

COUNCIL MINUTES
APRIL 28, 2021

The City Council held a meeting on Wednesday, April 28, 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; Project Engineer Don Davis; Water Superintendent Robbie Mitchell; Airport Manager Nick Holt; Leisure Services Director Ken Nielson; Fire Chief Mike Phillips; Public Works Director Ryan Marshall.

OTHERS PRESENT: Tom Jett, Laura Henderson, Teri Kenney, Geoffrey C. Lewis, Janet Pyne, Susan Ruzzamenti, Denise Goyette, RoseMary Tiffany, Bob Platt, Dixon Tiffany, Garth Green, Wendy Green, Dallas Buckner, Michael Carter, Kevin Childs, Yanrong Lewis, Ethan Lewis, Kalia Lewis.

CALL TO ORDER: Tyler Romeril gave the invocation; the pledge was led by Paul Bittmenn.

AGENDA ORDER APPROVAL: Mayor – there is a typo on item #11, it should read \$105,459.50.

Councilmember Isom moved to approve the agenda order with the change to item #11; second by Councilmember Hartley; vote unanimous.

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF

COMMENTS: ■Phillips – I have had citizens reach out, can we make a phone call or write a letter or something to our Cedar City Post Office about the landscaping, it looks terrible. If we can't reach out locally let me know and I will reach out. ■2020 Water Report Presentation. Don Davis, Project Engineer – See Exhibit "A" for the presentation. Melling – Iron County was one of the lowest water users in the State. Isom – I do not know why the jump last year, it may be because of COVID. Paul – is that County wide use? Melling – yes, County wide. We were 3rd or 4th lowest. We have been installing a lot of water meters, more than normal. Melling – percentage it was only about 10%. For the Cedar City Valley, we are pumping too much water out of the aquifer, we need to decrease that. Phillips – give us some of the projects that are in the process. See summary of projects in Exhibit "A". Isom – our water rates must be among the best in the world, the water right update is something to explore. Melling – is that something you are undertaking? Don – that is Jonathan and Robbie. Melling – we have some of the cheapest commercial water rates in the state and some of the lowest on residential also. If you leave the hose on and walk away the other cities say we will charge you more, we are not quite there yet. We want to look at that. We don't want a rate increase of the average user. Don – the water rates have not changed in the 2 years I have been here. Melling – the 2200-acre feet of water we are not using. That is based on current per capita usage. We are not expecting to pump that much more a year.

■Robbie Mitchell – update on the water line that broke Monday night. We are attributing that to a power surge that caused a water hammer. It was a hole in the bottom of a 14” line about the size of a baseball. We had to cut out 6 feet of pipe and replace it. They got it done around 10:00 p.m. but you can’t just pressure up the line, my guys were there until about 2:00 a.m. we lost about a million gallons of water. I want to thank the Chief; he went to the plants and had a tender truck for them. We had it up and running about 2:00 a.m. we fired up another well and we are about 3 feet from full now. Usage is up this year. Mayor – without this water line break, would we have had to fire up the well? Rob – no, probably not for another 2 weeks. Mayor – about average then? Robbie - Yes. We had both running at maximum capacity, we bleed the tanks into other systems. We shut that off, it is full, and we are now only pumping between 800-1100 gallons per minute. Phillips – do you think the million gallons went into the aquifer. Rob – eventually. Melling – we are ahead of usage, one of the public information things, USU monitors moisture and for Iron County, and you are still not supposed to be watering grass. Rob – a lot of people are spraying and fertilizing so people are turning it on. When they turn on their sprinkler systems, they don’t adjust them for days like today when it is raining, that is a problem. Phillips – a big thank you to you and your crew for getting us back up and running.

PUBLIC COMMENTS: ■Chris Uchman, Hunter Glen Community – I spoke with you last week. One agenda item brings a legal concern to Cedar City for item #5. The Hunter Glen community is positive about #5 and #6, we are concerned with commercial traffic. #5 is a community that has only one ingress/egress for emergency purposes, unless there is a second one added. International Fire Code says any development with over 30 units needs two ingress/egress to take on emergency vehicles, that is according to appendix D, Sections 102 & 107. Not only are we talking about the safety of the community, but we would also like remedies, we are a single access with 83 homes and the minimum is 30 for two accesses for a natural disaster so we can get out and emergency vehicles in. If there is not a second access for this community, we are setting ourselves up for legal liability. We would like to see commercial traffic use a second access. Phillips – are you talking construction vehicles? Yes. Phillips – 30 lot minimum, what is that referring to? Chris - International Fire Code (IFC) in regard to emergency access. 36.6 in City Ordinance states we have International Fire Code on file, and we have adopted that fire code. Phillips – is this in conflict to our 80 lots? Chief Mike Phillips – the City Ordinance has adopted 80 lots before a second access is needed, that is what we follow. The IFC I would have to check with Mike Shurtz. Phillips – could we potentially be in violation of the IFC with our subdivision? Phillips – yes, but you can adopt different requirements as a city, and that is what has been done. Melling – if not State Law we can adopt certain aspects and make modifications if necessary. Tyler – that is my understanding and we have chosen 80 lots. Melling – how is that different than the Ashdown Forest issue, connecting to existing public road and getting over the 80-unit limit. According to the map we are doing the same thing, this goes through another subdivision with 83 lots and empties into one area of 1600, is it treated differently? Jonathan – there are two accesses to 1600 North, they can then go either direction, so that is the two accesses. Looking at the map, there is only one access. Dallas Buckner, Go Civil – with Hunter Glen, our master plan layout is for the fully developed piece is under 80 units. We realize only one access to Hunter Glen, with the Platt & Platt project the developer has been contacted and there will be another access. We have been in discussion with the developer on the project whether we participate, so we will need another dedication to get over the two accesses.