

COUNCIL MINUTES
MAY 6, 2020

The City Council held a meeting on Wednesday, May 6, 2020, at 5:30 p.m. an online meeting through Zoom, 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; Airport Manager Nick Holt; Public Works Director Ryan Marshall.

OTHERS PRESENT: Aleese Cardon, Tim Watson, Dallas Buckner, Joel Hansen, Kelsey Cooke, Dave Myres, Collin Campbell, Teri Kenney, Dallin S, good job rilin, Iphone.

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

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF

COMMENTS: ■Melling – the local water color society has redecorated the council room with beautiful paintings. I appreciate these, they showcase what a great painter my wife is and what a bad framer I am. ■Phillips – I would like a quick overview on going from red to orange, what city buildings are functioning. Paul – most are open on a limited basis, City Hall is still by appointment only, hopefully next week we will open. The pool is open for lap swim only, by appointment. The playground equipment is still closed, the parks and trails are opened with social distancing. The arena is open, the concession area is closed. We are not hosting large events. The Library is open on a limited basis, we have cancelled story time. Heritage Center is closed, there are small groups meeting at Festival Hall. ■Mayor – there is not a public comment section, comments could be emailed to Renon prior to the meeting.

PUBLIC HEARING TO CONSIDER VACATING A PUBLIC UTILITY EASEMENT IN THE VICINITY OF 2800 WEST AND 100 NORTH. GO

CIVIL/KIT WAREHAM: Dallas Buckner, Go Civil – the next item is a final plat, this is two easements for subdivisions to the east and south. We are vacating the easements and on the next item we will reroute the utilities and put them in a new way.

Phillips – what is the timeline on this, is it planned to begin right away? Dallas – it will start in the next couple weeks to a month.

Tyler – staff looked at the easements that will be relocated and there are no issues.

Mayor Wilson-Edwards opened the public hearing, there were no comments, the hearing closed. Action.

CONSIDER FINAL PLAT APPROVAL FOR THE CRESCENT HILLS PHASE 3 SUBDIVISION. GO CIVIL/TYLER ROMERIL: Dallas Buckner, Go Civil

Engineering – this is final plat for phase 3, about 60 lots. The construction drawings have been approved. Tyler – staff has received everything; the bond is in place. Consent.

CONSIDER ENTERING A WATER SERVICE AGREEMENT WITH THE CENTRAL IRON COUNTY WATER CONSERVANCY DISTRICT FOR THE TEMPORARY SUPPLY OF WATER TO THE 4-B RANCH SUBDIVISION.

TYLER ROMERIL: Tyler – we spoke about this a few weeks ago, Alex Meisner is putting in a subdivision, the water line is a mile away. They looked at de-annexing into the County because the District has a waterline 500 feet away. The County wants to work this out, they don't want to develop subdivisions in the County. I met with Justin Weyment, attorney for Water District, we structured this agreement for approval. It is for 20 years and can terminate anytime based on the parties agreeing or the development hooking on to the City system. The City will charge its own rate based on the legally justified impact on its system, the same with the District, each will charge their own fee. One addition is that our impact fees must be spent in 6 years, any fee the District collects if they connect to the City will be turned over to the City. Once the subdivision hooks on to the City system the water deeds will be signed over to the City. In speaking with Mr. Weyment the District is on board, but they have not met. Dallas – I talked with Mr. Monroe, they have reviewed it, but their next meeting is on the 21st. Hartley – have we reviewed the water rights they are turning over, the District has similar requirements as we have. Hartley are we talking around the \$300 water fee? Tyler – Alex Meisner has turned the rights over we have Jonathan looking at it, I think they are pre 1934. Paul – we are only talking the water portion, not streets, parks, etc. Tyler – we will have the engineers determine that. Phillips – does this project impact our Westview road widening project? And by the terms of the Agreement on the 4B Ranch is it contingent on the entire subdivision being done? Tyler – this will be put in place for phase 1, if they choose not to do additional phases it will still be in place for what development occurs. This is setback far enough from Westview Drive it should not affect the road.

Melling – our City Attorney has gone back and forth with this and it is tricky, I appreciate him working on this to make it work. Hartley – it is in the Airport Influent Zone; how does it affect that. Nick – right now the process we go through the FAA has a 7460 form and it has a study required by the FAA. The main thing they are looking at is structure height. We are working on the correct process to clear the subdivision. What we have done to protect the City and Developer is to submit the 7460 form with the maximum height of a home and get clearance. The process could change in the future. Hartley – do you have to sign off on the final plat? Nick - no, but when they get building permits I do have a review process at that time. Consent.

CONSIDER FINAL PLAT APPROVAL FOR THE 4-B RANCH PHASE 1 SUBDIVISION. GO CIVIL/TYLER ROMERIL: Dallas Buckner, Go Civil – this is