

COUNCIL MINUTES
JUNE 26, 2013

The City Council held a meeting on Wednesday, June 26, 2013, at 5:30 p.m., in the Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Joe Burgess; Councilmembers: Ron Adams; John Black; Paul Cozzens; Don Marchant.

EXCUSED: Councilmember Nina Barnes.

STAFF PRESENT: City Manager Rick Holman; City Attorney Paul Bittmenn; City Engineer Kit Wareham; City Recorder Renon Savage; Finance Director Jason Norris; Fire Chief Paul Irons; Leisure Services Director Dan Rodgeron.

OTHERS PRESENT: Terry Irons, Tom Jett, Tyson Kyhl, Fred C. Adams, Holly Porter, Bev Burgess, R. Scott Phillips, Jyl Shuler, Deborah Snider, Sara Penny, Josh Huntsman, Paige Ginn, Judy Higbee, Bonnie Char Hallman, Jackie Riddle Jackson, Donald Harmata, Shain Manuele, Dutch Workman, Doug Hall, Evan Ludwig, Fred Rowley.

CALL TO ORDER: Councilmember Marchant gave the opening prayer; the pledge of allegiance was led by Councilmember Black.

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 – I noticed in the paper we achieved a goal of unemployment from 7.4 to 6. It is a worthwhile goal and it is a compliment to the Mayor and staff. ■ Mayor – we are excited about the ground breaking of the Boulevard Home Furnishings, we lose a lot of money to St. George that we will now be able to collect here. ■ Cozzens – I called Jeff Hunter, the roads they are doing with the chip seal they are doing a great job. We walked up Cove Drive and it was like a new road. Adams – I have a brother-in-law that is a City Engineer in Sandy and he sure liked the chip seal we do, they do a different one in Sandy and he said we use a better product. ■Chief Irons – the 4th of July we are asking the citizens to use the two high school parking lots, the parking lot at Bicentennial Park and the Aquatic Center parking lot. We are really dry so we want people to be careful.

PUBLIC COMMENTS: ■Tom Jett – I had a project on the South side of town above Fir and it was a great project Fir to Main, you feel safe and have more control, it really changes the dynamics of that street. ■Judy Higbee, I am a resident of 200 West. We have a committee of neighbors, Jackie Jackson, Bonnie Char Hallman and Judith Higbee, this is from the residents and it has been unanimously signed by the residents. See Exhibit “A”. Bonnie Char – the City has spent a lot of money on a master plan done by Hyatt Palma. It is irresponsible to have a master plan and not act on it. I think Cedar

City should create a historic district. Mayor – I don't know the status of a historical area where an ordinance has been created. Bonnie – that to us is preserving large trees, historic homes, etc. Marchant – I live in that same area and I am in favor of some preservation. We are being encroached in many areas with the University. These are some of the homes of the pioneers and there should be something to preserve them from 3 or 4 story apartment buildings that look in your back yard and infringe on your privacy and security. While we are addressing the College Ave we should look at something. With the church being gone and we don't know what will happen with the property. It is something worth looking into further. Mayor – historical preserved areas can mean a little and a lot, do you have ideas of what you want. Bonnie – that is where we want a say, we want to support the Shakespeare project, it is great for the neighborhood and my job with County Tourism it is good for a walking area. We would like to serve on committees or we can come with a proposal. Mayor – I think where you are organized it would be good for you to give us something in writing and we will bring it to the Council. Cozzens – are 100% of the land owners in favor? Yes. Adams – are you looking into state registry? Bonnie – no. Jackie is in a home 100 years old and it qualifies on the State. Judy – There are a number of tourists that walk our streets some knock on my door and ask if I want to sell my home. Bonnie – the handout addresses the historic impact on a town, there is a justification financially and to preserve our town. Rick – I know the State has a Historic Preservation staff and we could invite them to come down and get with the neighbors and city staff. Judy – we have done this. Jackie – we didn't understand we had to be the catalyst to get the ordinance. Rick – the staff person that was in contact is no longer here. Bonnie – the problem is they thought it was taken care of, but nothing was ever enacted, and you can only do that through ordinances. ■ Evan Ludwig – a few things, thank you and Nina for your service, it will be the first time we won't have a lady on the City Council. The AAA magazine had Cedar City and Parowan and Panguitch areas mentioned. Also those managing, directing the storm drain system they should get a pat on the back, they are doing a superb job. Also, we had the privilege of having our grandkids and the new playground at the park is great, there are a few shortcomings. When you take them there are no benches. Also our little ones found the apparatus become very hot, I don't know if there is anything available or the costs, but a fiber glass tint covering over the area, something to consider. It didn't matter when we went there were always people there. In regards to the RAP Tax is there something that says it has to be 1/3, 1/3, 1/3? Paul – yes, the City Ordinance. Evan – so you can change the parameters, I would like some of the smaller groups, I would like Shakespeare to get a matching to what they collect in the community and it would show a family house dedication to the festival, I think they would get more that way. We could then give more RAP Tax to the smaller groups. You are all doing a good job. Mayor – we have ordered benches for the park.

CONSENT AGENDA: (1) APPROVAL OF MINUTES DATED JUNE 5 & 12, 2013; (2) APPROVAL OF BILLS DATED JUNE 20, 2013; (3) APPROVE DESIGNATING THE CEDAR CITY ARTS COUNCIL AS AN OFFICIAL ARTS AGENCY FOR CEDAR CITY – DEBORAH K. SNIDER; (4) APPROVE AN AGREEMENT WITH THE PAIUTE TRIBE OF UTAH FOR THE CONSTRUCTION OF A MONUMENT ON CITY PROPERTY IN THE

VICINITY OF THE LIBRARY IN THE PARK – PAIUTE TRIBE; (5) APPROVE AN AGREEMENT WITH RANDALL ALLEN TO PROVIDE PUBLIC DEFENDER SERVICES – PAUL BITTMENN; (6) APPROVE THE FOLLOWING BOARD APPOINTMENTS: (1) KEN BEAZER TO THE AIRPORT ADVISORY BOARD; (B) ADRIANNE TAWA & HOLLY BARRICK TO THE ARTS RAP TAX BOARD; AND (C) LEAH BROWN TO THE LIBRARY BOARD – MAYOR BURGESS: Councilmember Black moved to approve the consent agenda items 1 through 6 as written above; second by Councilmember Marchant; vote unanimous.

CONSIDER APPROVAL OF AN ORDINANCE TO VACATE THE PUBLIC RIGHT-OF-WAY ON 200 WEST BETWEEN COLLEGE AVENUE AND CENTER STREET – SUU: Councilmember Black moved to approve an ordinance vacating 200 West between College Ave. and Center Street; second by Councilmember Adams; roll call vote as follows:

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

CONSIDER A RESOLUTION TO MAKE COLLEGE AVE A TWO-WAY STREET FROM 100 WEST TO 300 WEST – PAUL BITTMENN:

Councilmember Marchant moved to reject changing College Ave to two-way; second by Councilmember Cozzens; vote as follows:

AYE: _____ 4 _____
NAY: _____ 0 _____
ABSTAINED: _____ 0 _____

CONSIDER APPROVAL OF A SINGLE EVENT PERMIT FOR TOUR OF UTAH ON AUGUST 5 FROM 4-7 PM AND AUGUST 6 FROM 11 AM TO 5 PM – BYRON LINFORD/TOUR OF UTAH: Councilmember Marchant moved to approve the single event permit for Tour of Utah on August 5 from 4-7PM and August 6th from 11AM to 5 PM; second by Councilmember Adams; vote unanimous.

CONSIDER APPROVAL OF A RESOLUTION REVISING THE 2012-2013 FISCAL YEAR BUDGET – JASON NORRIS: Jason – I added some grants at the bottom, we have reviewed them with staff. We have a grant for Pacho the dog, a few grants with drug free community and highway safety and the SAFER Fire grant, Library grant and we handled the grant for the Housing Authority and the State gave us funds for Fir Street. There is no obligation for future.

Councilmember Black moved to approve the resolution revising the 2012-13 fiscal year budget; second by Councilmember Marchant; vote as follows:

AYE: 4
NAY: 0
ABSTAINED: 0

CONSIDER APPROVAL OF A RESOLUTION AMENDING THE CITY WIDE CONSOLIDATED FEE SCHEDULE – PAUL BITTMENN: Paul – I did a write up listing the differences from last week. We reorganized the water acquisition fees to put them together. Leisure Services asked that when they run the concession stands they can set their own rates, those are the changes.

Councilmember Marchant moved to approve the resolution amending the Consolidated Fee Schedule; second by Councilmember Black; vote as follows:

AYE: 4
NAY: 0
ABSTAINED: 0

CONSIDER THE CERTIFIED TAX RATE – JASON NORRIS: Jason – the Certified Tax Rate is .003808, it is a slight decrease from last years, for citizens it may not go up or down, home values have appreciated. The City has not asked for any increased funding. Mayor – if your valuation did not change your rate would go down. It generates the amount of \$3,730,704. Cozzens – does it bring the same amount of revenue? The mil levy just fluctuates. Mayor – if there is new construction that value will go up from last year. Jason – as far as the City is concerned we are not increasing the funding.

Councilmember Black moved to approve the certified tax rate of .003808; second by Councilmember Adams; vote unanimous.

ADJOURN: Councilmember Marchant moved to adjourn and move into the RDA meeting at 6:05 p.m.; second by Councilmember Adams; vote unanimous.



Renon Savage, CMC
City Recorder

EXHIBIT "A"
JUNE 26, 2013

To: Members of the Cedar City Council and His Honor the Mayor Joseph Burgess

From: Residents of 200 West Cedar City, Utah (From College Avenue to 200 South)

We would ask this body (City Council) to be advised of our sincere desire and intention to have our above designated neighborhood proclaimed a legal Historic District in the city of Cedar City, Utah in the near future. Our desire is to maintain and continue our lives (and those of our posterity) in our historic neighborhood in Cedar City, preserving a special section of the city for all to walk and enjoy, remembering it's founding by the pioneer families who built the homes we live in. It is an area unique with tall shade trees, wide streets, sidewalks, homes with front porches, vegetable gardens fed by mountain irrigation waters. Preservation, maintenance, and beautification have been priorities of homeowners proud of the history we remember and feel very much a part of. In this age of fast paced living and complex technology our little corner of Cedar City serves to remind us all of where we came from and the value of historical preservation for future generations. Our plan is to ask your advice on how we will proceed to have an ordinance put in place to designate our neighborhood an Historic District as per the Master Plan of the city.

We ask for your cooperation, assistance and guidance in this matter. Thank you

Sincerely,

The residents of 200 West (From College Avenue to 200 South)

Laura DeLeon 141 S. 200 W.
Bruce & Debbie Stephenson 171 S. 200 W.
Judith H. Hylton 142 So. 200 West.
Mary Ann Pearson 131 So 200 West
Gail B. Dunson 134 S. 200 W.
Vickie Mullett Warner 114 So. 200 W.
Susan Tallent 93 S 200 W
Brendy Whiting 100 So. 200 W.
Gina Chan Hallman 166 So 200 West
Mary Beth Cook 161 S 200 West
Steph Kjos 156 S 200 W
Mary A. Pearson 151 So. 200 W.
Donna Hylton 185 So 200 W
Magen Lee 122 1/2 S. 200 W.
John H. Hill 107 So 200 W.
Kara 117 So 200 W.
Ashia Sevy 193 S 200 W.
William Carl Sevy 193 S. 200 W.
Genevieve Gardner 173 So 200 W
Laura Lee 122 So. 200 WEST
R. Jean Phelps 249 So. 300 W.

To: Members of the Cedar City Council and His Honor the Mayor Joseph Burgess

From: Residents of 200 West Cedar City, Utah (From College Avenue to 200 South)

We would ask this body (City Council) to be advised of our sincere desire and intention to have our above designated neighborhood proclaimed a legal Historic District in the city of Cedar City, Utah in the near future. Our desire is to maintain and continue our lives (and those of our posterity) in our historic neighborhood in Cedar City, preserving a special section of the city for all to walk and enjoy, remembering its founding by the pioneer families who built the homes we live in. It is an area unique with tall shade trees, wide streets, sidewalks, homes with front porches, vegetable gardens fed by mountain irrigation waters. Preservation, maintenance, and beautification have been priorities of homeowners proud of the history we remember and feel very much a part of. In this age of fast paced living and complex technology our little corner of Cedar City serves to remind us all of where we came from and the value of historical preservation for future generations. Our plan is to ask your advice on how we will proceed to have an ordinance put in place to designate our neighborhood an Historic District as per the Master Plan of the city.

We ask for your cooperation, assistance and guidance in this matter. Thank you

Sincerely,

The residents of 200 West (From College Avenue to 200 South)

- 200 West Historical Preservation Committee:

Judith Higbee 142 South 200 West
Cedar City, Utah 84720

judithhigbee@gmail.com/435 586 9064

Jackie Riddle Jackson 141 South 200 West
Cedar City, Utah 84720

jacksonja@suu.edu/435 590 3657

Bonnie Char Hallman 166 South 200 West
Cedar City, Utah 84720

bonniechar@hotmail.com/435 463 4563