

**COUNCIL WORK MINUTES**  
**DECEMBER 4, 2013**

The City Council held a work meeting on Wednesday, December 4, 2013, at 5:43 p.m., in the Council Chambers, 10 North Main Street, Cedar City, Utah.

**MEMBERS PRESENT:** Mayor Joe Burgess; Councilmembers: Ron Adams; Nina Barnes; Paul Cozzens; Don Marchant.

**EXCUSED:** Councilmember John Black.

**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; Leisure Services Director Dan Rodgerson; HR Specialist Natasha Hirschi.

**OTHERS PRESENT:** Melodie Jett, Tom Jett, Byron Linford, Bev Burgess, Maile Wilson, Betsy Carlile, Larry T. Vaughan, Pete Heilgeist, Krysta Kinder, Brandon Cook, Fred Rowley, Doug Hall, Blate Minkler, Jarom Minkler, Daniel Oftedahl, Kyle Oftedahl, Maddie Cull, Joshua Hill, Jared Barnes, Tracie Sullivan, Ashley Linford, Marui Bleazard, Kerry Fain, Jasmine Rojas.

**PUBLIC COMMENTS:** ■Kerry Fain – we have shoveled snow off the ice rink all day. I want to say how much I appreciate you and the community, we are grateful for your support. There is no way we could have done it without you. We have had over 800 people through the rink, not counting learn to skate and hockey players. We have over \$4,000 that has come into the rink. There has been a little back and forth on what are YETI responsibility and the City, Dan and the Aquatic Center staff have been great. All feedback has been positive. We have had families from Minersville, Beaver, Richfield, St. George, Mesquite and Las Vegas; we are drawing from all over. USFF (figure skating federation) has given their stamp of approval Melinda Benion is running that and I am doing the hockey. We are at about 85 students. Thanks to your support we have a new sport in Cedar City. People are excited. Barnes – I want to compliment, the youth have been excited it has been neat for my teenage kids. Kerry – we had a line on Black Friday that took ½ hour to get in. We were close to running out of skates. Cozzens – it is 2 hours? Kerry - \$1 for skates and \$2 to skate for 1.5 hours. We are doing a punch pass for \$35, the punch pass does not include skates they are \$1. We are trying to keep it affordable. Barnes – I like to hear the relationship with you and Dan. Cozzens – I bumped into Bart Bishop and he said he had a little trouble Saturday when the Aquatic Center closed at 6:00. Kerry – if someone is hired for extended hours we should pick up that tab. Cozzens – did we decide to go ahead with the chain link? Kit – yes. Cozzens – what is the balance? Kit – around \$15,000. Kerry – we wanted to purchase some bleachers on the NW corner where it meets the building we could add decorative gravel. I don't know what the cost of bleachers and gravel would be, but that is the priority. Barnes – what were the funds for? Paul – we said we would spend up to a certain amount for the rink. Grading, lights, power then fence were the top priorities. Barnes – we could

partner with Dan for the bleachers to use the bleachers at other locations. Also the path to keep with the master plan. Cozzens – the challenge with the bleachers is the height, they are hard to move. Mayor – I thought we had \$15,000 left but had to pay for chain link. Kit – no, we already took the chain link out. Kerry – if it could be interchangeable it would be good. Marchant – for some of us can we look at satellite heaters? Tom Jett – it has been about 6-7 months since the idea became public, ladies like Mrs. Fain, I don't know her, and her board are a phenomenal group to take something and pushed it through. I am thankful I am not in the way of this group, they would plow you over. These people are the future of the City. I applaud them and thank them very much. Barnes – the enthusiasm has been contagious. Cozzens – I asked Liz to run some numbers, the same week last year they are up 270 customers at the Pool and they were busy at the snack bar, I hope it is effective. I know a group that reserved the room at the Aquatic Center so they could have their party at the Rink, it will be a good relationship. Dan – we got the hot water issue taken care of, we bought a new hot water heater.

**CONSIDER A BEER LICENSE FOR CEDAR RIDGE GOLF COURSE – JARED**

**BARNES:** Chief Allinson – the Golf Course wants an off premise beer license. The references have all been contacted, there are not any problems. Consent.

**CONSIDER BIDS FOR WORKERS COMPENSATION INSURANCE –**

**NATASHA HIRSCHI:** Natasha – we put it out to bid, sent to several brokers in town and published it on the web and in the Daily News. We received two bids, the low bid is from Utah Local Governments Trust for \$106,006.51, and the next bid was \$126,150.74 from Dixie Leavitt Insurance. We recommend that we stay with ULGT. This is down from last year from \$123,000. Paul – Utah Local Government Trust was created by numerous cities, counties and special districts. They do various insurance. Natasha – they are set up similar to URMMA. Mayor – like a coop. Jason – they are 501c3. Natasha – they do send us refunds. Consent.

**CONSIDER A RESOLUTION AMENDING THE PERSONNEL POLICY RELATED TO SOCIAL MEDIA AND ELECTRONIC EQUIPMENT – PAUL**

**BITTMENN:** Paul – over the last few years there is a lot of new usage with social media, departments have face book sites, Administration, Police Department, Fire Department and Leisure Services all have sites. This is to set up guidelines. The department head is responsible for the social media in their department, approved by the City Manager, language on what we will permit. It is a tool to get messages out via social media. If there are crude, vulgar posts we will remove it. Also we have employees that use social media on their own. We as department heads had discussion on social media, employees can use it, keep it appropriate, not meant to be punitive, more a reminder. We have a similar section related to politics. The other part of the policy deals with computer use, voice mail and what we have on our servers that the City own or leases. Everything on their belongs to the City so don't put on what we don't want others to see. The City purchases the equipment for employees to do their work. Also a statement that incidental personal use is not prohibited, but on their own time and if they print stuff it should be paid for. Action

Barnes – more the content, not the imaging. Paul – whoever in the department that manages they will use the style guide.

**CONSIDER THE SIGNING OF THE CRITICAL INCIDENT TASK FORCE PROTOCOL BETWEEN CEDAR CITY POLICE DEPARTMENT AND OTHER IRON COUNTY LAW ENFORCEMENT AGENCIES – CHIEF ALLINSON:**

Chief Allinison – we get an officer involved shooting or in custody death there are two investigations, one on administrative, but also to make sure no criminal investigation which falls under county attorney's office. We met at the County to call on a team of investigators and work under the umbrella of the County Attorney's office; this is the guideline for this type of incident. Paul B. has a few concerns and they will be addressed on Friday when we meet again. Barnes – who makes up the committee? Chief – the chief's sheriff and the county attorney and they meet monthly. We will assign detectives to do this and they will get the training they need. Action.

**CONSIDER A RATE SCHEDULE AGREEMENT WITH PROJECT MEDIA 256**

**– BYRON LINFORD:** Byron – about 3 years ago I started working with a national media company on a film festival event. They are not prepared to do a contract, but want a use agreement on the Heritage Center. I have been going back and forth on a ½ percent. They want the current rate schedule agreement will be for 5 years; that we agree to a 5% ticket revenue share; also 7.5% on their merchandise. They have done satellite events in Indianapolis and Tampa Bay and they did about \$85,000 at those events. We would bet 7.5% of the sales in Cedar City. If we are able to put that paperwork together we would like it approved next week. They want to announce mid-January. Action.

Barnes – I appreciated getting the report on the Heritage Center, it is good feedback.

**REVIEW REVISED COOPERATIVE AGREEMENT WITH UDOT ON CITY FUNDING FOR THE SOUTH INTERCHANGE RECONSTRUCTION PROJECT**

**– KIT WAREHAM:** Kit – in October you approved a cooperative agreement with UDOT for \$1.1 million dollars. They added in the amount we need to match of \$72,216. That is the change; I thought it needed to be reapproved. The next item we are proposing to enter a loan agreement for most of that money, \$450,000 the City will pay, but not to impact our budget we are proposing a loan for the remaining \$722,000 at 1.58% for four years. Mayor – like YETI and the skating agreement it is a joint partnership. We agreed to partner and put in land and grants and cash they moved it up to this year, it was funded in October. This nails down our part of the partnership. We wanted to do it over 6 years because we didn't have resources; they said it was too expensive to stretch it out that long so they are lending us the money. We hope to start in April. Marchant – UDOT makes it sound like they are so great, if it was St. George it would have been done 5 years ago. Consent.

**REVIEW AGREEMENT WITH UDOT FOR A LOAN THAT WILL ADVANCE THE PAYMENT OF CITY FUNDING FOR THE SOUTH INTERCHANGE RECONSTRUCTION PROJECT – KIT WAREHAM:** Discussed above. Consent.

**REVIEW COMBINED BID ON THE SOUTHERN VIEW SUBDIVISIONS ROCK RETAINING WALL AND COVE DRIVE LANDSCAPE RETAINING WALL PROJECT – KIT WAREHAM:**

Kit – this is two projects that we combined in one bid to get a better price on the project. Southern View is a flood retaining wall, a flood channel that comes down Greens Lake and we will put a retaining wall to reinforce the channel. The second project is Cove Drive, installing landscape block retaining walls to catch material falling off the slopes. We brought an agreement where UDOT gave us \$100,000. The combined bid is \$140,150 from Schmidt. Southern View is \$44,795, we have approximately \$60,000 in an improvement bond from a developer to install that wall, it won't take all the money. \$95,000 for Cove Drive, we had \$100,000. It will only be 3 feet high and goes along all the cut sections in the road. Consent.

**REVIEW AN AGREEMENT FOR THE SOUTHERN VIEW SUBDIVISION ROCK WALL PROJECT – JONATHAN STATHIS:**

Paul – the property the rock wall will protect will be on their property, they will give us access, we will build, test and have engineering department design and so they are built to standards, when done the property owners will own and maintain the wall. That will be recorded on their property so future owners will know. This is funded by the original developer. Adams – is this a flood area? Kit – it is not in a flood zone, flood insurance is not required. Consent.

**CONSIDER AN ORDINANCE AMENDING CITY ORDINANCE SECTION 35-10, PARKING RESTRICTIONS – PAUL BITTMENN:**

Paul – a short time ago we put in some parking restrictions, staff got looking, the Police Department got looking into it and others were not in the ordinance. Renon looked about 3 times to get all the ordinances included. Barnes – we are not expanding anything? Paul – no, we are putting all the ordinances in one spot. We may come back in the short run to do no parking around bus stops, but we will bring that to you. Action

**2014 MEETING SCHEDULE – RENON SAVAGE:** Renon - the proposed meeting schedule is in your packets. There are two months where 5<sup>th</sup> Wednesdays are scheduled for meetings, the first is in January, since the first is on Wednesday, I just moved each one down. The other month is in July. The 23<sup>rd</sup> is on Wednesday and I thought you may want to skip that meeting since it is a day before a holiday. If you don't want to meet on the 5<sup>th</sup> Wednesday these can be changed. The rest of the schedule is as we have done in the past. Consent.

**REVIEW AND EVALUATE CEDAR CITY ORDINANCE CHAPTER 39, CITY FUNDING REQUEST ORDINANCE – COUNCILMEMBER BARNES:**

Councilmember Barnes – I have visited with several council members, I would like a small group to get together with committee members, council and staff to come up with some recommendations. Just do a review, there is a lot of history, but there have been some complications. It is a good time to look at this to focus for the next 10 years. Mayor – I recommend we let the new elected officials do this. Who will take the lead? Barnes – I will talk with Rick, he or Paul. Joanne Brattain has some recommendations also. Action.

**EXECUTIVE SESSION – PROPERTY NEGOTIATIONS:**

**ADJOURN:** Councilmember Marchant moved to adjourn and move into an executive session at 6:27 p.m.; second by Councilmember Cozzens; vote unanimous.

  
Renon Savage, CMC  
City Recorder

