

COUNCIL WORK MINUTES
JULY 3, 2019

The City Council held a meeting on Wednesday, July 3, 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; Scott Phillips.

MEMBERS EXCUSED: Councilmember Craig Isom.

STAFF PRESENT: City Manager Paul Bittmenn; City Engineer Kit Wareham; City Attorney Tyler Romeril; City Recorder Renon Savage; Finance Director Jason Norris; Police Chief Darin Adams; Leisure Services Director Ken Nielson; Public Works Director Ryan Marshall.

OTHERS PRESENT: Joanne Brattain, Marui Bleazard, Dallas Buckner, Bob Platt, Tom Jett, Sara Penny, Dana Webster, Adam Hahn, Tyler Melling, Don Oswald, Jeff Porter.

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

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

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF

COMMENTS: ■Phillips – I have for the past 2 days worked with the Fire Department getting fireworks ready for tomorrow, it has been great to see all the work that goes into that. I will be setting in the kill box and I am hoping for the best. It has been an honor to work with them. ■Mayor – the parade starts at 9:30 in the morning. ■Ken Nielson – LS. The Golf Course would like to purchase a mower that was in the budget. They have done the bidding process, the State bid \$64,261.08 John Deere is the lowest. I will send you the bids for your information. Phillips – it is in the budget? Yes. Also, we are doing the Cedar City Fast Pitch Tournament with 16 teams and then we will go into All Star week Monday through Saturday, we are playing 116 games in one week. Dixie, Washington, Snow Canyon, Enterprise and anyone that plays Little League in the south, ages 10-14 for Girls Softball and Baseball.

PUBLIC COMMENTS: No comments.

PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING THE CITY'S TRANSPORTATION MASTER PLAN FOR THE REALIGNMENT OF A MASTER

PLANNED ROAD OFF WESTVIEW DRIVE. KIT WAREHAM: Kit – this is an amendment to the Transportation Master Plan. It is in the Westview Drive area, there are County Subdivisions in that area also and Eagle Ridge subdivision. We are wanting to move on of the master planned roads an alignment in an undeveloped piece of property. The master planned (MP) road now goes through a developed area, we are proposing to widen from 66 to 75 foot and if it is in the developed area it would cost a lot of money because the utilities

would have to be moved approximately 10 feet on each side and the property is more expensive to buy in a developed area. to move it to the undeveloped area the cost will go down. That is the proposal to move the MP road which is 1600 south and will move it ¼ mile to the south. Phillips – how far will extend to the south? Kit – it will go west to the 5700 West Corridor master planned arterial street. Phillips – is that what the other road was proposed to do? Kit – yes, and it is a more realistic location not interrupting existing development. Phillips – is that County property? Kit – yes, but in our master planned area, we have a lot of master planned roads that are not in the city but in our MP area. Cozzens – is there a ditch that has to be moved by the County? Kit – yes, I think so. Hartley – in relation to South Mountain Drive? Kit – it is another ¼ mile to the south. Phillips – do we want to consider having it tie with 1950 so it is a straight shot or the proposal now? Kit – that is up to you. Hartley – that was my question with a jog. Kit – This road is positioned where it will not interfere with existing developed area. Phillips – does 1600 stay as 66-foot road? Kit – yes, there is a short part in Eagle Ridge that is 55 feet, but then it is 66-foot road. Phillips - Are there any thoughts to have South Mountain Drive continue? Kit – no it is not master planned to do that. We try to keep a distance between major arterials that is what we are trying to do, South Mountain is a collector road but not a major arterial. We are moving it because of the costs, the road will go straight, and it will go to 5700.

Mayor Wilson-Edwards opened the public hearing. Joanne Brattain – any change to the plan to widen Westview? Kit – it is still master planned as a 100-foot-wide road. Paul – it is separate, we met Monday with the HOA president and some of your neighbors and they have a proposal for us to consider. There were no other comments. The hearing closed.

CONSIDER VICINITY PLAN FOR 4B RANCH SUBDIVISION, PHASE 1 (4450 WEST 1600 SOUTH). GO CIVIL ENGINEERING/DON BOUDREAU:

Dallas Buckner, Go Civil – part of the realignment master plan is because of the proposed development. We have a future master planned road. We did the zone change on the last meeting going from medium to low density, this is the residential estates, 31 lots, 1-acre lot minimum with typical road section for RE, 20-foot of asphalt. The NW corner is a proposed detention basin. Phillips – what is the time frame? Dallas – we will submit construction drawings when we are done, but if it starts this year will depend on the asphalt. Phillips – if we make the change we want it in the best interest of the City not a developer. Dallas – it is in the best interest of the City, the MP road the developer will be responsible to put it in his development.

CONSIDER RAP TAX APPROVALS FOR THE ARTS. JOANNE BRATTAIN/TYLER ROMERIL:

Joanne Brattain – I am chair of the arts portion of the RAP, I want to cover something as part of our process Donna Law met with Jason and realized there was money allocated in previous years that was not spent, so rather than use the \$200,000 budget. Some people felt it should be held back, so there was a spirited discussion. We recommended an extra \$20,000 in our recommendations to you. We felt that was a good compromise, we were using extra money to help groups but held some back in case of an economic downfall. Phillips – can we do that? Tyler – all funds are expended, but in each year, someone may not come back for their second half, so the money goes back into the pot. Cozzens – also we can bank money for up to 3 years for a worthy project.

Joanne – we had 16 groups apply for \$294,175. The Heritage Center provided us with numbers, average number of patrons, economic impact. The preservation and restoration fund the Library asked for \$6,000 to appraise the art they received from the Art Committee, Steve Decker felt they should appraise before they restore them, so we gave them the \$6,000. The other money is: Arts Council asked \$10,000 received \$10,000; Children's Musical asked for \$15,000 received \$13,000; Junior Ballet asked for \$13,000 and were given \$11,000 there are concerns because there is a business and nonprofit portion. Phillips – the Children's Musical Theater also charges a fee to be in the production so it that similar? yes; Music Arts oldest arts group in the State, looking for a younger audience, asked \$18,000 recommended \$16,275; Livestock asked for \$17,000, recommending \$16,000 attracts thousands of people to Cedar City. They make improvements to the Diamond Z arena so we felt Leisure Services should ask for some of that money; Community Theater \$16,709 recommending \$13,000; In Jublio asked for \$4,500 recommending \$3,000, they have done a good job partnering with other organizations; Jazz Alliance they are new and asked for \$2,000 and we recommend \$1,600 they have a donor that will match the donation; Master Singers asked \$5,000 recommended \$3,000; Orchestra asked \$18,000 recommended \$17,000; SUMA asked \$23,200, recommending \$20,000; Suzuki asked \$3,766 recommended \$3,000; USF asked \$110,000 recommending \$75,125; Simon Fest asked \$30,000 recommending \$18,000, they have shortened their season; Writeout Foundation asked for \$8,000 recommended \$0, it is bringing people to Cedar City but does not help Cedar City, so we recommended they meet with Maria from the County.

Phillips – I would like to see us recommend \$3,000 more for Music Arts, they are struggling, I would like to add \$1,000 to Orchestra of Southern Utah and the Livestock and ask it to be pulled out of the pot.

There was \$62,000, we pulled \$20,000 out already. I know that OSU and Livestock bring a lot to the community and since we have the ability would like more to Music Arts.

Hartley – how does Shakespeare compare to last year? Last year \$75,000, this year \$75,125. We know they are getting money from TRT. Mayor – we never had the intent to give them all the money, when we put them in TRT because the organizations felt there were more money to what others felt. Phillips – I have to be careful, you are giving people \$5,000 when they put in \$5,000, but for Shakespeare it is like 1%.

Mayor – thank you so much for the time serving on the RAP committee, we really appreciate all you do. Phillips – the number of applications represents the vibrant arts community we have. We had a front-page large article in the Salt Lake Tribune about the thriving arts community, a lot of that is because of Sara Penny, so thank you. Cozzens – I want to give a shout out to Sara for Suzuki Strings, she has done a tremendous job.

CONSIDER RAP TAX APPROVALS FOR THE PARKS & REC. MAURI

BLEAZARD/TYLER ROMERIL: Mauri Bleazard – we also dipped into the pot, which I think was \$124,000, \$400,000 was the budget and \$434,000 is all the money the recommended and we recommended to use \$34,000 out of that.

Cedar City Leisure Services \$376,000 for playground at Bicentennial park for shade structures, dugouts and to renovate volleyball pits and infield dirt for the Fields at the Hills. Phillips – did money for the parking lot at Bicentennial include lighting? Ken Nielson – yes it does, light structures will be at the edge of the parking lot by the fields. Cedar Rotary Foundation \$50,000 this is for a splash pad, diversion of water where it exists, but moving it to the east side with the moving water currently at the park. Phillips – it is exciting. They will start next year, and it will be in phases, first phase is \$175,000. Tyler – they are requesting to hold it for a few years until they have all the money; Frontier Homestead Museum \$8,000, this is for speakers that go underground and above to have noise for what they already do; Total \$434,000.

PUBLIC HEARING TO CONSIDER AN ORDINANCE CHANGING THE GENERAL PLAN FROM LOW DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT 100 EAST 1600 NORTH. GO CIVIL/TYLER ROMERIL:

Dallas Buckner, Go Civil – this is the General Plan amendment followed by a zone change, it is for Steve Acworth's project. It was a favorable recommendation from Planning Commission. Originally it was R-3, he felt it would be better GC, but now would like it back to R-3. There is R-3 adjacent so it is an extension. Adams – does that go through the corrals? Yes. Adams – does it go to Jones Paint and Glass? No. Steve Ashworth – all the property is zoned R-3, we rezoned this portion to GC, we have put duplexes in several other areas and we want to continue to do the residential in the area. Phillips – were the neighbors more in favor of residential than GC? Steve – yes, all by the trailer park, they don't live in the area and all wanted residential. Phillips – Wedgewood is to go through and connect, does everyone know that? Steve – yes. Hartley – is there a reason for R-3 instead of R-2? Steve – it is R-3 because it buffers the trailer park and the R-1 subdivision, so it goes commercial, R-3 and then R-1. I was going to put an office building there, but with it by R-1 we changed our mind.

Mayor Wilson-Edwards opened the public hearing. There were no comments. The hearing closed.

PUBLIC HEARING TO CONSIDER AN ORDINANCE CHANGING THE ZONE FROM GENERAL COMMERCIAL TO DWELLING MULTIPLE UNIT (R-3-M) FOR PROPERTY LOCATED AT 100 EAST 1600 NORTH. GO CIVIL/TYLER ROMERIL:

Dallas Buckner, Go Civil – this is the zone change portion.

Mayor Wilson-Edwards opened the public hearing. There were no comments. The hearing closed.

PUBLIC HEARING TO CONSIDER AN ORDINANCE CHANGING THE GENERAL PLAN FROM MEDIUM DENSITY RESIDENTIAL TO BUSINESS AND LIGHT MANUFACTURING FOR PROPERTY LOCATED AT 100 NORTH 4800 WEST. PLATT & PLATT/TYLER ROMERIL:

Bob Platt, Platt & Platt – it got a negative recommendation from Planning Commission, a 3/2 vote. Highway 56, the property is to the south. The property is raw ground. Across the street is Longview Fiber, they have a

new name now. To the north SUU property is I&M-1, this is MPD because before the recession it was going to be part of the Goodboro development, but nothing materialized there. It is master planned R-2-2, we are requesting to go to I&M-1, it joins on one side, there is residential on the east side, and Thorley Estates on one side.

Dana Webster, Leigh Family LLC read a letter, attached as Exhibit "A".

Hartley – who is it that is objecting? Thorley Ranch. Did Windmill Plaza have any objection? No.

Phillips – I have concerns, I know Burgess is developing 4500 West in subdivisions and homes. We don't want to put pockets where we have a lot of residential around it. I want to make sure we aren't getting ourselves locked into a situation with an island.

Dana Webster – there is a high power, power line and it is I&M-1 and we want to match. Cozzens – you feel if a manufacturer needed a deeper property it would add to it. Phillips – it is for future, no plans? Dana – no plans yet. Cozzens – it will be residential or I&M. Hartley – I was wondering about Windmill, is it not adjoining?

Mayor Wilson-Edwards opened the public hearing. Jeff Porter – I was at Planning Commission about 4 weeks ago. I am opposed to it, I live in Thorley Ranch Estate, we built our homes with improvements, and it would negatively affect us with 111 acres. To the west is us, east is Lamplight Lane and Mountain Shadows development, it would negatively impact those people as well. Medium density residential makes sense, they would grow together. All manufacturing is north of Hwy – 56 right now, the rail line can serve them. To make this happen there may be a desire for a railroad spur in that area. I understand the growth situation, but we can look across the highway to GAF and the noise and pollution and light pollution that takes place, West Rock, GAF their light standards are about 30 foot in height. My neighbor when in his yard at night has a shadow from the light. Also, heavy trucking 24 hours a day. To have that light situation there, our quality of life would go down. The Planning Commission said no, as far as the topic from the Leigh Family in the letter, the power lines are good places for parks and things residential areas can use. It is zoned medium density residential right now. That is my concerns. Mr. Adams was at Planning Commission and they voted no, he may remember why. Mayor – we have all the minutes from the Planning Commission meeting in our packets.

Tom Jett – is the Leigh property general use is medium density or is it master planned medium density? Tyler – it is master planned medium development and the zone is MPD.

Dana Webster – I want the council to be aware we are requesting I&M-1 not 2, and parks is a use in that zoning.

Adam Hahn – we want the county to be good neighbors, we should be good neighbors to them as well, they are residents and we should not put I&M against them.

The hearing closed.

PUBLIC HEARING TO CONSIDER AN ORDINANCE CHANGING THE ZONE FROM MASTER PLANNED DEVELOPMENT (MPD) TO INDUSTRIAL AND MANUFACTURING -1 (I&M-1) FOR PROPERTY LOCATED AT 100 NORTH 4800 WEST. PLATT & PLATT/TYLER ROMERIL: Bob Platt, Platt & Platt – it is the zone change with the above master plan change.

Mayor Wilson-Edwards opened the public hearing. There were no comments. The hearing closed.

PUBLIC HEARING TO CONSIDER AN ORDINANCE VACATING A PUBLIC UTILITY EASEMENT IN THE TEMPLE COVE SUBDIVISION. PLATT & PLATT/TYLER ROMERIL: Bob Platt, Platt & Platt – Temple Cove is north of the Temple, there are two lots the Church has determined would be made a parking lot for the overflow. South side of lot 1 and SW side of lot 2, all utilities in the subdivision are in the front. It is the desire of the Church as part of creating the parking lot to vacate that easement. Phillips – is the LDS Church developing the subdivision? Bob – an arm of the church developed the subdivision.

Mayor Wilson-Edwards opened the public hearing. There were no comments. The hearing closed.

DISCUSS INFORMATION TECHNOLOGY SERVICES. PAUL COZZENS: Cozzens – I had Tyler pull the original RFP from May 2016 and this is when we went to bid for IT services for the City. It talks about contract time will be two years and I know we ended with a month to month contract. I brought this up at least once in a public meeting. Sometimes there is an automatic renewal. With a month to month lease it may not need to. It has been 3 years now and I would like to look at that again? Adams – they have two employees here now and soon to be one more. Phillips – when we do RFP and compare the service the city needs and the dollars. I want to make sure we are looking apples against apples, the costs will go up with the number of computers, maintenance of the software, but hardware is different.

Cozzens – I had Jason and Rhea go back from Feb 2010 to May 2019 and I was under the impression when we awarded IT services we would still buy hardware from local vendors, Mountain West or Symtec and Cyclone computers. Symtec and Mountain West (MW) have expressed interest in bidding this. We have purchased in hardware \$30,371 from MW and \$90,026 from Executech. Software, MW \$21,615 and \$43,315 from Executech. We have paid \$347,212 to present and Mountain West during the same time \$53,139. The amount of expenses we paid \$149,509 to Mountain West in 7 years and \$207,869 to Executech in 3.5 years. \$606,713 to Mountain West and 3.5 years \$300,047, increase in cost of \$35,339 to an out of town company. If you look at this, August of 2016 when we started with Executech \$35.08 in supplies, Oct 2017 \$29.72 for router. Whether it is Mountain West, Executech, Symtec, should we have a policy if it is over \$2,000 or \$3,000 check with other vendors, shop around. Paul – we have provisions in the purchasing policy when to get other bids. Department Heads brought up there will be times with the vendor when we want to order

equipment or software they tell us to go to Amazon it is cheaper. This captures some of the expenses, not all is, we go to other vendors. Staff is actively shopping those items. Adams – along with that, there have been purchases made for hardware equipment through a local vendor that came in with amazon stickers and the price was almost double and I have a problem with that. As a city as a whole we need to have a policy, if we can buy direct from Amazon for ½ price we need to look at that rather than a local vendor or not. I was shocked. Phillips – the last 10 years the whole data has changed dramatically, the computers didn't have ½ the memory. Someone needs to say this is what the City needs to run the IT, this much service, upgrades, etc. and say can you provide this. I don't know who the IT person in the City is. Paul – we have entertained that discussion a number of years. If you hire one and they get sick or go on vacation there is no IT, the County has at least 3. Also, what expertise do they need, desk tops, network or both and can you find one person to do both, so it is a long discussion. Cozzens – I think it makes sense to outsource that. I know Symtec and Mountain West as well as Executech can all do it. I think it is ok to put it out.

Mayor – I know how much we have added and the complexities on the surface, but I don't know enough. Phillips – who would know that. Mayor – last time that was a mess. Cozzens – when Rick Holman was the City Manager he called Mountain West and said you have done our work, and do you want to continue and then they received an RFP and they just said they would take care of the needs. The first RFP did not include the Police Department, there was a place for lube, oil and filter, it was a mess. We need to make sure it is done well. Both companies locally are confident they can do it. Hartley – I am not opposed to an RFP, but I mirror Scott's concerns, who writes it and outlines. I am concerned the number you are putting out are apples and oranges. Can you build a cabinet for the same price you did 10 years ago? Cozzens - No. I compared the same time period. Hartley – we completely redid the IT servers, it is not the same service Mountain West. Provided. Cozzens – are you willing to put it out? Hartley – I said that very first, yes, but who is going to write it. Cozzens – the comparison was done because I was told we were going to go out of town to a Salt Lake company and it was apples to apples. I was told we would still shop local for hardware. Hartley – and we do when we can. Cozzens – we tripled the cost to out of town company for hardware.

Phillips – under general support services - the contractor will provide up to 40 hours per week. Do we have any notion if it is adequate, do we need 60 or 70 hours? Paul – it was not awarded to 40 hours per week and we operated that for a short period of time, Executech gave more to get us up to speed and then bumped it up, they maintain logs like time sheets, 30 minutes fixing Chief Adams computer, 2 hours for Ken, 1 for Ryan, they keep logs that way. They are never under the hours we buy from them, we are always over. Phillips – do we pay overtime? Paul – no, having more buildings connected, the VOIP phone system, the needs for firewall, point of sales, we will keep transitioning. All the sworn officers have laptops in their cars and desktops in the office. Drew and his guys now take a tablet to link into My City Software, it is for efficient to do that and I think we will continue to do that.

Cozzens – there were claims that Mountain West failed an FBI audit, and that is not true. There was an FBI audit and Mountain West going back many years recommended firewall enhancements and were told there was not any money. So, when it came back when you have