

**COUNCIL WORK MINUTES**  
**MAY 15, 2019**

The City Council held a meeting on Wednesday, May 15, 2019, at 5:30 p.m., in the Council Chambers, 10 North Main Street, Cedar City, Utah.

**MEMBERS PRESENT:** Councilmembers: Ron Adams; Paul Cozzens; Terri Hartley; Craig Isom; Scott Phillips.

**EXCUSED:** Mayor Maile Wilson-Edwards.

**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; Leisure Services Director Ken Nielson; City Planner Don Bordeaux; HR Specialist Natasha Hirschi.

**OTHERS PRESENT:** Rex Dungan, David Barney, Arlo Fawson, Vishnu Patel, Brent Drew, Angela Hackwell, Frank Mack, Lynn Beacher, Randy Crosby, Mikelle Lloyd, Donielle Savoie, Tom Jett, Candace Howes, Dan Trummer, Elizabeth Woodward, Heid Miller, Halle Miller, Chair Carter, Darshan Kansagra.

Councilmember Cozzens moved to appoint Ron Adams Mayor Pro Tem; second by Isom; vote unanimous.

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

**AGENDA ORDER APPROVAL:** Councilmember Isom moved to approve the agenda order for this and the special meeting; second by Councilmember Phillips; vote unanimous.

**ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF**

**COMMENTS:** ■Phillips – thank the Street Department, they were helpful in relocating benches on Main Street. I thank Mr. Bittmenn and Jeff hunter and his staff. Also, Friday is National Bike to Work Day, we will have a station at Main Street Park and will have a tune up station. This is from 7:00 to 10:00 a.m. ■Employee of the Month, Drew Jackson. EAC: Kit Wareham – I am honored to present Drew as the Employee of the Month, he is the Building & Zoning Official and does a great job. He has more contact with the residents than any of our employees, I have never heard a complaint about what he does, he has to tell people no, but is diplomatic on how he addresses problems and gets them satisfied for the City and the citizens. Drew has made major improvements in the Building Department, the electronic plan checking process was the last one, it speeds up the building permit process. He is always looking to improve the department and keeps it staffed with high quality people that are properly trained. He does a great job for the City.

**PUBLIC COMMENTS:** ■Utah Shakespeare Festival – Frank Mack, Executive Producer. I mentioned to Mayor Wilson-Edwards that I would stop by today. There are some big changes in the coming future I would like to share with you. We have 300 new friends of our company arrive, this is exciting time for us and will have 8 plays. There is a big construction project for a clock tower, sweet shop and gift shop that USF builds in collaboration with the gift shop, you can enter from Englestead Theatre or the courtyard. The Gift shop will open at 8:00 a.m. for coffee, soft drinks and lunch, it is a great new addition. A big thing happening, SUU has adopted a new academic calendar on when semesters will be. I have heard it would be great if the Festival is longer, with the change in the academic calendar we will be able to do that in 2020, we have not announced it yet. We are planning on producing plays in the first week in June in 2020 and then we will have 3 plays in the Englestead and 2 in the Randall as have in the past. We hope to coordinate with the Utah Summer Games, that is a big change for us. We have a lot to figure out before that. Our tickets for 2020 go on sale in about a month. Things are going terrific, we have the Gala in Las Vegas this week and next week at The Barn at Cedar Meadows next week and will open the week of July 1<sup>st</sup> with Joseph. I am excited to invite everyone. Phillips – we appreciate the update.

**SECOND PUBLIC HEARING FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM. HEIDI MILLER:**

Mayor Pro Tem Ron Adams opened the second public hearing for the CDBG program. Mayor Pro Tem Ron Adams stated that this hearing was called to allow all citizens to provide input concerning the project that was awarded under the 2019 Community Development Block Grant Program. Cedar City has amended its capital investment plan and decided to apply for funds for the acquisition of Low-Income Housing at an unknown location on behalf of the Cedar City Housing Authority. The Mayor Pro Tem introduced Heidi Miller from the Cedar City Housing Authority. The Mayor Pro Tem explained that the application was successful in the regional rating and ranking process and that the Cedar City Housing Authority was awarded \$200,000 to acquire Low Income Housing at an unknown location. The Mayor Pro Tem explained project to those in attendance. The Mayor Pro Tem then asked for any comments, questions and concerns from the audience. The only question came from Council woman Terri Hartley, who wanted to know why the location has not yet been determined. Heidi Miller informed those in attendance that until the grant funds were awarded a location could not be determined. The Mayor Pro Tem then asked for any other comments, questions and concerns from the audience. The Mayor pro Tem stated that copies of the capital investment plan are available if anyone would like a copy. There were no more comments and the hearing was adjourned at 5:47.

Phillips – is this for 2019-2020. Hartley do you have an area? Heidi – no, we don't look until we have funding. Phillips – do we have plans to look for block grants next year? Heidi – we always look. There were no other comments, the hearing closed.

**CONSIDER SINGLE EVENT ALCOHOL PERMIT FOR CEDAR CITY ELKS HORSESHOE TOURNAMENT ON JUNE 8, 2019. CANDACE HOWES/CHIEF**

**ADAMS:** Candace Howes, Elks Lodge – we will have a horse shoe tournament on June 8<sup>th</sup> for 4-5 hours in the afternoon. Phillips – is it a good fund raiser? Candace – yes, it

provides most of the money for shoes for Shop with a Cop, I think last year we bought 98 pair of shoes.

Chief Adams – no concerns.

**CONSIDER A LOCAL CONSENT FOR LJK HOSPITALITY LLC (RAMADA CEDAR CITY). DARSHAN KANSAGRA:** Chief Adams – background on Mr. Kansagra was very good, we are supportive and no concerns with a positive recommendation.

Phillips – is this a new license for Ramada. Darshan – yes, it was Crystal Inn before.

**CONSIDER A LOCAL CONSENT FOR CEDAR CITY SHELL LOCATED AT 1355 SOUTH MAIN STREET. VISHNU PATEL/CHIEF ADAMS:** Vishnu Patel – we are purchasing the Shell station in Cedar City, we have a few stations in St. George.

Chief Adams – no problems with the background, positive recommendation.

**CONSIDER A LOCAL CONSENTS FOR KB EXPRESS STATIONS LOCATED AT 93 SOUTH MAIN, 1944 N. MAIN, 812 WEST 200 NORTH, AND 734 SOUTH MAIN. HARTS GAS AND FOOD, LLC/CHIEF ADAMS:** Chief Adams – There is a group purchasing all of the KB Stores, they will come out of Parkland Oil in Canada and Rinehart in Salt Lake City. No issues what so ever, positive recommendation.

**PARK POLICY PROPOSAL AND SIGNAGE DONATION. IRON COUNTY PREVENTION COALITION, HEIDI BAXLEY:** Iron County Teens Against Drugs, Jessica Anderson President, CHS, Kimberly Wood, Secretary CVHS Rep; Melissa Anderson, CHS; Ava Green CHS, Jason Brown, Cedar High. See Exhibit “A” which was presented.

President – we work throughout the community to create awareness and help create awareness in the community and prevent youth from using drugs. We want to donate for signage for no smoking in the Cedar City parks. We would like to change the City ordinance to include vapes in the smoke free policy.

Phillips – right now our policy is 25 feet from public bus stop and 50 feet of mass gathering. Tyler – I am not sure on the mass gathering. Around the University it is smoke free. Tyler – it is restricted, and I can work with the group on the wording. Phillip’s – signage is expensive. President – we just got a giant grant. Phillips – I like adding vapes, it is just as addictive. We need time to look through it and make it sensitive to all citizens. Isom – the process is for you to work with them and bring it back for an ordinance change. Tyler will work with the group.

**CONSIDER A RESOLUTION ENTERING A FIBER-OPTIC TELECOMMUNICATIONS FRANCHISE AGREEMENT WITH GOFIBER (INFOWEST). INFOWEST/TYLER ROMERIL:** Randy Cosby, Info West, partner in

GoFiber, Lynn Beecher is the Manager. Fiber optics is the future, and everything will be on fiber. The beautiful thing we can do is take fiber to the access points and it is rock solid to improve the network. I brought Interlynx to Cedar City and SUU. I helped Provo City for Google and did American Fork Fiber and went to Interlynx and did a loop Airport Road, Center to Main to 200 North. I know Lynn Yokum of UDOT and got Interlynx to go in their conduit and I can be in the UDOT conduit for fiber. I am taking it to the St. George Airport and to Sand Hollow. we are local owners and St. George City loves us because Century Link is too far away, they were down, had a fiber cut between Denver and Salt Lake, we were back up because we had a . TDS has bought Interlynx out and we get a lot of business because we are locally owned, and we care. We send people and get it done asap when people are down. I have done many things, an Engineer for Rocky Mountain Power for 20 years. I have worked with Paul and Craig and I want to come help. The City of St. George loves us, their IT contacts us a lot, we know how to help them intimately.

Isom – what is the breadth of the fiber, will it cover the entire city. Lynn – it takes time to do that, with InfoWest it will happen quicker. It is important to do this. Hurricane is begging us to get there, we are working that direction. Isom – the original link with Fiberlynx is not accessible? Lynn – I can do that very easily with UDOT, we are Statewide Contractors with UDOT. We are good at putting our own conduit in.

We are here to have an agreement to put in our fiber-optic. We accepted the draft that was sent to us from the City. Isom – you have the funding to move this forward. Randy – it is a private company, so we can do this. Cozzens – do companies share? Lynn – we have to run our own lines. Companies will not share. Cozzens – when you run fiber, how wide and deep for the conduit. Lynn – we have a joint use committee with St. George City and everyone talks with a representative of water, sewer, power, Century Link, TDS and us. When they have a joint, all are in and show where they will be, and we are each a foot apart, but share the trench. Cozzens – if the opportunity is not there you will go in and install it. Lynn – we put in a 2” conduit, very small. Paul – do you do overhead as well? Lynn – yes, I worked for Pacific Corp and I know everyone and can get on their poles. We go overhead if it is available, it is much cheaper.

Tyler – we signed one of these 1 ½ years ago, 10 years with one 10-year renewal. A 3.5% we got through the tax commission. There is language on emergencies, if they do trench it has to be put in place to City standards and hold for 18 months. This is non-exclusive. Cozzens – wouldn't it pay to adopt a policy for a developer to put a large conduit in, so they could all share. Lynn – we can each put in a conduit, but not share. Century Link and TDS would not do that. Phillips – they would if it was policy. Lynn – I would love to see that policy. Cozzens – it would make more sense. Randy – the committee is very helpful in St. George. Phillips – when would you begin in Cedar City? Randy – we are negotiating. Cozzens – even if the City bore the cost and charged them a fee. Lynn – that is an excellent idea, the most expensive in conduit and installing it. Kit – we put conduit in our trenches when we do water and sewer lines. The entire trench on 300 West from Coal Creek to 800 South, it is 2 inches. Cozzens – you can fit a lot in that? Randy – yes. Lynn – fiber optics it is glass, so we can turn it and do about anything.

Ryan Holdeman – I have been working with Lynn quite a while. I moved here about 12 years ago, this is my home and I believe in fiber optics and will help manage it, plan a coherent plan to work smooth and efficient and get done as soon as possible.

**CONSIDER VICINITY PLAN FOR SYCAMORE TRAILS PHASE 4 LOCATED AT APPROXIMATELY 1775 N. LUND HIGHWAY. GO CIVIL/DON**

**BOUDREAU:** Arlo Fawson, Go Civil – we have another phase of Sycamore Trails, it was brought through for a zone change recently to R-3, that was basically for land planning, most are duplexes, but a few are four plex. The density is well under the R-3 allowance. This is a PUD and it has a detention pond for water. Hartley – all single story? Arlo – yes. Phillips – what is along Lund Highway for privacy? Arlo – there will be a block wall. Kit – they had to do a few tweaks to satisfy the Fire Department for a turn around and get access at the bottom of the dead-end streets. Arlo – the Fire Department wanted a little larger area with concrete and a hold harmless agreement if they crack the concrete. Consent.

**REQUEST TO REVIEW TRAFFIC SAFETY ISSUES AT THE INTERSECTION OF 700 SOUTH 1850 WEST. REX N. DUNGAN:**

Rex Dungan – our issue is not substantial community wide. 700 South is an egress street, people trying to avoid Royal Hunte and Ridge, we are finding a lot of traffic flow in the mornings and evenings. 1850 is the second turn past Ridge, because of tree growth and block walls they can't see at the stop sign, they must pull past the stop sign. 700 South has no manner of slowing from Cody to Ridge, they get traveling fast. At 1850 they can't see right or left, we often have traffic going too fast. I met with Kit and he looked at it and got a report from the Police Department, it was disparaging. We are on a cusp of growth and development; the road is being used more and the intersection is more dangerous. We have a lot of neighbors and they talk. I have sat on the corner and witnessed kids on the corner trying to cross, a girl stepped off 3 times before she could cross. The bus stop is at the intersection also, an 11-year-old says it is dangerous and people don't stop. I would hope you would look at something to slow the traffic.

Phillips – the stop sign is further back and the other is the speed on 700 South. Rex – yes, the stop sign is not functional. Speed bumps slow down the honest people. Something more aggressive would be better. Kit's work said it is not a problem. Cozzens – the same on 2075, tree growth. Phillips – can the stop sign be moved? Kit – when the streets were built they had a long radius on the corners. When you put a stop sign in it is in the radius. The radius now is shorter, so the stop sign is close to the intersection. Isom – I live this every day, I understand the amount of traffic. The corner of 2075 there is not enough traffic. Cozzens – it the problem the traffic on 700 or 1850? Isom – both. I have been coming home and took a left to go on 1850 and had people pull out. Phillips – I know people take 1850 instead of Ridge, it has become too busy. Rex – it is a speed area. Isom – I am not a fan of dips and bumps, they are not safe. A four way with a cross may be ok. Kit – a four-way needs to warrant, if you do something without warrant and something happens we are liable. Isom – can we look at traffic? Kit – we can set up our counter. Adams – the trees at 1850 is that a problem it is over 18 inches. Rex – if you

look past the trees there is a block wall and it probably creates more of an issue than the trees. Rex – my initial proposal was for a speed bump, Kit said snow plows don't like them. I told the folks in the neighborhood I would come and present. Cozzens – could we get a speed trailer up there to slow people down? Yes. Adams – also review the signage. Kit – we will get our counters up this week.

**PUBLIC HEARING TO CONSIDER A ZONE CHANGE FROM R-3-M TO SHD FOR PROPERTY LOCATED AT 236 SOUTH THROUGH 266 SOUTH ON 450 WEST. 3 PEAKS ENGINEERING/TYLER ROMERIL:**

Brent Drew, Leavitt Land and Investment – there 4 lots we want to change from R-3 to SHD. We intend to build student housing. We will design similar to Founders Hall. It will be single student rooms in this. Phillips – that is what students want? Drew – yes and their mothers. There is a rental south of it. We also own houses across the street and we will tear them down for parking. There will be parking around it, but it will also be across the street. Phillips – does that go all the way through Dewey? Brent – yes. Phillips – how many units? Brent – I think 40, we will have this for you next week. Phillips – will the apartment complex face the street? Brent – yes.

Mayor Pro Tem Adams opened the public hearing. There were no comments. The hearing closed.

**CONSIDER TEMPORARY CLOSURE OF 45 NORTH. PAUL BITTMENN:**

Paul – we put this back on the agenda, we have not voted to close the street or not. I don't have any more information for you. The issues are the same, one resident on the corner on College Way, he feels his back yard is not private anymore and is concerned the development up the street will impact him. The road has been there for quite some time. Phillips – there will be more when Aime Avenue is developed. I thought we were going to visit with Mr. Olds on his use. Paul – I did that months ago and he said he does use it, it is the quickest way out.

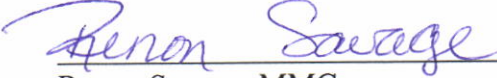
**CONSIDER HEALTH AND DENTAL INSURANCE PROPOSALS. PAUL BITTMENN:**

Paul – Budget time of the year, vision proposals are lower than what we have and similar coverage, we will move to PEHP, similar coverage.

Health care we bid, last year \$2,071,000. We received bids from a bunch of different programs, some refused to bid. Aetna, PEHP, United Health Care, U of U, Educators, Select Health and HAS. Our current vendor is Select Health, their best was 15.9 increase, we are 13.72 recommending PEHP. We have received good service and they indicated we would be looking at 7.5% increase next year better than 20%. They also will allow us an opt out policy, if they allow we will offer incentives to opt out. We would offer incentives for medical only. The proposed incentive is similar to rates, we pay different rates for single, double and family coverage. The renewals from PEHP were helped formulate. single \$6,500, Couple \$13,500 and Family \$18,300. We looked at the incentive and what Iron County does and if we offered an incentive what it would cost to offer. The incentive has to go through payroll, it is 7.7% on the money to get taxed, and additional cost to the City. For single \$3,000, Double \$6,000 and Family \$8,000 savings

would be \$3300, \$7080 and \$9701, that is the incentive and we will cap it at the first 30 so we don't have to be rerated. The other thing would be the HAS contributions, we have \$1,200 and if you took the opt out you cannot get the HAS and tweak the HSA from an incentive from a wellness program, we are proposing the City do a match up to \$1,200 dollar for dollar to each employee that has an HSA. To go with PEHP and with the match. Phillips – why not have a wellness program ourselves. Paul – we could, it would have to be formulated and invented. Phillips – EMI problem was slowness in paying claims. Paul – slow payments and the customer service. A note on PEHP is a pooled program with other public entities in Utah, ran through Public Employee Health Plan through Retirement. The selling point on the pool you don't tend to see volatility in the rates, which would have been good in the past three years, but you may not see zero rate increase. You may see some rebates on what the pool has in excess over reserves. Isom – there is nothing binding with the 7.5% but they stepped out and gave us an estimate. Paul – yes, but maybe it would be less. Phillips – what is the difference with the Summit Plan? Paul – one is for the Wasatch Front with other providers available, in Southern Utah we have IHC. U of U has some inroads and have some popping up in St. George, but Cedar City is IHC.

**ADJOURN:** Councilmember Phillips moved to adjourn and move into the special meeting at 6:45 p.m.; second by Councilmember Isom; vote unanimous.

  
Renon Savage, MMC  
City Recorder