

COUNCIL MINUTES
MAY 1, 2019

The City Council held a meeting on Wednesday, May 1, 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; Executive Assistant Onjulee Pittser; Finance Director Jason Norris; Police Chief Darin Adams; Fire Chief Mike Phillips; Economic Development Director Danny Stewart; Public Works Director Ryan Marshall; Leisure Services Director Ken Nielson. Jeff Lennert, Robbie Mitchell, Don Boudreau, Jonathan Stathis,

OTHERS PRESENT: Ron & Darlene Shelley, Thomas Pugh, Ron Larsen, Rick Lunt, Lisa Natwick, Eric Natwick, Daryl Owen, Leigh Owen, Merritt Bruce, Riley Clark, Kathleen Clark, Brad Bassett, Jill Bassett, Lynn White, Andrew Milner, Pave Roccandt, Walt & Marilyn Kidwell, BreAn Buckner, Linda McGuire, Robert Rufener, Mark Foster, Jay Peake, Pat Tompkins, Jerry & Kay Schott, Robert Botts, Allison Bulloch, Albert Cheser, Kenny & Cherry Cook, Eddie & Patty Bledsoe, Jesse Sneddan, Paul Haider, Travis & Cathy Horton, Evan Turner, Mark & Jo Reynolds, Eric Giles, Tiffiney Christiansen, Jody Shaw, Chris Deller, Patrick Sawyer, James Ramirez, Leola Prestwich, Jene Carroll, Len Kulbachi, Janet McFarland, Elizabeth Pickett, Lynette & Jay Herzberger, Sue Harris, Terry Kenney, Bill & Jane Rope, Eddie & Patt Bledsoe, Carlyn Bedwell, Anne Jakus, Carter Wilke, Michael Radebaugh, Tom Jett, Carolyn Dellar, Chris Dellar, Roy Deller, Joel Hansen, Jody Shaw, Dallas Buckner, Joe Burgess, Susan Tyner, Vickie Graham, Jim Rushton, Dan Holmquist, Harold Pease, Reid Barlow, Wyatt Ihler, Asita Robeson, Robert Pritchert.

CALL TO ORDER: Pastor Radebaugh of Mountain View Baptist Church gave the invocation; the pledge was led by Councilmember Paul Bittmenn.

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

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF COMMENTS: Scott Phillips: I would like to publicly thank the individuals and volunteers who helped last Saturday for the clean-up and paint party downtown. We had about 80-85 volunteers show up and we appreciate it. Many were students from SUU. We had good weather and it went very well. I'd like to thank all those people who helped that made our streets look better. Also, I'm wondering if we could talk to the Street Department about the trash receptacles. They have been full, and they have been that way since the weekend. We need to look at them getting emptied. I know we have commencement coming up this weekend and people will be walking the streets. Craig Isom: We had the opportunity to represent the City at the prayer breakfast this morning.

Wonderful event. Great to see that kind of community unity, which was the basically the theme of the prayer breakfast. Paul Cozzens: A couple issues arose on social media and I would just like bring them up. There was the David Archuletta issue. Paul Bittmenn: I emailed Jason and Steve. I may have received a response, but I haven't been able to see it yet. Paul Cozzens: The complaint was the stage is quite low, and I know people like to get in front and stand up at these concerts, and it blocks the view of the more expensive seats in the front row. I know some of them couldn't stand so it created a problem. They couldn't see. Scott Phillips: It was probably not the best venue for that type of concert. Most concerts allow standing out in front. Paul Cozzens: And they're usually outdoors. Scott Phillips: I don't know if there was a fault, if anything, it was just a mix of the wrong artist in the wrong venue, but it was unfortunate that it happened for those people who bought those tickets. It was mentioned that the concert got better and there was more connectivity with the crowd once that happened. Maybe we should look at that in the future when we're booking certain kinds of events if it's the right venue for that. Paul Cozzens: I see both sides in it. Terri Hartley: I agree. Mayor: It's a hard one. He's the one who everybody fell in love with on American Idol. That's the generation would be on the stage there because he was the American Idol heartthrob. Scott Phillips: I don't know if his draw was large enough to fill the Centrum area. That's also the issue. Was the Heritage Center the right size to hold about 1,000 to ,1200 people. Mayor: And we're trying to find out who controls that, like how much concert promoters and what their role is and everything else involved. Once we have the information, we can follow back up with you. Paul Cozzens: The other issue was the Thunderbird Gardens. I guess there's been some complaints about how there are pallets being burned and trash left behind and burning couches and T.V.'s. Chief Adams: I have some pictures here. I took the City Manager and fire chief out there to the area. Dan Kidder has done a great job with the Friends of Thunderbird Garden group to really clean this place up. He had contacted me several months ago to show his concerns. I went out on a Friday just to check and he was there. We're trying to strike the right balance with the kids who want to go out there and to be there in the right way and not disturb their neighbors within city limits. This area is pretty clean area most areas have trash and everything of that nature. Some men came up in their vehicle to have a good time while they were there. No alcohol. He found some kids burning pallets, which by ordinance are not allowed. One thing we could put out there is signage to educate and help them understand. The City Manager and I talked about digging the pit out and put a ring in there and put in some benches, to allow a place for burning and we can patrol that. Dan had pulled out staples and nails from pallets. And that was a concern. We're willing to go in there and improve that area. I know Ryan Riddle with the Iron County Fire Warden is willing to do that. My brother works for the county road dept and does signs and would be willing to do that in cooperation. It's education as well as enforcement and finding the balance for these kids to find a place. Paul Cozzens: They need a place to go do that. Chief Adams: We've not encountered any that are underage drinking. There has been some vandalism found on rocks. I don't know if that's connected or different groups that are doing it. He's actually taken his angle grinder up there and removed some of the vandalism. That would be our recommendation on putting more discussion and thought in how you would like us to proceed. Scott Phillips: This would encourage them to find a collective place to enjoy themselves. Kids have to have place that will be good for them. Chief Adams: I'll work

with Paul and Mike to see what we can do to move forward on that. Ron Adams: I had some people ask if the clock on Heritage Center be fixed. It's about an hour off and I'm not sure if it was for daylight savings or what. It's probably only about 50 minutes off. Mayor: Are there any other comments or questions? Since we have so many people here, I'm going to bring this up. You may have realized there is construction on main street. There will be construction on main street all summer long. It will be glorious once it's finished. It is going to be inconvenient while it's happening so please be patient. There will also be some going up the canyon and some going down Hwy. 56. They are UDOT projects. The City is excited it's happening, and we'll have smooth roads once it's done. SUU commencement is Friday so there'll be more people in town.

Water Report Presentation. Jonathan Stathis, City Engineering Dept. We finished the annual water reports and just wanted to get the Mayor and City Council and staff an update on that. Just hitting some of the highlights of the reports so if you have any questions, ask. The first slide shows per capita water use per person. Staying pretty steady, a little more last year because of the dry summer. We feel we're doing pretty good on the water usage, 239 gallons per capita per day. As far as the water rights, the City acquired over 100-acre feet of water rights last year. The City continues to acquire water rights as they become available. The City used a total of 8,500-acre feet last year, which is a little bit more than last year because of the dry conditions. We saw an increase in water use. Another thing we look at with the water rights is the 40-year outlook. Population is projected to be 77,000 and need about 20,000-acre feet where the City is at now. Power cost totals a little less than \$700,000. That was a little bit more than the previous year because of more usage but the cost per 1,000-gallons went down a bit which is good. The City has been trying to go to variable speed drives on the motors to reduce cost on power. Trends in the aquifer we are seeing a drop in the water table. The drop last year 3.7 feet, but the long-term average has been about 3 feet every year. We're hoping with the good snow pack this year we won't see as much of a decrease as we have in the past. As far as recharge, that's been very successful recently. Based on what the conservancy district measuring, there was about 448-acre feet recharged last year at the airport ponds. It's been good to have those recharge projects going. Paul Bittmenn: On your future reports, will you include other recharge facilities on there also? Jonathan Stathis: I can if we have measurement on those. Yes, we can. Paul Cozzens: Just to add to that, what do you think we put into Schmidt's pit? Paul Bittmenn: A couple full pits full, at least. Paul Cozzens: It ran for month and a half and I'll bet we put 8-cfs in it. Coal Creek is running about 200-cfs to give you an idea. We're putting 25-cfs in Western Rock right now almost to its highest point since 2017. Phil's pit I would guess we have put at least 500- 1,000-acre feet in that this year. And Quichipah is doing about 8-cfs out there. Jonathan Stathis: This graph shows the trends. We understand that the aquifer is dropping and hopefully with these recharge projects and conservation to stabilize it. Summary of projects that were completed last year. The South tank, the Haslam Avenue waterline replacement, we put some channeling fences around Quichipah, walls 3 and 8. We finished the effluent review study at the end of last year and we have some other projects under construction or coming up next year. The main street waterline project is coming along well so far. They're making good progress on that and we have quite a few other projects coming up. Just an update on the water

situation. I actually looked this morning and with the storm last night, we are at 230% of normal. This has been a tremendous winter as far as snow pack. Any that we can get into the ground is a bonus. Water restrictions will still be in place for the coming summer months and continue to encourage water conservation and the Division of Water Rights is still working on the water management plan. We'll keep a close eye on that. Scott Phillips: I read through the lengthier report and there's some very good data and thank you for the work. Water is gold and it's important that we treat it as such. Paul Cozzens: With the power bill almost \$700,00.00, how much of that is demand cost? Could we add another tank or something and run the pumps at night and fill another tank to try and save with demand charges besides the BFD? Jonathan Stathis: The demand charge is when you turn that pump on you get that charge no matter when, so there's really not much we can do about that. Paul Cozzens: Do they turn on and off quite a bit or do they run 24/7 a lot of them? Johnathan Stathis: I think it's just the first time you start it in the month. That's when you get that big charge. Not necessarily when you first start it and stop it. Not really much we can do about that other than not run the wells but during the summer we don't have much choice. We'll do whatever we can to try to save. Mayor: Are there any other staff comments? Ken Nielson: Leisure Services. I'd like to share some information. In about 3 weeks the aquatic center is going to drain the 3 pools: the leisure pool, the lap pool and the outdoor pool. MERTHA, the lining company is coming to do the replacement work that is still under warrant for some of the lining in the leisure pool and lap pool, so while they're here we're going to have them do all 3 pools at the same time. The pool will be closed May 22-25. It's right before Memorial Day weekend. That's the time slot we're scheduling for those folks. Currently that is our slowest couple of days. We have the school groups now, and probably 10 more still to go until the end of school. So, to make those groups and all the reservations happen, we were able to have them come during those 3 days and not affect those groups. They said they would have it ready to go by that Saturday, so we are going to borrow Chief Phillips' equipment and hurry and fill it and heat it up for weekend and we will be open for Memorial Day. We have it out on social media. Terri: The lake will be open for use, right? Ken: Yes.

PUBLIC COMMENTS: Mayor if you are here for anything that is not on the agenda, please come up and address the Council. Just be sure and state your name.

CONSENT AGENDA: (1) APPROVAL OF MINUTES DATED APRIL 3 & 09, 2019; (2) RATIFY BILLS DATED APRIL 10, 12, & 22, 2019; (3) APPROVE THE FINAL PLAT FOR THE SHADOW RIDGE TOWNHOMES PUD. GO CIVIL ENGINEERING:

Councilmember Ron Adams moved to approve the consent agenda items 1 through 3 as written above; second by Councilmember Terri Hartley; vote unanimous.

CONSIDER A RESOLUTION FOR THE MUNICIPAL WASTEWATER PLANNING PROGRAM. ERIC BONZO: Eric Bonzo was not present; Jeff Lennert: Senior Operator from Wastewater Treatment Plant present. Eric is out of town at a conference. Paul Bittmenn: So, this is just what Eric needs to file with the State every

year. Jeff Lennert: The DMR. Paul Bittmenn: Yes. The DMR. It's a very comprehensive review of all of our operations where we fit into our total dissolved solids and what's coming out chemically on the clean on the end of the plant. From what Eric said about 2 weeks ago we're running really well and it's a clean bill of health. Jeff Lennert: And we were Plant of the Year for the State. Mayor: Yes. Congratulations. Terri Hartley: And Jeff was the Operator of the Year for the State. Mayor: Are there any other questions. Councilman Scott Phillips moved to approve the resolution for the 2019 Municipal Wastewater Planning Program; second by Councilmember Terri Hartley; vote as follows:

AYE: 5
NAY: 0
ABSTAINED: 0

REVIEW PROPOSALS TO DESIGN A SECONDARY CLARIFIER AT THE WASTEWATER TREATMENT PLANT. TREVOR MCDONALD: City

Engineering. From what I am aware there were a few council members missing last time. We wanted you to be able to ask any questions you may have any on this project. Mayor: Give them a brief overview. Trevor McDonald: The treatment plant is a great facility. With the growth of Cedar City, that's created a bottleneck at the secondary clarifier stage. Here's a little elementary version of the treatment plant. We have sewage that comes in and treated, filtered out and goes through a digester and comes in and gets filtered out again and clarified and that's where we're getting a bottleneck. We want to increase capacity in the plant and have a higher level of safety to operate. This will allow them to maintain a clarifier. Currently they can't really shut down one clarifier, clean it up and maintain it. They sometimes need maintenance and leak, so having an additional clarifier would help. We put out a request for proposals in designing a second clarifier. We have 2 candidates that offered proposals. One was Corollo, the other one was Stantic. they both have been very involved in our treatment plant. We were happy to see them propose a solution and services. An evaluation committee met and graded evaluations. The score breakdown was submitted. We feel that Stantic will offer a better value to City, better service to the City, a better design and help with other issues that the plant currently has. We have some stuabide issues within the plant. It clogs up pipes and seems to be spot on with those issues. We recommend that Stantic be awarded the contract for design services on secondary clarifier. Terri Hartley: In some of the information at the meeting with the Wastewater Treatment Plant they said it wasn't eligible to be paid out of impact fees. Is that to support growth or build out the facility? I didn't understand why we couldn't use impact fees for that. Kit Wareham: It's not going to contribute to any capacity in the plant it's just going to improve the process. Scott Phillips: It also provides a backup if we had issues at that stage. Is that also part of it? Jeff Lennert: Yes. At this point if we lost one of the final clarifiers we would be out of compliance with the State because it would be overloaded with the amount of water that we have going through. Some of those clarifiers are 24 years old.

Councilmember Paul Cozzens moved to approve the proposal from Stantic in the amount of \$337,540.00; second by Councilmember Terri Hartley; vote unanimous.

CONSIDER AN ORDINANCE AMENDING CHAPTER 32-8 REGARDING FENCING REQUIREMENTS FOR PUD DEVELOPMENTS. KIT WAREHAM:

Don Boudreau: City Engineering. Currently with PUD's, it requires a perimeter fence around the entire development, including the front yard and front setback. In some cases, a PUD development looks traditional. It fronts a dedicated Right of Way, traditional garage, traditional drive ways. It would be best to eliminate that 6-foot fence, so you get a traditional looking front yard. It looks a little awkward with pieces of fence between different driveways. This would apply to new condominiums, attached multi-family type developments. Scott Phillips: And this is where they're facing a dedicated street, is that correct? Don Boudreau: That's correct.

Councilmember Terri Hartley moved to approve the ordinance amending Chapter 32-8 regarding fencing requirements for PUD developments; second by Councilmember Craig Isom; roll call vote as follows:

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

ADJOURN: Councilmember Craig Isom moved to adjourn and move into the work meeting at 6:02 p.m.; second by Councilmember Ron Adams; vote unanimous.



Onjulee Pittser, Executive Assistant