

COUNCIL MINUTES
FEBRUARY 10, 2021

The City Council held a meeting on Wednesday, February 10, 2021, 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; Terri Hartley; Craig Isom; W. Tyler Melling; Scott Phillips.

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; Public Works Director Ryan Marshall; City Planner Don Boudreau; Leisure Services Director Ken Nielson.

OTHERS PRESENT: Laura Henderson, Teri Kenney, Garth Green, Joel Hansen, Dallas Buckner, Gary F. Player, Tom Jett, Spencer Jones, Caleb Rees, Jeff Obering, Harrison Quigley, Colleen G. Dick, Kenady Dix, Dixon Tiffany, Bob Platt, Andrea Nelson, Roice Nelson, Ben Lund, Brad Green, Brent Drew.

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

AGENDA ORDER APPROVAL: Councilmember Phillips moved to approve the agenda order; second by Councilmember Hartley; Melling asked to move item #9 from the consent agenda. Phillips withdrew the motion.

Councilmember Hartley moved to approve the agenda order with the change pulling item #9 off the consent agenda; second by Councilmember Phillips; vote unanimous.

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF

COMMENTS: ■Phillips –I was at the West Canyon Park recently, the sign that demonstrates the Gardner Park is in bad shape, it needs to be removed and redone. ■Mayor – today we met with Rotary on changes at the Veteran’s Park, they want to take out shrubbery, bushes and rocks on the back of the northern monument so they can add more names to the back of the monument. There are other housekeeping items as well. We will work in conjunction with Rotary to clean that up. Also, in the near future we will have a date for the dedication of the Gapyeong monument that we were unable to dedicate previously with COVID. We will let you know what a date is set. ■Jonathan – we have a new engineer that will start next week, Mary Lisa Benson, she has a lot of experience, she will be starting Tuesday.

PUBLIC COMMENTS: ■Gary Farnsworth Player – I want to comment on the new Aquifer Management Plan by Division of Water Rights, it will be an issue that is difficult, reduce to 21,000-acre feet per year, we are now about 28,000 acre feet. There are many geologists and hydrologists from the area that would like to file suit/or challenge this. There was a well-done report by USGS to project the recharge to the basin, they projected 42,000-acre feet, that has been changed to 21,000, without saying where the information came from. We have

3 recommendations, Royce Nelson, me and David Anning who retired after 30 years in Arizona. We think Cedar City, Enoch, Kanarraville, Iron County should file a lawsuit. There are good professional geologists that should be given work to provide different recommendations. We have an opportunity to explore water below Cedar Breaks. Brian Head has a 1200 gallon per minute well and we have a good opportunity. They show the mountain aquifer is the same as the Cedar Valley, 20% is, but because it is in the same area, we will have little opportunities to explore in the east. Not everyone agrees, but the only way we can prove or disprove is to drill a water well. I came close to doing it 10 years ago but couldn't raise the money. You have guys in town that can help you out if needed. David Anning retired from USGS. ■ Royce Nelson – I moved home 6 years ago and started talking with Gary about the water thing. It is easy to make a map on the rain fall in the mountain and valley and add that up. The 21,000-acre feet per year the state geologist is about 5% of that number. The number in the report from Gary is 10%, trans evaporation is the amount of water that comes back up into the atmosphere. They are saying it is the same in this valley as they have in Louisiana where they have swamps. The models are wrong and need to be looked at in detail. The fact they are forcing water management plan on this valley is wrong. This is a problem and we have data and are willing to talk.

CONSENT AGENDA: (1) APPROVAL OF MINUTES DATED JANUARY 20 & 27, 2021; (2) APPROVE BILLS DATED FEBRUARY 5, 2021; (3) APPROVE FINAL PLAT FOR THE ESTATES AT SOUTH MOUNTAIN PHASE 2. GO CIVIL/TYLER ROMERIL; (4) APPROVE FINAL PLAT FOR THE SYCAMORE TRAILS PUD PHASE 5. GO CIVIL/TYLER ROMERIL; (5) APPROVE ENTERING A LEASE WITH IRON COUNTY FOR THE USE OF CITY PROPERTY LOCATED AT 489 E. 200 S. FOR THE IRON COUNTY SENIOR CENTER. TYLER ROMERIL; (6) APPROVE THE PETITION TO ANNEX 60 ACRES INTO THE CITY LOCATED AT 3900 WEST CENTER STREET. GO CIVIL/TYLER ROMERIL; (7) APPROVE DISPOSING OF CITY PROPERTY LOCATED AT LOT 11 BLOCK 9 (200 W. GREEN ST.) IN THE VALLEY VIEW SUBDIVISION. LEAVITT LAND & DEVELOPMENT/TYLER ROMERIL; (8) APPROVE A CONTRACT WITH CALIFORNIA DRIVING SCHOOL TO USE THE CROSS HOLLOW ARENA PARKING LOT. KEN NIELSON; (9) APPROVE THE DISPOSAL OF CITY PROPERTY LOCATED BETWEEN 300 WEST AND 100 WEST, SOUTH OF COAL CREEK ROAD TO GO GREEN ENTERPRISES. PAUL BITTMENN; (10) APPROVE GRANTING AN EASEMENT TO ROCKY MOUNTAIN POWER NEAR THE INTERSECTION OF INDUSTRIAL ROAD AND AIRPORT ROAD. JONATHAN STATHIS; (11) APPROVE GRANTING AN EASEMENT TO ROCKY MOUNTAIN POWER AT THE INTERSECTION OF KITTY HAWK DRIVE AND BULLDOG ROAD. JONATHAN STATHIS; Councilmember Melling moved to approve the consent agenda items 1 through 8, and 10 - 11 as written above; second by Councilmember Adams; vote unanimous.

APPROVE THE DISPOSAL OF CITY PROPERTY LOCATED BETWEEN 300 WEST AND 100 WEST, SOUTH OF COAL CREEK ROAD TO GO GREEN ENTERPRISES. PAUL BITTMENN; Melling – I just want to abstain on this item.