



PAROWAN CITY COUNCIL MEETING MINUTES

OCTOBER 27, 2016 – 6:00 P.M.

***PAROWAN CITY COUNCIL CHAMBERS
35 E. 100 N., PAROWAN, UT 84761***

ELECTED OFFICIALS PRESENT: Mayor Donald G. Landes, Councilmembers Alan Adams, Vickie Hicks, Ben Johnson, Jay Orton, and Steve Thayer

CITY STAFF PRESENT: Joshua Jones, City Manager; Callie Bassett, City Recorder; Judy Schiers, City Treasurer; Ken Carpenter, Parowan Police Chief; Heather Shurtleff, Deputy Recorder

PUBLIC PRESENT: Chuck and Dottie Stade, Becky Bronson, Emily Johnson, Eric Packer, Sandy Packer, Ryan Huber, Stacey Carpenter, Bob Whitelaw, Jaylee Church, Nathan Goodman, Cody Howard, Rachel Johnson, Jim Shurtleff, Tylee Cowen, Taylor Robb, Kenya McNeil, Alexi Thatcher, Trey Stubbs, Craig Bentley

- 1. CALL TO ORDER:** Mayor Landes called the meeting to order at 6:00 p.m. He expressed his appreciation to Councilmember Alan Adams for acting as Mayor Pro Tem at the last meeting.
- 2. OPENING CEREMONIES/PLEDGE OF ALLEGIANCE – STEVE THAYER:** Councilmember Thayer shared a thought regarding America today. Councilmember Hicks also shared a thought. Councilmember Thayer offered an invocation, then led the Council and the public in the pledge of allegiance.
- 3. DOES ANYBODY HAVE ANY CONFLICTS OR PERSONAL INTEREST IN ANY MATTER ON THE AGENDA WHICH NEEDS TO BE DECLARED?** No conflicts were declared.

CONSENT MEETING AGENDA

- 4. APPROVAL OF CITY COUNCIL MINUTES FROM OCTOBER 13, 2016**
- 5. PURCHASE ORDERS/WARRANT REGISTER**

MOTION: *Councilmember Orton moved to approve the consent agenda.*

SECOND: *Councilmember Hicks seconded the motion.*

DISCUSSION:

Councilmember Hicks told the Council that she found some typos in the minutes. She informed Mrs. Bassett of these errors earlier that day and Mrs. Bassett corrected them. The corrected minutes were in the Council packet.

Councilmember Thayer had some questions regarding the warrant register which were answered.

VOTE: *All Councilmembers voted in favor of the motion. The motion carried.*

ACTION MEETING AGENDA

No agenda items.

WORK MEETING AGENDA

6. ERIC PACKER, CEDAR CITY HOSPITAL ADMINISTRATOR :

Ms. Becky Bronson, Public Relations Manager for IHC, introduced Mr. Eric Packer, Cedar City Hospital's new administrator.

Mr. Packer said he has worked with Intermountain Healthcare for 27 years. He loves his job and the opportunity to work with people. He hopes to continue to provide the very best, safe, optimal health care that they can.

Mr. Packer gave some statistic from last year regarding the hospital:

- Total admissions – 3783
- Total ER visits – 18,383
- Births – 917
- Total Employees – 586
- Physicians with active privileges – 71
- Total volunteer hours – over 9,100

Some of the exciting things taking place are:

- They are installing a new MRI machine. They feel this will be a great piece of equipment and technology that will help them better serve the community.
- Mr. Packer is very excited about the addition of a new care suite that will help relieve anxiety related to having an MRI.
- They have converted to an electronic medical records system. This will allow them to communicate better with other facilities. It will also allow patients to log into real time information on their medical records. There will be built in alerts that pop up and help doctors and administrators provide better care. These are tools that will help them be more responsive to the care of their patients. There is also an app that can be downloaded to phones.

Mr. Packer said a lot of good things are happening at the hospital. He said one of the reasons he wanted to come to the meeting tonight was to connect with the City Council and let them know that even though the name of the hospital is Cedar City Hospital, he really views them as encompassing all of the communities in the county. Parowan is part of the Cedar City Hospital service area and wants the City to feel a part of that. Parowan is the county seat and the Mother Town, and he wants to make sure they are connecting with us and are serving us in any way that they can.

Mr. Packer spoke of the IHC property on 200 South. He said the hospital administrator is not the person that says they are going to build a clinic. It is not in his line of administration. However, he is advocating to get a new clinic here and wants to be a voice to help do that. He wants to be a spokesperson for Parowan. He will work with Mr. Craig Bentley on upkeep of the vacant property in the meantime.

Mr. Packer said the hospital is committed to our local schools. They employ the sports trainers that are in the high schools. He introduced Mr. Ryan Huber, who is the trainer at Parowan High School. Mr. Huber said he is excited to be here in Parowan. He reported that there were 120 injuries in the last 2 years that have cost athletes game time or practice time. That is a large number when you consider the size of Parowan High School. Those athletes' treatment, care and rehabilitation is all done at the high school. Mr. Huber has a treatment room where he can handle most of those things. He helps facilitate doctor appointments, etc., to help the athletes get the correct care needed.

Mr. Huber said something else they have done recently at the high school to help with the care of the kids is the Safe School Award. Mr. Huber is governed by a body called the National Athletic Trainers Association, which offers this Safe School Award for any athletic trainer or school that meets certain qualifications. Parowan High School is the first school in southern Utah to receive this award, and is only about 1 in 5 schools in the state that has received it. He said the quality of care that our athletes are receiving is top notch, some of the best you can receive in the state. Parowan is only one of two 2A schools in the state that has an athletic trainer.

Mr. Huber said he hopes to be here for the foreseeable future. They have purchased a home here. He loves Parowan. It is a great place to live and a great place to raise his four children. He hopes to always be part of this community. He feels like part of the family and feels at home here.

Mr. Packer said he is very pleased with the work Mr. Huber is doing. Mr. Packer closed his remarks mentioning some the awards the hospital has won:

- Rated one of the Top 20 rural hospitals in the country.
- Rated as one of the Top 100 hospitals in the nation as a community hospital (550 beds or less).
- For the past two years they have been awarded the Health Insight Quality Award, a Medicare intermediary. To qualify to be looked at for this award, you must be in the 75th percentile in the nation in quality measures, perceptions of care, and outcomes-readmission type measures. It is a difficult award to win.
- The last award Mr. Packer mentioned is through Leap Frog, which compares hospitals throughout the country, looking at transparency and outcomes, and they assign letter grades to them. Cedar Hospital has been given the letter grade A.

Mr. Packer concluded by saying they are committed to working hard and hope to have a strong relationship with Parowan. He said if there is anything he can do to help support our community to let him know.

Mayor Landes said he was so pleased with the service he received at the hospital. He says he feels this clinic would be a great addition to this community.

Councilmember Johnson thanked Mr. Packer for investing in our kids at the high school by providing an athletic trainer for them.

7. DEPARTMENT REPORT – JUDY SCHIERS, CITY TREASURER:

Mrs. Schiers said she is going to report for the whole office staff. She said they are coming up on a year in the new office and they love it. They still get so many compliments on the building and how beautiful and professional it is. It is really an asset to our community.

Mrs. Schiers said that with the addition of the marquee on Main Street, we now have multiple ways to get out information to the residents. She said that Mrs. Bassett and Mrs. Shurtleff went to a training and were told that if you have 3 ways of getting out information and people are still uninformed, then they are choosing to be uninformed. Parowan City has 7 different ways that they send out information – the newsletter, our Facebook page, the marquee, the Parowan website, the office bulletin boards, the bottom of the utility bills and the Everbridge system.

Mrs. Schiers reported that they are just about to the end of this year's audit. She said this was a struggle year for the audit because of the change in management, not knowing where everything was, and also the auditors started in July just after the fiscal year ended in June, which was difficult to prepare for. She said she thinks we are almost to the end of the audit and that we are going to ask them next year if we can start a little later to allow us to get our year end reports finished.

Mrs. Schiers said she attended her treasurer's academy at the University of Utah which is geared directly towards her position. They had college professors and other professionals speak on topics from treasury management strategies, economic outlooks, to how to prepare to move your office in case of a tragedy. She said the State Auditor and the State Treasurer were both at the academy and they gave updates on the new laws and some of the proposed laws. They also reported on how the State investment pool is doing. Mrs. Schiers said that is where Parowan's money is. She said right now it is up and doing well.

Mrs. Schiers said one of the things she thought was interesting is that Utah's population growth is two times the rate of the national pace. Utah is growing by leaps and bounds. She said there is also a recession risk of 20% for the next twelve months.

Mrs. Schiers reported that Mrs. Callie Bassett, Mrs. Heather Shurtleff, and Mrs. Stacy Gale have all attended their trainings this year as well. She said they all really appreciate being able to go to these trainings because they talk about the new laws and keeps them up to date in their positions. They are also great networking opportunities.

Mrs. Schiers reported that the office has been really busy lately. They get a lot of GRAMA requests, at least 4-5 a week, which are mostly police reports. She also said she will be attending a CDBG grant workshop in November so if the City wants to apply for any grants through that organization, the first step will be done.

Councilmember Johnson asked Mrs. Schiers if they are making her job miserable with what they have done with impact fees. Mrs. Schiers said it is kind of difficult, but not that much. Councilmember Johnson said he wants to be aware of staff and whether or not they are making a big impact on them as they make these decisions for economic incentives and such. He asked that the staff keep them informed.

Mrs. Schiers added that when there are important agenda items, staff really does do their research to know what is going on. Councilmember Johnson said he appreciates that because it help the Council not have unintended consequences. Mrs. Schiers suggested that when the staff finds information that might be beneficial to the Council that they give it to Mr. Jones to pass on to the Council. Councilmember Johnson said that would be great.

8. SPECIAL EVENT BEER PERMIT POLICY:

Mayor Landes asked where the Council is on this and said that it looked to him like they are just modifying the application to solidify local consent.

Mr. Jones said that at the last meeting they discussed the state's application. He said it is very comprehensive and widely used. He said the City doesn't have to change anything if they don't want to, but are certainly allowed to if they do. He presented some background to the Council on the different types of special event permits available.

Mayor Landes said basically the Council has the ability to approve or disapprove these permits, and what the Council is looking for is an application that stipulates what the Council's concerns are in conjunction with what the State allows the City to do.

Councilmember Johnson said the paperwork they got that explains the temporary beer permit says that each local authority has their own process for obtaining a local permit. He said they have talked about the State and their application process. He said the City needs to solidify what its own local process is for this permit.

Councilmember Hicks said she appreciated the information on the State's application which she thought was very informative and very extensive. She said it meets every measure that they could want. She said, however, that she noticed two things. The first thing was there was not a copy of the application that Parowan City uses in the packet, and that would have been helpful to compare with what the state has. She said the second thing was that if you look at the State application it is strictly for beer gardens. Councilmember Johnson said no, not for every circumstance. He said there are beer gardens if minors are present, but not in every circumstance. Councilmember Hicks said the City doesn't have any events where they would request that minors not attend. Councilmember Johnson said the State has a standard and the City can't go under that standard.

Mayor Landes said that his major concern is that the vendors applying for this special event permit need to be aware that they are responsible for the cost of security. He said he doesn't want to see this creating a burden on our police department or upon the City of Parowan. Councilmember Orton said that the City has law enforcement presence at a lot of events already that don't have beer. He thinks that having an event in Parowan and having a police presence is

part of the normal process. He said just because the event has beer, there may or may not be additional requirements. He said if there are additional requirements then that is a different ball game. If they are talking about small attendance events, like running events and cycling events, to him those are separate from the large scale event that they have talked about in the past.

Councilmember Johnson said in his mind the difference between the two is if there is a smaller event where beer is not served then the police will be there part of the time, moving back and forth between the event and the community. If it is a larger event where beer is served, the police would be required to be there the entire time. He said he thinks that is the caveat that makes those a little different. He said he would like to see a signature line on the application for Chief Carpenter so that the Council knows the police department is on board with the direction the vendor or event has chosen to take with their security. This would allow the Chief to be informed of what is happening with that event, and security/police details could be negotiated. He said this could be one of the local consent requirements.

Councilman Thayer said he thinks the hours for serving beer on the State application are too late in the evening. He would like to see those lessened on the local application. Councilmember Orton said they need to be careful and find a way to have greater restrictions on larger estimated attendance events. He said they don't want to create a burden or change what currently takes place at the fairgrounds, so an earlier cut off time may be what they need to have. Councilman Thayer said he read that there has to be a security officer for every person in the consumption area in a beer garden area, not for every 50 people at the entire event.

Councilmember Hicks said they need to sit down and hash out the requirements/restrictions that they want to include on the local application. Councilmember Orton said it would be good to get a group of people together to really go through this and get input from various people and get something down on paper.

Chief Carpenter addressed the Council. He said he has already stated in two previous meetings that he will not give up his jurisdiction to security personnel that a vendor hires. He stated again that the agencies that do allow beer at events, like Park City, hire officers from all over Salt Lake and Utah counties in order to support their special events. They don't allow hired security to come in and do these things. The Mayor asked if they use P.O.S.T certified officers. Chief Carpenter said they are not only P.O.S.T certified, but they are active law enforcement.

Chief Carpenter said the problem is, first off, there is no way of knowing what kind of training security personnel provided by a vendor have received. Secondly, he said that these events are on City property, not private property. Thirdly, these security personnel have no arrest authority, so when there is a problem, it is still his officers that are coming in and dealing with the problem. He said they aren't getting any recompense from the vendor for that. The vendor is making all of the profit and the Police Department is getting all of the burden.

Mayor Landes said the City can require any vendor that gets a permit to be responsible for the cost of P.O.S.T. certified, active duty security. Chief Carpenter said that right now that cost is \$75-\$90 an hour across the state per officer. That cost takes in vehicle use, training, weapons, or any other equipment that may be damaged or used during the event. He said if you are going

to allow vendors to come in and do this, then they need to pay their part. He said to allow them to dictate who they will use as security is absolutely wrong.

Mayor Landes said he thinks the Council agrees that isn't going to happen. Chief Carpenter said it had been talked about again in this meeting – using security officers in lieu of police officers. Mayor Landes said they have also discussed using active duty officers. Councilmember Johnson said that was why he wants to have the application signed off by the Chief. He suggested that the Chief be the one to hire the officers. Chief Carpenter said he could do that. He also said that the Council needs to take into consideration that it is not just hiring an officer for the 4 hours that the event will take, but if there is an arrest, you have to factor in the time it takes to make the arrest, take the person to jail, and do all of the paperwork. He said this is one of the things that needs to be clear. Councilmember Johnson stated again that the officers need to be selected by the Chief.

Councilmember Orton said he thinks it is safe to assume that there will be additional profits made at these events to cover those expenses. Councilmember Johnson said he thinks Councilmember Orton is correct in that a group of people could sit down with Chief Carpenter and work through the details and come to an amenable solution for everyone involved that works. He also said he sees these events as really being fairly few and far between, but he wants Chief Carpenter to feel comfortable and to know that the state standards are being followed. Councilmember Orton said he imagines a couple of events a year at the most.

Councilmember Adams said they need to remember that the County comes to the City every year for a permit for the fair and this will affect them. They do not follow what the Council is currently suggesting. They include ticket takers and other workers to watch what is going on with the crowd. They do not use only certified police officers to do what the Council is talking about. He said these restrictions are important and they need to be put on our local application so everyone knows what is happening up front. He said he likes the idea of having the Chief choose who the officers are.

Mayor Landes said he would like to put together a committee. He asked Councilmember Orton and Councilmember Adams to be on the committee. Councilmember Adams suggested including someone from the County like Mrs. Joyce Evans. Councilmember Orton suggested Mrs. Alice Heidenreich serve on the committee. She said she would be happy to. Mayor Landes asked Chief Carpenter to be on the committee as well.

Councilman Thayer also suggested using the VIPS at these events. They wouldn't have any arresting authority, but could certainly help be eyes and ears on the crowd.

Mayor Landes asked Mr. Jones to set up a time for this committee to meet and see if they can bring something back to the next Council meeting.

9. SHORT TERM RENTAL POLICY:

Councilmember Hicks said she attended the seminar at the ULCT conference regarding short term rentals. She said she realized Parowan City is missing the income from lodging taxes on

these short term rentals. She said short term rentals represented 93,000 room nights last year in the state of Utah alone. Of those 93,000 room nights, there is no way to track whether these business had a business license or whether they paid their lodging taxes. She said as Airbnb.com and other web-based rental agencies come along, Parowan City needs to get on board and put everything on a level playing field. Right now, our hotel lodging and our bed and breakfast lodging are governed by ordinance. The state would like cities to level the playing field and have knowledge and control of what is going on in our communities and require these short term rentals to get business licenses and pay their quarterly lodging taxes. The City can then also put restrictions on them.

Councilmember Hicks declared a conflict of interest at this point, stating that she owns the only bed and breakfast in town. However, she said that there are strict regulations for bed and breakfast businesses, and there are basically no restrictions for short term rentals. She said this is the lodging of the future. People are going more and more away from traditional lodging and going to these short term rentals. It is the wave of the future in lodging, and they are seeing it across the nation. She said Parowan needs to address now the issues they could be faced with in the future.

Councilmember Hicks pointed out that the Council had been given several different ordinances from other cities, and said Parowan needs to create an ordinance regarding short term rentals to ensure that we are getting our business license fees and lodging taxes from these different entities.

Councilmember Johnson agreed that if these rentals are being run as a business then they need to be controlled. However, he also said that we need to be careful because there are also vacation exchanges where people trade homes. He said we don't want to put controls that limit peoples' right to do that.

Mayor Landes asked if it would make sense to have Councilmember Hicks put together a committee of 4-5 people and come up with something that is agreeable and they could present to the Council.

10. MEMBER REPORTS:

Councilmember Thayer:

Councilmember Thayer reported that the first time they tried to get the new 300 East well to pass the bacterial count it failed. They got the lines sanitized and it passed. The well is ready to go, except they are waiting on an operational permit from the Department of Drinking Water. He also reported he attended a Patchwork Byway meeting. He said unfortunately Iron County does not qualify to participate in the TODS sign program because of the population size of Cedar City. They are trying to find an exception for rural parts of Iron County like Parowan and Paragonah. This will take time.

Councilmember Thayer said it may be possible to get TAP funding to help with Parowan's trails. He said one of the functions of the Byway committee is help cities apply for grants. They also discussed "Safe Routes to Schools" and funding that could be available there to help with some

sidewalks on 200 South for kids who have to walk to school. Councilmember Johnson said he is aware of this and they are currently working on a grant application.

Councilmember Orton:

Councilmember Orton reported that there was finally a TARP meeting, although he was unable to attend. They are currently looking for a chairperson and also people to represent the art community on that committee. Several names were suggested from the Council and audience – Spike Ress, Stan Johnson, and Valerie Orlemann.

Councilmember Hicks:

Councilmember Hicks said she was able to attend the branding meeting. She said every time she attends that meeting it gets her pumped up and gets her brain working. She is really excited about the different ideas that come through that meeting. She said they have a great group of people working on this. She also said she likes the direction they are going, but it is going to be a long and slow road. One statistic she wanted to throw out that really impressed her was 8.5 million cars pass Parowan every year on I-15. She said if we could just get a few of those cars to stop in Parowan it would be a huge help economically.

Councilmember Hicks said she also wanted to mention a new farm fresh store on 600 West. She is concerned about the parking there. Councilmember Orton said that she does meet the parking requirements. It is based on the square footage of the building, so she meets the requirements for off street parking. Councilmember Hicks said her other concern is the roads. She said the community is still concerned about the roads, and she wants the community to know that the Council is still concerned about them as well. She said she is already seeing potholes where the gravel was laid down. She asked if by the time they get around to chip sealing the roads are they going to be a mess after the snow. She is concerned that the City just spent a bunch of money that they are going to lose over these winter months.

Mayor Landes said it is his understanding that we won't lose that much on the roads and there is a new sealer operating out of Cedar City instead of this last contractor who kind of jerked the City around and it was too late to put the sealant on until the spring. Councilmember Johnson added that there is a chip seal out there now, but the fog seal won't be able to be done until the spring. Mayor Landes said this was really a problem with the contractor.

Councilmember Adams:

Councilmember Adams reported that he met with the Power Board. He said Power Department Supervisor Von Mellor brought up several concerns about the solar moratorium. There are no recommendations to bring to the Council yet. They also talked about the future of the power system. There are so many things happening in the industry right now. Mr. Mellor has a lot of concerns with the regulations from the federal government and big companies. Mr. Mellor brought up so many concerns they are going to try have meetings a little more often to address each concern.

Councilman Johnson:

Councilmember Johnson reported that the Youth Council met and the Mayor and Council have been selected. They talked about some goals and some things they want to work on through the

year. He said we hope to have them come to some of the City Council meetings throughout the year. The junior class is on fire with this youth council, and he said we really need to get the freshman and sophomore class more involved. We hope to be able to continue to do that.

City Manager Josh Jones:

Mr. Jones reported for the benefit of the public that the City is expecting a \$1,000,000 grant from the FAA to come through for the airport. That is very exciting. There was an estimator out there today to install a new card reader system. There are a lot of good improvements going on at the airport this fall. He said he got a quick update on the well, and it will be a couple of weeks for the permit for well to come through.

11. PUBLIC COMMENT & DISCUSSION – Two minute limit each.

Mr. Bob Whitelaw said he is on the branding committee and there is a survey on the web page regarding Parowan. It is only 9 questions long. He encouraged everyone to take the survey. This is a great opportunity for our residents to give input on the City. They need 200 people to do this survey. There is a link on the website.

MOTION: *Councilmember Orton moved to close the public meeting and move into closed session.*

SECOND: *Councilmember Vickie Hicks seconded the motion.*

VOTE: *All Councilmembers voted in favor of the motion. The motion carried.*

The public was dismissed and the Council moved to the conference room for the closed session at 7:22 p.m.

12. CLOSED SESSION: Strategy session to discuss the purchase, exchange or lease of real property.

MEMBERS PRESENT: Mayor Landes, Councilmembers Alan Adams, Vickie Hicks, Ben Johnson, Jay Orton, and Steve Thayer, City Manager Josh Jones and City Recorder Callie Bassett.

13. ADJOURN:

MOTION: *Councilmember Orton moved to adjourn the meeting.*

SECOND: *Councilmember Thayer seconded the motion.*

VOTE: *All Councilmembers voted in favor of the motion. The motion carried and the meeting was adjourned at 7:43 p.m.*



Donald G. Landes, Mayor



Callie Bassett, City Recorder