

**COUNCIL WORK MINUTES**  
**SEPTEMBER 21, 2016**

The City Council held a meeting on Wednesday, September 21, 2016, at 6:00 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 Paul Bittmenn; City Engineer Kit Wareham; City Attorney Tyler Romeril; City Recorder, Renon Savage; Finance Director Jason Norris; Police Chief Darin Adams; Director of Leisure Services & Events Bryan Dangerfield.

**OTHERS PRESENT:** Jeremiah Davis, Kevin Davis, Tom Jett, Gerald Van Iwaarden, Dave Jacobsen, Kris Groves, Jade Etchart, Brad Green, Corey Baumgartner, Bonnie Gillies, Erika Kunzler, Jim Rowe, Matthew W. Harrington, Brian Nichols, Rebecca Musimbi, Sanne Halma, Bob Platt, Kennedy Houston, Elysiana Aguilar, Tracie Sullivan.

**PUBLIC HEARING TO CONSIDER A REQUEST FROM THE BUREAU OF LAND MANAGEMENT (BLM) TO WAIVE VARIOUS WATER CONNECTION AND IMPACT FEES ASSOCIATED WITH THE BLM'S CONSTRUCTION AND OPERATION OF A RESTROOM FACILITY:** Dave Jacobsen, BLM – we have been working with the City on the Southview Trail Head. We are requesting the City install a water meter, waive impact fees and the monthly water bill. The BLM will install the restroom for about \$50,000, the amount requested from the City is about \$5,400. The BLM will cover the maintenance. The water bill would be about \$20 per month.

Rowley – I think it is a good deal for the City. Hartley – we had another entity putting in a restroom and did not waive the fee. I support both projects, but not sure they are being treated fairly. Mayor – if we do this where would you like the money to come out of? Rowley – there is no out of pocket on our side, they are just not putting the money in. Bryan Dangerfield – the difference is it is a federal agency. We gave RAP Tax funds to the other entity. Paul – when you waive impact fees, philosophically they are to offset additional growth. If you waive fee you create a lack of revenue. There is no direct impact, but it does impact the money we receive. Isom – I think the tradeoff is worth it. Dave – we have trail head signs ready to install. Our use data is 5,000 people have used the trail since January. We have two types of counters, one for walkers and one that does the magnetic force. 3,000 non bikers and 2,000 bikers. Cozzens – what is the dollar amount to you versus what we gave Southwest Wildlife. Kit – I would have to look that up. Hartley – the information in the packet said the BLM would pay the monthly fee. Dave – we could, but it was part of the City portion. Cozzens – the impact fees and the \$20 a month I think I am good with since we gave RAP money for the other. Rowley – when do you expect it to be completed? Dave – we are putting out the bids, so a few months. Rowley – the BLM doesn't have concrete boxes they drop in? Dave – precast concrete building we will purchase. Cozzens – when we did RAP Tax for Southwest Wildlife Foundation, could they apply for RAP and we pay and they repay us? Paul – they fit better than Southwest Foundation did. You could apply, the RAP Board may say you already ate the apple. Mayor – the \$20 per month cost forever will end up getting expensive over time. That gets complicated. Dave – we could carry the water fee each month. Cozzens – see if the RAP Board will reimburse that. Hartley – is the

facility on City or BLM property? Dave – BLM. Adams – do you have to run a water line? Dave – 25-50 feet. Mayor – work with us next year on RAP application.

Mayor Wilson opened the public hearing for the waiver of \$5,409 of impact fees.

Brad Green – thank you to Terri for her questions, and to Paul for his comments. I voice my support and appreciation.

There were no further comments. The hearing closed. Action.

**CONSIDER LOCAL CONSENT TO SELL ALCOHOL AT LAFIESTA MEXICAN RESTAURANT. GLORIA & MARCELINS LOPEZ/CHIEF ADAMS:** Chief Adams – We have done our due diligence and have not concerns with this license, the background was fine. Hartley – do we not have to have a US citizenship to grant those permits. Tyler – that is a requirement in the ordinance. Paul – communicate back with the applicant and see if there are others in the ownership group that could apply. Table.

**CONSIDER LOCAL CONSENT TO SELL ALCOHOL AT PISCO PERUVIAN CUISINE RESTAURANT LOCATED AT 1180 SAGE DR. #F. OCTAVIO MEJIA/CHIEF ADAMS:** Chief Adams – the references are good; we did not have any concerns. Consent.

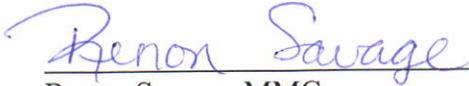
**CONSIDER AMENDED VICINITY PLAN FOR THE CEDAR BEND PUD AT 175 EAST 3000 NORTH. BOB PLATT/KIT WAREHAM:** Bob Platt – this is a vicinity to amend Cedar Bend Townhomes. The purpose of this is to add some private area behind the units, it was a patio, it is fenced in and should be private. Paul – Bob has to get every owner to sign off on the plat. It is not creating any other units. Everyone should go for that because it benefits them. Consent.

**CONSIDER MULTI-YEAR AGREEMENT WITH CALLTOWER AS CITY VOICE PROVIDER. TREVOR MCDONALD:** Trevor – we awarded a proposal to CallTower and we have the multi-year agreement worked out. We thought it would be best to bring it to you. They included the unit prices they will honor. This will get the best possible solution for us. Hartley – it is the length of the term or is it the prices? Paul – the price does not change. There is a resolution the council passed a number of years ago that the Mayor could sign agreements under a dollar amount, but multi-year needs council approval. Consent.

### **CLOSED SESSION, PROPERTY NEGOTIATIONS**

Councilmember Isom moved to go into closed session at 6:26 p.m.; second by Councilmember Cozzens; vote unanimous.

**ADJOURN:** Councilmember Rowley moved to adjourn at 6:37 p.m.; second by Councilmember Adams; vote unanimous.

  
Renon Savage, MMC  
City Recorder