

COUNCIL MINUTES
FEBRUARY 9, 2022

The City Council held a meeting on Wednesday, February 9, 2022, at 5:30 p.m. in the City Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Garth O. Green; Councilmembers: Terri Hartley; Craig Isom; W. Tyler Melling; Scott Phillips; Ronald Riddle.

STAFF PRESENT: City Manager Paul Bittmenn; City Attorney Tyler Romeril; City Recorder Renon Savage; Finance Director Jason Norris; City Engineer Jonathan Stathis; Police Chief Darin Adams; Fire Chief Mike Phillips; Leisure Services Director Ken Nielson; Economic Development Director Danny Stewart; Public Works Director Ryan Marshall.

OTHERS PRESENT: Jeff Richards, Teri Kenney, Laura Henderson, Scott Stubbs, Ann Clark, Mike Babcock, Betty Babcock, Wendy Green, Ryan Tablot, Tim Watson, Roger Thomas, Rob O'Brien, Tom Jett, Kristine Cowan-Hanks, Terry Hanks, Ray Vance, Joel Hansen, Carter Wilkey, Ben Lamoreaux, Dave Nakken, Rich Wilson.

CALL TO ORDER: Rajan Zed, President of Residential Society of Hinduism gave the invocation; the pledge was led by Councilmember Melling.

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: ■ Mayor – I want to recognize the American Packaging Company who had their groundbreaking, it was wonderful to meet with the owners, it is their first venture of the west coast, but they are strong in the east coast. They are at Port 15. I want to recognize Danny Stewart, Mayor Wilson Edwards and Megan Anderson and all those in the City that helped. Mayor- A letter was sent to the Council from Dane Leavitt. Hartley – I talked with Dane and was ok with the email being entered in the record. A copy of the email is attached as Exhibit "A". Mayor - I will read my answer "*Dane, Thank you for your thoughts. This may be one of the most difficult decisions the council will make in my term.*

I respect your analyses and I have a bit different take on it. Please allow me to share.

The City has about 10,000 water meters. Developers, including Leavitt's, are developing nearly 10,000 new lots. The state is mandating destruction of nearly 90% of the city water. There are 20,000-acre feet of water owned privately, primarily agriculture. We only need about 30% of this water to supply water to the 10,000 new lots when developed. There are many water owners who are older, have no children interested in farming, and unable to continue. Selling water will be a great blessing. They are confused about taxes, inheritance, and life security into old age. Developers only need water when they need water. They don't have to buy 100% of the private water right now. Developers, like Yourself, can easily see

ways to help water owners achieve their goals and supply you the water you need. I explained one-way last Wednesday to you.

The City needs to supply residences a "thumb" sized water pipe with consistent water for hundreds of years. As development happens, we need to get the rights to keep supplying that water. I have already began exploring for new water. I am very confident that "not all water flows to Quitchipa". I believe that we can develop new sources and rest Quitchipa. If we get 30% of the water from private users, AND find new sources to supply residences, the aquifer can take a breather. I am also looking to capture the 2+ cfs of coal creek for city water. This alone could be up to 2,000 afy. Add to all this Pine valley, and the effluent of 3200afy, we have many options. I think there is too much fear out there. I think there is much to be hopeful for and all will bring down the price of water. I want to sow doubt in the private owners of water, that now might be a good time to sell.

I want the City to get out of the way and let private markets take over. I think the 40% fee will do just that. You and all the developers are great businessmen and can do what you do best and the city should not be meddling in the market. Obviously if a developer brings money for water, we should make that money available to purchase the water we supplied. We don't have a slush fund of money from selling water. The City should use its money to develop new sources of water, and developing Coal Creek water and the effluent. Developers should make deals as they need to and bring the water for current developments. Thence "optimism" and "doubt". Optimism in the community and doubt by water owners."

■ Mayor - there will be a retreat on the 22nd of February to discuss items to help me prepare the budget for next year. It is a public meeting and people are involved, we don't hear from the community, the council discusses matters. It will be in the Council Chambers at 9:00 a.m. there will be a public field trip a week from Friday at 1:00 p.m. by the freeway where the apartments are, the field trip will be all about flooding, Cody Drive, Cross Hollows and Fiddlers Canyon. The first hour of the retreat will be to discuss those topics. ■ Phillips - I want everyone to know Historic Preservation has been working on the Jolley's Ranch Ware building, it is a private building, we are trying to get it on the national registry, they are working with us, the National Historical Society and State Historical Society. They owner is restoring the inside of the building to the original where possible. It is a wonderful building to have saved. Hartley - the commercial or upstairs? Phillips - both, he hopes to have the bottom for special events. He wants to create the front like the Old Cedar Hotel and will restore the flagpole at the top of the building, the top floor will be professional offices. Also, I have been a part of Presidential Search for SUU, and I am fortunate to set on that committee, they have had one public meeting, there will be two more, one in March and April, they want the community involved. ■ Melling read the following: "*I left council last week feeling weighed down because of the light in which many of our residents were painted. I received the following from a member of the public who watched the meeting and had similar feelings: "When they knocked down the old houses across the street from my house a couple years ago and put in new apartments that blocked part of our view, we were not that excited about it, but we have since gotten to know some of the families who live in those apartments and what a blessing that has been. Human beings, with real lives and needs. Not just some obstacles to my own sense of selfish entitlement."*