

COUNCIL MINUTES
JULY 1, 2015

The City Council held a meeting on Wednesday, July 1, 2015, at 7:10 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; Public Works Director Ryan Marshall; Fire Marshal Mike Shurtz; Fire Engineer Travis Fails; Events Coordinator Bryan Dangerfield; Economic Development Coordinator Cameron Christensen; Airport Manager Jeremy Valgardson; Street Superintendent Jeff Hunter; Parks Superintendent Austin Bingham; Public Works Director Ryan Marshall.

OTHERS PRESENT: Rachel Grimes, Tonya Fails, Barbara Ludwig, Megan Bates, Lizzy Bates, Chloe Marsden, Staelie Ramos, Kate Allen, Angel Hillier, Boddie Baden, Steve Baden, Robin Haight, Wade Grimm, Barbara Imlay, Rachell Marsden, Jessica Sury, Haven Scott, Corey Baumgartner, Tom Jett, Kerry Fain, Chad Fain, Dallin Staheli.

CONSENT AGENDA: (1) APPROVAL OF MINUTES DATED JUNE 3 & 10, 2015; (2) RATIFY THE BILLS DATED JUNE 23, 2015 ; (3) APPROVE SELF-FUELING APPLICATION FOR THE AIRPORT – JEREMY VALGARDSON; (4) APPROVE THE APPOINTMENT OF DONNA LAW AND ANNE JUDD TO THE RAP TAX ARTS COMMITTEE – MAYOR WILSON: Rowley – what is the bill for Festival City Development Foundation, \$14,000? Jason – it is an independent entity, we disbursed their money. It is housing for Shakespearean Festival, they will handle it themselves from now on. Rowley – Electrical on Main Street Park Phase 2. Austin – that is for power along the south fence. We also added a couple additional panels in the middle of the park.

Councilmember Black moved to approve the consent agenda items 1 through 4 as written above; second by Councilmember Marchant; vote unanimous.

PUBLIC HEARING TO CONSIDER FEE WAIVER FOR THE RENAISSANCE FAIR – CATHY BRYANT: Ralph McAfee – we are not asking for alot. We appreciate all you do; we are concerned by the fee for the use of the Park, and the timing for events. We are all volunteers for the Utah Midsummer Renaissance Faire, this is the 33rd year, 30 vendors and free performers, and we pay for those to come. This is a family friendly fair, we clean-up the park and try to leave it better than we find it. We are asking for waiver of the fees. We are under a budget. We only have what we get from the vendors. Mayor – the fees were changed in May. Ralph – we start sometimes at the end of the fair. Black – you are not getting any argument with the good thing the fair does. If

we do it once we open it up to everyone. Rowley – the only factor is the fact that it was instituted so shortly before their event, and there was no grandfather clause. Maybe a partial waiver this year and full price next year. Black – is that for every group, what is your cut-off date? Ralph – we are not asking for a lot of. Rick – I have been helping since 1978, I want to continue to do it. I was shocked and surprised, everyone is struggling right now. Marchant – how many vendors? Ralph – right now about 35. I talked with Tim on the radio and his family plans to come to the Ren Fair. Rowley – do you believe next year when you raise your booth fee it will have an impact? Cathy Bryant – we have kept our fees the same for 10 years or so, so I don't know what type of impact it will have, it is a flat fee. Marchant – what do you charge? \$225, with \$50 back and \$5 is the City fee, so it comes down to \$170. Ralph – if we know up front I don't think it will make a difference. We are on the margin now. Cozzens – is there anything in the discretionary fund? We have a lot of good causes that we have not done. Rowley – the price was already established on the others. I would say anyone else will get the same deal. Austin – when we were discussing the fee back in March, we have numerous events that were already approved; it is the ones that don't turn their forms in early. We decided we would not retroactive the fee. Groovefest is aware as well. Unless we get someone late in the game is not aware. Cozzens – most plan right after their last event. Austin – most come in in January or February when we open the reservation and those will not pay the additional fee. I don't anticipate a lot more of these. Rick – the Lion's Club has their activity and they submitted their form about the same time and they are paying the fee. Rowley – they came to me and I told them that we have been reluctant to grant waivers. In consideration of this ordinance going into effect and people not being ready we give those two entities a break. Mayor - how many days? Cathy – it is 4 days, but we have the park for 5 days. Black – are you able to rent the park on Monday or Tuesday? Austin – no because they requested the park Monday through Saturday. Ralph – the only thing they do on Monday is set up the stage. Cozzens – what are your thoughts Paul? Paul – you can do a fee waiver with the public hearing, but everyone wants to use the Heritage Center or a park free and it is someone with cancer or a good cause. Cozzens – we did move the goal post in the middle of the game. Mayor - we changed the arena fees, etc. Ralph – if you could even reduce it in half.

Mayor Wilson opened the public hearing. Paul McAfee – I am trying not to be biased, I understand their issue, it is nonprofit the budget is narrow; when it is gone it is gone. It doesn't seem fair. There were no other comments. The hearing closed.

Black – we need to change the language of a fee waiver. Mayor – we could have half of the fee come from their organization and half from the executive discretion based on the reasoning of when we changed everything. Black – we need to make the same offer to the Lion's club. Paul – this is posted specifically for a specified fee waiver, we can do more fee waivers, but we need to do it openly. The statute says you need to hold a public hearing.

Councilmember Rowley moved to have the organization pay ½ the fee and the other half come out of executive discretion funds;

Black – can we do a time frame? Paul - yes, but it would have to be advertised.

The motion was seconded by Councilmember Marchant; vote unanimous.

CONSIDER TRAFFIC CIRCULATION PROPOSAL FOR 1925 N., WEST OF MAIN (BETWEEN CANYON VIEW SCHOOLS) – IRON COUNTY SCHOOL DISTRICT/HUNTER SHAHEEN:

Rowley – Mr. Shaheen had a medical emergency tonight. Black – who will pay for all the restriping, blacking out the current striping and restriping? Chief Allinson – Kit and I met with the Superintendent, principal and Mr. Shaheen, we shortened up the stacking lane and not doing as much no parking. We told the Superintendent to come to the meeting about the fee of blacking out and restriping and signing. Kit – I estimated a cost of \$2,300 that does not include any labor for red curb. Paul – what about signs? Kit –no signs, it is a fairly minor extension of the no parking area. Paul – there is not one, it was a temporary trial and it went away and someone painted the curb red. Kit – the signs are \$300 each and you would need 6 so it would be around \$4,000. Jeff Hunter – how will they do the blacking out? Kit – with a high pressure washer. Rowley – I am an employee of the Iron County School District. Paul – there is no action until we have an ordinance

Councilmember Black moved to table this item; second by Councilmember Marchant; vote unanimous.

Rick – are you asking the District to pay the full amount? Black – yes.

APPROVE A RESOLUTION AMENDING THE AIRPORT RULES & REGULATIONS – JEREMY VALGARDSON:

Jeremy – you have seen this in your packets, the changes are on page 31, self-fueling added the permittee will be financially responsible for any spill.

Councilmember Cozzens moved to approve the resolution amending the Airport Rules & Regulations; second by Councilmember Marchant; vote as follows:

AYE: _____ 5 _____
NAY: _____ 0 _____
ABSTAINED: 0 _____

CONSIDER APPROVAL OF TWO DUMP TRUCKS, ONE FOR THE STREET DEPARTMENT, AND ONE FOR STORM DRAIN – JEFF HUNTER:

Councilmember Marchant moved to approve the bid from Rush Truck and Viking-Cives as a package for a total bid of \$156,596.78 per vehicle for the Street Department and Storm Drain Department dump trucks; second by Councilmember Cozzens; vote unanimous.

CONSIDER APPROVAL OF A RESOLUTION UPDATING THE LOCATIONS THAT FIREWORKS CAN BE SET OFF – MIKE SHURTZ/CHIEF MIKE PHILLIPS: Councilmember Marchant moved to approve the resolution updating the

locations that fireworks can be set off; second by Councilmember Rowley; vote as follows:

AYE: 5
NAY: 0
ABSTAINED: 0

ADJOURN: Councilmember Marchant moved to adjourn and move into the RDA meeting at 7:43 p.m.; second by Councilmember Black; vote unanimous.


Renon Savage, MMC
City Recorder