

COUNCIL MINUTES
MARCH 23, 2016

The City Council held a meeting on Wednesday, March 23, 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 Treasurer Wendy Bonzo; Finance Director Jason Norris; Police Chief Robert D. Allinson; Fire Chief Mike Phillips; Economic Development Director Danny Stewart; Public Works Director Ryan Marshall.

OTHERS PRESENT: Albert Montoya, Emmalinda Thompson, Kathy Kaminski, Vickie Sherratt, Austin Bingham, Symbria Patterson, Sara Patterson, Jacqualine Grant, Corey Baumgartner, Mac Urie, Michael Nelson, Chris Maxwell, Andrew Bagnall, Aarn Arnold, Mike Phillips, Kimber Heaton, Pamela Langford, Shanna Shapiro, Carson Braegger, J. David Westwood, Ryan Marshall, Jerehiah Davis, Kevin Davis, Tom Jett, Spencer Jones, Ida Ruch, Pat Sproul, Kathryn Joerger, Alex Orange, Ben Brinkerhoff, Josie Jones, Trevor Obering, Taylor Houston, Ian Keyes, the Fife Family, Mckenzie Darger, Anna Langaford, Heidi Anderson, Kim Simmerman, Lindsey Hatch, Bob Platt, Michael Arnold, Elise Leahy, Rob Myers, Patty Johnson, Wayne Decker, Carol Bolsover, Adam Petty, Renae Slack, Hutson Slack, Asher Slack, Bubba Ludlow, Randall Cabe, R. Bryce Bennett, Sean Heiner, Andrew Stewart, Maquel Stewart, Blake Cozzens.

CALL TO ORDER: Pastor Bob Sharp gave the invocation; the pledge was led by Troop 330.

AGENDA ORDER APPROVAL: Councilmember Fred Rowley moved to approve the agenda order, with the change of moving the Farmers Market first under Public Comments; second by Councilmember Paul Cozzens; vote unanimous.

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF COMMENTS: Fred indicated that he has received complaints about the landscape areas by the North Interchange.

PUBLIC COMMENTS: ■ Discussion on Farmers Market Location – Candace Schaible with USU Extension Office addressed the council. She helps with the Farmers Market, and has been working with Paul Bittmenn and Rick Holman on finding the right location. She presented a letter that she has taken to the residents, in the area, on Center Street and College Avenue. Items addressed were; 1. Traffic within the proposed area, vendors driving through the area, how will it be controlled? She stated that the vendors will be allowed to drive through the area and set up 20 minutes prior to the opening. This was done on the previous location, and in this case the vendor will be able to actually park behind their booth. Paul Cozzens asked about increased liability, where this would be on

public property as opposed to private property as in the past. Candace stated that they are covered under the USU insurance umbrella. 2. Will City Staff be used to close the street? City Staff will only set up cones, and Jeff Hunter feels that we have sufficient cones to lend them. 3. After market clean-up, who is responsible? The vendors are required to clean up their own booth area and haul all trash off. 4. Resident comments. 5. Restroom facilities. This is her main concern, where will the vendors be able to use. Candace said she wonders about using the canyon park restrooms. Previously they used Mike's Tavern. Mayor suggested KB Express, which is in close proximity. July 20th is the planned opening date. Fred Rowley asked if the parking lot across from the library was considered for a possible location. Candace said the biggest concerns with this location it is a less inviting space, and there is no shade.

■ Catholic Thrift Shop has no objection to the closing of the street. They aren't open on Wednesday's, which the planned day is. The concern they have is the flat bed trailers that are already parked on the street, across from the thrift shop. If the trailers are moved to their side of the street, it eliminates their parking. Fred Rowley is also concerned with the trailer parking, and feels this needs to be looked at.

■ Emmalinda Thomson, a resident of the area is opposed to this, for all selfish reasons, she stated. This will confine her in her home for seven hours, and the noise will be very disturbing to her. She just wanted to state her opposition.

■ Elizabeth Woodward stated that Cedar City is such a wonderful, charming, unique place, she feels that the farmers market is a great addition to our community.

■ Ida Ruch is from Switzerland, there are farmer's markets daily in the mid-sized communities. She feels this is a great addition to our community, and hopes they can find a place that will enhance the farmers market.

■ Elise Leahy attends the farmers markets every Wednesday and Saturday. She feels that a lot of business is brought to the downtown area by the farmer's market, that this is a big draw.

■ Candace Schaible said the area blocked off shouldn't affect Emalinda Thompson, even the parking. Fred Rowley doesn't see why this couldn't be done by the Elks Lodge; vendors have pop-up canopies to provide shade.

■ Emmalinda Thomson said the farmers market was thinking of locating in the Lunt Motor parking lot, but they weren't able to use this area. Why couldn't they go to Lunt's or stay behind Bulloch's?

■ Carol Bolsover is in favor of finding a good location, one that is easy to access. The trend is toward local growing and purchasing of food, we need to do all that we can to make this a reality in our community. She is in favor.

■ Mayor Wilson indicated that the entire staff and council are in favor of the concept of the farmers market. We need to find the best solution for everyone, as far as location is concerned.

■ Candace said concerning the Elks Lodge area, if this area was used, no one would ever have shade. They are also concerned also with the possibility of mud, because the area is unpaved. They need to find a new location from year's past; the downtown businesses need the parking. Lunt Motor was just an idea, it wasn't really an option.

■ Mayor Wilson indicated that numerous spots have been looked at over the past year. Rick Holman stated that staff has looked at property that the city owns, hoping to find a good solution there. Ron Adams asked about north of the Stratford Inn. This area is not quite big enough for the farmer's market, and there isn't shade in the area either.

■ Kim Simmerman has been involved with the farmer's market, and she stated that sun and heat are definite deterrents.

■ Joseph Fife asked about the grass area by the library, on the park.

■ Simbria Patterson is a vendor. Things have come into her neighborhood in the past which have been an inconvenience to her, but she sees the benefit to the City. Shutting down the street shows City support.

■ Kathy Kaminski asked why the park isn't being considered. Council stated that they just passed a non-waiver agreement concerning fees at city facilities, there are fees associated with using the park.

■ Renae Slack owns a business where the farmers market has been in the past and it has never negatively impacted them.

■ Fred Rowley suggested that we give it a try at the proposed location. Paul Cozzens also suggested we try this location for a year and see how it goes.

This will be on the action meeting agenda for April 13th.

■ Outdoor Imaging – Mac Urie is an outdoor enthusiast and a member of the Chamber of Commerce and business owner. He passed out a letter from Maria Twitchell, Executive Director, Cedar City/Brian Head Tourism Bureau. See attached Exhibit "A" She addressed the challenges she runs into when asked about trails in our area. She would like to partner with Cedar City Corporation to highlight outdoor recreation. People continually ask her where to go to access trails for recreation, but there is no signage marking trail heads and the trails are not shown on a map. The paved trail system looks good on the internet, but there are no GPS coordinates, signage, etc. where the trailhead is. Mac has met with Maria, Danny Stewart and Bryan Dangerfield to talk about issues with our trail systems.

Mac would like to include all trail systems, BLM, City, etc. and include biking trails as well as hiking trails. We need to prioritize the trail segments we want to complete and be sure the funding is place each year so that it will happen. He feels that this needs to be a priority.

■ Creative funding – Jacque Grant uses the trails whenever she can. She talked about the Land and Water Conservation Fund, which is part of the Utah State budget, monies that are granted by the Federal Government. Jacque is involved with fund raising through SUU. There are many options for grants/funding, such as an EPA grant could be requested because of our support of Southwest Wildlife park. Washington County applies for money on a regular basis and has received over \$2 million. She would love to help us apply for the Land and Water Conservation Fund Grant. There is a 50% match; volunteer time can count toward our 50%.

■ Rob Myers, with SUU Outdoors, told the council that for the school year 2015-2016 SUU competed against 56 schools from across the Country, and SUU won the title of “Most Outdoorsy in the Nation”. They proved that, geographically, we are the number one for outdoor recreation. In our area there are over 100 trips and adventures available, most trips are 30 minutes or less away. With the availability of skiing, biking, caving, nature trail, a trail system is year round, not just for use in the summertime. His department had six fat tire bike snow trail rides, road biking and mountain biking trips. Most are student based, and the bikes aren’t rented from SUU, but through local businesses such as Cedar Cycle and Bike Route, supporting local businesses. 10% the profit made from rides/activities goes into maintenance and upgrade of the areas they use. Students get a great education and live in a great environment.

■ Mac said there are many creative ways to get funding, with the addition of City funding. Parowan recently applied for a grant and hired an engineer to work on the trail system east of their city.

We need to foster and build the cycling community, especially with Tour of Utah and Fire Road this summer. Cedar City isn’t designated as a cycle friendly community, and he would like us to be sure and make money available and continue to work with UDOT on cycling routes. He wondered about the possibility of installing bike racks downtown to encourage more cycling.

Mac feels that we need to work on signage, map and identify what we have, in the very least. This should be available online, with marked trailheads, and bumper guards for parking. He feels we should create a plan and make a line item amount annually, to keep moving on the infrastructure. Mac suggested that we look into State Grants available, team up with Maria Twitchell and SUU Outdoor.

■ Fred Rowley said that the East bench Trail, is now connected clear to Bicentennial Park, maybe we could start on this trail with signage. We should create a link from the east side to the west side, to the sheep trail and the trail through Sunset Canyon. He said

there is a portion that motorized vehicles have been driving on, this shouldn't happen. He would also like to get the restrooms completed on the south end of town.

■ Austin Bingham, Parks and Outdoor Facilities Division Head, said that there is a proposed line item to connect the Southview Trail to the Eastbench Trail. Easements in various places will be required to continue with the trails master plan. Concerning the Eastbench Trail, measures are being taken to stop motorized vehicles. In a few years the BLM property around the "C" trail will be completely non-motorized.

■ Terri Hartley mentioned that there is a lot of overgrowth of brush by Fir Street, by the flood channel, that needs to be cut. Austin indicated that the entire trail system will be cleaned from brush this spring.

■ Jacque Grant said grant money may be used to assist with the purchase of property, easements, and use to develop trails, through the Land and Water Conservation Fund. Jacque indicated it would probably take her about a week to write the grant. Then information from the City and County would need to be compiled.

■ Ron Adams asked, does this grant address only infrastructure or help with maintenance also? Jacque will check on this.

■ Mac asked if what he has said makes sense, the cohesiveness between various entities, etc. There are many opportunities right now for grants/funding. Kit Wareham indicated that most of our trails were paid for by grants, and his department could do the GPS coordinates. Mac will meet with Kit on this.

■ Bryan Dangerfield, Events Coordinator, said that a UDOT consultant will be doing a presentation about the road respect program on March 24th. There is a cycling stage race the end of April, then Fire Road and Tour of Utah. His office is trying to promote riding the Tour of Utah routes throughout the year.

■ Other Public Comments: Kathy Kaminski addressed the council concerning the Animal Control Shelter. She is an animal lover, she has always rescued animals. In 2013, Tina Garrison moved here from out of state. In Tina she found someone she could talk to about rescuing animals. Could RAP tax be used to help with this interest? Our animal shelter is 50 years old, the roof is leaking. It should be a place that encourages people to want to adopt animals. She is offering her help in getting a new animal shelter. She is working on finding funding and help to build a new shelter.

See attached Exhibit "B", article from The Spectrum

Mayor Wilson indicated this is something that we have been dealing with for some time. We have talked to the County, Enoch, etc. This is on the radar and at the forefront. She would like to meet with Mrs. Kaminski on finding a solution.

CONSENT AGENDA: (1) APPROVAL OF MINUTES DATED MARCH 2 & 9, 2016; (2) APPROVAL OF BILLS DATED MARCH 18, 2016

ACTION AGENDA: Councilmember Paul Cozzens moved to approve the consent agenda as written; second by Councilmember Ron Adams; vote unanimous.

CONSIDER AN ORDINANCE ANNEXING APPROXIMATELY 1.28 ACRES OF LAND IN THE VICINITY OF 2160 WEST AND 580 NORTH (HORSE ALLEY). PLATT & PLATT ENGINEERING/PAUL BITTMENN:

Councilmember Ron Adams moved to approve the ordinance annexing approximately 1.28 acres of land in the vicinity of 2160 West 580 North (Horse Alley); second by Councilmember Craig Isom; roll call vote as follows:

Ron Adams	-	AYE
Paul Cozzens	-	AYE
Terri Hartley	-	AYE
Craig Isom	-	AYE
Fred Rowley	-	AYE

CONSIDER A RESOLUTION AMENDING THE CEDAR CITY GENERAL LAND USE PLAN FROM HIGHWAY AND REGIONAL COMMERCIAL SERVICES/MEDIUM DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL ON APPROXIMATELY 0.57 ACRES OF LAND LOCATED IN THE VICINITY OF 200 NORTH AND 400 WEST. NEW HORIZON ENGINEERING/PAUL BITTMENN:

Terri Hartley has received phone calls expressing concern about the erosion of roads on the main corridors to the city. We need to be sure we are complying with the master plan. Ron Adams feels that we need future discussion to address 200 North and Highway Service zone requirements, and the commercial/residential combination. He feels Highway Service is extended beyond where it should be. Fred Rowley feels that the City Council and Planning Commission should meet to insure we are all on the same page concerning this. Paul Cozzens also feels that the Highway Service Zone extends too far east. The line of various zones needs to be on property lines, not random. Mayor Wilson suggested that a specific date and time be set aside to come and discuss this overall issue.

Fred will be voting against, when we change residential property we never get it back. Craig is all for this, he feels that we need to keep college students close to the university. Ron suggested to Spencer Jones that he consider a nice landscape area along 200 North, kind of as a buffer zone.

Councilmember Craig Isom moved to approve the resolution amending the General Land Use Plan from Highway & Regional Commercial Services to Residential High Density on property located in the vicinity of 200 North 400 West; second by Councilmember Paul Cozzens; vote as follows:

AYE:	<u>4</u>
NAY:	<u>1</u>

ABSTAINED:0_____

Fred Rowley voted nay.

CONSIDER AN ORDINANCE AMENDING THE ZONING DESIGNATION ON APPROXIMATELY 0.57 ACRES OF LAND LOCATED IN THE VICINITY OF 200 NORTH AND 400 WEST FROM HIGHWAY SERVICES (HS) TO HIGH DENSITY RESIDENTIAL (DWELLING MULTIPLE UNIT) (R-3-M). NEW HORIZON ENGINEERING/PAUL BITTMENN:

Councilmember Craig Isom moved to approve the ordinance changing the zone from Highway Services to High Density Residential (R-3-M) on property located in the vicinity of 200 North 400 West; second by Councilmember Ron Adams ; roll call vote as follows:

Ron Adams	-	AYE
Paul Cozzens	-	AYE
Terri Hartley	-	AYE
Craig Isom	-	AYE
Fred Rowley	-	NAY

ADJOURN: Councilmember Fred moved to adjourn at 7:25 p.m.; second by Councilmember Ron Adams; vote unanimous.

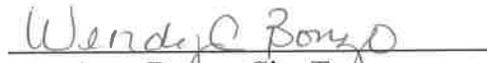

Wendy C. Bonzo, City Treasurer

Exhibit A

CEDAR CITY • BRIAN HEAD
TOURISM BUREAU



581 N. Main
Cedar City, UT 84721
435-586-5124 visitcedarcity.com

March 8, 2016

Cedar City Council
10 N. Main
Cedar City, UT 84721

Dear Cedar City Council members;

The Cedar City-Brian Head Tourism Bureau always wants to partner with organizations that can further develop outdoor recreation related tourism. I am writing to express my support and sincere desire to see recreation opportunities, particularly biking, cycling and hiking, to be further developed within the city limits. My hope is that Cedar City will make the trail system a priority and find the funds/means to: 1) complete the trails master plan, 2) to install trailheads and proper signage along the routes, and 3) partner with us in marketing and branding your trail resources.

Cedar City is on the cusp of being an outstanding recreation hub and recent construction of hiking and biking trails by the Bureau of Land Management in the Thunderbird and South View areas are certainly adding to the overall visitor experience. However, we need more trails constructed and to promote the ones we do have. Cedar City has put incredible efforts into making the Tour of Utah a branding success. With that extraordinary international exposure, let's ensure Cedar City has the infrastructure and amenities that visitors expect from a city that hosts a major cycling event.

I'm concerned that we lack a centralized and cohesive way to promote the trails and outdoor recreation opportunities the City does offer. The City website describes a few trails but it's challenging to find a complete list. The trails master plan is posted on the City site, but it's incredibly difficult to read; cycling routes are nearly impossible to identify and it doesn't distinguish between trails that are completed and trails planned for the future. We interact with bikers and hikers all the time at travel shows, through our website and visitor center and we honestly have don't have much to direct them to. My hope is that we can partner with you in creating a cohesive branding message and develop marketing materials to promote these wonderful resources to biking and hiking enthusiasts.

I'm also concerned that the City's paved recreation trails lack trailheads and proper signage. For locals, signage may not be necessary, but our visitors have no idea what to expect along these trails. We find that visitors are uncomfortable with the trail system and in several cases don't even know it exists. Constructing trailheads would provide a place to start, make the trail easier to find, convey important information (i.e. how long is the trail, where does it end, etc.), as well as provide assurance that that it's

safe for general use, that it's been properly developed, and that land permissions and easements have been acquired.

Our city trails can provide outstanding economic opportunities by giving visitors another reason to come to Cedar City and stay longer. An average visitor will spend \$131 dollars per day in Iron County. The longer a visitor stays, the more likely they will spend their dollars here; which equals more tax dollars in your coffers. We just need to get the word out.

I understand that it takes money to build and maintain the city trail system and I'm sure the trails committee has identified several grant options through Utah State Parks, Dixie National Forest and the Office of Outdoor Recreation that could be applied for (I've also put their links below) . Some of these grants are accepting applications now. I would also encourage the City to apply for funds from the Iron County Restaurant Tax, which can go towards trail development, signage and marketing. Applications are accepted in October.

For the economic and recreational benefit of our community, I sincerely hope that Cedar City will make the completion of the trails master plan a priority in your budget planning and that we can partner in promoting this wonderful resource to outdoor enthusiasts around the world. If you have any questions, please call me at 435-586-5124.

Sincerely,

Maria Twitchell

Maria Twitchell, Executive Director

<http://stateparks.utah.gov/resources/grants/land-and-water-conservation-fund/>

<http://stateparks.utah.gov/resources/grants/recreational-trails-program/>

<http://business.utah.gov/programs/office-of-outdoor-recreation/office-of-outdoor-recreation-grant-program/>

<http://www.fs.usda.gov/main/dixie/workingtogether/advisorycommittees>

'Ruff' conditions: Cedar City Animal Control hopes for a new shelter

 **Bree Burkitt**, bburkitt@thespectrum.com 4:15 p.m. MST March 5, 2016



(Photo: Jordan Allred / The Spectrum & Daily News)

When the Cedar City Animal Control and Shelter opened more than 50 years ago, the city population hardly reached 10,000 people.

But as the population has swelled to more than 30,000 people, the growth of the shelter has not been able to keep up.

The shelter staff still cares for the animals in the same building that was originally built as a cold storage unit in late 1940s. Though a roof was eventually put on before it was converted into a shelter, very little else has changed.

"About 15 years ago they added an office portion," said Tina Garrison, one of two staff members at the shelter. "They had to so we could get some fresh air and weren't having to yell over barking dogs when we were talking on the phone."

But barking dogs are the least of the worries for the shelter staff.

The five-decade-old shelter has survived well, but it shows signs of wear. The staff complains of a leaking roof and kennels that don't properly drain when sprayed down for cleaning.

The roots of a tree are slowly growing into the drainage system under the old building and cleaning food bowls is growing increasingly more difficult as the sink is being destroyed by water rot. Food stored in a small shed is constantly threatened by rats looking for a meal.

While it may not seem like much, those flaws can ultimately compromise the health of the animals.

The current shelter can hold approximately 30 cats and 21 dogs, but the facilities are only suited for healthy animals. Cats are kept in the old 143 square-foot administration office, while feral and sick cats are kept in two rows of small kennels located in what used to be a bathroom.

Buy Photo



An dog walks around a fenced-in area attached to Cedar City's Animal Control Shelter, Friday, Mar. 4, 2016. (Photo: Jordan Allred / The Spectrum & Daily News)

"If you have one sick in there, then they all get sick," Garrison said. "We need an area to keep the sick ones away from the healthy ones. If you have a separate area, then the healthy ones stay healthy and are much more likely to be adopted out."

'Ruff' conditions: Cedar City Animal Control hopes for a new shelter

In 2015, the shelter housed 440 dogs and 420 cats. Despite the issues with the building, euthanasia rates were low. Garrison has only had to put down one dog due to a lack of space during her time working at the shelter.

While the number is impressive, it is a feat accomplished by Garrison's dedication. If she encounters a dog that does not immediately seem fit for adoption or the shelter is full, she tries other outlets to avoid putting the animal down.

"After that I started looking at the rescues," Garrison said. "If I get full, I start getting on the computer and start looking at the rescues. That is like a full time job in itself."

As Garrison walks through the shelter building, she points out the bottom of the cat kennels and describes how, despite the high cost, they never last more than three months. The staff wheels the cages out of the way in order to clean the cat room. The constant moving ultimately destroys the wheels, making them practically unusable.

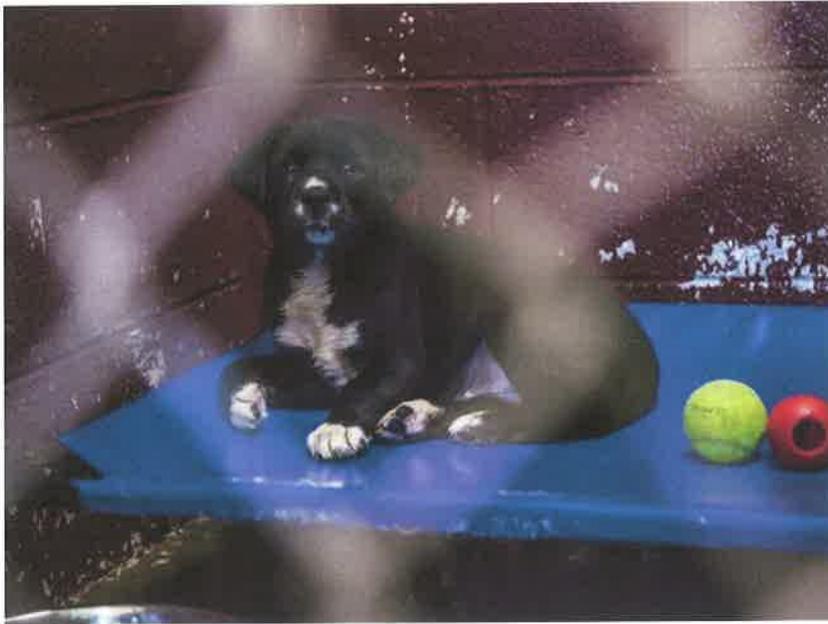
Cedar City Police Sgt. Jerry Womack understands the extreme effort the staff makes to keep everything running smoothly.

"We need more room," Womack said. "This is inadequate for cleaning. It's been serviced well for many years, but it just can't take it anymore."

After more than 50 years of trying to make do, the plans have been drawn for a new shelter.

Plans for a new shelter include a waiting room, office area, an improved space for cats with viewing windows, laundry facilities, an area designed quarantine animals, a separate space for euthanasia and facilities to bathe and groom incoming animals.

Buy Photo



A puppy sits inside Cedar City's Animal Control Shelter, Friday, Mar. 4, 2016. (Photo: Jordan Allred / The Spectrum & Daily News)

The new design also features one of the things Garrison wants the most — an outside space for the dogs.

"We need an area so the dogs can get out because right now they are stuck," Garrison said. "The only area now is out front, which can only hold one dog out a time. We walk them, but it's not enough. An indoor outdoor run would really allow them to get their exercise."

Womack said building a new shelter at the cost of approximately \$800,000 is a much more economical option than trying to repair the current facilities.

"We have to either throw a whole bunch of money at it to fix the roof, signs and get better kennels," Womack said. "That will all cost money. It would just be nicer to build a new building and bulldoze this thing now. It would cost just as much as building a new one to get this place back into the condition we need."

Now all they need are the funds. The plans were completed last year, but there was not enough money left in the budget at that time to begin building a new shelter.

The Animal Control Department has requested the money for the 2017 fiscal year budget, which will be finalized and approved this June.

Garrison hopes residents begin to realize the need for an improved shelter.

"Cedar City was such a small area once they didn't need any more than this," Garrison said. "Now it is growing though and we need more. I think Cedar City is growing and we'll have more animals. A better shelter would be great."

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