

COUNCIL WORK MINUTES
JULY 20, 2016

The City Council held a meeting on Wednesday, July 20, 2016, at 5:30 p.m., in the Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Maile Wilson; Councilmembers: Ron Adams; Terri Hartley; Craig Isom.

EXCUSED: Councilmember Paul Cozzens; Councilmember Fred Rowley

STAFF PRESENT: City Manager Paul Bittmenn; City Engineer Kit Wareham; Assistant City Attorney Randall McUne; Executive Assistant Barbara Barrick; Finance Director Jason Norris; Police Chief Darin Adams; Airport Manager Jeremy Valgardson, Fire Marshal Mike Shurtz, Leisure Services/Events Director Bryan Dangerfield.

OTHERS PRESENT: Doug Hall, JP Melchior, Corey Baumgartner, Tom Jett, Brad Green, West Harris, Ryan Robinson, Jessica Robinson, Bob Platt.

CALL TO ORDER: JP Melchoir gave the invocation; the pledge of allegiance was led by West Harris.

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

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF

COMMENTS: ■ Ron – The clock on the Heritage Center facing west no longer works. There is also one on Main Street by Bulloch Drug that isn't working. I had a report that some foreign tourists appeared to be confused by this. Mayor – The clock on Main Street is privately owned. As far as the Heritage Center, I'm not sure. We'll look into it. ■ Craig – We lost a giant of a citizen when losing Jerry Sherratt. He was full of energy and ideas to the very end. We'll miss him. The last time I saw him he had an idea and wanted to light up one of our red hills. He promoted Cedar City to the very end. He was a great guy. ■ Mayor – The Tour of Utah is August 1st. ■ Craig – Are we in a parade on Monday? Mayor – I'm in the parade on Monday, but I don't know about anyone else. If you haven't heard you're probably free.

PUBLIC COMMENTS: ■ (There were no public comments).

CONSIDER APPROVAL OF THE VICINITY PLAN FOR THE MOUNTAIN VISTA PHASE 1 PLANNED UNIT DEVELOPMENT (PUD). CARTER

ENTERPRISES/KIT WAREHAM: Bob Platt – The phase one of this property is shown on the screen. Carter has built apartments across the street. They want to build on two large parcels. The soil is not good so the City wants it to be a PUD. The other six parcels in phase 1 are proposed for twin homes and will be done according to soils recommendations. The only City improvements would be on the south side of 820 South.

Terri – If we approve a PUD, what is our liability if the soil is collapsible? Paul – We can't restrict people from using their property, so we acknowledge that there are soil restrictions up there and require that they work with soils engineers. Terri – I just see the end-user and they're asking why the City lets them build there. Paul – There is some public notification out there. The plat map will disclose soils conditions and the existence of soils reports. Most buyers may not understand this. Another method of public disclosure is on the map that has soils conditions. I don't know how to notify each buyer. Ron – So what liability does the City have for allowing a building permit and inspecting the project? Paul – To determine liability you look at whatever guy did the work. We don't inspect the soils. Most claims in the past are based on soils. The City is generally immune from even negligent inspections under the governmental immunity act. Craig – The Planning Commission has seen this a couple of times. Bob – The owners' eyes are wide open. They are not building high-density town homes. They will do whatever's necessary. This is a family business that has been around a long while.
Consent.

CONSIDER AN ORDINANCE CREATING NO PARKING ZONES ON BOTH SIDES OF WESTERN VIEW DRIVE. JP MELCHIOR/ KIT WAREHAM:

JP – I am a resident on Western View. We wanted to have the hill be designated a no parking area. The cul-de-sac parking is fine, but the issue is on the hill itself. It is narrower than most of the streets and is essentially a two-lane road. It is a safety hazard. I would be willing to help with painting the curb red. I could get my friends to help if needed. Ron – We could get the scouts to help. Kit – The street is 22 feet wide. We looked at maybe allowing no parking on one side, but it's a dead end street and that would be worse than no parking on both sides. Chief Adams – I don't recall that we've ever been called up there for parking issues, but I don't see it being a problem to enforce it if it is clearly marked. Terri – How do we typically handle that? Paul – We pass an ordinance. Kit – I can't remember any "no parking area" that's been painted by the residents. The Street Department does it. JP – Concerning the cost, the prevention of an accident highly outweighs the cost.
Action.

CONSIDER APPROVAL OF CONTRACT & NOTICE TO PROCEED BETWEEN CEDAR CITY & NICHOLS BUILDING, LLC. FOR AIRPORT IMPROVEMENT PROJECT (AIP-31). JEREMY VALGARDSON:

Jeremy – This is the Airport terminal rehab project and we have the contract ready for Nichols. They will do the work that was in all the documents you have seen before. This just gives permission to proceed and the start date is August 15th.
Consent.

REVIEW BIDS FOR THE MAIN STREET MONTEREY DRIVE TO 800 SOUTH LIGHT REPLACEMENT PROJECT. KIT WAREHAM:

Kit – This is right by the All American Diner up to Taco Time. We received one bid which came in under-budget. We have \$425,000 for the budget with \$75,000 that is a grant from UDOT. We already have had to change one thing. The bid was \$377,621.90 and it's with Schmidt construction.

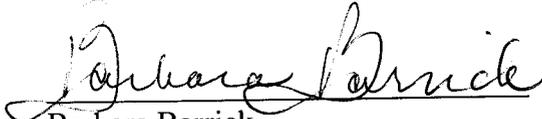
Consent.

**REVIEW BIDS FOR THE 2017 MATERIALS TESTING BLANKET
CONTRACT. KIT WAREHAM:**

Kit – Every couple of years we put out blanket bids for testing. It's been five years so we thought it was time to rebid. We received two bids and they were very competitive. The bids were from Gem Engineering for \$20,150 and from Watson Engineering for \$21,550. We will enter into a contract with both firms, so if one can't do it we can call the other one. This is how we've done it in the past, but we've never had to call out the second firm. Gem is our recommendation for first call out.

Consent.

ADJOURN: Councilmember Hartley moved to adjourn at 6 p.m.; second by Councilmember Adams; vote unanimous.


Barbara Barrick
Executive Assistant