

COUNCIL MINUTES
JULY 30, 2014

The City Council held a meeting on Wednesday, July 30, 2014, at 5:52 p.m., in the Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Maile Wilson; Councilmembers: Ron Adams; John Black; Don Marchant; Fred Rowley.

EXCUSED: Councilmember Paul Cozzens.

STAFF PRESENT: City Manager Rick Holman; City Attorney Paul Bittmenn; City Engineer Kit Wareham; Finance Director Jason Norris; City Recorder Renon Savage; Police Chief Robert D. Allinson; Fire Chief Paul Irons; Leisure Services Director Dan Rodgeron; Public Works Director Ryan Marshall; Water Superintendent Robbie Mitchell; Economic Development Director Brennan Wood.

OTHERS: Terry Irons, Debbie Drake, Tyler Brown, Keith Nichols, Landon J. Floyd, Cassi Orton, Brent Drew, Tom Jett, Tracie Sullivan.

CONSENT AGENDA (1) APPROVAL OF MINUTES DATED JULY 2 & 9, 2014; (2) APPROVAL OF BILLS DATED JULY 17, 2014 ; (3) APPROVE THE BID FROM AND CONTRACT FOR ASHDOWN BROTHERS IN THE AMOUNT OF \$162,004.55 FOR THE CROSS HOLLOW ROAD GENPAK IMPROVEMENT PROJECT – TREVOR MCDONALD; (4) APPROVE THE FINAL CONTRACT WITH TOUR OF UTAH – BYRON LINFORD; (5) APPROVE AN AGREEMENT WITH SWATC TO TEACH INTRO TO LAW ENFORCEMENT IN THE HIGH SCHOOLS – CHIEF ALLINSON; (6) APPROVE BOARD APPOINTMENTS AS FOLLOWS: BOARD OF ADJUSTMENTS – JOHN ASHBY, JANET MCCRAY, & JILL PETERSON; CATS – JAKE HUNTSMAN, ANNIE YAHNE, JERRY RUSSELL & EMILEE BALLARD; CEDAR DISABILITY AWARENESS/ ACTION TEAM – MARY BLANKENSHIP, KRISTY DEGRAFF; HOWING – JOCELYN BARNES; LIBRARY – MONA WOOLSEY, JANENE UTTERBACK; PARKS & RECREATION MARION MORGAN; PLANNING COMMISSION – MARY PEARSON; RAP ARTS – MYRON ARMSTRONG, JOANNE BRATTAIN, SUE JONES; RAP PARKS & RECREATION – MAURI BLEAZARD, CASEY MCCLELLAN, SHERENE CARTER AND SARAH LAMB – MAYOR WILSON:

Rowley – I have questions on the bills, 7 cars towed by Bradshaw for chip sealing, do we get the money back? Rick – those vehicles are towed around the corner or to the next street that is just cost of chip sealing. Rowley - \$8,000 to Cherry Creek Radio, what ads are those? Rick – we will find out that and let you know. Rowley – Iron County Treasure, Malcom Steem overtime. Chief – they are Task Force and we are the fiduciary. Rowley – Symbol Art Badges, how many badges? Chief – for all the officers. Rowley – wrist bands? Dan Rodgeron – for the Aquatic Center. Rowley – why internet with two different companies? Rick – the internet service provided here is different than the public works building, a matter of availability, they have wireless at Public Works and we have

fiber here. Rowley I made a suggested change on the minutes to Renon. Black – I thought Sarah Lamb was on the Rec Board not the RAP. No, there was not one available.

Councilmember Rowley moved to approve the consent agenda items 1 through 6 as written above with the typo change in the minutes; second by Councilmember Adams; vote unanimous.

CONSIDER ANNEXING APPROXIMATELY 18.41 ACRES OF PROPERTY IN THE VICINITY OF 2800 NORTH AND 400 WEST – STRATTON/PLATT & PLATT ENGINEERING:

Marchant – based on the information that Mr. Bittmenn has given us, any action would be contrary to the law of the State of Utah. I suppose that should direct our thinking. Rowley – that was my concern, we expect our citizens to obey the law and we are irritated when the national leaders don't follow the law. I would love to see that cleaned up and into our city annex plan, until we can get rid of the island I don't know how we can do that or unless the legislature changes the law. Marchant – I am not opposed, but our hands are tied. It is a matter of changing the law so we don't have to break the law.

Councilmember Black moved to deny the annexation for 18.41 acres; second by Councilmember Adams; vote unanimous.

Rowley – can we talk with our legislatures and see if there is a possibility of some changes. Paul – we can talk to the legislatures and the Association of Counties and League of Cities and Towns. Marchant – it is hampering others. Paul – it is a matter of treating the Wasatch front different that the rest of the State. Bob Platt – I think Paul is right; it is Wasatch Front driving that.

CONSIDER LEASING CITY PROPERTY FOR GRAVEL MINING AT APPROXIMATELY 1950 NORTH BULLDOG ROAD – KIT WAREHAM:

Kit – you know where this is at, south of the old Wastewater Treatment Plant and north of Western Rock. We went out for an RFP and received two proposals, one from Coal Creek Gravel and one from Western Rock. There was a lot of good in both proposals, Coal Creek had a hirer unit price for the material that is mined at \$.80, Western Rock was a minimum amount but gave us somewhat of a guarantee on cash flow. Black – That is the \$15,000 annually, if they don't mine that much does it carry to the next year? Kit – yes. Black – that is not a guarantee then, it is a prepayment, if we don't use it we get it next year. Keith Nichols – we have an inflation of 1% each year. Rowley – I have been watching the operations of one of the partners in Coal Creek and they look to be in an expanding mode, they are well run and have the higher bid and I think they will actively pursue this rather than set idle.

Councilmember Rowley moved to approve leasing the City property in the vicinity of 1950 North Bulldog Road to for gravel mining to Coal Creek;

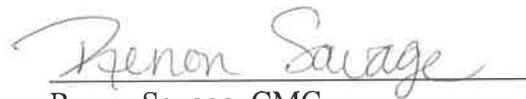
Keith Nichols – we have had another lease with the City since 2007, royalties with the City and have paid over \$1.5 million to the City, I think you should take that into

consideration that when we do mine we take a lot of material, we take a lot of produce and there is a lot of money involved. Saving a few cents is not a lot of money, because we do mine a lot of material. Black – I like the fact that it is a local company, that the ownership and responsibility is here. Kit has given us some ideas of what needs to be contained in an agreement and I have had some conversations with Coal Creek and they are not opposed to any of that, so I don't see a problem with coming up with an agreement that is agreeable. Keith Nichols – then we should have that option to bring the price up and be able to negotiate also. Black – no, well maybe you can correct me Paul but we are approving a company to have negotiations with based on the RFP's that were presented. Paul – award subject to negotiations.

Rowley – I maintain my original motion. The motion was seconded by Councilmember Black; vote unanimous.

EXECUTIVE SESSION – PROPERTY NEGOTIATIONS:

ADJOURN: Councilmember Rowley moved to adjourn and move into the executive session at 6:04 p.m.; second by Councilmember Black; vote unanimous.


Renon Savage, CMC
City Recorder

CITY COUNCIL EXECUTIVE SESSION
JULY 30, 2014

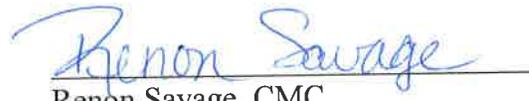
The City Council held an executive session on Wednesday, July 30, 2014, at 6:10 p.m. in the Council Chambers at the City Office at 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Maile Wilson; Council Members: Ron Adams; John Black; Fred Rowley; Don Marchant.

STAFF PRESENT: City Manager Rick Holman; City Attorney Paul Bittmenn; City Engineer Kit Wareham; City Recorder Renon Savage; Water Superintendent Robbie Mitchell.

PROPERTY NEGOTIATIONS:

ADJOURN: Councilmember Rowley moved to adjourn at 6:20 p.m.; second by Councilmember Marchant; vote unanimous.



Renon Savage, CMC
City Recorder

