

**COUNCIL MINUTES**  
**SEPTEMBER 7, 2016**

The City Council held a meeting on Wednesday, September 7, 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 Paul Bittmenn; City Engineer Kit Wareham; City Attorney Tyler Romeril; City Recorder, Renon Savage; Finance Director Jason Norris; Police Chief Darin Adams; Fire Chief Mike Phillips; Economic Development Director Danny Stewart; Public Works Director Ryan Marshall; Leisure Services/Events Director Bryan Dangerfield; Golf Superintendent Steve Carter, Aquatics Manager Chris Hudson.

**OTHERS PRESENT:** Tyler Cox, McKayla Zufelt, Grady Marshall, Chandler Reid, Corey Baumgartner, Jeremiah & Kevin Davis, Tom Jett, Brian Anderson, Mary Taylor, Logan Childs, Cammie Birch, Riley Jones, Brittney Gregerson, Zach Maxwell, Brad Green, Alicia Zufelt, Laura Zufelt, Nicole Shafer, Brandan Ivie, Kiley Larson, Susan Tyner, Thomas Pugh, Max Snedden, Bob Platt, Matt Langston, Linda Petty.

**CALL TO ORDER:** Pat Brajnikff of St. Jude's Episcopal Church gave the invocation; the pledge was led by Councilmember Isom.

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

**ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF COMMENTS:** ■Rowley – I stopped at the new prep store on Main Street and they are having a preparedness event on Friday and Saturday. I invited one of them to come and tell about it. They will have events talking about that and it might be good for folks to tune up their 72 hour kits. We should also mention our Fire Department, we had a tragedy, but it could have been a lot worse. Thank them for their work ■Mayor – today was Iron County Coordinating Council, we had both our new City Manager and Parowan's new City Manager there. All the mayors get together in Iron County and every September we go to Enterprise. We did find out about things about the ambulance service and we have a lot of cross over even though they are in Washington County. ■Value Inn update – Chief Adams – First we have a CCPD/Chili's fund raiser, on the 8<sup>th</sup> they will donate 15% back to the CCPD. Some negative has come back to us in people expressing appreciation. There was an event in the Park on Saturday for us as well. Lori Logan and her husband put that on. We appreciate that gratitude. Also, if you are familiar with the Value Inn, it has gone down in the past several months, it has a transient owner who closed and is selling. He had a manager on site and unknown to him the Manager was squatting and allowing people to live there, the water was off, but the power was on. If you look at the broken window theory, when social disorder and crime are allowed in one place it comes from a lack of attention, it is easy for a criminal

element. We took an aggressive approach in arresting people with warrants and put pressure on the manager. There was a lot of trash that caused a public health concern. Code Enforcement worked with public Works and put on suits and cleaned it up. We continue to watch that property and have had a few people getting back in. ■Half Marathon update – Bryan Dangerfield – it will be this Saturday. There was an article in the paper, on the website and Facebook. The canyon will be closed from 6:00 a.m. – 11:00 a.m. there will be a Highway Patrolman at Midway directing traffic. There are a lot of new things, new finish line, we are at Bicentennial Park, this is to show off the Coal Creek Trail, they will start at Woods Ranch and then transition onto the trail and end at the soccer fields. We have new medals this year. Cameron is up measuring and recertifying the course with Alan Gudmanson. It is a great committee, people are volunteering. We will see you Saturday morning. There is also a 5K sponsored by the Cedar City Hospital. Mayor – before it would come out of the canyon and then have to run through neighborhoods. Now it comes down the trail system. Bryan – to get distance right there is a loop around the ballfields. ■Chief Phillips – we are nearing the completion of the I-15 fuels project, we have finished up the interchanges, the City is to take care of that, we have put the material to the edge and UDOT will chip it. Paul – UDOT’s timeline on getting the limbs and shredding is this fall, there may be some limbs setting by the road for a while. The tradeoff is we don’t have to have our crews haul them off to Bulloch Pit. Chief – ISO will be here on October 15<sup>th</sup> to audit us again. ■Danny Stewart, Economic Development Director – tomorrow is the Chamber of Commerce Economic Summit. It is a lunch and dinner sponsored by the Chamber of Commerce and local businesses. They partnered with World Trade Center Utah. It is at SUU campus, Governor Herbert will be the lunch speaker, dinner at 6:00 and the speaker will be Lane Beatty, President of the Salt Lake Chamber of Commerce. We have several businesses and local organizations giving quick 5 minute updates. ■Mayor – no council next week, ULCT. Also want to officially welcome Tyler, he started yesterday and gets to join our meetings. We met with SUU today, and will likely have two interns start with us this semester. SUU and Leavitt Center has vetted them and Paul and I will meet with them.

**PUBLIC COMMENTS:** ■Nichole Schafer, Swouthwest Wildlife Foundation – want to thank everyone that came out to the Eagle Release, the Police and Fire Chiefs came as well as Councilman Rowley. It was a nice event. Corey Wride’s wife released the Eagle. Thank you to those that participated. Also thanks to the Mayor for coming to the bio blitz at the Cedar Canyon Nature Park. We had a good turnout. We had over 300 people and raised \$500 for the foundation.

**CONSIDER VICINITY PLAN AMENDMENT #2 OF THE MEADOW CREST**

**PUD. BOB PLATT/KIT WAREHAM:** Bob Platt – this is north of Spirit Fitness Center, a townhome project. Originally when platted there was a six-plex. The developers decided to change it to a 4-plex. The project was then sold to Alex Misener who has built several units, and he wants to make this back a 6-plex and it is well under density requirements. There is a little change in landscape from lawn to xeriscape. Consent.

**CONSIDER A REQUEST FOR A SEPTIC SYSTEM FOR THE SOUTHWEST WILDLIFE FOUNDATION. SUSAN TYNER/PAUL BITTMENN:**

Paul – Southwest Wildlife came in during RAP Tax for a restroom, conditions were that we enter an agreement that the restrooms stay open for public use, Southwest Wildlife will maintain, open and close them. The contract is signed, but the issue with the percolation test and the certificate from SW Public Health. The last step is that anyone in the City that wants to hook up to wastewater, if over 300 feet they can ask for a septic system, but when the sewer comes within the 300 feet they are required to hook on to the system. Rowley – all the homes up there are on septic? Kit – yes. Isom – how is fundraising? Nichole – going well, we are pulling building permits this month. The architect has redesigned a few things to keep it more affordable so we can move forward. Consent.

**CONSIDER FINAL APPROVAL OF FORT CEDAR COMMERCE CENTER PUD PHASE I AMENDED. TOM JETT:**

Paul – Mr. Jett brought vicinity a few weeks ago, this is the final plat approval. This is by the old Coke plant. In the back they will square up the lot and the existing buildings on the front lot will be condo's, the HOA maintains the land.

Tom Jett – they are individually sold. It has been a phenomenal experience, the sewer goes one way and then another way. I think it was lake Bonneville and the boulders are half the size of Volkswagens, then clear sailing and then more boulders. It is amazing how the river shaped this valley. Consent.

**CONSIDER RESIDENTIAL DEVELOPMENT OVERLAY(RDO) PLAN FOR THE FIDDLERS CANYON RDO. KIT WAREHAM/GO CIVIL ENGINEERING:**

Kit – this is a new process, residential development overlay to go over the general plan, a developer can propose an overlay. It was originally meant so they could get denser development in the area by contributing amenities to the city such as park, trail, church, etc. which gives them credit for their density. See what the general plan allows, that is their baseline, they plan it with the public amenities and decrease their land for residential development, but put a denser development in the area. This is a little different, they are proposing to put in more dense density, an R3, they give an amount of open space, approximately 40% will be developed into residential and 60% left natural. Rowley – it looks most is vertical. Kit – there is still ridge lines and canyons that could be used for trail. It is mostly hillside so you are protecting the hillside from a developer leveling it out. There is one interesting thing, there was natural open space left in the general plan, but is owned by the developer, most natural open space is owned by government entities. If you zone open space unusable you may want to buy the property. Cozzens – who owns the property? Kit – Fiddlers Development. Cozzens – how do they feel about it? Kit – it is their idea. It will be part of the plat. If they develop to what it is zoned they could put 700 units in. the RDO only allows them to put 405 units in. One consideration they want is to zone the areas that are developable as R-3 apartment type complexes. Apartments have less impact to the infrastructure than single family residents. Cozzens – how does this affect other properties like it. My problem is if someone bought property years ago and then they can't use it. Mayor – I would like this on action since they are not here tonight, then they can answer any questions you might have. Cozzens – you see

cities try to do hilltop ordinances when people have owned property and paid taxes for years. Kit – this was their idea. Rowley – what is the overlay? Kit – we will modify the general plan to show that the area is overlaid to see how they can develop. Action.

**CONSIDER BIDS FOR PUMP STATION UPGRADES AT THE GOLF COURSE.**

**STEVE CARTER:** Steve – we put out some bids for some pump station upgrades, they will allow us to have a fully automated pump station, now it is manual. This will give us the capability of having a set time to come on or turn it on over the internet. It will fill the pond and shut it off automatically. It will also update the VFD drive with the pump at the cemetery, the pump is 20-24 years old, this will manage the flow better. Rowley – is the output constant, or is there higher demand on the pipes. Will the motor run at different speeds depending on demand? Steve – yes. Cozzens – what will it do to the demand charge? Steve – it will be good, the VFD will flow the motor and make it run easier. Now when it turns on it turns on at 700 gallons per minute.

We had two bids Watertronics came in at \$132,634.00 for both pump station, Bartok Controls came in at \$143,845.00. Watertronics is a good company in Utah, I have worked with them at other Golf Courses. Also, there is a 10 week waiting period after plan designs which puts us to the first part of December. We would like it as soon as possible. Cozzens – is it budgeted? Mayor – yes. We reallocated the \$80,000 for the pavilion and allocated additional \$80,000 RAP this year. Paul – the end of last year's RAP. Cozzens – did we have to change the ordinance? Mayor – we had put out bids before the year was up. Paul – we haven't changed the ordinance, it is 1 year after the contract, and we are probably stretching the first \$80,000 by a few weeks. Cozzens – I am in favor of changing the ordinance for larger scale projects. Steve – last year when I was putting the clocks in I bought an ice fishing hut and put a heater in it so we could install the clocks. Consent.

**CONSIDER SUPPLEMENTAL FIRE SUPPRESSION PROGRAM BUSINESS**

**PLAN. CHIEF PHILLIPS:** Chief Phillips – during the 2015 fall semester, Dr. Joe Baker did a feasibility study on the fire suppression program, the study was presented on December 2, 2015. Tyler Cox has taken on the business plan to write it. I want to thank him for taking this on. Rowley – I keep having nightmares of another ladder truck if we have more 4 story buildings. We may want a high building moratorium. Mayor – Mike has calculated that and I have sent a memo to you. We now have 3, if we have 5 it goes to the ISO rating. Mike – supplemental fire suppression is us going to wildland fires, we provide a service and they pay us back the cost of equipment and we turn that back into equipment in the department.

Tyler Cox – when I took on this project I was not informed that I would be presenting to the Council. I have appreciated the time I have spent with Craig Isom and Chief Phillips. This program is so the Fire Department can assist other departments on federal wildland fires and they are compensated. The objectives are to advise and inform you about the opportunities the Fire Department has in participating in the plan, go over the economics and what is feasible and propose a few recommendations for which funds could be used. (See Exhibit "A").

Paul – as part of policy debate, they are a general fund operation, so should the revenue go to them or to the general fund. Rowley – they don't want to do it if they don't get the money. Paul – we just need to talk it through and make a policy. Mayor – we don't want this to be our source of funding, we don't want to have to send our firefighters out to pay the bills. Paul – we might have a fire season where there are no fires. Isom – I think this is how the Chief feels. Mike Phillips – each time we send people out I talk with the Mayor and City Manager. We don't want to send out too many trucks and gut the city. While they are making revenue they are getting training and signing off their task books. We talk it through before we send people out.

Rowley – recruitment and retention would not be one-time money. Mike Phillips – there are not any positions attached to this money, it is to pay for volunteer uniforms and equipment, no money for wages. Mayor – no money for ongoing anything. Mike – it can go to SB122, right now our in kind match is \$144,000.

Hartley – you indicated the direct costs were \$18,000 with a 14/1 ration, do the direct cost cover replacement costs? Mike – that is the sinking fund, last year we generated \$70,000, after we paid wages, etc. we had \$50,000. We took the money and put it back into the program. When we send the tender away we have one here as well, it also helps with the ISO rating. When Joe Baker did his presentation, we were not wearing out our trucks by use, but by old age. If we break anything while we are on a fire, the fire will pay for it. We had a shock go out on our tender, they paid to fix that.

Isom – thanks to Tyler for his work, he has done a great job. Paul – this won't come back for a vote, but if you want a policy we can work on that.

Rowley – do we still do the program if we get drug busts?

Tyler Romeril – Yes, forfeiture it goes to the agency that makes the arrest and a portion to the State. Chief Adams – we have done that twice, two seizures, it is 80%/20%.

Rowley – the 80% goes to the PD, not the general fund. Yes. Jason – those funds are restricted where the fire funds are not. We could self-restrict.

**REVIEW ARCHITECT CONTRACTS FOR THE DESIGN AND BIDDING OF THE FOLLOWING PROJECTS: (a) FLEET SERVICES BUILDING(\$19,815); (b) WWTP LABORATORY ADDITION (\$19,875); (c) CEMETERY OFFICE BUILDING (\$11,697):**

Kit – All these were in the budget and are building projects. We don't do pretty buildings, so we are farming these out the architects. Fleet Maintenance, WWTP Lab Expansion and Cemetery Building. Consultant we chose was Campbell and Associates to do the designs, \$19,815 for the fleet building; WWTP lab \$19,875; Cemetery Office Building \$11,697, 9.67% fee for that building. Rowley – do our guys do anything? Kit – we do construction management; the actual construction by a contractor. Rowley – does it include a columbarium? Kit – no, we would have to ask them first. Mayor – we need to get Austin and Craig involved. Kit – we can get a price if we have an idea of what you want. Mayor – we will follow up on that.

Tom Jett – the columbarium’s are made out of different materials, it is almost a kit that is shipped and put it on a pad. Mayor – we have gone through all of that. Action.

**CONSIDER PROPOSAL FOR NEW FEES RELATED TO AQUATIC CENTER ACCESS AND PURCHASES FOR INDIVIDUALS, BUSINESSES, AND CORPORATIONS.**

**BRYAN DANGERFIELD/CHRIS HUDSON:** Bryan – I am fully in support of the fire department doing that program. We are looking for new revenues. We approached and brought to council hotels wanting to come up to the aquatic center, wellness programs, gift cards. We came up with a plan to increase our revenue. This was brought up in the P&R Advisory Board last month and they were in support.

Chris Hudson – we looked at options for businesses and groups. We looked at amending the group rate for number of passes purchased. We would redefine group rates at \$400, punch passes in bulk provide a discount. Corporate wellness was an option; insurance companies give a break if they have a wellness program. We don’t want to give more than 40% off. Policies could be worked around. If I have 30 people in my corporation, signing up all together they get a discount and it is for a year. We don’t have the policy in place yet.

Mayor – it wouldn’t matter if it is a child or adult, \$130 is a flat rate? Chris – yes. Last is a bulk gift card or purchase voucher. GenPak likes to purchase them for their safety points. They have had golf course or aquatic center passes. This was approved by Rick Holman, it worked well, but we felt we needed to get it on the fee schedule.

Mayor – you thought it through. Chris – it was generated by the users. Action.

**CONSIDER CHANGING PARKS AND RECREATION ADVISORY BOARD NAME TO LEISURE SERVICES ADVISORY BOARD.**

**BRYAN DANGERFIELD:** Bryan – this is self-explanatory, change the advisory board to Leisure Services. They also voted to have Bruce Barclay be the chair for another year. Action

**CONSIDER AN ORDINANCE EXTENDING THE NO PARKING ON THE SOUTH SIDE OF CROSS HOLLOW ROAD FROM 55 FEET TO 150 FEET WEST OF WAL-MARTS DRIVEWAY.**

**KIT WAREHAM:** Kit – it was supposed to be 55 feet, but was only painted 40 feet. This would extend it about 4 times. (See Exhibit “B”). Mayor – this will make it easier getting in and out of there. Action.

**CONSIDER AN ORDINANCE APPROVING AMENDMENTS TO PORT 15 PROJECT AREA.**

**PAUL BITTMENN:** Paul – it has been to the Taxing Entity Committee, RDA, joint agreement with Port 15 LLC, the RDA has approved it. This will extend the life of the project area for 10 years, acknowledge that there is \$8 million+ and we are progressing with the project and staying in the original budget. It is a good solution; Port 15 is in support of the solution. After you vote on it, because it is an

economic development incentive, it will be published, Renon will keep a copy in her office for 30 days. If you approve we will go back to Port 15 with the amended changes. Action.

**CONSIDER CONTRACT WITH THE STATE OF UTAH FOR DISPATCH SERVICES. CHIEF ADAMS:** Chief Adams – this comes around annually, I asked Linda Petty to come talk about this for your review.

Linda Petty, Manager of Cedar Communications Center –this year there is, the consolidation when I have a budget increase. The increase was \$48,400 this year, ½ went to DPS, and the other half to the consolidation \$5,726 went to Gold Cross, \$18,474 went to the other agencies, of that 44% is go Cedar City Corporation which went from \$156,631 to \$164,797. Rowley – who sets your budget and what was the reason for the increase? Linda – 2% salary increase with benefits and insurance, cost passed on that we have not had before, an HR cost which DPS has always paid, they turned that on to the divisions this year. Rowley – who is your budgetary authority? Linda – I set the budget, 90% is personnel costs. I have 15 FTE the majority is personnel. To get another person I go to the consolidation or the Legislators. During the past years we have had our 911 funds pay 1.5 FTE toward dispatch. Rowley – how many on shift at a time? Linda – I have 12 dispatchers, 2 supervisors and myself, we have 3 on day shift, 3 on swing shift, and 2 on graves. Any of you are welcome to come tour the facility. Rowley – what is your turnover rate? Linda about 32%, dispatch is like law enforcement, I was down 2 people I have hired 1 and another in background in process. When you work shift work you set in a chair 10-12 hours a day it is hard. State Dispatchers make \$2 - \$2.50 an hour more than ours. Salt Lake Traffic Operation Center they are losing dispatchers to Valley Communication Center or UPF, Unified Fire and SLC, they pay higher wages. Rowley – do you rotate shifts? Linda – we bid by seniority, I gave this to my dispatchers, they want to go with one month. My senior dispatcher only wants to work days and graves because of her family. Consent.

**ADJOURN:** Councilmember Rowley moved to adjourn at 7:05 p.m.; second by Councilmember Hartley; vote unanimous.

  
Renon Savage, MMC  
City Recorder

# Supplemental Fire Suppression Program

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## Objectives

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The objectives of this presentation are to:

- **Advise and inform** the Council of the opportunities to participate in supplemental fire suppression (SFS) activities and projects throughout the West.
- **Establish** the feasibility, benefits and cost of such projects.
- **Propose** various recommendations for the use of funds, with related suggestions.

## Economic Feasibility

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With the assistance of the CCFD, an economics class at SUU analyzed the economic feasibility of increased participation in SFS activities.

When analyzing the data they took into consideration maintenance and opportunity costs in several different scenarios.

- In one scenario, they **estimated total costs \$18,218, and direct and indirect benefits totaling \$265,950.**
- Under this scenario, around 14.13 dollars of revenue would be generated for every one dollar spent.
- All of the scenarios, indicated there would be a range of **\$12.40 – \$23.07 of revenue to one dollar expense**, depending on activity level.

## Benefits

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- **Fulfilling Operational Objectives.** Completing these objectives would improve local preparedness and emergency services.
- **Training and Certifications.** In order to participate in the MOU, CCFD firefighters would receive intensive training, and in doing this, the CCFD would receive a higher compensation rate for SFS.
- **Asset Development, Utilization & Revenue Generation.** Idle assets would be used to generate revenue, and this revenue would be used to invest in more assets.
- **Capital for Other Equipment and Facilities Development.** Revenues from SFS activities would be able to help meet the demands of the expanding community's fire protection needs.
- **Potential ISO Rating Impact.** With a better trained and equipped fire department, the area's ISO rating would improve, and potentially decrease fire insurance rates, benefiting the entire community.

## Recommendations

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The following are suggested policies and program management recommendations for the use of revenues/funds generated by the program:

**Unwritten City Policy.** It is highly recommended that a clearly written policy be introduced and approved. Allowing City department heads to be fully informed and aware of revenue administration. This policy will leave no room for discrepancy.

**Expansion and Growth.** One of the principle objectives of the MOU is to reinvest earned revenue back into community fire suppression and protection.

**Obligations Under SB 122.** The CCFD has agreed to be a part of the Statewide wildfire suppression network under SB 122, and this obligation must be met each year.

## Recommendations

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Funds flow and budgets would still be subject to normal City Council oversight and approvals. However, it is recommended that SFS revenues be set aside and accumulated for specific, big cost needs. The following gives a suggested distribution for an assumed \$100,000 in SFS revenues earned:

Apparatus sinking fund (not less than 50% of earned revenues)	\$50,000
Enhancement of SFS Program (not less than 25%)	\$25,000
Equipment maintenance (not to exceed 10%)	\$10,000
Recruitment and Retention (not to exceed 10%)	\$10,000
Safety equipment (not to exceed 5%)	<u>\$5,000</u>
Total revenue earned	<u>\$100,000</u>

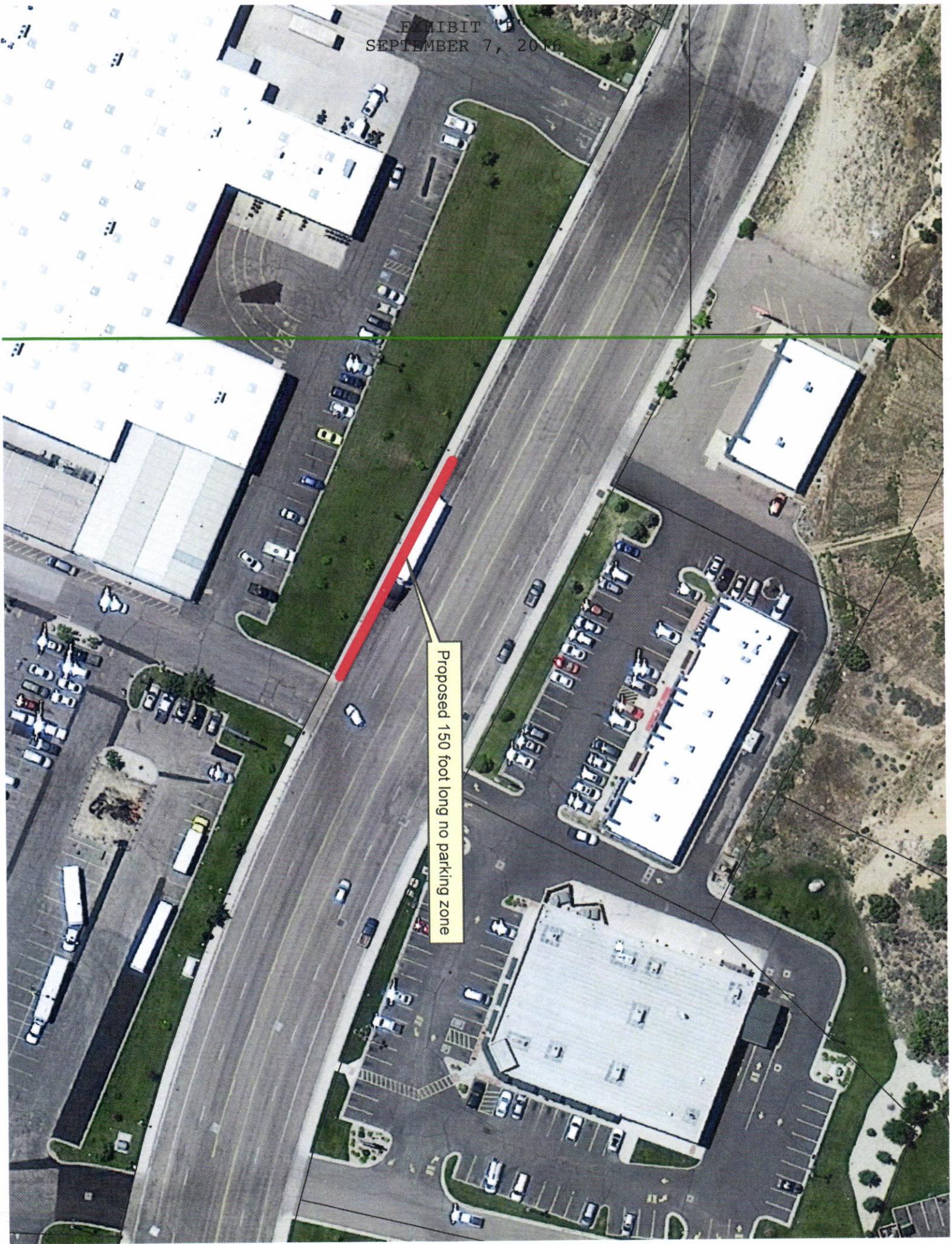
# Recommendations

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## **More Flexible Budget Policies.**

Existing policy requires departments to spend their entire budget before any earned revenue is accessible to the department head.

This leaves departments with little to no incentive to invest already scarce time and resources into revenue generating opportunities, especially if the department isn't going to reap any of the rewards.



Proposed 150 foot long no parking zone