

COUNCIL WORK MINUTES
MARCH 5, 2014

The City Council held a work meeting on Wednesday, March 5, 2014, 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; Fred Rowley; Don Marchant.

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 Rodgeron; Public Works Director Ryan Marshall; Parks Superintendent Wally Davis; Library Director Steve Decker; Economic Development Coordinator Danny Stewart; Golf Pro Jared Barnes.

OTHERS PRESENT: Betsy Carlile, Tom Jett, Stacy Jones, Sharon M. Wasden, Rich Gillette, Cambree Johnson, Darrin Applegate, Shay Bauman, Nicole Huntman, Dan Huntsman, Bryce Davis, Dave Carter, Max Cornwell, Kelia Hofheins, Camelle Hughes, Brian Nichols, Talon Kartchner, Heath Oveson, Cassidy Thomas, Collette Barclay, Tracie Sullivan, Stephen Brown.

CALL TO ORDER: Councilmember Marchant gave the opening prayer; the pledge of allegiance was led by City Attorney Paul Bittmenn.

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

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF COMMENTS: ■Rowley – Chief would it be possible for Code Enforcement take care of the lots that are vacant and have weeds growing over the sidewalks. Also, we have people here that were at Planning Commission last night. There is a new subdivision that will develop a road to Westview. They asked if it would be possible to consider another road (the sewer line road) for access and ease up the intersection and not congest their neighborhood. They feel the Westview people will use this road that will come through their neighborhood. ■ Employee of the Month Mike Bleak – EAC.

PUBLIC COMMENTS: ■Tom Jett – I apologize for coming in loud and late. ■Max Cornwell – I want to speak on behalf of the residents at Eagle Ridge at South Mountain, the development has been explosive. The homes there when we moved was 5 homes, there is now 20. There is higher density in the lower area, it is residential and will make a lot of residential development in the area. When looking at the map, neither of the roads are developed, and we thought the road was for Westview and will bring a lot of traffic into a residential neighborhood. We wondered if it would be possible to consider or if it would be as feasible to continue the frontage road and come through the ridge cut. It would be helpful to us as residents and I don't think it would be a burden for the city.

We are going from 78 lots to 140 lots, there does need to be additional ingress and egress. Marchant – where does the connection come into Hamilton Fort? (It was shown on the screen). Black – can we get land ownership of the roads? Kit – the road planned is master planned and part is dedicated and there is a road easement in the areas that are not dedicated. People have been planning around that. The other road coming around the south end only has a sewer easement and there are some terrain issues as far as developing as a master planned collector street. Rick – this location has been master planned for some time. If the residents want to pursue that they need to go through the Planning Commission for a street master plan and have property dedicated for that road. Rowley – are they insurmountable? Kit – I don't know, we don't have estimates. The development that is being proposed was planning on the road where it is dedicated and he cannot develop without having a second access. Rowley – the sewer easement would not help that will it? Kit – no they would have to go to the property owners to get another easement. ■Cambree Johnson, Healthy Iron County – I want to bring to your attention that we are working with Iron County Care and Share to develop a lot behind Care and Share for a community garden for clients of the Care and Share and others. Anyone who would want to come April 12th at 10:00 a.m. we will do an official ground breaking with a community volunteer day to get the garden ready.

REQUEST TO MODIFY/REMOVE THE ISLAND IN THE VICINITY OF 647 S. CROSS HOLLOW ROAD IN FRONT OF STONE HAVEN – STACY JONES/ SHARON WASDEN:

Stacy & Sharon – they own Stone Haven- we have a problem with southbound traffic, it cannot come up Cross Hollows and enter our driveway without going to Wal-Mart and making a U-turn. We would like to modify or remove the island. We are facing a lot of safety issues, when there is snow on the road people have no idea what to do. The majority of them use the turn lane that turns west and drive on to oncoming traffic. We had a lot of people really nervous. The only other option is go to the south end and make a U-turn. Cross Hollows is undeveloped and so to do that you get in mud. We have a wedding Saturday with 1400 people invited. I requested a 3 hour reception, but we know people will park along the side of the road without asphalt. I am afraid people will do a U-turn and park on the road and walk. The snow was taller than the median and some people drove over the island. It is a safety issue. If you are heading north and decide to go to Wal-Mart you have the west side turn lane, but there is a drop off on the road. Marchant – why is it there? Kit – the City Council wanted them there. Black – the islands were there before the project started, where did we miss this? Sharon – we opened in November. Stacy – the island is the entire length of the property. Black – Kit why is it now an issue, why was it not found in review. Sharon – we had to bring water and electricity across the street. Black – why not addressed before they opened? Kit – it started when the minor lot subdivision was done and it was not laid out to accommodate the access. Sharon – there are no east turning lanes regardless. I bought the northern acre from the Sunrise Church. We knew it was a problem, but I don't build and am not aware. Black – what options do we have? Kit – we cannot cut a whole and take out part of the median, you just as well take the entire median out. They are problems no matter what you do. Black – can they have a turning lane? Kit – I don't know. Sharon – the City has put signs to be careful and put poles so people don't get stuck in the mud. It looks like an invitation to people to drive on the wrong side of the

road. Black – who bears the cost? Stacy – the City. Marchant – why was it done? Kit – it was done the same time St. George put theirs in and someone on the council thought it looked nice. Sharon – the other thing is to take the tip off so they can turn in. Rick – but that would not work for those coming out. Rowley – I don't think it is the City's responsibility; it should have been taken care of during construction. Stacy – because the island was already there before a building permit. Black – who should have caught it? Rick – either the builders engineer or the City, that is who could have picked up on it. When the road was built we didn't know where property lines will be, we could have had development that would not conflict. We put them in for esthetics or safety. Sharon – does that make it our responsibility when the only legal ways are to turn west? Kit – the south end is designed for an east turn. Black – can we get a few approaches for next week, take portion or the entire island out and see the cost. Is there enough room for a turning lane to get out of the southbound traffic? Rick – when development happens you will have the entire road right of way. Rowley – it is a wedding reception place and you have some people that have never been there and it needs to be simplified. Sharon – for the reception Saturday we considered having a shuttle service but they have the same problem with turning around. Cozzens – if the medians are out would there need to be further base. Kit – the base is made for landscaping. Cozzens – how far down would you have to put in? Kit – we would have to look at the soils report, probably 18 inches. I am not in favor of the medians because of these issues. Also the landscaping the sprinkler lines break and it saturates the dirt and the water follows the utility trenches and sinks the road. Sharon – we are not opposed to helping with the cause but don't feel we should carry the entire cost. I don't want to see people hurt. Rowley – for Saturday you could have some blinking lights to let people know it is a congested area. Action

PUBLIC HEARING TO CONSIDER SPONSORSHIP OF UN PLUGGED CEDAR CITY – RICK HOLMAN:

Mayor – this is \$2,500 to go towards Un-plugged this summer. Cozzens – what fund? Rick – executive discretion. We have over \$25,000 in that account. Cambree Johnson – businesses sponsor different activities and people collect the tags. Mayor – I think it is a great way to get people involved in different activities in the community.

Mayor Wilson opened the public hearing. There were no comments, the hearing closed. Consent.

CONSIDER APPROVAL OF A BOND AGREEMENT AND FINAL PLAT FOR ASHDOWN FOREST PUD PHASE 7 – BRIAN NICHOLS/PAUL BITTMENN :

Paul – Ashdown Forest has been developing for 10 years. It is at the east end of Fiddlers Canyon and is 5 lots. They have been through vicinity and preliminary plat approval to design water, sewer, roads, etc. They are at the point to post a bond for the improvements. Cozzens – there have been subsidence problems, what do we do? Brian – I am not a soils engineer. Ashdown Forest is over 200 building lots before these lots. The rule when it comes to soils, there are different soils types so when you build a home you should get a soils report for the specific area. There were different soils in the area, I can speculate why a handful of lots had issues, but the builders are to get their own soils reports and follow that and if they follow that they should not have problems. I was not

involved in the other building lots. However, everyone knows more about the soils issue and we try and point people in the right direction. Black – do we have any issues with the retention basin that would put the development at risk? Kit – no, the channel has been improved and reinforced. Rowley – is the market firming up? Brian – it is a big step even though it is only 5 lots. People are building, it is not on fire, but things are going in the right direction. Adams – there was discussion on water pressure. Brian – we had to put a note on two lots to verify water pressure and it was taken care of in Planning Commission. Consent.

CONSIDER AN AGREEMENT WITH BUILDER GROUP, LLC, TO USE THE IRON RANGER'S ARENA FOR A DASH FOR CASH AND DEMOLITION DERBY - BRYCE DAVIS/DAN RODGERSON:

Dan – we had a request to use Cross Hollows for a demolition derby. I made a list of concerns to mitigate and gave it to Mr. Bittmenn and he wrote a comprehensive agreement that is before you. It will be a 3 day event. We will move the dirt and charge them for that. Rowley – you are going to remove the glass, is that out of the cars before you start? Bryce – yes. Dan – we will go out with a metal detector after the event. Black – explain the dash? Bryce – our idea is to keep it affordable. We will have two parts of the event, a race around and then the demolition derby. The dash will be two cars at a time. Black – what keeps them from the cars bumping into the infrastructure? Rowley – is this a typical size of arena? Bryce – yes, and it is small enough that the cars don't go too fast and not go over the berm. Black – if you race two cars side by side. Dan – the berm will be about 4 feet. We will do the dirt work. Black – even though we go over it with a metal detector, what happens if an expensive horse or animal gets cut? Can we have insurance that will carry over? Cozzens – I don't think we can do that. Marchant – this is a typical event, we do this at the State Fair every year. Adams – are there restrictions for the cars? Bryce – yes. Marchant – what is the fee? Bryce - \$15 a ticket. Rick – who is responsible for the metal detection? Dan – it was a concern of Rusty Aiken, we don't know, we could do it. The soil is sifted through and Larry rakes the soil. Paul – they will clean up all foreign debris. Bryce – the contract said we will be responsible to put the dirt back, but we are paying the City to do that. Bryce – the event will happen on April 26th. Action.

CONSIDER A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN CEDAR CITY AND THE IRON COUNTY RESTAURANT TAX BOARD FOR A GRANT OF \$2,500 FOR MAIN STREET BANNERS – DANNY STEWART:

Danny – you have probably noticed the new banner poles on Main Street. We had them extended outside the Historic Downtown area. We were awarded a grant for \$2,500 to fill in the banners to promote the City and look nice. The grant is for matching funds that would come from executive discretion. Black – do we have a design of the banners? Danny – not yet. Consent.

CONSIDER THE 2014 UTAH STATE LIBRARY MEMORANDUM OF AGREEMENT (COMMUNITY LIBRARY ENHANCEMENT FUNDS) IN THE AMOUNT OF \$9,184.00 – STEVE DECKER:

Steve – we receive this grant each year if the legislature appropriates the funds. The problem with this grant is timing, it has to be signed and back to the State Library by Friday. We are asking to grant the Mayor

approval to sign this so we can get our money, there is no match. We would like to have it on consent to ratify the agreement. We work hard to keep the funding coming.
Consent.

CONSIDER THE UDOT STATEWIDE UTILITY LICENSE AGREEMENT – RYAN MARSHALL:

Ryan – this is an agreement for the utility license with the State of Utah. They are updating their contracts over 5 years old, the last one they have with us was in 2002. This allows us to put utilities across the road, we still have to make application and get their approvals. Rowley – was there any significant changes? Ryan – no. Black – does item #11 address our maintenance? Ryan – yes and it does talk about their responsibilities also, but that is addressed in the actual application. Consent.

CONSIDER FEE INCREASE FOR OVERNIGHT STALL RENT AT CROSS HOLLOWS ARENA – DAN RODGERSON:

Dan – the Cross Hollows committee met and recommended that we increase from \$12 to \$15. We called various communities and most are between \$15 and \$30. Rowley – a cowboy comes to town and needs a place to put his horse? Dan – yes. We then clean the stall when they leave. Marchant- it is established on a regular basis, we see we haven't looked at some rates for many years. Paul – there was a time when Department Heads were encouraged to review their fees on a yearly basis with the budget. In the past year we have written a lot of resolutions to change the fee schedule outside the budget process. Marchant – that needs to be done on a regular basis. Dan – the rental fee for the arena is only \$200. Norris – typically we would have a budget and set rates on the budget needs instead of looking at it in March. You can do it in relation to the end cost of the facility. Rick – we can establish the fee review with the budget we will do that. Action.

CONSIDER PROPOSALS FOR A SOFTWARE PACKAGE AT CEDAR RIDGE GOLF COURSE – JARED BARNES:

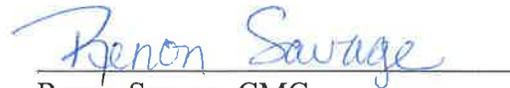
Jared – we are working a point of sale system that was there when I was in high school. We want to be able to allow people to make tee times on line to make it a better system. We put out an RFP, both bids are very similar. I would like to propose purchasing EZLINKS, they will promote the golf course to their contacts instead of the other using our contacts to solicit business. We will also be able to shoot out marketing messages, it is a revenue generator. Rowley – the only cost would be trade of tee times, how does this work? Jared – they market it on line through their system. Rowley – so they say we have a round of golf in Cedar City, they comp it and we get the program free. Jared – they are allowed to set their pricing within certain parameters, a golfer in Cedar City or a tourist would need to know that is an option to get a tee times. The time I have suggested is when we have 30% usage now, and there is a limit of two per day. EZLINKS is used by St. George, Salt Lake, Davis County, etc. Paul – how long do we give them tee times? Jared it is a 3 years. One hour before we open the space to anyone if it is not filled. We are giving tee times that we are not using. Even if they used all their trade times, 50% of that hour would still be available. Paul – I would just like to know how much we are paying for the product. Jared – a lot of those people would not have been here anyway, and the package is revenue generators, how many tourists call and we can't book them a tee time. Based on the numbers from other municipalities they use about 20% of their time. There are no

maintenance fees and they also provide all of the computers and they will update that every three years. Rowley – how is the remodel coming? Jared – we are almost done, coving of the carpet needs to be done. We have had a fantastic February. Consent.

CONSIDER AN APPOINTMENT TO THE PARKS AND RECREATION

ADVISORY BOARD – MAYOR WILSON: Mayor – Bruce Barclay served his first term and is the Chair and would like to be reappointed. He has all sort of different park and rec activities. He was a swimming coach, member of the bagpipe band. We would like to reappointment him. Consent.

ADJOURN: Councilmember Marchant moved to adjourn at 6:50 p.m.; second by Councilmember Cozzens; vote unanimous.

A handwritten signature in blue ink that reads "Renon Savage". The signature is written in a cursive style and is positioned above a horizontal line.

Renon Savage, CMC
City Recorder