

COUNCIL MINUTES
FEBRUARY 26, 2020

The City Council held a meeting on Wednesday, February 26, 2020, 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 Engineer Kit Wareham; City Attorney Tyler Romeril; City Recorder Renon Savage; Finance Director Jason Norris; 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: Jim Rushton, Kelsey Cooke, Larua Henderson, Carter Wilkey, Bruce Anderson, Dixon Tiffany, Joel Hansen, Teri Kenney, Chris Marx, Tom Jett, Jess Bulloch, Ernie Bulloch, Richard Crommie, Linda Bush.

CALL TO ORDER: Dir. Hussein Samha of the AL-Hekma Center gave the invocation; the pledge was led by Jason Norris.

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

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF

COMMENTS: ■Melling – I want to report on the North Cedar Blvd walk, we had Police Chief Adams and Paul Bittmenn, we had a good walk. I was pleasantly surprised to see the newer units in the area and improvements. There are also some issues to work on in the future. Next month will be the 400 North area.

PUBLIC COMMENTS: ■Bruce Anderson, Cedar City Children’s Musical Theatre, we are a nonprofit 501(c)3 organization that focuses on providing opportunities for children whether they have the experience or the ability to pay for the last 11 years. We work with over 600 children with mini musicals, summer productions and various other activities. We have 6000 patrons in the Heritage Center. We are in need of some help. In the last 12 months we have had to move locations 3 times which is very hard on a volunteer run organization. Our current location is fitting the needs, it is for sale, but out of our financial reach. We are doing fundraising and applying for grants, but we need more help, time is crucial for the organizations. We hope to have some help. We are committed to the youth of Cedar City. We hope to find connections here tonight.

Phillips - you are in a capital campaign? Bruce - Yes, we are looking to purchase part of the old hospital, it is listed just over \$500,000, if we get 500 people to donate \$1,000, we

would be there. Phillips are you seeing progress? Bruce – yes, we have raised over \$35,000, we hope to get \$100,000 for a down payment and then carry a mortgage.

CONSENT AGENDA: (1) APPROVAL OF MINUTES DATED FEBRUARY 5 & 12, 2020; (2) APPROVE OF BILLS OF FEBRUARY 21, 2020; (3) APPROVE DISPOSING OF 0.31 ACRES OF CITY PROPERTY LOCATED AT 820 WEST COAL CREEK ROAD. KADE ADAMS/TYLER ROMERIL: Councilmember Phillips moved to approve the consent agenda items 1 through 3 as written; second by Councilmember Melling; vote unanimous.

CONSIDER ALLOWING THE USE OF CITY WATER FOR LIVESTOCK WATERING OUTSIDE CITY LIMITS. ERNIE & JESSICA BULLOCH /TYLER ROMERIL: Hartley – I do have a few concerns. In the last 30 days we denied a family from tapping in the City water, so it doesn't set well, to me to have animals watered but not families. This was when it was more rural to get the animal outside the city limits. A good example is on Horse Alley, small lots with a few horses. I wonder if the ordinance is outdated. If there is a water shortage we can cut the water off, the water engineer says we are mining 7,000 acre feet more than we are replacing, so I am concerned to let culinary water go to livestock, there is no way to monitor it once allowed. The underlying intention was to move the animals outside the city limits, they are already out of the city limits.

Melling – I appreciate Hartley's comments, she raised valid points. I come from a different angle; I think the ordinance is outdated. My main distinction in this case versus the family up the canyon, is this eventually could annex into the city, but up the canyon I asked if it would ever annex, and the answer was no. In this case they are very close the boundaries and, in the area, to be annexed. I was able to check with the City Attorney and this was a simpler way to deal with the water without having to annex. They will pay their way for the line; municipal water is more expensive. If it becomes more feasible to drill a well at a later date, he will probably do that. He is trucking water there now; they are still using municipal water. I am inclined to approve, not just because of the ordinance, but because the infrastructure is on the property line and it is on our annexation plan and at some point, the parcel will probably be developed.

Phillips – I have similar concerns, when I recognized the issues with 30 days ago, and we have had similar ones in the past. How do we control the amount of water and if we have 6 head of cattle and 5 horses, how do we control the water? I agree with Melling, it will probably be annexed in the future. There are a lot of property along 3000 North and we could have a number of people coming and requesting similar things.

Melling – before the issue was brought up, I hadn't done the research, it would not irrigate because of the cost, it would just be animals. Do we know what it would cost to irrigate 10 acres of alfalfa it would be several thousand dollars. I am not too concerned about opening flood gates because of the cost. Do you have shares in the irrigation company? Ernie Bulloch – yes. Adams – they comply with the ordinance currently, it