

COUNCIL MINUTES
MARCH 27, 2019

The City Council held a meeting on Wednesday, March 27, 2019, at 5:30 p.m., in the Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Maile Wilson-Edwards; Councilmembers: Ron Adams; Paul Cozzens; Terri Hartley; Craig Isom; Scott Phillips.

STAFF PRESENT: City Manager Paul Bittmenn; City Engineer Kit Wareham; City Attorney Tyler Romeril; City Recorder Renon Savage; Fire Chief Mike Phillips; Economic Development Director Danny Stewart; Public Works Director Ryan Marshall; Leisure Services Director Ken Nielson City Planner Don Boudreau.

OTHERS PRESENT: Jocelyn Batt, Arlo Fawson, Alexis Hamel, Cynthia Hawk, Dallas Buckner, Kelsey Keener, Michael Carter, Carter Wilkey, Michelle Jorgenson-Jones, Maverick Pexton, Brooklyn Blackett, Jennie Hendricks, Jayley Little, Camree Cox, Baylee Munson, Robert Chamberlain, Tom Jett, Steven Borg, Andrew Hugentobler.

CALL TO ORDER: Councilmember Phillips gave the invocation; the pledge was led by Councilmember Isom.

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

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF COMMENTS: There were no comments.

PUBLIC COMMENTS: There were no comments.

CONSENT AGENDA: (1) APPROVAL OF MINUTES DATED MARCH 6 & 13, 2019; (2) APPROVAL OF BILLS DATED MARCH 25, 2019; (3) APPROVE VICINITY PLAN FOR FIDDLERS MOUNTAIN ESTATES PUD. DAVE SMITH/DON BOUDREAU; (4) APPROVE BID FROM JOHN ORTON EXCAVATING IN THE AMOUNT OF \$316,114.85 FOR THE SEWER, WATER AND STORM DRAIN UTILITIES ON 1600 SOUTH (VA CEMETERY ACCESS ROAD). KIT WAREHAM; (5) APPROVE AN EMERGENCY MOU WITH IRON COUNTY. PAUL BITTMENN: Councilmember Adams moved to approve the consent agenda items 1 through 5 as written above; second by Councilmember Cozzens; vote unanimous.

CONSIDER AN ORDINANCE APPROVING NO PARKING AREAS ON 400 SOUTH IN FRONT OF THE SOUTH ELEMENTARY SCHOOL. HUNTER SHAHEEN/KIT WAREHAM:

Councilmember Cozzens moved to approve the no parking ordinance for areas on 400 South in front of South Elementary School; second by Councilmember Hartley; Question by Scott Phillips – if the school moved would the no parking go away? Tyler – we would amend the language and strike that area.

Roll call vote as follows:

Ron Adams	-	AYE
Paul Cozzens	-	AYE
Terri Hartley	-	AYE
Craig Isom	-	AYE
Scott Phillips	-	AYE

CONSIDER AN ORDINANCE AMENDING THE GENERAL LAND USE PLAN FOR PROPERTY LOCATED AT 200 W 1425 N FROM COMMERCIAL TO HIGH DENSITY RESIDENTIAL. GO CIVIL ENG./TYLER ROMERIL: Dallas Buckner, Go Civil – do you have any questions? Phillips – because of issues in other areas next to commercial, I want people to know that there is potential commercial development next to this and not having people coming to complain. Dallas – the surrounding property is owned by the hospital.

Councilmember Phillips moved to approve the ordinance amending the general land use plan for property located at 200 West 1425 North from Commercial to high density residential; second by Councilmember Cozzens; roll call vote as follows:

Ron Adams	-	AYE
Paul Cozzens	-	AYE
Terri Hartley	-	AYE
Craig Isom	-	AYE
Scott Phillips	-	AYE

CONSIDER AN ORDINANCE CHANGING THE ZONING ON PROPERTY LOCATED AT 200 W 1425 N FROM GENERAL COMMERCIAL TO R-3. GO CIVIL ENG./TYLER ROMERIL: Councilmember Phillips moved to approve the ordinance amending the zone for property located at 200 West 1425 North from General Commercial (GC) to R-3; second by Councilmember Adams; roll call vote as follows:

Ron Adams	-	AYE
Paul Cozzens	-	AYE
Terri Hartley	-	AYE
Craig Isom	-	AYE
Scott Phillips	-	AYE

CONSIDER APPROVAL OF A VICINITY PLAN FOR 1425 PUD. GO CIVIL ENGINEERING/DON BOUDREAU: Councilmember Adams moved to approve the vicinity plan for 1425 PUD; second by Councilmember Isom; vote unanimous.

CONSIDER AN ORDINANCE AMENDING THE GENERAL LAND USE PLAN FOR PROPERTY LOCATED AT 1805 N LUND HWY FROM LOW DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL. GO CIVIL ENG./TYLER ROMERIL:

Dallas Buckner, Go Civil – this is general land use amendment and zone change. There were questions last week, Kit was going to forward information to you. We took it through Sketch meeting to show we are not maxing out as R-3. Phillips – it goes to R-3 for 4-plex? Yes.

Councilmember Cozzens moved to approve the ordinance amending the general land use plan for property located at 1805 N. Lund Hwy from low density residential to high density residential; second by Councilmember Isom; roll call vote as follows:

Ron Adams	-	AYE
Paul Cozzens	-	AYE
Terri Hartley	-	AYE
Craig Isom	-	AYE
Scott Phillips	-	NAY

CONSIDER AN ORDINANCE CHANGING THE ZONING ON PROPERTY LOCATED AT 1805 N LUND HWY FROM ANNEXED TRANSITION TO R-3. GO CIVIL ENG./TYLER ROMERIL:

Councilmember Isom moved to approve the ordinance amending the zone for property located at 1805 N. Lund Hwy from Annex Transition (AT) to R-3; second by Councilmember Hartley; roll call vote as follows:

Ron Adams	-	AYE
Paul Cozzens	-	AYE
Terri Hartley	-	AYE
Craig Isom	-	AYE
Scott Phillips	-	NAY

CONSIDER A RESOLUTION AMENDING THE CITY'S BANNER POLICY.

DANNY STEWART: Danny – last week I presented the changes, but after going over it this week there is one more change, the final will read “Main Street Banners will be placed and removed on the nearest Tuesday of the applicant’s request date. Applicants may request to display Main Street Banners for no more than twenty-four (24) weeks, but must be displayed for at least one (1) week. During any given time period, each Applicant organizations are will be limited to ~~one application~~ of a maximum of 40 spots unless additional spots have not been reserved. ~~per year~~. Applicants shall accept that the display period is contingent upon a workable arrangement within the overall schedule of other City banners as well as prior commitments to other outside sponsors. Prior commitments may preclude the desired display period of an otherwise acceptable applicants banner. Applicants may make application for continuous running time slots.

This makes it so we don't have empty banner spots. Phillips – thank you for listening, it gives opportunities for events to be advertised without having vacant brackets.

Councilmember Phillips moved to approve the resolution amending the banner policy; second by Councilmember Hartley; vote as follows:

AYE: 5
NAY: 0
ABATAINED: 0

CONSIDER A RESOLUTION TO ENTER INTO A PARTICIPATION AGREEMENT WITH THE UTAH GOVERNOR'S OFFICE OF ENERGY DEVELOPMENT (OED) ALLOWING THE OED TO OFFER AND ADMINISTER UTAH C-PACE DISTRICT WITHIN CITY LIMITS AND PERFORM ALL DUTIES DESCRIBED IN THE PARTICIPATION AGREEMENT.

DANY STEWART: Councilmember Hartley moved to approve entering into an agreement and approve the resolution allowing the Governor's Office of Energy Development to offer and administer Utah C-Pace district in the City limits and perform all duties described in the participation agreement; second by Councilmember Isom; vote as follows:

AYE: 5
NAY: 0
ABATAINED: 0

CONSIDER USING BROKER SERVICES FOR HEALTH CARE INSURANCE.

PAUL BITTMENN: Paul – thanks for letting us squeeze this in last week. I sent you a decision paper on Monday, there are other information that I didn't get from Natasha. The three bidders will also receive a percentage if we name them our broker, based on the insurance provider, the compensation listed is not that big. Percentages are 1%-3% of the book of business. We are not looking to engage a broker fully, we are looking for ala carte for screening of underwriter calculations and estimates and help if we go out to bid. The three brokers offer a wide range of services, a popular one is they want to sell us their software on data analytics, staff recommend Moreton, the price you have in your price is Moreton's lowest menu price, and if we want something ala carte, they can adjust the price lower. This is a rushed decision, this time of year these decisions are in a hurry because of our timeline to get a budget to you in May. Adams – in reality what is the dollar amount, best guess? Paul – probably \$12,000 flat fee with Moreton with no broker percentage. That is the charge they go to the insurer for. Cozzens – what is the percentage change? Paul – we hope 12% to 8%. Phillips – if you take ala carte from one vendor, how do you know you are getting apples for apples. Paul – we have had services from Leavitt and Moreton, we know Moreton recently has saved us \$40,000 a year on workers compensation. Last time we had a broker it was Leavitt. Cozzens – where is Moreton from? Paul – Salt Lake. Phillips – the prices in the decision paper, were they all based on the same information? Paul – all on what we asked. It was a hurried amount. Phillips – why not the lowest price? Paul – we are going on our track record with the companies. Phillips – if we spend more and save more it would be best. Paul – Moreton thinks they can save 6% which would exceed the \$20,000. Isom – they feel competent because of

their book of business? Paul – our experience and underwriters and how health insurance is. Hartley – do the others not think they can save as much? Paul – the second think they can get 11% off renewal, that is aggressive, we don't have a history with them. Leavitt has indicated there is a possibility of better rates, I can't remember the percentage. I am recommending Moreton and letting them run with it. A lot of the recommendation is off our history with Moreton. Phillips – you and staff feel that is best because of their track record and they feel they can save 6-8%

Councilmember Phillips moved to approve the use of a broker service for health care insurance based on the information you have gathered; second by Councilmember Hartley;

Cozzens – I am concerned, are you going to do this with another entity if you don't like what you get. Why not sooner? Paul – we got our quote on the first of the month and we have been working with them to see if we get it down. Hartley – we are not locked in.

Vote unanimous.

HISTORIC DOWNTOWN ECONOMIC DEVELOPMENT COMMITTEE

DISCUSSION: Chris McCormick, Historic Downtown Committee – a slide presentation was shown, it is attached as Exhibit “A”. we want to give you an update on what we are doing, and we have a few requests.

Phillips – it was brought up to me and it is a good question, because there is a request with the discussion, should it go to a work meeting? Mayor – without knowing the request I can't answer that question.

Paul – on the benches we had them powder coated a few years ago. We can look at them. Cozzens - you won't want to paint them, only powder coat.

Phillips – NACo is the National Association of Counties, we were selected as one of 7 counties to participate, Mike Bleak was our lead, we are working for cultural corridors from SUU to Main Street, shops, stores, theatres, banners, etc. to create connectivity in downtown. It has bene evolving. There are 7 counties and we and New Mexico are the only ones in the west selected.

We want a mural of Lunt and there is an area by Centro Pizza. Because of the nature of painting we think people would set and take pictures. Mayor – you cannot do off site advertising for a specific business.

Consider a match for signs, but the businesses would have to be in business for at least 2 years. We would also like to look at renovation incentive program.

Paul - Where do you want more trash cans? Phillips - down Center Street, there is only one on Center. Also work south. We can work with Public Works. Cozzens – where the

city is already maintaining the hanging baskets it would not be much more work to water pots also.

Adams – one of the largest feedback is the rest of the businesses in town not located in the downtown, they want to know why the City is helping with the downtown businesses, but not other businesses. Chris – we are looking to expand the downtown area, we have not proposed that yet. Also, economic studies say if you have a dying downtown your community struggles, so we want to have a thriving downtown area. Adams – you have businesses all over, this is an educational experience. Chris – we want everyone to win. Phillips – we were charged to bring economic viability to the downtown. If we need to look at other areas, we need to create other committees to address other areas. We do have incentives for industries. Adams – I understand if downtown is thriving, we may be able to get businesses to move there that are in an area they are not noticed. The overall principal is great, I just hear that comment often.

Paul – we can facilitate the cleanup, who do we contact? Chris. Paul – we would need to put programs in writing, bring them individually and have the Council vote on it. Chris – can a few of use come and meet with you? Paul – we can help move them forward and the Council can vote.

Cozzens – on the red paint, how much are you talking? Chris – most is on University. Cozzens – if you paint over other paint it looks bad. Phillips – sand blasting would be great. Also, the clean-ups in the past have been in the fall, we want to reverse and have it before the summer. Isom – can the clean-up be in the newsletter. Mayor – I will see if we have room this month.

ADJOURN: Councilmember Isom moved to adjourn at 6:15 p.m.; second by Councilmember Hartley; vote unanimous.

Renon Savage, MMC
City Recorder