

COUNCIL WORK MINUTES
MARCH 20, 2019

The City Council held a meeting on Wednesday, March 20, 2019, at 5:30 p.m., in the Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Maile Wilson-Edwards; Councilmembers: Ron Adams; Paul Cozzens; Terri Hartley; Craig Isom; Scott Phillips.

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 Director Ken Nielson; Lieutenant Jimmy Roden.

OTHERS PRESENT: Arlo Fawson, Joni Anderson, Dallas Buckner, Tom Jett, Jade Jones, Brent Williams, Jaylin Christensen, Hunter Shaheen, Todd Hageman, Dave Smith, Taylor Sanderson, Lynne Brown, Harry Brown, Jaysi King, Jessica Bennett, Teri Kenney, Brad Green, Sara Ridgel, Kelsey Keener.

CALL TO ORDER: Ken Nielson gave the invocation; the pledge was led by Mike Phillips.

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

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF

COMMENTS: ■ Cozzens – I was at the Water User Conference, they did a water outlook for the state and everything is looking great. With the water recharge, the Schmidt pit is almost full and will go into the County pit, excess will go to the Western pit. Brent Hunter thinks that we will have water until the end of May. The gravel pit at Quichapa Creek, I applied for a stream alteration permit with the Army Corp of Engineers and should have that soon, and I got a right of entry permit from SITLA and in a few weeks will put water in that pit. We also met with the Bureau of Reclamation and looked at a project in Quichapa to capture water and then send it to the Quichapa pit. We hired Nancy Dalton to write a Water Wise Grant, \$750,000 but we must have matching funds from local, state, etc. ■ Isom – today is SBDC day. Small Business Development Center. ■ Proclamation for Small Business Development Center Day. Mayor Wilson-Edwards read the proclamation, attached as Exhibit “A”. Joni Anderson – Assistant Director of Cedar City Small Business Development Center, we would like to recognize Brent Williams and Jaylin Christensen, Brent started the business when at SUU, it was a summer job, it now has 15 employees and four trucks. Brent Williams – we do landscape maintenance, not installs, we do landscape maintenance, snow removal, window cleaning and Christmas lights. ■ Employee of the Month, Jimmy Roden. EAC. Chief Adams – Lt. Jimmy Roden is currently serving as the Patrol Division Commander. However, with the recent retirement of Keith Millett, he has taken on extra duties to ensure both the Patrol

and Operations Division function effectively. In addition to his patrol division oversight duties, he ensures the fleet is managed and maintained, equipment and uniforms are ordered, and each officer is equipped with the tools they need to complete their jobs. He works extremely hard, often staying much later than necessary to ensure each task is completed and that those, within his oversight, are provided the items, the attention, and the leadership they need and deserve. I count on Lt. Roden immensely. He is an intelligent and caring individual with great foresight and innovation. He worked closely with patrol to change the patrol shift structure, which increased morale among patrol officers. This approach was contributed to a decrease in overtime, which positively affected our budget. He possesses extraordinary characteristics that make him uniquely qualified to do a remarkable job and to enhance and improve the patrol division, and the department. He is an exemplary follower and I never have to worry or doubt his capacity or ability to complete assigned tasks or to labor tirelessly on behalf of the City and the residents we serve. We work closely together, and I depend on him, he is nearly perfect, and the City is lucky to have him. I want to thank his wife Shalene, she has put up a lot the past few months and I want to express my gratitude toward her. ■Paul – the City hired Todd Hageman as the new Events Director, he has a long career in the private sector. Todd Hageman, thank you very much for the opportunity. I have a history with Cedar City, I was technical director with Tour of Utah, and we appreciate all the efforts in the town and the opportunity came up in Cedar City and I was happy to win the position. I have had grate conversations with the Mayor and Staff and hope to live up to the expectations. ■Paul – we received our health care renewals, they are rather high. We have done some price shopping and want to bring an item with you to work with a broker for two things, one to go over our current vendors underwriting and work with the current vendor to see if we can get a better renewal rate and if not take it to bid. Cozzens – we probably aren't large enough to self-insure. Could we coop with other groups for medical insurance? Paul – URMMA didn't exist until a bunch of cities threw up their hands and created it. Cozzens – we may want to explore that. ■Mayor – we have spent 3 days in budget meetings and will meet with the Council tomorrow.

PUBLIC COMMENTS: ■ there were no comments.

CONSIDER VICINITY PLAN FOR FIDDLERS MOUNTAIN ESTATES PUD.

DAVE SMITH/DON BOUDREAU: Arlo Fawson, Go Civil Engineering – this is not the most up to date map, there is a roundabout before the subdivision and a master planned road back to Main Street. You have had previous discussions on this project. It was originally slated as part of Ashdown Forest. It will come back as a PUD. The City wants a secondary access road and will come into the road by Love's, it will be temporary access road, it is not owned by the developer so it will not be dedicated, it will be double chip sealed. Isom – this is SITLA property? Arlo – yes, the City has property for possible soccer fields, so we want to wait until we know where it will be unless the City wants to dedicate. Paul – there is a note on the plat that will say no building permits until the road is put in. Phillips – there were discussions in Planning Commission. Arlo – we are still in discussion with the City on where the road will be in conjunction with the road the City will be required to put in with their future project. Tyler – the City has 20 years. Hartley – we won't determine the road until we determine the use. Paul – there is a

dirt road now, they may want to follow that for now, it may be changed when we develop. Cozzens – would utilities be installed before it is double chip sealed? Kit – they would not need to install utilities, we will put in casings so there is minimal damage to the asphalt. This will be to access the soccer fields, but a long stretch will have to go through SITLA and connect and that will be their responsibility to get that right of way. If they develop before we develop, they will have to put the road in because they will be at the 80-lot limit. Mayor – have you worked this out with SITLA? Arlo – they are working with SUU, and have talked with SITLA, but have not got an easement. Mayor – what is the time frame? Arlo – the developer would like it as soon as possible, but money is an issue, so details are not finalized. Phillips – in Planning Commission minutes it states that the road would be paved when the developer completed his project? Arlo – there is road and structure that needs to be done. The road will be paved with curb and gutter and the utilities will have to be checked. No building permit will be done until it is complete. Hartley – what is the purpose of getting it approved if it is 20 years before the agreement? Arlo – he will have to put the road in, but there is a City dedicated road that will have to come in. Just as any project vicinity must be approved so we can move on. Kit – as Paul mentioned there are specific notes on the map before they can develop. Hartley – do you have concerns with it moving forward? Kit – not with the notes. Tyler – both parties are on the same page.

Carter Wilkey – has the discussion happened with Ashdown PUD? Tyler – there is no intent to go through Bridgewater Road. Consent.

CONSIDER NO PARKING AREAS ON 400 SOUTH IN FRONT OF THE SOUTH ELEMENTARY SCHOOL. HUNTER SHAHEEN/KIT WAREHAM:

Hunter Shaheen – when the City chip sealed, they covered the cross walk and the City did not have any legality on the cross walk being put in. We want to make sure we are compliant and request from UDOT to make it legal as well as the reduced speed zones. Kit – putting that in order to make it safe with visibility, we are asking to make 100 feet of no parking on this to the east and another 100 feet on the other side of the street so the traveling public can see the kids. Phillips – have there been problems? Hunter – the school was built in the 60's and people didn't drive their kids to school. It is getting very congested and we have students crossing there and so there is lack of visibility. Phillips – what will happen to all the cars, I drove by around 2:15 and the cars we backed up to 700. Hunter – there will still be congestion, but the cars getting in the parking lot will not be able to park. Phillips – does it impact home owners? Hunter – no, the no parking on the south side it won't be an issue. Kit – one key element, this has been talked about for quite a while, but a traffic study needed to be done by a certified engineer to give us certification and the School District did do that, and this is their recommendations. Adams – how much traffic crosses the four-way to the east? Hunter – I don't remember the numbers, the it was within UDOT standards. Adams – is it painted at the four-way? Yes. Phillips – do we have a code enforcement issue, or is there a school resource officer? Hunter – we share a resource Officer with the middle school. If someone parked there, we would contact an officer or find out who's car it is and work with them.

CONSIDER VICINITY PLAN FOR 1425 PUD. GO CIVIL ENGINEERING/DON BOUDREAU:

Dallas Buckner, Go Civil – this is a PUD project, part is zoned GC, it is 2.17 acres, part will be asked to be changed to R-3, .69 acres. It will be a 20-unit PUD. Phillips – purchased or rentals? Dallas – they will be twin homes. Phillips – I want to make sure everyone knows it is commercial on the other side and we don't have people screaming because of a commercial property. Dallas – this is surrounded by hospital owned property. Isom – we have 3 issues? Tyler – when we bring it to City Council, we will have the general land use, the zone change and then the vicinity plan. Phillips – is this against Stonehenge on the West? Dallas – yes.

CONSIDER AN ORDINANCE AMENDING THE GENERAL LAND USE PLAN FOR PROPERTY LOCATED AT 200 W 1425 N FROM COMMERCIAL TO HIGH DENSITY RESIDENTIAL. GO CIVIL ENG./TYLER ROMERIL:

Dallas Buckner, Go Civil – this is converting the .69 acres from commercial to R-3. Action.

Mayor opened the public hearing, no comments the hearing closed.

CONSIDER AN ORDINANCE CHANGING THE ZONING ON PROPERTY LOCATED AT 200 W 1425 N FROM GENERAL COMMERCIAL TO R-3. GO CIVIL ENG./TYLER ROMERIL:

Dallas Buckner, Go Civil – this is the same as the item above.

Mayor opened the public hearing, no comments the hearing closed.

CONSIDER AN ORDINANCE AMENDING THE GENERAL LAND USE PLAN FOR PROPERTY LOCATED AT 1805 N LUND HWY FROM LOW DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL. GO CIVIL ENG./TYLER ROMERIL:

Dallas Buckner, Go Civil – this is a project for Mark Meisner, Sycamore Phase 4, it is annex transition (AT), it is 7 acres. It is R-3 for townhomes. We are asking for a zone change to R-3. The general plan is for R-1 west of Lund Hwy. Phillips – I struggle with doing that. Dallas – Mark has a pocket of R-3 across the road. The developer's intent is not to go max density. What we have proposed meets R-2 density, but we have a duplex, so it has to be R-3. We did two public hearings in Planning Commission. Phillips – I know Lund is a busy highway and will get busier, but I have concerns with the high density. The general plan map was reviewed. Isom – you wouldn't want R-1 emptying on to the busy highway. Phillips – Sycamore Trail has a large buffer between the homes and the highway.

Mayor opened the public hearing, Lynn Brown – my husband Harry you probably know, our property is to the north of this development. We purchased the home in 1984 and love the rural aspect. Sycamore has been a good development, at one point a gravel pit was going to be there which concerned me. We want to know the City plan; will you annex to the north. It is a 50-mph zone, but people driver a lot faster. Phillips – I think the road will draw more traffic and I think the City will grow to the north, but how it grows and what we do is what it is all about.

The hearing closed. Action.

CONSIDER AN ORDINANCE CHANGING THE ZONING ON PROPERTY LOCATED AT 1805 N LUND HWY FROM ANNEXED TRANSITION TO R-3.

GO CIVIL ENG./TYLER ROMERIL: Dallas Buckner, Go Civil – this is the same, zoning for R-3. We have planned and on for Sketch Meeting is duplexes and not max density, it will meet R-2 density. The way the lot geometry works it does not work for R-2. The goal is to provide affordable housing in the form of duplexes.

Mayor opened the public hearing, Carter Wilkey – do you mean duplex or town home. Dallas they will be individually owned. The hearing closed. Action.

CONSIDER A RESOLUTION AMENDING THE CITY'S BANNER POLICY.

DANNY STEWART: Danny Stewart, Economic Development Director – the office of Economic Development manages the banners from 200 South to Coal Creek to promote events. We have a few items that need changes. First is the material and size, industry is changing from 14 oz to 13 oz. Phillips – is this because material has strengthened? Danny – yes, the industry has gone with 13 ounce and should withstand the wind. Phillips – will all the banners we have qualify. Danny – yes. The billboard is changing the dimensions, it works better. The final item with the sign ordinance, as we have more activities, there has been competition, we want representation for all events, we want to keep the citizens and visitors aware so we want to modify the number banners to 40 at any given time. One organization cannot take the space for an entire season and jeopardize all the others. It wasn't the intention to make it permanent. Adams – how is the placement of the banners? Danny – that has not been an issue, some prefer downtown, some prefer the north and south, we work it out on an individual basis. Adams – you can stagger them? Danny – yes and we work with the organizations. They pay for the banners and pay the Parks department to hang the banners. Phillips – I would rather see activity and banners on all bracket rather than have them empty on the off season. What if we negotiate and say SUU commencement is on, but they are going down, if there are other organizations that want up we will negotiate with you, but not have them empty. Danny – we have more problems with some organizations wanting all of them so others cannot be put up. If there is a city event we can put them up. We also work with Maria at Tourism to keep them full. Some events that want to be up cannot. Phillips – the things that are huge economic drivers are different than small weekend events. I think 40 are too low. Danny – originally we had only 32. Phillips – we are getting people on Center wanting brackets on their poles. The University did purchase and have them installed on the inside of the poles, and they are not being utilized. With the exception of two organizations we have not had anyone order more than 32 banners. What is happening is Brad is becoming a referee and it doesn't work. Phillips – if the policy doesn't work we should change it. Danny – I think we should limit the number, we don't have people want more than 32. Phillips – have you talked with the organizations about the limit? Danny – we have and they have been ok, they just want to know the policy. I think that advertisement is not the intent, we just want the community aware.

CONSIDER A RESOLUTION TO ENTER INTO A PARTICIPATION AGREEMENT WITH THE UTAH GOVERNOR'S OFFICE OF ENERGY DEVELOPMENT (OED) ALLOWING THE OED TO OFFER AND ADMINISTER UTAH C-PACE DISTRICT WITHIN CITY LIMITS AND PERFORM ALL DUTIES DESCRIBED IN THE PARTICIPATION

AGREEMENT. DANY STEWART: Danny Stewart, Economic Development Director – this program comes from the Governor's Office of Energy Development. Utah adopted this several years ago, the idea was the State would adopt and the Cities would administer. There were not any cities that had the staff or resources, so it was rewritten to allow the Governor's Office of Energy Development to administer and we have to give them permission to do that. Shawna Quam introduced this to Paul, the Mayor and I. we have companies and developers interested and we don't want to hold this up. They are asking the City to become part of the district so they can administer the program in our area. The attached Exhibit "B" was discussed. If you have questions, Shawna will be available by phone to answer the questions. Hartley – do we take any liability on? Danny – we just designate ourselves as part of the district. Isom – is this in conjunction with the tax deferred program? Danny – it can be used in conjunction with other programs. Hartley – it is a third party that does this for the State? Danny – it is private money, but the State Office is the third party, the Governor's Office of Energy Development. There are three options on the role of the City. They ask my office to coordinate time to do education programs similar to the Opportunity Zones. They will do a 2 to 3 day stay to do the education. The other two are allowing the community to administer this and none have done that, cities don't have the resources. If the city had an aggressive renewable energy program, they may want to do that.

CONSIDER BIDS FOR THE SEWER, WATER AND STORM DRAIN UTILITIES ON 1600 SOUTH (VA CEMETERY ACCESS ROAD). KIT WAREHAM:

Kit Wareham – we let bids out for the VA Cemetery road utilities, the low bidder was John Orton Excavating, the bid with add alternates was \$316,114.85. the add alternates are to put in the utilities in the road to the tank, we own the property to the west of the road that could be developed in the future.

Hartley – did you review it, why is there such a difference from the other bids. Kit – it usually depends on how busy the contractors are. John Orton Excavating has done several jobs for us and have done a good job. Phillips – where is the money coming from? Jason – we sold property to the VA for the cemetery the money will come from that.

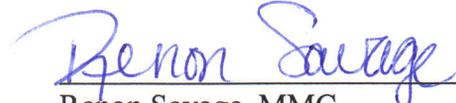
Adams – future possibility of development of lots, would there be a problem with water pressure with it being so close to the lots? Kit – they would be fed off the Cross Hollow tank which is much higher.

CONSIDER EMERGENCY MOU WITH IRON COUNTY. PAUL BITTMENN:

Paul – this is an emergency preparedness document, an agreement between the City and Iron County, if we have an emergency, they can send assets and personnel and they can request reimbursement, the same if they have an emergency and we can request

reimbursement. This also helps with FEMA reimbursement if needed. Phillips – is this a renewal or is it new? Paul – I don't recall having it in writing before. Consent.

ADJOURN: Councilmember Isom moved to adjourn at 6:40 p.m.; second by Councilmember Hartley; vote unanimous.



Renon Savage, MMC
City Recorder

Cedar City, Utah

Proclamation

Whereas, the United States Congress created the federal Small Business Development Centers (SBDCs) Program to provide training and technical assistance for entrepreneurs and small businesses across the United States; and

Whereas, SBDCs are the most comprehensive small business assistance networks in the nation and provide free client business advising and low-cost training on important small business topics; and

Whereas, SBDC clients open, manage and grow their businesses, provide job creation and employment, offer goods and services to clients, pay taxes, and contribute to their communities; and

Whereas, the Congress authorized creation of the America's Small Business Development Centers National Association (ASBDC) to help represent the federal SBDC networks in cooperation with the U.S. Small Business Administration and ASBDC has designated March 20, 2019 as national SBDCs Day; and

Whereas, the Cedar City SBDC, and the Utah SBDC Network have worked tirelessly to foster and grow small businesses in our community and throughout the state; and

Whereas, as part of its efforts to promote small businesses the Cedar City SBDC has recognized **Everything Exterior** as Cedar City's Small Business of the Year;

Now, therefore, be it resolved that I, Maile L. Wilson-Edwards, Mayor of Cedar City, Utah, do hereby proclaim Wednesday, March 20, 2019 as SBDCs Day in Cedar City, Utah.

Signed on this, the 20th day of March
In the year of our Lord 2019



Maile L. Wilson-Edwards
Mayor of Cedar City