

COUNCIL MINUTES
JANUARY 28, 2015

The City Council held a meeting on Wednesday, January 28, 2015, at 5:30 p.m., in the Council Chambers, 10 North Main Street, Cedar City, Utah.

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

STAFF PRESENT: City Manager Rick Holman; City Attorney Paul Bittmenn; City Engineer Kit Wareham; City Recorder, Renon Savage; Finance Director Jason Norris; Police Chief Robert D. Allinson; Fire Chief Mike Phillips; Economic Development Director Danny Stewart; Recreation Specialist Jennifer Weaver.

OTHERS PRESENT: Melodie Jett, Thomas Jett, Jon Schmick, Don Scott, Kim Scott, Annette Johnson, Hunter Lee, Bellotie Haskens, Kade Simmons, Justin Robbins, Dan Dotson, Michelle Judd, Marilyn Kidwell, Kathy Johnson, Sara Funk, Shandi Haynie, Linda Yuan, Jeff Lowe, Paul Roelandt, Jessica Sury, Holly Coombs, Megan Fletcher, Shay Bauman.

CALL TO ORDER: Reverend Jon Schmick from Community Presbyterian Church gave the opening prayer; the pledge of allegiance was led by Councilmember Cozzens.

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

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF

COMMENTS: ■Marchant – we have been talking about reconstructing the sign ordinance and seem to be at a standstill, I want to bring to attention so we can get it rolling again. Danny – we are quiet, but not standing still. We are working on it, it is one that you peel a layer and more comes out. We have met with business owners and sign companies and researched other communities. We are addressing some things; one of the main things is simplified information for businesses. The draft is in rough form, I can forward that to you. Black – can you give us status on north and south signs? Danny – that is more standing, we have met with the engineering department to address some issues with those signs. We are still waiting for a report on the north sign, but the south sign will work. Marchant – I was at Dickey’s today for lunch and there is enforcement with signs off-site, because the Code Enforcement brought signs into the manager. Danny – we are meeting with Code Enforcement Friday. ■Rowley – we were distracted last time, but snow removed from north side of Aquatic Center to get to ice rink. If I put an electronic sign in the back of my pick-up advertising beer pong and it was in front of Cedar High, is that legal. Mr. Black and I met with ULA folks, as I looked at their screen and seen all these choppers flying, how would a small plane owner handle that? Mr. Mower said that we may qualify for a tower now and they would help with that. Mayor – we are meeting with Lois next week. Rowley – also we talked about expanding the parking lot to the south and they would help with that process, we should look into that

also. Rick – we will look at the Airport Master Plan. Rowley – I was on 200 North and thought I was on Daytona 500 as 3 garbage trucks did maneuvers that Dale Earnhardt would be proud of. I think they need to exercise moderation. Rick – they were on 200 N going west? Yes. ■ Black – I want to piggy back what Rowley said. I want to thank Lois and Mike for inviting us down to have a meeting and start again, to calm things down. It was an excellent meeting with a ton of potential. I have heard some comments about my comments on impact fees; they are just that we charge when there is an impact. When we have more history hopefully we will get more efficient and the impact can go down. I hope Ryan and the new Airport Manager will study that. Rick – clarification, our impact fees typically are for when new development comes in, and some may consider the landing fee as addressing that. Marchant – we did some bridge building with Upper Limits and it will continue. Rowley – Mike is out of town but hopes to get with Councilman Cozzens and Adams next week. ■ Cozzens – at his request I met with Wyatt Miller today and he was concerned about the purchase of a new backhoe, he likes a specific backhoe, as we discussed, the machine is about \$4,000 more, he compared that to two other machines, the other machines took 3 hours longer. We might look at the initial cost, but taking 3 hours longer and 152 of those a year, with labor and 3 workers that is about \$27,000 more in labor. I hope when we go through the budget we listen to employees, sometimes the cheapest is not always the best. Rowley – I probably led to a lot of that. Two cars with keys in different spots. You don't want a backhoe operator grabbing the wrong control and hurting someone, there is something to be said for using the machine they like working with. Rick – that is a great point and be aware, when we hire people they may be used to using different type of equipment. We need to take everything into account. Cozzens – I agree, but one of these takes less time. ■ Adams - one the red area by Wal-Mart, you still can't see when trucks are parked there. Kit – we advertised it for 55 feet. Adams – check, the line of site is still not good. ■ Rowley – we have had 4 fires for people trying to keep chickens warm, I did some research and people in Alaska leave their chickens out in -40 degrees. ■ Mayor - Jennifer Weaver was hired as the new sports and recreation manager. Jennifer – most of you know me, I have resided in Cedar for a long time. I have been a stay at home mom and recently this position came open and I applied for that and was offered the position. I am looking forward to working with the City in that capacity. Rowley – I had a lot of people ask and when I told them who we hired they were all pleased. ■ Mayor – today was local official day at the Legislature, Rick and I went up and met with Senator Vickers and Representative Westwood and we talked about gas tax. We had a great visit, there were SUU inters there and President Wyatt, it was a great chance to let the Wasatch Front know we exist. ■ Chief Phillips – we had a small fire at the Brickhouse Café in the basement today, an electrical fire in the wall, the occupant put the fire out with an extinguisher, had it happened in the middle of the night it would be a different outcome. It was an electrical switch in the wall. ■ Business update – The Pizza Cart, Jason Murray – Danny Stewart: Jason was honored as Business of the Year at the Chamber Banquet last year. Jason Murray – we are a small business in town, been around for a few years, we are now indoors for about 2 months. We are trying to keep our staff busy, we have 9 employees and possibly one or two more. We are located between Dicker's and Tropical Smoothie, we are excited to have the plasma center coming. Cozzens – tell us about the oven. Jason - It took 4 months in design and building the new oven. Cozzens – what is

the temperature in the oven? Jason – it will never reach below 500 degrees unless we are closed for many days. It was designed out of an oven in Italy, I didn't hack, I just looked on line and then had an engineer spec done and we built to spec. I have cut my own wood and we are now looking for suppliers. Oak is the favorite wood. Danny – there are a lot lined up, retail, restaurants and manufacturing. If there is something you want let us know. We met with three local businesses last week with Rick and the Mayor, we visited Pioneer Floor Covering, Star Sign & Banner and Bruce Hughes, the three of us will do this on a regular basis to keep us up on what they are doing and give them an opportunity to bring concerns to us.

PUBLIC COMMENTS: ■Paul Rolandt, Cedar Breaks – we are looking at fee increases. We had the largest visitation 760,000 visitors in the park last year, 595,000 is the average over the past 20 years. We are a very busy park. We have some exciting projects and looking at more year round recreation, we are not closed in the winter, we have a snowmobile trail and snow shoe walks, and they are full every Saturday. We also do star parties in Brian Head 3 Saturdays in the winter. We had 140 people at the first one. Rowley – how does 140 people get there? Paul – we did it at the resort, people loved it and we are trying to increase overnight stays in Brian Head also. We have one of the 10 darkest skies in the nation. I have stuff we will leave you about the summer. We do things around the Festival City theme. We have Wildflower Festival in July, Stories of the Past in August, and Fall Nature Festival in September. Rowley – I didn't know, I found in the library, there is an app to know all of the flowers. Paul – we have several volunteers we couldn't do it for them. Our fees, 100% stays in the park, so it is important revenue stream. We collect, deposit and can only be spent on direct visitor services. Large parks keep 80%, but they put the 20% in a pot for smaller parks to apply for funds for a project. The fee increase is nationwide, most parks have not raised since 2006, 2003 for us. We were put into tiers and take similar size parks and charge the fee, we are a per person park it is now \$4 and is going to \$7; campground is \$14 a night increase to \$22 a night. We had to do a study to see what is charged in the area. We may have a chance to go to an entrance station that would be beneficial. Those 16 and younger are free; we have senior passes for 62 years and older \$10 for lifetime. Same for military, active military is free and disability is the \$10; \$80 allows you and everyone in your car up to 4 into all National Parks for the year. We also have a local park fee going from \$20 to \$30. The public comment period closes on Friday; it has been open for 40 days. It is a mixed review but people know we are like a business trying to recoup our costs. It is not set; we could do something in between the current and proposed fees. The Park Service is turning 100 years old in 2016, we want the Celebration to happen here in the community, Cedar City is a central location. We have been talking with Maria Twitchell and the Commissioners about it and we look forward to partnering with you. ■Tom Jett – the only time I went to the National Parks was when my mother was alive and she could get me in free. My daughter is living in Salem Oregon and has a Utah license plate, a customer came in and noticed and asked her where she was from and they had spent a week in Cedar City taking advantage of all the National Parks and told her they were planning to move to Cedar City, it was the friendlies place they have ever been to on a vacation. ■Don Scott, I live in Cedar Ridge area, the snow shoe walk is a great walk, we my wife and I are hosts this Saturday. I visited a year ago; we have lived here 3 years,

bought property 9 years ago. We love Cedar City. I expressed concerns about the noise of the helicopters at that time they had 6, they were increasing to 16, they have increased that. They fly, low and slow and make a lot of noise. They were planning to move to the "Y" and I drove out there in the summer to see how construction was going and it doesn't look like it has happened. Rowley – they abandoned that effort. My comments to the Council are for me and my neighbors. It is a great program, but a bad location, the forestry helicopters fly over our house as well, today they were up at 5:30 a.m. and doing their hovering. I would encourage the City to look for areas they can get out where they can hover and stay out of the region. I feel sorry for the people the live in Equestrian Pointe. I am concerned that there won't be enough jobs for all of the pilots when they are done. If our airport is located like St. George it would work. Marchant – we used to be. Rowley – that is interesting we thought they had altered their pattern, we need to get them in the west desert to practice. They leave 4 here for airport training. Mr. Scott – I feel sorry for those in Parowan because they are noisy there also. It is day in and day out and don't take a vacation, it will only get worse. We as a city should enforce hours. Cozzens – how many life flights instead of ULA? Scott – none for me, I understand the difference. We have dual pane windows and it is noisy in the winter, the summer is worse with open windows. The best would be for them to relocate. ■Marchant – I want to introduce a student of mine that is from China, Linda Yuan, she is a great example in my communication class. Linda Yuan – my first time doing this in the US. I happen to go to Cedar Breaks with a tour group, I don't have a car so I cannot move around to tour, is there a shuttle to Cedar Breaks it is better. Paul – no we don't. Linda – SUU will become more popular to the international students, the City should look at providing a shuttle.

CONSENT AGENDA: (1) APPROVAL OF MINUTES DATED JANUARY 7 & 14, 2015; (2) APPROVAL OF BILLS DATED JANUARY 26, 2015; (3) APPROVE ADOPTION OF UPDATED CEDAR CITY AFFORDABLE HOUSING PLAN – HEIDI MILLER/RICK HOLMAN: Councilmember Marchant moved to approve the consent agenda items 1 through 3 as written above; second by Councilmember Black; vote unanimous.

CONSIDER AN ORDINANCE EXTENDING THE ANGLE PARKING ALONG THE EAST SIDE OF 100 WEST OR IN THE ALTERNATIVE PROHIBITING LONG VEHICLE PARKING ALONG 100 WEST – PAUL BITTMENN: Paul – this is to solve the problem across from Evan's Hairstyling College. Staff had concerns with angle parking with general fund picking up the maintenance. Black – there was going to be discussion about the Downtown Parking Authority. Adams – it was discussed in their meeting, they feel the use of the west side parking area by the patrons of the bar, in the evenings they don't see a problem with that, because it is after hours and there is plenty of room. Dan – This discussion about the angle parking, the Parking Authority does not have jurisdiction. The discussion was more on the parking area being used in the Parking Authority. There are concerns, but we didn't have much to offer. Rick – did the Parking Authority want us to approach the businesses to see if they wanted to participate in the maintenance? Ron – it was not discussed, they didn't want to do that. Rick – the amount of property Mr. Evans owns in relation to the buildings is not enough

to sustain the parking that is required, it is non-conforming. Adams – the concern is if we are considering that we need to be proactive in the line of site coming out of the avenue. They did not see a problem with the angle parking on the street. Dan – if we introduce a parking that is for heightened attention, some in an impaired state, it may not be safe. Rowley – I think prohibiting long parking would be a better situation. Mayor – I have had a lot of discussion on the long parking versus the angle parking and that is more of a problem than the angle parking. Cozzens – can we legally restrict that?

Councilmember Rowley moved to approve an ordinance prohibiting long vehicle parking;

Black – Chief – any concerns about enforcement? Chief Allinson - Not if it is signed, if truck drivers cannot park they don't stop to eat at Sizzler. Rick – Mr. Evans was more concerned in front of his building, they can still park behind the motels. Cozzens – with Hoover Ave I think the issue is harder.

The motion was second by Councilmember Cozzens; roll call vote as follows:

Ron Adams	-	AYE
John Black	-	AYE
Paul Cozzens	-	AYE
Don Marchant	-	AYE
Fred Rowley	-	AYE

**CONSIDER AMBULANCE SERVICE OPTIONS OR IN THE ALTERNATIVE
CONSIDER AN AMBULANCE SERVICE RESOLUTION – MAYOR WILSON:**

Rick – the Mayor and I have been involved in discussions with the other communities and the County Commissioners regarding the operations and deficit they have incurred. They solicited proposals from private providers which initiated concerns of level of service. Commissioners allowed communities to do their own research and offered to meet with the city representatives next week and suggested each community bring a recommendation. They also made a recommendation that if the cities wanted to be involved in monitoring a service that is not private the cities would contribute funds toward the average annual operating loss and an amount to the anticipated loss and deprecation of assets to be considered when a private provider purchases the service. We put together suggestions to how they could retain the service within the County's preview and discussions with ambulance folks trying a year of continued ambulance service with suggested cost saving measures and change in configuration and if the County Commission determines the methods are not meeting the goals of reducing the deficit. We suggested modifications, but don't agree that the Cities should pay toward the loss; the suggestions made could take care of that loss. Based on information from our staff and the operation of private service in other areas that public safety operations could be impacted as well differently as their involvement now in EMS. If public safety is anticipated to assist in EMS it is our feeling we don't have the staff, training or equipment to provide EMS service to a private provider. Mike Phillips has done a lot of research on that. I encourage you to ask Chief Allinson and Phillips about that. If the

County Commission chooses private, we want a clear expectation on what a private provider will do and what public safety is expected to do.

Rowley – I happened on Mayor Landes and he also suggested a one year try, so Councilman Cozzens and I met with Commissioner Miller and we saw no indication of compromise at all. Adams – if we don't want to offer any monitoring of the system then they don't want financial assistance? Rick – part of the discussion was that the cities seem to have enough of concern that the County Commission suggested an ambulance board with members from each community, but if you want that level of oversight they attach financial commitment as well. Mayor – the Board would move the direction of the service under the Board, not under the Sheriff. Rowley – you cannot handle black tar without getting it all over you. It is so complex. I would like to see you say we want nothing to do with any of this because it is a mess.

Councilmember Marchant moved to offer no resolution and not consider participating in any aspect; second by Councilmember Rowley;

Rick – if the County makes that decision then we would like to see the proposals in EMS service.

Cozzens – I want it clear that we do not exceed what we currently do for emergency services. They already cooperate, but it cannot be expected. Mayor – do you want that in a letter? Yes.

The motion and second was amended to also include that we will not exceed what we currently do for emergency services.

Vote unanimous.

CLOSED SESSION – REASONABLY IMMINENT LITIGATION:

ADJOURN: Councilmember Rowley moved to adjourn and move into closed session at 6:42 p.m.; second by Councilmember Cozzens; vote unanimous.

Renon Savage, MMC
City Recorder