routes, we will hold off on the exact route announcement. We have cooperation of a lot of entities in the community and it will be a fantastic event.

PUBLIC COMMENTS: ■There were no comments.

CONSENT AGENDA: (1) APPROVAL OF MINUTES DATED JANUARY 20 & 27, 2016; (2) APPROVAL OF BILLS DATED JANUARY 29, & FEBRUARY 5, 2016; (3) APPROVE DESIGNATING THE CEDAR CITY ARTS COUNCIL AS A CEDAR CITY LOCAL ARTS AGENCY – DEBRA DRAKE; (4) APPROVE DECLARING ITEMS AS SURPLUS PROPERTY. STEVE CARTER; (5) APPROVE CONTRACT WITH UTAH CYCLING PARTNERSHIP FOR TOUR OF UTAH. BRYAN DANGERFIELD: What is the Peterson Plumbing Cemetery Expansion? Rick – expanding to the west and north of cemetery building. Rowley – should it go to bid? Rick – they can spend \$15,000 before it has to bid. Rowley – ASCAP license, where do we perform music? Paul – we pipe music over the public speakers, over at Festival Hall, and other locations.

Councilmember Rowley moved to approve the consent agenda items 1 through 5 as written above; second by Councilmember Adams; vote unanimous.

CONSIDER APPROVAL A RESOLUTION AMENDING THE CEDAR CITY GENERAL LAND USE PLAN FROM MEDIUM DENSITY TO MIXED USE DEVELOPMENT ON APPROXIMATELY 3.68 ACRES OF LAND LOCATED IN THE VICINITY OF 400 NORTH BETWEEN 300 WEST AND 400 WEST.

WATSON ENGINEERING AND PAUL BITTMEN: Tim Watson – the following items well. We have mixed use on the east side of 300 West, we would like to extend that. Rowley – we have signatures of the property owners? Paul – yes, I have them. Tim – there are several property owners that want mixed use and give them more options, residential to commercial. Rowley – it will improve the city.

Councilmember Rowley moved to approve the resolution amending the General Land Use Plan from medium density to mixed use development on approximately 3.68 acres of land in the vicinity of 400 North between 300 and 400 West; second by Councilmember Cozzens; vote as follows:

AYE: 5
NAY: 0
ABSTAINED: 0

CONSIDER AN ORDINANCE AMENDING CEDAR CITY'S ZONING DESIGNATION ON APPROXIMATELY 3.68 ACRES OF LAND LOCATED IN THE VICINITY OF 400 NORTH BETWEEN 300 WEST AND 400 WEST FROM GENERAL COMMERCIAL (GC) TO MIXED USE (MU). WATSON ENGINEERING AND PAUL BITTMENN:

Councilmember Rowley moved to approve an ordinance amending the zone from General Commercial to Mixed Use on property in the vicinity of 400 North between 300 and 400 West; second by Councilmember Isom; roll call vote as follows:

Adams	-	AYE
Cozzens	-	AYE
Hartley	-	AYE
Isom	-	AYE
Rowley	-	AYE

CONSIDER AN ORDINANCE AMENDING THE ZONING DESIGNATION FROM HIGHWAY SERVICES (HS) AND RESIDENTIAL-3-M (R-3-M) TO MULTIPLE USE (MU) ON APPROXIMATELY 9.28 ACRES OF LAND LOCATED IN THE VICINITY OF OLD HWY 91 AND SHURTZ CANYON DRIVE. INSITE ENGINEERING AND PAUL BITTMENN:

Ron Larsen – this was discussed last week.

Councilmember Cozzens moved to approve an ordinance amending the zone from HS and R-3-M to Multiple Use on property in the vicinity of d Old Hwy 91 and Shurtz Canyon Drive; second by Councilmember Rowley; roll call vote as follows:

Adams - AYE
Cozzens - AYE
Hartley - AYE
Isom - AYE
Rowley - AYE

CONSIDER A PARCEL MODIFICATION TO LOT 1, BLOCK 23, LOCATED AT 180 SOUTH 200 EAST. PLATT & PLATT ENGINEERING AND PAUL BITTMENN;

Kit – they were not able to make it. There are not any changes. It is splitting a lot; the center line has a jog in it.

Councilmember Hartley moved to approve the parcel modification of lot 1, block 23 at 180 South 200 East; second by Councilmember Isom; vote unanimous.

CONSIDER A RESOLUTION AMENDING THE CITY'S GENERAL LAND USE PLAN FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL ON APPROXIMATELY 21.77 ACRES OF LAND LOCATED IN THE VICINITY OF CROSS HOLLOW ROAD AND 100 NORTH. GO CIVIL ENGINEERING AND PAUL BITTMENN;

Arlo Fawson – across from the Cross Hollow Event Center, a strip across the street to medium density. Kit – the top section is duplex residential and the bottom is R-2-1 single family.

Councilmember Rowley moved to approve the resolution amending the General Land Use Plan from low density residential to medium density residential on approximately 3.68 acres of land in the vicinity of Cross Hollow Road and 100 North; second by Councilmember Hartley; vote as follows:

AYE: 5
NAY: 0
ABSTAINED: 0

CONSIDER AN ORDINANCE AMENDING THE ZONING DESIGNATION ON PROPERTY LOCATED IN THE VICINITY OF CROSS HOLLOW ROAD AND 100 NORTH FROM RESIDENTIAL-1 (R-1) TO RESIDENTIAL-2 (DWELLING, SINGLE UNIT)(R-2-1) ON APPROXIMATELY 12.67 ACRES; AND FROM RESIDENTIAL-1 (R-1) TO RESIDENTIAL-2 (DWELLING, TWO UNIT) R-2-2 ON APPROXIMATELY 9.1 ACRES. GO CIVIL ENGINEERING AND PAUL BITTMENN;

Councilmember Rowley moved to approve an ordinance amending the zone from R-1 to R-2-1 on approximately 12.67 acres and from R-1 to R-2-2 on approximately 9.1 acres on property in the vicinity of Cross Hollow Road and 100 North; second by Councilmember Cozzens; roll call vote as follows:

Adams - AYE
Cozzens - AYE
Hartley - AYE

Isom - AYE
Rowley - AYE

CONSIDER A RESOLUTION AMENDING CEDAR CITY'S GENERAL LAND USE PLAN FROM NATURAL OPEN SPACE TO CENTRAL COMMERCIAL ON APPROXIMATELY 1.18 ACRES OF LAND LOCATED IN THE VICINITY OF WEST VIEW DRIVE AND CENTER STREET. GO CIVIL ENGINEERING AND PAUL BITTMENN: Arlo Fawson – we have open space, we want to change it and allow for zoning.

Councilmember Cozzens moved to approve the resolution amending the General Land Use Plan from natural open space to Central Commercial on approximately 1.18 acres of land in the vicinity of Westview Drive and Center Street; second by Councilmember Adams; vote as follows:

AYE: 5
NAY: 0
ABSTAINED: 0

CONSIDER AN ORDINANCE AMENDING CEDAR CITY'S ZONING DESIGNATION ON APPROXIMATELY 1.18 ACRES OF LAND IN THE VICINITY OF WEST VIEW DRIVE AND CENTER STREET FROM RESIDENTIAL -1 (R-1) TO CENTRAL COMMERCIAL (CC). GO CIVIL ENGINEERING AND PAUL BITTMENN: Councilmember Adams moved to approve an ordinance amending the zone from R-1 to CC on property in the vicinity of Westview Drive and Center Street; second by Councilmember Rowley; roll call vote as follows:

Adams - AYE
Cozzens - AYE
Hartley - AYE
Isom - AYE
Rowley - AYE

CONSIDER CHANGING THE ZONE FROM R-2-2 TO R-3-M ON APPROXIMATELY .92 ACRES OF LAND LOCATED IN THE VICINITY OF 63 NORTH AIME AVE. GO CIVIL ENGINEERING AND PAUL BITTMENN: Arlo Fawson – we currently have it zoned R-2-2 for duplexes; the owner would like a more family friendly with a bedroom and kitchen in each unit.

Councilmember Cozzens moved to approve an ordinance amending the zone from R-2 to R-3-M on property in the vicinity of 63 North Aime Ave; second by Councilmember Isom; roll call vote as follows:

Adams	-	AYE
Cozzens	-	AYE
Hartley	-	AYE
Isom	-	AYE
Rowley	-	AYE

CONSIDER AN ORDINANCE TO REPEAL THE ANGLE PARKING ORDINANCE ON 200 WEST BETWEEN CENTER AND 200 NORTH. PAUL BITTMENN: Paul – it is a simple change in theory, we put angle parking in December on 200 West north of Center Street, the ordinance would repeal it.

Isom – I think angle parking has its place and can be beneficial, but ultimately can provide additional parking like the library. I like the idea of repealing what happened in December and allow us to catch our breath and come with an ordinance that can be applied in a better way. I joined Councilman Cozzens and his son in front of the church and winery and they were angle parked. Cozzens – I talked with Mr. Gower and he said he has not seen that before, it was probably because of the snow. Originally he was for angle parking but changed his mind. When someone parks like that they may think it is ok the next time. Mayor – staff has been working on a big picture ordinance. Isom – I think we need to give staff some time. Adams – I think we need to address the notification so we don't get in the position of people talking for each other. I think it is important, especially in a residential area. Rowley – we have to look out for the owners of the property, not just the renters as far as notifications. Cozzens – I had comments, last week it sounded like we were deceitful. I have property on 200 West. The other angle parking was by Go Green and we didn't notify the neighbors, we did it by the library and for Workforce Services on 200 East and 200 North and there are residents. Rowley – there are no homes by Go Green. Cozzens – by Workforce service there are two homes on 200 North and 200 East. We haven't been doing that, it wasn't intentional, but I am fine with giving notice. Kit – the street is 100 feet wide and has enough space for angle parking on both sides of the street. Adams – there was safety concerns with it angle on both sides of the street. Cozzens – we met with the Church, Carol and Father Montgomery, they said people could use the parking lot behind their church.

Carol Bolsover – It is confusing to me because last week Mr. Cozzens and his son said it doesn't matter to repeal, and we think it is probably going to happen eventually. We would like to see a committee or something to talk about it, we have our say and you vote and it is what happens and everyone can feel a part of it because they were able to voice their own opinions,. Mr. Cozzens and his partner did come to the church, they were very nice and it was amicable, but in another way it was confusion that a city councilman would come and put pressure on us to change our minds. The service held Saturday with angle parking, was a funeral that are not parishioners, but someone parked a car early in the morning and it was angle parked so everyone that came to the funeral angled parked. I personally had a rude email from one of the partners after last week's meeting and it was undue influence taking place. I appreciate the church and the consideration of you looking at it again, it shouldn't be put through in a hurry.

Karsten Reed – my own survey of the neighborhood, there is a consistent feeling with the owner occupied homes that they are not interested in angle parking, they live there and I can sympathize with that. We spoke with owners that are not owner occupied and the consensus with those was they don't care and in the majority in support. The church offered to let us use their parking space. The University said it will be a parking challenge when the Shakespeare facility is complete and at some point should be addressed.

Blake Cozzens – on 200 West 6 of the properties are owner occupied, the rest are businesses or rentals. We talked with most of the street, most are in support angle parking and/or would want it in front of their property. The main opposition is those that live in their property. Tim Duhleney, owns from Harding south to 200 West and Center, he is in favor of angle parking, I have a signed paper from him. The same with Dutch Workman. Patrons of the church and winery already angle park when it is busy, one that came out of the church, Father Montgomery said they are not part of their church, he said he loves angle parking. At this time we are not against repealing, it makes sense on the street. Not everyone is opposed, if you talk to the property owners it is different. We would like a city wide ordinance that would work. I do support the notification system. We didn't mean to deceive or leave anyone out, it is just a lot of work to notify everyone door to door or go to county records. It is a good idea.

Brett Taylor – regarding parking with non-owner occupied properties, the city has addressed that it is just not enforced. The existing homes have been converted to duplexes, but not enforced to have onsite parking. They are not compliant on site, they need to take pressure off the road and onto their property when they have that type of business, it is the responsibility of property ownership, the City should educate the property owners on the parking ordinance.

Mike Green, owner of GO Green Enterprises – we had a serious parking problem with 120 employees, it was difficult and had complaints. I went to Paul Cozzens and asked him to help get angle parking. It is one of the greatest that happened for us. It avoided a lot of congestion and neighbors are happy. I have been angle parking 3 years and no accidents, very safe and efficient.

Mayor – the street will be congested when the theatre opens, we will have to work with the University on the parking. I get letters from property owns and residents and they will need to address as they continue to grow and they will need a solution for parking. It is not just this street; it is all around the school. Isom – it will get worse with the new business building is built on a parking lot on campus. Rick – that is a good point, the University is a State entity that does not have to meet our zoning or parking requirements, to expect the City to provide the parking shouldn't be the only solution.

Cindy Laffoon – I am new to Cedar City and have not become involved until recently. I am confused why we are just talking about parking that is scheduled to open soon. This should have happened before construction started. Is there a master plan or planning commission that looks at those prior to construction. Can you explain the process? We

are a small community that is growing. When I came to strategic planning I brought that up. I am interested on how you plan to move forward to ensure that those things are addressed prior to construction.

Rick – we do have a zoning ordinance that addresses parking requirements for all private and public uses. As Brett Taylor mentioned, when a home is converted from single family to duplex the property owner should make sure they provide parking. The State of Utah is not required to meet our zoning ordinance requirements as far as parking. So when the new SUMA facility is being built we hope they will assume the parking on the corner of 300 West and Center will supply the parking when the performances are happening, during the summer or after school hours. We have to work with the University and hope they will address the parking issue. Rowley – we are not talking about Shakespeare right now, we are talking about a business. Cindy – Mr. Holman you mentioned when a home converts from single family to duplex is the parking not required. Is the parking not required as part of the permit process. Rick – if someone makes enough changes that requires a building permit that is when the property is evaluated along with the parking. Paul – they are supposed to apply for a rental dwelling license as well, that is when we catch these things, but not everyone does. Rick – if a neighbor notifies that a home is now occupied by 6-8 students we see if the parking is addressed.

Adams – I sat in on the first meeting when SUMA was started and they had a master plan with a parking structure on 300 West and Center Street and I think it got pushed to the side because of money and the whole structure got moved. They own the property, enough to build a parking structure. It is hard when we don't have control of what they do. Cozzens – that is a perfect example of angle parking across for the Randall Jones. From Center Street north that would perfect. I don't work at the location I have an interest in, and I suggested it. I believe it helps everyone. On 900 West by the old North Stake Center I thought it might be good for angle, but Kit said it may not be wide enough. On Sunday morning when the kids are parked all along the street people would like it.

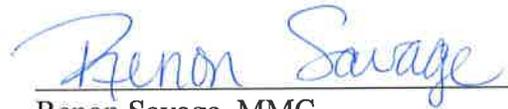
Rowley – why is angle parking more dangerous than parallel parking. Mayor – we are talking about a lot of areas. Chief – I can forward you research, but mainly it is backing out in the travel lane. Rowley – is that not a problem when in parallel parking? Chief – they are not backing into traffic. Also with children, it puts them more in the travel lane.

Dustin Prestwich – angle parking does benefit in some places, where it is majority residential it does not fit, it is not the golden shoe that fits all. I have a question for Fred, the owners should be notified, not the residents. Rowley - yes, they own the property, and renters are there for 6 months and then move on. Dustin – does it affect the owners more? Rowley – because they own the property, it affects them. Dustin - There was a lady down the road that rented for 4 years and then purchased the home. It doesn't affect the owners but they get to make the decision. It does affect us that live there. Cozzens – I think it will help. People need to be good neighbors and be reasonable. Dustin – the majority of the lots are skinny and deep, the good angle parking would be the church and bed and breakfast. We did not mean to mislead the council, we talked with the residents.

Councilmember Rowley moved to approve an ordinance repealing angle parking on 200 West between Center and 200 North; second by Councilmember Isom; roll call vote as follows:

Adams	-	AYE
Cozzens	-	AYE
Hartley	-	AYE
Isom	-	AYE
Rowley	-	AYE

ADJOURN: Councilmember Isom moved to adjourn at 6:30 p.m.; second by Councilmember Rowley; vote unanimous.



Renon Savage, MMC
City Recorder

