

COUNCIL WORK MINUTES
OCTOBER 21, 2015

The City Council held a meeting on Wednesday, October 21, 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; Sargent Nate Williams; Lt. Keith Millett; Officer Dane Glazier; Lt. Darin Adams; Corporal Justin Ludlow; Corporal Clint Pollock; Officer Addison Adams; Officer Jordan Smith; Officer Norm Stauffer; Golf Division Head Jared Barnes; Golf Superintendent of Maintenance Steve Carter; Economic Development Director Danny Stewart; Public Works Director Ryan Marshall.

OTHERS PRESENT: Erika Williams, Bruce Williams, Doug Hall, Craig Isom, Barbara Imlay, Robin Haight, Wade Grimm, Wayne Hartley, Adrienne Ludlow, Lexus Ludlow, Payton Ludlow, Cooper Ludlow, Kip Hansen, Melodie Jett, Tom Jett, Scott Phillips, Fred Adams, Haven Scott, Le'Chelle Pollock, Jessica Sury.

CALL TO ORDER: Nancy Pearson of Community Presbyterian Church gave the invocation; the pledge was led by Police Chief Robert Allinson & Captain Ericka Williams.

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

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF COMMENTS: ■Marchant – I see the men in uniform and I am very touched. I appreciate the prayer that was offered and the fact that we can pray and ask for support we need. The cooperation with the Police and Fire in honoring the fallen Fireman Mike Tong, I was so impressed with the dignity and reverence extended to Mike, his family and the community and to have the firemen bind together and for the Police for their escort. That is what the community is all about, and to have meetings like this and have disagreements and shake hands and be friends after. I revel for the privilege of having various pastors come here to offer prayers, it is great strength. ■Cozzens – the reverse 911 system, I worry about abusing the system to the point that people get tired of messages that are not an emergency. We got a call recently a call on my cell; my landline and an email to go get a flu shot and I don't see that as an emergency. We have talked about altering areas of town on water issues, and I am ok, but still think we need to be careful. I think people will opt out if they get to many calls and then they don't have information in an emergency. Chief – part of the reason is the Health Department uses that go gauge how they can get information out if they need a mass inoculation. We also have concerns about that and we have had discussions. Cozzens – before we use that

system we should run it by the Mayor and City Council for something that is questionable. Chief – we have a local LEPC meeting that it should be discussed in. Rick – previous when we had reverse 911 system it was in the County hands. Everbridge system gives us some flexibility. We will give you a list of purposes it has been used and give you feedback. ■Mayor – we have the final plans for the City Birthday Celebration it will be held November 7th at 6 PM at Cedar High and will involve a program with local elementary 5th graders performing and will give recognition to the “What Makes Me Smile About Cedar City”. Also the City Council debate is tomorrow night. The meet and greet begins at 5:30 p.m., and the debate at 7:00 at SUU Ballroom. The Heritage and Livestock Festival with the sheep parade at 10:00 a.m. and we have the Mayor of our Sister City of Gapyong, it will be an experience. Meet him Friday at 2:00 p.m. here and we will go to the Korean War Memorial. We have also had two individuals, one from Airport Board and one from Board of Adjustments no longer to be able to serve; I am recommending Joe Sanders for the Board of Adjustments. He is retired and wants to be involved in the community. ■Oath of Office for Police Department Promotions: Chief Allinson – I appreciate the opportunity to address you. A few months back you asked to bring some officers in. We have had promotions so I will start with that, but first I want to recognize Lt. Adams and Lt. Millett, they are my bread and butter and are responsible for the day to day operation of the department, I am appreciative of them. Last budget year you approved a new detective, and we moved Chet Smith out of Patrol to Detective, he has been with us since 2004. With that we had to promote a corporal, we did Clint Pollock, he has been with us since 2005 and we had Sgt. Dave McIntyre retire, went through testing we involved 3 interview board, in house, citizen and outside law enforcement officials as well as a written and scenario and we are ready to promote Nate Williams to that position. He was a corporal in patrol, so we promoted from our active list and promoting Justin Ludlow, he has been here since 2005, Nate has been here since 2000. I would like to have Renon read their Oath of Office and then invite their wives up to pin their badges on them.

Renon Savage administered the Oath of Office to Sargent Nate Williams, Corporals Clint Pollock and Justin Ludlow.

Chief – it is an honor to have their wives here with them. The Chief introduced other officers present. Dane Glazier, Jordan Smith he will be leaving us to go to West Jordan, Norm Stauffer and Addison Adams.

■Mike Phillips – on Saturday we celebrated Mike Tong’s life here on the earth, his family was touched for the reverence we provided. When we went through the process it was busy and we received a lot of help from staff, Austin and Cemetery staff helped to get our apparatus in the cemetery, Mayor and Rick helped us get what we needed and Chief Allinson provided us an escort so we could make it as a group. Cozzens Cabinets helped us build shadow boxes to provide for the family. Thanks to everyone. Mayor – it was wonderful to see cooperation between the two departments for the betterment of the community. It is appreciated.

PUBLIC COMMENTS: ■Marilyn Granger, I am the bookkeeper for Three Fountains and Carla Williams President of the Board. I am here as a last resort, and bring to your

attention and hope to get some support. I didn't get payment for our utility bill until a day late I dropped it in on the 30th and it was due on the 29th. I checked my bank account, it cleared on November 2nd. It covers 51 residents so the late fee was \$204.68. Because I was the one that made the mistake I feel I should pay the late bill. I talked with Mr. Holman and he said it was not in his authority and the billing department said they cannot remove it. If you divide it out it is \$4.02 per residence. I am willing to pay \$25, but my question is I can't feel it is fair and am asking for advice and help. If nobody can make an adjustment, it has been paid in full every month for at least 40 years, the average bill is \$2,500 a month, in the summer sometimes over \$4,000 because of the swimming pool and grounds, and we are famous for green grass. We are doing a major re-landscaping project to eliminate grass and still keep the grounds as pristine as possible. I don't think 1 day warrants a \$204 late penalty. Adams – is it one meter? Marilyn – yes. Cozzens – how many years? Marilyn – I have been the bookkeeper for 6 years but we have been there for over 40 years. Cozzens – maybe because it is one meter we could show some mercy. Rick – I need you to know that if another person comes in with the same payment record, we will let them come to council. Marilyn – it should be a case by case basis. Black – the volume on one meter should be taken into consideration. Rowley – does it need to be a public hearing? Paul – yes. Mayor – we can put it on the agenda for November. Marilyn – we have now put it on auto pay. Mayor – we will suspend additional late fees until the Council can take action on this item. Black – can we get an average? Rick – for single family or a PUD? We can get both. Marilyn – we divided it out it is about \$80 per unit and a late fee of \$4.02 each. ■Wade Grimm – concerned about citizens in Cedar Knolls, why can't the city council meetings be an hour later than they are. I have had 25 people in a week ask me that and I think it is a valid question. Also, an apartment development started on 200 North 300 West and there is a planning commission item for a zone change after construction, shouldn't the zoning be done before the construction. I have had 25 people ask me about this. This should be cleaned up and done in advance, it is better to do it right than to do it over. ■Robin Haight – I survived the deer hunt. My concern is that sometimes you go on the internet to get information about the council meetings and they are sometimes not up to quality. 159 people logged on and there is no audio, who took the audio off, or did they forget to turn it on or did they edit it out before it went on the internet, it seems entertaining. I ask you to look at that. I was pleased to see that one of the engineering office was looking at fiber optic. Please make the information available to interested parties. Cozzens – is the audio not automatic? Kit – it is with it, but we turned it on early and didn't broadcast so it timed out and shut down the audio. They still have audio on Renon's recording. Black – can we run a test before the meeting? Kit – we normally do, but it had timed out. ■Tom Jett – we had quite the rain storm on Monday and our neighborhood faired very well, the water flowed well and it was full on 400 North but none ran down Brook Street. Cozzens – what percentage has helped with the 300 West storm drain? Tom – I don't know, I think it is keeping the debris cleaned out as well, but redirecting the water to Coal Creek has helped tremendously. ■Cozzens – with the rain on Sunday, there was concern on the apartments west of Center Street, we put some box culverts in and it is working very well, the water is sailing through the culvert. There is concern about the water not getting into the culvert from the parking lot, but generally it is working well. Kit came out on

Sunday night to check it out. Mayor – it is nice to have you, Kit and residents out looking at the solutions. Black – City staff are keeping the drains cleaned.

CONSIDER ACCEPTANCE OF A ROAD DEDICATION FROM THE SOUTHWEST APPLIED TECHNOLOGY COLLEGE IN THE VICINITY OF 880 SOUTH 555 WEST – BOB PLATT/PAUL BITTMENN:

Paul – Kit pulled up Google Earth, what SWATC wants to do is to round the corner and would like to dedicate the gutter, sidewalk and what is in the road to the City. It is about 200 square feet of improvements. Normally when we get a road dedication after Planning Commission looks at it then it goes through staff and a title company to check the title to make sure taxes are paid, ownership is clean and no liens some have easements from utilities, we look for interest in 3rd party that would be a concern such as a mortgage. There was an issue with SWATC's ability to own the property. They can't own property on their own, we asked the State for a Warranty Deed, they said no, the guy with State Facilities Management feel SWATC has the ability to own property, but they are not registered as an individual corporation. Rowley – who owns the property on the deed SWATC? Paul – the Prestwich's deeded it to SWATC, they can deed to the building board and to us, but it wouldn't work. It is not a big deal; they want to know if you will accept the dedication. Adams – didn't you contact the Utah Applied Technology College? Paul – no, I contacted the facilities board. The applied technology college can own property; they have institutions all over the state like SUU, Dixie and Utah. Adams – I had to get approval from the Utah College when I was there, they were the governing body. Paul – Cedar City is the corporation that owns all of Cedar City's assets, Public Works building, Fire Departments, so the Public Works Director could not sale the building because he doesn't own it, that is the analogy. Black – is there an answer? Paul – they want to know if the council will accept it, the State will only issue a quit claim deed which says what I own interest in you can have, but they can't own it. It is 200 feet of asphalt; you will maintain anyway, it is tied into your road system, when you crack seal you won't cone it off. Black - If someone trips and falls who do they sue? Paul – us if we accept the dedication. It won't move people and cars, we get the maintenance and liability, chances are we do the maintenance anyway. Marchant – where do you take it from here, it is us. Cozzens – might as well make it legal and take it. Black – any chances you will get more information. Paul – we have been back and forth on this since May. Consent.

CONSIDER BIDS FOR CENTRAL CONTROL IRRIGATION SYSTEM AT THE GOLF COURSE – STEVE CARTER:

Steve – This is a small portion. When we did the budget we requested a master plan or design of the Golf Course for a new irrigation system. The irrigation system was put in in 1962 and the front side is metal lines with 1 inch laterals and rusted almost shut. We were approved for a new design. Jim Ruel of Provo did the design; the new layout was in the design. #1 has lateral lines on the map, but he is still doing work. We have 1300 heads on the Golf Course, this would take it up to 1900 heads which will water more efficiently and use less water. We now have a map of our existing heads and you can see dry spots because of inaccurate head spacing. We are in the process of matching up stations with the heads on the map; this will be a huge asset because we have never had an actual set up of how the course was designed. We are doing a design with central control and all our greens will have an irrigation

renovation with new heads and wire. The central control irrigation system will allow us, right now we water all or nothing, we try to keep it as even as possible. This will allow us to fine tune things so if areas are too wet or too dry we can adjust the flow and not mess up the pump station. Black – what you do manually versus technology. Steve – right now we have to go to each clock and we have 36 and manually turn on the station and if you want to change anything you have to do it at the clock. If I don't want to water I have to go and turn off each clock so we turn off everything with the power. The central control won't fix that problem now. It is a computer program and it is in the office. I can click on and say if I want to water or not and the percentage and adjust on the fly. It comes with an iPad so I can adjust while I am on the course. Rowley – it doesn't have anything to do with the heads. You say Toro heads don't jam as much. Steve – the design on the front 9, redoing the heads around the front 9 will allow us to have better water. Jason – from the budget process, we have issues with irrigation so we said we need a master plan of what we are going to do. The maps lay out the problem and the structure so we funded that and the central control system which is the brain of the irrigation system, priority we were able to fund irrigating around a few of the greens. This is a \$2.5 million issue and we are dealing with a fraction of it. Steve the bid is \$148,000 for the one we want.

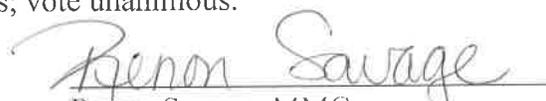
Jared Barnes – why Steve put the stuff on the Hunter Heads, this is the beginning of a long term solution. Both Steve and I have had not as good of experience with the product of the lowest bid. Our experience with the equipment on the low bid has not been ideal. The way the hunter heads have failed, we might spend a little extra, but we will recoup the money in not replacing. Black – I support that decision. Hunter is not as good of product. Steve – we change out 8-10 hunter heads a year, they make a mess. Jared – there were put in initially because they were the cheapest. Consent with the Toro bid.

Rowley – I went out to Thunderbird Gardens on Monday and there was a lake in the road. Steve – that has been drained on the Golf Course before and created a nightmare of mud on the course. They created a little diversion to catch the mud, it has been great for us but leaves water in the road. What if we put in a drop box to catch the water and send it through the storm drain and the ditch along the side of #1. Cozzens – we should put this on action, I know there are people that have expressed concerns. Mayor – ok, we will put it on action.

CONSIDER APPOINTMENT TO THE AIRPORT BOARD – MAYOR WILSON:

Mayor Wilson – I am recommending Scott Truman on the Board. He has expressed a desire to get involved. Cozzens – both people on the board assignments are good.
Consent.

ADJOURN: Councilmember Black moved to adjourn and move into the RDA meeting at 6:40 p.m.; second by Councilmember Adams; vote unanimous.


Renon Savage, MMC
City Recorder

