COUNCIL MINUTES
FEBRUARY 12, 2020

The City Council held a meeting on Wednesday, February 12, 2020, at 5:30 p.m. in the City Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Maile Wilson-Edwards; Councilmembers: Ron Adams; Teni Hartley; W. Tyler Melling; Scott Phillips.

EXCUSED: Craig Isom

STAFF PRESENT: City Manager Paul Bittmenn; City Engineer Kit Wareham; City Attorney Tyler Romeril; Executive Assistant Onjulee Pittser; Finance Director Jason Norris; Police Chief Darin Adams; Fire Chief Mike Phillips; Leisure Services Director Ken Nielson; Economic Development Director Danny Stewart; Public Works Director, Ryan Marshall; Parks Supervisor, Wade Orme.


CALL TO ORDER: Chief Darin Adams gave the invocation; the pledge was led by Chief Mike Phillips.

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

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS: STAFF COMMENTS: Tyler Melling: Just a quick item. Last night, someone sent me a picture of some crude graffiti on City property I forwarded that to the Mayor, and she was right on it. I appreciate the Mayor and staff for taking care of it so quickly. Mayor: It was taken care of today. Scott Phillips: I’d like to thank the parks department for putting up our new Historic Downtown banners and the Historic Preservation Commission and staff for working towards the new look of our historic downtown. Hopefully, it will create a lot of new and exciting things in our downtown area. Also, I’d like to take a moment of personal privilege. Tonight, I am wearing a flamingo tie in honor of my dear friend, Fred Adams, who passed away last week. He gave me this tie and tonight I want to celebrate him with all his greatness, his color and panosh. I wanted to thank the City for all the outpouring of love to myself and his family during this difficult time. Terri Hartley: This Saturday the Iron County Republican Women are holding a Lincoln Day dinner, and they’re having Jenny Taylor, the wife of Major Brent Taylor who was killed in Afghanistan, is going to be the speaker there. If you want to buy tickets, you can go on Eventbrite. It’s Saturday night from 6-8 p.m. at the Hunter Conference Center. It should be an amazing program. Tom Jett: Is this just for women or is it for anybody? Terri:
It's for anybody. **Mayor:** To follow with what Council Member Phillips said with the passing of Fred, I have a proclamation that I will read and give to Fred's family members that are here. “Whereas, Fred C. Adams was born in Cedar City, Utah on January 30th, 1931 to Paul Monroe Adams and Louise Cruikshank Adams; and whereas, Fred C. Adams joined the U.S. Army and was stationed at the Pentagon in Washington, D.C. during the Korean War from 1952 to 1954; and whereas, Fred C. Adams holds various bachelor's and master's degrees from Brigham Young University in theater arts and Russian; and whereas, Fred C. Adams was a professor at the College of Southern Utah, now Southern Utah University, for thirty-eight years and was named professor emeritus upon his retirement from teaching; and whereas, in 1961, Fred C. Adams and his wife, Barbara Gaddie Adams, assumed many prestigious awards, such as the SUU Presidential Medallion of Service in 2019, the Shakespeare Theater Association Lifetime Achievement Award in 2015 and the Governor’s Award from the Utah Humanities Council in 2010 plus many others; and Whereas, Fred C. Adams took his final bow on February 6th, 2020, and left an extraordinary legacy for Cedar City through his dream and vision of the Utah Shakespeare Festival. Now, therefore, be it resolved that I, Maile L. Wilson-Edwards, Mayor of Cedar City Utah, do hereby declare February 14, 2020 as Fred C. Adams Day in Cedar City”.

For those who don't know, Friday, February 14th will be the day of Fred’s funeral and we would like to keep him in our thoughts and have a moment of silence right now in his honor. I would like to give this to Dorcas and Addison. Fred was truly a remarkable man that helped shape the vision and legacy of Cedar City our region in the state what we have become because of him. We'd be remised not to recognize him at this time. We will now move onto staff comments and the Employee of the Month. **Ryan Marshall:** I'm here to present the Employee of the Month to Eric Witzke. He's been with the City about 6-7 months now. He's been a valuable employee and asset to the streets department. Jeff has been able to get him trained onto all different tasks and he's been very positive and upbeat about it. Now, I'll read the nomination for him. “Eric is always pleasant and is willing to take care of issues of trash cans, signs and anything to do with the Street Division of Public Works. He is pleasant in his interaction with the City residents. We know we can call on him to take care of problems with missed trash pickups, repair of broken trash cans and delivery of new cans for service and any other issues the Street Department sees fit. I appreciate his willingness to go the extra mile in making sure issues are taken care of in a timely manner”. I know when he came on board, one of the big things we were struggling with is our retro reflectivity sign tracking. He took that on and started tracking all the signs the city has GPS and putting into our system that our insurance requires we track that reflectivity. It’s something that nobody really wanted to take that on, but he did it. I want to congratulate him as the Employee of the Month. **Mayor:** As a quick side note, we need to excuse Councilman Isom because he is sick this evening. We appreciate him staying home. Hopefully, he gets better soon. Next, we’ll move onto our 4500 West sewer line update. **Trevor McDonald** – I was asked to give a brief summary on the 4500 West sewer line. Over the
past few years we’ve been working on a sewer outfall line that has been planned and in the making for many years. Cedar city is growing. Before this line was in, we had a treatment facility that was closer to town. Further north and lower in elevation out to off of 2300 w and 1700 n. since that plant was put in, that allowed more areas in the City to be served on gravity sewer. One of the outfall lines that we pursued was the 4500 W. outfall line that allows the west valley to have gravity sewer access. Over the last 15 years we’ve been working on this line. We’ve had various funding sources to help with it. Up until a few years ago, there was a gap that was all but done it was remaining 3 miles in the cedar meadows area up to the 1600 N. which is the street by equestrian point. Along that 4500 West line. Budget was approved and we pursued filling in that 3-mile gap. While we were there, we though it wise to bid out the next segment of an outfall line that ties into 4500 West and that meets at Hwy. 56 and comes into town around the Aviation Way area. We have completed both of those projects. The cost was roughly $3 million for 4 miles of line. In my opinion the benefits far outweigh the cost. We have a gravity system in place that eliminated 2 lift stations. One was a major lift station for the City, and it cut down on operations for a 3rd lift station. We estimate savings on just maintaining those lift stations around $80,000 to $85,000 a year. On top of maintenance and operations savings we are lowering our overall system risk for the sewer system when a lift station fails sewer backs up and basements get flooded. That’s an insurance claim on us. That’s a risk we want to eliminate. With the gravity system, we have less insurance claims and back-ups. I’m pleased to announce this project has been successful. We look forward to continuing with our master plan and finishing other sewer lines that can eliminate or alleviate the loads of other lift stations and reduce their loads to get back down to a lower risk. **Scott:** Would you say it’s 100% complete? 90% complete? **Trevor:** It’s 99.9% complete. There’s a few punch list items that are minor. The sewer line has been functioning and it’s been tested. **Scott:** Congratulations to everyone.

**PUBLIC COMMENTS:** **Derek DeGroot:** I’m the newest board member of a local HOA. That’s one of the reasons that I’m here. We’ve had some issues arise between our CC&R’s and some City issues. It’s related to extended on-street parking, more particularly in areas where children are around and as a safety issue. I’m here to learn as a board member to learn what I can do, and I’ll let Mr. Atwood discuss some of the more detailed issues that he has concerns with. **Brent Atwood:** I went to the HOA board last week and brought up this issue. Around my block and around the subdivision at Mesa Hills, there’s a lot of people parking on the public streets. Tractor trailers and utility trailers, their personal cars. I’ve called the cops twice. They put notices on these vehicles. There’s a truck on Shawna Lane. I told the cops that he’s too close to the stop sign and some kids walked out in front of me and I may have killed one of them if I wasn’t paying attention. I called the cops and asked them to have him move that truck somewhere on his property. So, he pulled over to the other side of the street in front of 2 people’s homes. A trailer was parked across from my house. He strung an extension cord across the road and he’s living in it. This is where we’re headed. My suggestion is from here on out I would not allow a home to be built in this town without a 3-car garage. Everybody has a 2-car garage, but they stuff it full of junk. If you had a 3-car garage, you could at least put your junk in one of them and park the other 2 cars in the 2-car garage and keep the cars off the street. I went down to White Wave Dairy and all those
trucks are parked on public parking, but UP&L, Questar makes accommodations for their trucks to be parked somewhere else and why White Wave gets away with this I don’t know. I can imagine the driver trying to get through the streets with all these cars parked without doing damage. The trash trucks are constantly going around the cars just to pick up trash. This could be eliminated if we stop the street parking. I have 30 kids around the block that meet the bus in front of my house and one of them is going to get killed if we don’t do something and do it now. Get these cars off the road. If they don’t have the room, they should go rent somewhere to put their junk, like responsible people do. I went out to Enoch to help a guy put in a pig farm in his back yard. I do not want to see that happen in Cedar City. That’s the direction we’re headed if we don’t do something about this. On Cody Drive, there’s personal trailers and cars parked up and down that street. Is it public parking? I thought it was private owners and their vehicles. I don’t know what you can do about it. I would hope you can consider these things and see what can be done. I know legally our HOA’s can’t do anything about it. If there’s a way that we can get them to stop it, let’s do it. If not, then so be it. Derek DeGroot: As a follow-up, I would like to know if there’s a department or person I can reach out to. We know there’s issues of cars daily, but for extended parking, is there a code enforcement or another department that we can continue this with? Paul Bittmenn: By state law, if a car’s parked in the same spot for 72 hours, it’s considered abandoned and that’s when we can engage code enforcement to put a notice on it or get it moved or towed. That doesn’t prohibit the guy from pulling up the road a bit and not being abandoned anymore. We do allow people to park on the streets. It’s a public street. You can’t block a fireplug or a driveway. You’re supposed to be a certain distance from intersections and stop signs, but it’s not illegal to park on public street. Mr. Atwood: You’ve said that now, but you have the cable guys that put out signs that say you cannot park, or you’ll be towed. All of a sudden, the streets were clean as a whistle. Paul: We do the same thing if we’re doing street maintenance. We post notices that say if you’re parked on that street, we’ll tow you around the block. Atwood: Why can’t you do it all the time? If someone parks there, tow them away. It’s an ongoing situation night after night, day after day. I know the police don’t have time to go around marking every car that’s parked illegally, but there has to be something that can be done, even the safety issue alone. Scott: I agree with you on the safety issue, but as Mr. Bittmenn pointed out, it is not illegal to park on our public streets. Mr. Atwood: Why isn’t it illegal? Scott P.: Why should it be? Mr. Atwood: Because it’s not your property. Buy a big enough home to put your cars on. Don’t buy a home that’s too small to begin with. Tyler Romeril: It’s public property. Mr. Atwood: I’m paying taxes and I don’t want them there. Tyler R.: They’re paying taxes and they would like to be there. So, who’s right? Mr. Atwood: It’s not private property. It’s your private vehicle. You don’t have the right to park on private or public property. Tyler R.: It’s public property and it’s City law. Mr. Atwood: Ok, but you’re headed down a bad road here. It will become a garbage dump because people can do what they want. I bought a home on Mesa Hills because it had CC&R’s. I’m going to have to move again. I just wish you’d consider what a mess this makes. Your snowplows have already damaged a car up there. You weren’t responsible for the car because they weren’t supposed to be there. If it wasn’t supposed to be there, why did you let him park there? Paul: When was that? Mr. Atwood: A couple years ago. Paul: It wasn’t our snowplow that hit it. Mr. Atwood: What was it? Paul: I have no idea.
damage to the vehicle was at a height that our snowplow blades don’t reach to. We went through that claim with them. The damage to the vehicle was up on the post by the windshield. And our snowplow blades don’t raise that high. I can’t disagree that someone might have told you something but that was not our snowplow. It’s a public street. You can park on a public street. **Scott:** Would you eliminate all parking on all public streets? **Mr. Atwood:** Absolutely. **Scott:** There’d be nothing around the university, nothing on main street. **Mr. Atwood:** Not in residential areas. **Scott:** Do we need to narrow all the roads? **Mr. Atwood:** Why would you want to narrow the roads? **Scott:** Why have them that wide if no one parks on them? **Mr. Atwood:** You’re telling me we’re pouring roads this wide to accommodate people to park their cars on? **Scott:** Both parking and driving. **Paul:** And ride bikes and scooters and walk. **Mr. Atwood:** It’s a moving vehicle. It’s not parked there. **Tyler M.:** HOA’s are free, in their covenants, to prohibit street parking on their own streets if they’re paying for the maintenance. **Mr. Atwood:** I went to them and they said they have no teeth in their laws to prohibit that. Why am I paying for this? **Tyler M.:** So, the question is why move to HOA’s that don’t have teeth? There are HOA’s in this town that prohibit street parking for more than a certain period of time and if you have teenagers, it’s tough luck. You have to move because you can’t have your cars there. It is not the City’s role to step in and fill the failures of private contracts. **Mayor:** You could reach out to the police department and our Chief is here if you would like to get contact info. **Sharlise Robertson:** I would like to give my condolences from my family to Mr. Phillips and the Adams Family. If it wasn’t for Fred Adams, I wouldn’t have some of the skills that I have or the theater that I’ve had, so thank you. For the education of the gentleman that was just here, it’s my understanding that the reason the streets are so wide in historic downtown is so that horses and carriages could turn around when we had such things. As far as things on streets are concerned, the street that runs over by Costa Vida, down toward Home Depot, I noticed there were several semi-trucks that were parked, and you cannot see to make a right- or left-hand turn. I think that’s something we should address. Also, at Fir Street at the bottom of the wash, there is a pothole that is forming, so I don’t know if that can be taken care of either. There are some twin homes under construction, when they’ve gone to do the water, they haven’t been filling them in properly, that may turn into potholes as well. **Paul:** The public works director is in the back of the room taking notes as you call them out. **Ms. Robertson:** Madam Mayor and Council Members, I read you a statement from myself and my family last week, so you know our stance on the zone change for the “Garden House” lot on 100 West. Mr. Bryan is not a resident of Cedar City, but rather Heber in Utah County. His only interest in our gem of a city is purely for profit. This is alarming and is yet another example of developers, local or otherwise lining their pockets with no care for the structure of our community or the neighborhoods therein. After speaking with both Mr. Dailey and Mr. Bryan, it appears the main reason for the sale of this property to Mr. Bryan is because Mr. Daily had his much more desirable project denied by the City because the current zoning demands property owner occupancy, which was not an option for Mr. Dailey. His proposed project was for a boutique coffee shop at the street front and a possible 4-plex behind it. This is a much more desirable option than the 36-room dorm-style building Mr. Bryan has planned. If the City would consider an amendment to the current zoning to allow this project without owner occupancy, and if it can move forward that way, it is
much preferred. We again propose that this zone change, and all others currently in question, not be decided upon until such time as the Cedar City Master Plan, which is soon to be revised, is, indeed, revised and put in place. I would like to humbly ask to be considered to occupy one of the seats on this Master Plan revision committee. Thank you for your time and consideration.

CONSENT AGENDA: (1) APPROVAL OF MINUTES DATED JANUARY 22 & 29, 2020; (2) APPROVE OF BILLS OF FEBRUARY 7, 2020; (3) APPROVE FINAL PLAT FOR THE PARADISE TOWNHOMES, PLATT & PLATT/TYLER ROMERIL; (4) APPROVE FINAL PLAT FOR THE BLACKSTONE PHASE 3 PUD, 3 PEAKS DEVELOPMENT/TYLER ROMERIL; (5) APPROVE AIP 036 AIRPORT GRANT. NICK HOLT: Councilmember Melling moved to approve the consent agenda items 1 through 5 as written above; second by Councilmember Phillips; vote Unanimous.

CONSIDER AN ORDINANCE CHANGING THE ZONE FROM CENTRAL COMMERCIAL TO MIXED USE FOR PROPERTY LOCATED AT 164 SOUTH 100 WEST, PLATT & PLATT / TYLER ROMERIL: Bob Platt: representing this zone change request for Mr. Bryan as discussed last week. As you know it is request from central commercial which it is currently zone to mixed use which is in conformance with the master plan. I spoke to Mr. Bryan. If the zone change is approved the parking is 1.3 per bedroom and he is proposing 36 units that would be about 27-29’ high. If the zone change is not approved and it stays central commercial, he’s allowed to do a central commercial project that can be up to 50’ high per the ordinance. Ron Adams: When you say 36 units, how many bedrooms? Bob: 36 bedrooms, which is like 47 parking spaces. Ron: I just wonder if there’s room for that. Bob: There’s room for it on that lot. We worked the site plan up. I understand the situation. I’ve lived here all my life. I know how the Garden House is. It was a wonderful establishment, but frankly, now, it’s urban blight. The point is, it would have to meet all the requirements of 1.3 per bedroom and there is something that would work there. Paul: You’re not saying 36 units, you’re saying 36 bedrooms. Bob: I’m saying 36 bedrooms at 1.3 per bedroom is about 47 parking spots. Ron: I was going to say when you said 36 units, I calculated 93 parking spaces. Bob: No. 36 bedrooms. Tyler M: I’m a big fan of property rights. I think people should do what they want with their property. I’m an advocate for mixed-use developments. I think we need more mixed use in different areas around town where we have a shortage. The particular zoning difference here is that mixed use is our zoning vernacular for a hybrid zone where you can pretty much do anything that falls under the central commercial zone or the R-3 zone. Looking at the adjoining properties and uses surrounding, I’m inclined to decline this request because it doesn’t fall within the established uses of the area. Scott: I wasn’t able to attend the meeting, but I’ve done my homework and talked to some of the owners. I think our planning commission did due diligence on this and tried to weigh in all of the factors. I believe we should follow our recommendation of our planning council and I’m inclined to deny their request as well. Terri: Ditto on most of what you said on what our planning commission did their due diligence looking at it. I do have concerns that it’s in harmony with what’s in the area, knowing full well that if Mr. Bryan does a commercial venture, it could be something
that the people in the neighborhood like even less than an apartment building. He’s trying to design the building to fit with the décor in the neighborhood. I feel that it doesn’t fit with the use, but he’s free to do what he wants. It’s zoned central commercial. **Ron:** That block is predominantly rentals, with the exception of bed and breakfasts, air bnb’s. I think it’s safe to say it’s not a rental area is whacked, because it is. That’s what’s over there. There are a lot of older homes, but they’re renting them out to college students. It bothers me that when we get in the discussions, that this developer is developing this for college students. Is he? You can’t discriminate college students. He could be renting to anybody. I look at it that they’re providing rental properties. Rental business is big right now. People aren’t buying homes like they used to. That’s why all of these developers are building all of these rental properties and it seems like they’re going crazy with them. They seem to be selling them to other developers who are renting them, or the developer is keeping 10 units and renting those out. There is a demand for rentals in our community because I don’t think that everybody can afford to buy a house right now. The prices have gone up on properties and it does make it tough for affordability. As a restaurant at that location, it’s not the best location to draw traffic to it. I don’t have anything against it. Master plan calls for mixed use to give the developer a little flexibility and if they keep it the way it is, he can go 50’ high with the project. **Scott:** This is also in our historic district from 100 to 300. It should be the first parcel in there that we would take out of the current general commercial and into mixed use. **Tyler M.:** The neighborhood if I were to be considering the public clammer only, I would be voting for the change because there is that flexibility to keep it low in that R-3 designation. However, I would admonish those living in the historic district to find a private agreement or covenant that you can agree on because there will be projects in the future. The City Council is not the place to protect neighborhoods from change. We look at a lot of different factors and in this case, I feel that the balance weighs towards denying the change. In the future it may not. If neighbors are concerned, I urge them to seek out the covenants or private agreement so we, as a council, can have direction and find ways to support that. **Mayor:** Can I get a motion?

Councilmember Melling moved to deny the zone change from CC to MU for property located at 164 South 100 West; second by Councilmember Phillips; roll call vote as follows:

- Ron Adams - NAY
- Terri Hartley - AYE
- Tyler Melling - AYE
- Scott Phillips - AYE

Motion passes to DENY ordinance change.

**CONSIDER AN ORDINANCE CHANGING THE ZONE FROM DWELLING, MULTIPLE UNIT TO STUDENT HOUSING DISTRICT FOR PROPERTY LOCATED AT 170 NORTH 400 WEST. PLATT & PLATT/TYLER ROMERIL.**

**Bob Platt:** There’s a nice unit in front which will remain. The plan is to put housing in
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the back of the property. It’s an SHD which is in conformance with the master plan. Zone change is from R-3 to SHD.

Councilmember Hartley moved to approve the zone change from Dwelling Multiple Unit to SHD for property located at 170 North 400 West; second by Councilmember Adams; roll call vote as follows:

- Ron Adams - AYE
- Terri Hartley - AYE
- Tyler Melling - AYE
- Scott Phillips - NAY

Motion passes to APPROVE ordinance change.

CONSIDER A REQUEST TO WAIVE IMPACT FEES FOR AN 8-UNIT AFFORDABLE HOUSING DEVELOPMENT, SCOTT HARMON/TYLER ROMERIL:

Councilmember Adams moved to deny the request to waive impact fees for an 8-unit affordable housing development; second by Councilmember Melling; vote unanimous.

CONSIDER ENTERING INTO AN AGREEMENT WITH UTILITY SERVICE PARTNERS, DENNIS LYON: Paul Bittmenn: We had them email us the form contract they use on Monday or Tuesday. Tyler checked it out and he mentioned to me was the exclusive use of our name. We might want to go back to them and say that we want to partner, but we don’t want that. Other than that, it’s 3-year deal with them. It’s no cost to us, only the cost to the consumers if they choose to opt in or they can opt out. They give them 30-days notice. Tom Jett: Your suggestion is that they not to use our name or is it not to exclusively use our name? Paul: I don’t care if we’re on the mailer and it says general reminder the sewer line is yours after it leaves our main line and the water infrastructure is yours after it leaves our meter. Those are good reminders for our customers. It’s just the exclusivity. Tom: I would agree with that. It sounds like a good idea. I don’t think the City should put its name out there because it sounds like we are endorsing a product and it may come back to bite us. I’m not quite sure about the 3-year contract are we entering into. Paul: Just to use our name. Tyler M.: We just had a planning retreat and got to discuss long term issues with the city and looking at our strategic plan. We’re encouraged to seek out these public private partnerships. This isn’t a partnership. It’s a product endorsement. I’m hesitant to endorse a product where we’re not actively working with the parties. I’m inclined to deny the request to partner with them. It’s a good reminder in the mayor’s newsletter to remind people that may or may not be covered on their homeowners policy and it’s not the City’s responsibility and we would encourage people to seek out options. Paul: We get phone calls from people that need extensions on their water bills. Last month we got one from a mom/wife who had a problem with their utility lateral, and they had to pay the whole thing. It’s our older housing that gets hit with these. There’s some risk involved. We can choose to opt in to where we’re more of a partner and we make the $0.50 royalty off every policy written or
we can choose not to do that or not offer the service. **Scott:** We do have several options in the proposal that we can look at. **Paul:** Yes. **Terri:** didn’t he say that we review the letters before they go out to the resident? **Mayor:** I think the reason they want to use our name is because there’s so many scams and frauds out there that when you get it you don’t know what’s a legitimate company or if it’s someone trying to scam them. If it has the City name, they’re more likely to realize it’s a legitimate company and not a scam.

**Ron:** Some people in my area have come to me with the Rocky Mountain Power version. I just got the Dominion Energy version of the same thing. **Paul:** If you notice, it’s a private contractor doing it but it’s Dominion Energy’s name on the letter. **Ron:** Similar to what they want us to do. That’s all Rocky Mountain does. Look at it from a marketing standpoint. You partner up with utilities and their name and looking at the water, we do that as a utility and that’s why they’re looking at us. I wanted to see if Tyler can see any trouble with anybody coming back and saying that the City’s endorsing this.

**Tyler R.:** No. That won’t stop people trying to blame us for something we’re not responsible for. My only hang-up is that the City doesn’t usually enter non-exclusivity agreements. With our cell phone company, they wanted us to do the same thing. We said no and they agreed to take that term out. **Paul:** We get asked all the time from utility providers that want to run our right of ways they come in and say they want to be exclusive and we tell them that we don’t do that. **Scott:** Can you give us a history from any other communities in the state and what kind of track record they have? **Paul:** I talked to the guys in Orem. They’ve done this program for a couple years and they’ve had good results. They’ve had claims paid from this company. Again, it’s their older housing stock that uses it. The newer stock really doesn’t need it. The Orem City manager said it’s been a positive thing for those in the older parts of town. **Mayor:** Before we get to the motion, we need to know if, in the agreement, you want us to look at the $0.50 royalty or not. Then Tyler will know what he needs to put in the agreement with them. **Terri:** Does the City want to get involved in that or just let them do their thing? **Paul:** It’s optional they don’t care one way or the other. If we got involved in it, we could structure a program and bring it back for your approval so we can find a good use for the money. Personally, the $0.50 royalty that some insurance premiums are going to be paid by folks is not going to be a big pot of money. If it was me, I would decline it and have the rate players pay the extra money. **Terri:** I move to approve the agreement without the $0.50 subsidy and strike the exclusivity clause out of it. If someone else comes along and wants to do it, I think we should allow them to bid on it as well. **Scott:** And contingent that we are able to view the letter I would add that to the motion and if that’s the case, I will second that motion.

Councilmember Hartley moved to approve the agreement with the Utility Service Partners; second by Councilmember Phillips; vote as follows:

Ron Adams - AYE
Terry Hartley - AYE
Tyler Melling - NAY
Scott Phillips - AYE

Motion passes to APPROVE the agreement.
CONSIDER BIDS FOR THE GOLF COURSE POND LINER PROJECT.

JONATHAN STATHIS: This was presented last week. There were some issues with the budget. There was information sent out by Jason and Paul discussing the possible adjustments to cover the cost of the project. Maybe Jason can address that if there’s additional information. Jason Norris: I will be doing a budget revision in the next couple of weeks and I can include what we estimate to be about $100,000 above the budget, include a revision funded within the golf course fund. There is money in there, roughly about $300,000 what their fund balance carried over from fiscal 2019. Scott: We would be using about a third of that then. And this includes the reseeding around it to have it completed. Jonathan: Yes. Scott: Do we have a recommendation on what the bid would be? Who we’re recommending? Jonathan: It was Mel Clark. Terri: It was about $200,000 roughly. Tyler M.: It was the low bid.

Councilmember Melling moved to approve the bid from Mel Clark in the amount of $207,970 for the Golf Course Pond Liner project; second by Councilmember Adams; vote unanimous.

CONSIDER AN ORDINANCE REVISION DEFINING A BEDROOM FOR PARKING CALCULATIONS. DON BOUDREAU/TYLER ROMERIL: Tyler R.: I had a conversation with Brent Drew and he’s suggesting we add a couple additional words like a window to the definition. There are a few rare cases where a legitimate study is put in high density housing and staff’s intent is not to create any additional parking for a legitimate study. I would ask to table this for a couple of weeks. I’ll bring it up at the next action meeting. That will give us a chance to talk and if we can agree to any amended language, I’ll bring that before the City Council. Tyler M.: I’m more than happy to table it.

Councilmember Phillips moved to table this issue until further time to have more complete information on the subject; second by Councilmember Hartley; roll call vote as follows:

Ron Adams - AYE
Terri Hartley - AYE
Tyler Melling - AYE
Scott Phillips - AYE

CONSIDER PARADE ROUTE PROPOSAL. CHIEF ADAMS: Chief Adams: As we discussed last week, I believe there’s some positive benefits in moving this for a variety of reasons. I’ve been in contact with Chief Nelson at SUU and Mindy Benson. She still needs to talk with Tiger Funk and Chief Nelson just to make sure they don’t commit. She didn’t see an issue with the university allowing for staging in that parking lot. As we close off 300 W. from College Ave. to Harding, we can stage on 300 W. without a problem. I think this will be fine with the university. She gave me a tentative yes but wanted to make sure she got everyone on board. Scott: Would traffic be diverted to 800? Chief Adams: Yes. We would do a hard closure at College Ave. by
Shakespeare Lane and a road closure sign at 200 S. That’s our proposal. I don’t know if we put it in a resolution or if it’s just a recommendation. There will be citizens that will say it’s been this way forever, so I wanted to have something in place saying that this is what it’s going to be. The only exception may be the sheep parade. I spoke to Paul Nelson who told me that this may not go on forever. They’re getting out of the sheep business in the next couple of years and they don’t know where they’ll find the sheep for the future, which I think is the whole crux of the parade. There’s no way they can route those down 300 W. down to Center Street, make a hard right and come to Main and make a right again. They’ll scatter everywhere. Scott: Do you believe the additional space you’d be providing on Center St. from 300 to Main, would that be able to accommodate the crowds that we currently have from 200 down to Center on both sides of the street? I noticed this at the 4th of July parade. It was packed and I was thrilled by it. I just want to make sure we’re allowing the citizens the opportunity to participate in the parade. Chief Adams: I think it will. If you look at anything historically past the park all the way to 400 N. is not as full. People like the center area. If we get a parade and it looks kind of cramped, we can tell people that 400 N., from Main over to 100, is open. As it wraps around, it doesn’t conclude until it makes the turn in front of the library. Scott: Have we had any conversations with parade organizers other than the sheep parade to see what kind of response they might have to that? Chief Adams: No, we have not. There’s been some different thoughts over time with what people want to do. We made that change a few years ago to block off 400 down to 200 on Main Street, stage on Main Street, to alleviate the bottleneck that often occurs on 400 S. by the LDS stake center. People flood into those neighborhoods and residents can’t seem to get to where they want to go. We had the cavalcade parade that Joyce Messer was in charge of. She was a little more passionate and would come in and tell us where she was going to stage and there was some leeway there. We know that those floats are bigger and give her extra room. We feel like this would open that up and give us a larger space in the parking lot at SUU to put those in. It does cut the route down by 0.2 miles. There’s a lot of open space along Main Street. 4th of July may be the exception. From Center Street to 200 North and beyond its condensed, but South and North of that tends to lighten up a bit. Scott: Do you think that this is something we can offer as a recommendation or resolution and we review it and say we’ve tried this for a year to see if it worked? Chief Adams: Sure. I’m happy to go to those organizers and tell them what we’re thinking. I wanted to get this to you as an idea before those start to come up. I think it will alleviate a lot of that at the larger intersections and free up the residents and tourists that are often frustrated. Terri: If you use that parking lot for staging where are people going to park out there that are lining up Center Street? Participants and spectators. I worry if we take that parking lot there’s not parking in those neighborhoods to accommodate that. Chief Adams: I think that parking lot is large enough if we took that area for the staging, that entire lot would still be open to those who are coming to watch the parade. Terri: I don’t know where you’d stage in part of that parking lot. Some of those floats take up both lanes. Mayor: We could have part of the parking lot for staging and part of the lot for parking. Tyler M.: One issue that I see there is that the dips are really severe. It may be difficult with floats and maybe work with SUU and staging a little father back on University Blvd. Chief Adams: I had the same concern. That entrance where the 2 lanes converge, we would block off to there, because we would want to go back to 600 W. anyway and say
road closed and they could come out there and line up about a half a block to the west. **Scott:** If you’re closing 300 W. from Shakespeare Lane, theoretically you could close it all the way down to 200 S. You could stage on 300 W. **Chief Adams:** That’s an option too. Take that whole block and stage there. That’s plan B if the parking lot was not an option. **Scott:** The only thing it would affect is anybody on Shakespeare Lane, but they can certainly go up 200. **Tyler M.:** With there being a lot of options in this mode of action, perhaps we move to approve the change to the parade route itself pending other details as they become available. **Ron:** I asked about the parade times in July for the 4th and 24th, because I know they hold the matinees and the lectures. Aren’t they held in the SUMA building? When are they held? **Scott:** No. Most of them are held outdoors and they’re usually done by noon. **Ron:** That’s my concern. On the 4th and 24th, it will be in the middle of the parade. **Chief Adams:** The parades start at 9 and 10. Do they hold them on those holidays? **Scott:** Yes, they do. People are in town during those holidays and they have a nice sound system. Maybe it will be the battle of the noise. **Ron:** We’re taking up all their parking, because don’t they park in the parking lot? **Scott:** There’s not a lot of people who attend those lectures. Maybe 100-125. It’s not hundreds. A lot of them will park on Shakespeare Lane because they will get there early. I don’t think that should stop the process. What I’m worried about are the matinees. There’s usually nothing at 1:30 or 2:00. **Chief Adams:** We would want to recommend a uniform start time with our volunteers and that applies to everyone, that’s usually 9:00 or 10:00. There is that anomaly with the November parade where they like to start at 2:00. But that’s November and I think Shakespeare is done by then. **Scott P.:** With the understanding that we can revisit it at a later date. I’ll make sure SUU is completely onboard and I’m happy to reach out to those organizers. The 24th of July at some point may be coming to an end and I know the church is not going to organize those after this year. **Scott:** Can you put a reminder on your phone to come back and do an update on how it went for this year? **Chief Adams:** I sure will.

Councilmember Melling moved to approve the change to the parade route as outlined; second by Councilmember Phillips; vote unanimous.

**CLOSED SESSION FOR PROPERTY NEGOTIATIONS:**

Councilmember Melling moved to adjourn and go into closed session at 6:42 p.m.; second by Councilmember Adams; roll call vote as follows:

- Ron Adams - AYE
- Terri Hartley - AYE
- Tyler Melling - AYE
- Scott Phillips - AYE

**ADJOURN:** Councilmember Phillips moved to adjourn at 7:10 p.m.; second by Councilmember Adams; vote unanimous.

Onjulee Pittser, Executive Assistant