



Parowan City Council Meeting Minutes

August 24, 2023 – 6:00 p.m.

Parowan City Council Chambers

35 E 100 N, Parowan, UT 84761

Elected Officials Present: Mayor Mollie Halterman, Councilmember David Burton, Councilmember Sharon Downey, Councilmember Matthew Gale, Councilmember Jim Shurtleff, Councilmember Rochell Topham

City Staff Present: Dan Jessen, City Manager; Justin Wayment, City Attorney; Callie Bassett, City Recorder; Judy Schiers, City Treasurer; Stacy Gale, Deputy Treasurer; Heather Shurtleff, Deputy Recorder;

Public Present: See attached sign in sheet.

1. **Welcome and Call to Order:** Mayor Halterman called the meeting to order at 6:00 p.m.
2. **Opening Ceremonies:** Councilmember Topham offered the invocation. She then led the council and the public in the pledge of allegiance
3. **Declaration of Conflicts With or Personal Interest In any Agenda Items:** Councilmember Gale declared a conflict on the warrant register. He was reimbursed for paying for his hotel at UAMPS due to the city credit cards being maxed out at the time with purchases for the pool project. He said he would abstain from that item on the warrant register, but would vote on all other items on the consent agenda.
4. **Approval of Meeting's Agenda:**

MOTION: Councilmember Topham moved to approve the meeting's agenda as presented.

SECOND: Councilmember Downey seconded the motion.

VOTE: All councilmembers voted in favor of the motion. The motion carried.

5. Public Comment:

Cindy Stanphill thanked the Chamber of Commerce for the "Meet the Candidates" forum that they presented. She said they represented the community with pride and professionalism. She feels the pickleball courts (and other sports projects) should be built at the Valentine Sports Complex since the city owns that property. This would be the financially responsible thing to do. She said with the economy the way it is, the city needs to slow down and be fiscally responsible. They should focus on fixing, repairing, and finishing the city's infrastructure and other current projects before starting other projects and incurring more debt. She said Iron County is raising property taxes to build a new jail, Parowan City is talking about a RAP tax, and the school district is talking about putting another bond on the ballot. She said she squeezes every penny she can out of her budget to exist, cutting corners as necessary. She also mentioned that it is not appropriate for a candidate or city council member to disparage any city employee. She said that is unacceptable and needs to be addressed with accountability taken for what was said at the "Meet the Candidates" night from the stage podium. She

thanked the council and said she appreciated them all. She also thanked Councilmember Shurtleff for standing by and holding on to the fact that the city needs to only spend what they can afford.

Councilmember Shurtleff announced that the VFW will be holding a flag retirement ceremony in the fall, perhaps the end of October/first of November. If anyone has flags that need retiring, they can drop those off at the city office, with Councilmember Shurtleff, or with Mr. Cleve Matheson. They will do a retirement service at the veterans' monument in the fall. Principal Bailey said the high school would love to be a part of that and would like to do it in conjunction with the Veteran's Day program.

CONSENT MEETING

6. Approval of City Council Meeting Minutes for August 10, 2023

7. Approval of Warrant Register for August 24, 2023

Councilmember Burton asked that his remarks regarding reaching out to residents around the proposed pickleball courts location at the Valentine Peak Sports complex to get their input (as was done with residents around the Lion's Park) be included in the minutes. He felt that was an important part of the conversation.

MOTION: Councilmember Downey moved to approve the consent meeting items 6 & 7, with the addition of Councilmember Burton's remarks.

SECOND: Councilmember Burton seconded the motion.

VOTE: All councilmembers voted in favor of the motion, except for Councilmember Gale abstaining from the one warrant register reimbursement item. The motion carried.

ACTION MEETING

8. **Annual Reinstatement of Ram Resolution – Resolution 2023-08-02: Principal Kim Bailey, PHS**

Matilee Sudweeks, PHS Student Body President, addressed the council. She said the high school is looking forward to the new school year and working more with the city and the community. They really appreciated the support from the community and the city council last year, especially in their collaboration on the Veteran's Day program. They want to continue to include the community in their future plans and activities, and that is why they want to show their commitment to the Parowan Strong Resolution.

Matilee said that our community is very unique in the sense that we are all very connected. She said we really are true Rams by respecting each other, being accountable for our actions, making a difference in others' lives, and by serving our community members in need. She said they cannot name another community that has the generosity and kindness that Parowan has. She said we must continue this support throughout our schools and community by keeping our traditions and involvement strong.

Daniel Bernhardt, PHS Student Body Vice President, went over the points of the resolution:

- As a community, we resolve to be True Rams.
- As a community, we will find ways to work together and support each other.
- As a community, we will help educate and inform the public of our roles and responsibilities.
- As a community, we will look for ways to build community spirit, support our community servants, and make "Parowan Strong."

Addie Tuttle, PHS Student Body Secretary, thanked the council for their support of this resolution and asked if they had any advice on how the student government can help make Parowan stronger.

Councilmember Burton said he does not think the council can improve on what these students are doing. Principal Kim Bailey addressed the council, and said he agreed with Councilmember Burton. He said these young people do such an amazing job. Last year, the council had a profound impact on the students by signing the resolution. He said personally he believes there are two things that will help with happiness throughout our lives: being thankful for what we have, with the land that we love and the people around us; and finding ways to serve and sharing our love of community and the spirit that we have. He said these kids have that. He said by working together, we can accomplish so many things. He thanked the council and city for being a part of what the high school does, and for making a difference. He thanked the council for the opportunities that they have to serve in the community. He said they want to continue that tradition of working with the city.

MOTION: Councilmember Burton moved to reinstate the Ram Resolution, 2023-08-02.

SECOND: Councilmember Topham seconded the motion.

VOTE: A roll call vote was taken as follows:

	AYE	NAY	Absent
Councilmember Shurtleff	X		
Councilmember Gale	X		
Councilmember Downey	X		
Councilmember Topham	X		
Councilmember Burton	X		

The vote was 5-0 in favor of the motion. The motion carried, and Resolution 2023-08-02 was adopted for the 2023-24 school year.

The council and students signed the resolution and group photos were taken.

9. Parowan City RAP Tax Resolution 2023-08-03: Councilmember Rochell Topham

Councilmember Topham explained what the RAP Tax is (0.1% sales tax which will be used for recreational, cultural, arts and parks facilities and programs) and that this resolution allows the city to put an opinion question on the general election ballot.

MOTION: Councilmember Topham moved to approve RAP Tax Resolution 2023-08-03.

SECOND: Councilmember Burton seconded the motion.

VOTE: A roll call vote was taken as follows:

	AYE	NAY	Absent
Councilmember Shurtleff	X		
Councilmember Gale	X		
Councilmember Downey	X		
Councilmember Topham	X		
Councilmember Burton	X		

The vote was 5-0 in favor of the motion. The motion carried and Resolution 2023-08-03 was adopted.

10. Mortensen Property Donation at Lion's Park – Resolution 2023-08-04

Dan updated the council on the meeting with Mrs. Mortensen. They discussed the property donated to the city for the Lion's Park. He said the city has begun discussions with Iron County School District to possibly move the Head Start building. They also discussed making improvements to that property to make it an area that people would use. This seemed agreeable to everyone.

Dan shared a point of interest. In doing research on the property, the original warranty deed was found which deeded that property to the city. The size of the property donated was 2/3 of an acre. The Lion's Park is much larger than 2/3 of an acre. The Mortensen donation included the land that the pool sits on and extends north to the tip of the property. The other land that makes up the Lion's Park was obtained from two other sources. This resolution applies only to the north section of the park. Dan read the resolution to the council. He said one of the purposes of this resolution is not only to clarify, but to make a statement of what the council desires to do with this property so the Mortensen family knows that the city wants to get this resolved. He said it also gives the city something to take to SUU that says the city council wants to move the Head Start building and that this resolution is their decision.

MOTION: Councilmember Downey moved to approve the Resolution 2023-08-04.

SECOND: Councilmember Burton seconded the motion

VOTE: A roll call vote was taken as follows:

	AYE	NAY	Absent	Abstain
Councilmember Shurtleff	X			
Councilmember Gale	X			
Councilmember Downey	X			
Councilmember Topham				X
Councilmember Burton	X			

The vote was 4-0 in favor of the motion, with one abstention. Councilmember Topham chose to abstain, as she is an employee of Iron County School District. The motion carried and Resolution 2023-08-04 was adopted.

11. Accept/Deny Petition for Annexation – Haslem Anderson Annexation: Rich Piggott, Sr. Planning Project Manager with Maverik

Dan explained the annexation process and what has taken place so far. The petitioner filed a petition for annexation with the city, and it is now up to the council to accept or deny the petition (not the annexation itself.)

Mr. Piggott said he represents the Haslem Family Trust and Mr. Rick Anderson. He gave a presentation on what they intend to do with the property should the annexation go through (see attached.) Dan said he is excited about this project.

MOTION: Councilmember Downey moved to accept the petition for annexation for the Haslem Anderson Annexation.

SECOND: Councilmember Gale seconded the motion.

VOTE: All councilmembers voted in favor of the motion. The motion carried.

12. Single Event Permit Local Consent – Sweet Pea Farm and Orchard "Farm to Table" Event: Stacy Gale

Stacy explained that this event will be held on September 16th, from 6-9 p.m. Dayla Ulrich explained that the first event that required a single event permit was just being held on their property. It was not their event. This event is one they have held for the past seven years.

MOTION: Councilmember Topham moved to approve the single event permit for Sweet Pea Farm and Orchard "Farm to Table" event on September 16th.

SECOND: Councilmember Shurtleff seconded the motion.

VOTE: All councilmembers voted in favor of the motion. The motion carried.

13. Vote on Bike Pump Track Park Location: Dan Jessen

Larry Zajac, Planning and Zoning Chairman, addressed the council. He said the city must follow its own rules. He has done some research on the zoning of the Valentine Peak Sports complex area. He said Parowan's General Plan is a guideline for the city and includes the Future Land Use Map (F.L.U.M.) This is also a guideline or planning document. Larry said after the F.L.U.M., which talks about planned uses, there is the Zoning Map, which shows land use codes. Land use code must be approached cautiously and those rules must be followed. He found that the Valentine Peak Sports Complex is zoned residential. Recreational courts are a conditional use within residential zones. However, bike parks fit into Highway Services zones and General Commercial zones. He said the city does not have any property available in these zones. Larry recommended that the council not vote on a location until they get a recommendation from Planning & Zoning. They are going to have to do some homework on how to handle this. Whatever changes that need to be made will trigger a public hearing.

Dan said if we are going to do this right, we need to re-zone that area or get a conditional use permit. Larry said recreational courts are already a conditional use permit in residential areas. He said Parowan does not have a definition of what a recreational court is.

Justin Wayment said the conditional use permit gives the city permitted uses. Those are administratively applied. They are not legislative because they have already been created. The administration goes through a conditional use permit check list sheet to ensure that everyone is treated the same. Each question on the checklist is asked to the applicant and they how each of the items can be fixed. The answers to the questions are the conditions that will be put on the property so that any adverse effect to the public will be mitigated. Once that use is permitted, it is permitted always. The only way it is not permitted is if you have a situation where you cannot mitigate the adverse effects.

MOTION: Councilmember Shurtleff moved to take the location of the bike park (the parcel immediately north of the valentine peak sports complex) and present it to the planning and zoning commission.

SECOND: Councilmember Burton seconded the motion.

VOTE: All councilmembers voted in favor of the motion. The motion carried.

14. Set Date for Primary Election Canvass of Votes – September 19, 2023: Callie Bassett

Callie informed the council that the County Recorder has requested that Parowan hold its election canvass on September 19, 2023.

MOTION: Councilmember Gale moved to set the date for the primary election canvass of votes for Sept. 19, at 6:00 p.m.

SECOND: Councilmember Shurtleff seconded the motion.

VOTE: All councilmembers voted in favor of the motion. The motion carried.

15. RFP for Parowan City Attorney: Dan Jessen

Dan said that it is a best practice for the city to periodically review the city's professional services and relationships. The city attorney is appointed as per Parowan code. There is no contract set by code. They are currently considering restructuring the city's legal services. Parowan code outlines the responsibilities of the city attorney. There are duties on both the civil side and on the criminal side of the law. The city is considering restructuring how the attorney is paid. Dan said the city technically does not have to go through the bidding process, but he thinks it is a good idea to do it this way. He feels it

is a good idea to stick with a flat rate for the criminal services and perhaps a variable rate for the civil services. He said the city certainly invites Mr. Wayment to put in a bid. The deadline for RFPs will be September 5, 2023 by 4:30 p.m.

MOTION: Councilmember Burton moved to put out an RFP for Parowan City Attorney.

SECOND: Councilmember Topham seconded the motion.

VOTE: All councilmembers voted in favor of the motion. The motion carried.

WORK MEETING

16. Proposed Pickleball Court Location: Kim Skinner, Julie White and/or Ron Clayton

Julie White addressed the council. She said has lived in Parowan for 32 years and she loves pickleball. She said Parowan has an unofficial pickleball community as well as citizens who are excited to have a pickleball court location, and asked that construction be expedited soon. She brought a signed letter from the community saying they would like the location the most reasonable location, which is just west of the Valentine Peak Sports Complex (see attached). She reminded the council that they have a limited amount of time with the grant and said that procuring a location for the courts is vital at this time. She feels this can be done before the end of the year.

Julie talked about the new pickleball courts in Cedar City. She said they have had great success with their courts thus far. She spoke of the potential of pickleball courts in Parowan, and different resources available to help with building and support. She said a collaboration with the community to help maintain the courts is an option. She handed out information on pickleball courts to the city council (see attached.)

Dan reported that he spoke with Maria Twitchell with the county. She said the county would not build courts for the city. Dan is looking at other possible grant options. He got an email from Jones and DeMille. It will cost \$62,500 for plans to be ready to go to construction. He said the city needs to get additional bids.

There was a lot of back-and-forth discussion about building the pickleball courts, the cost of engineering, the cost to build, expansion, and different options. The council is trying to figure out how they can best use the \$200,000 grant.

The mayor allowed input from the public:

- Cindy Stanphill said we should do something with the land that the city already has.
- Larry Zajac addressed the engineering costs, and suggested they seek bids from pickleball court builders. There is no engineering involved. He said they are good at what they do.
- Kim Skinner said he put in his court in a year ago with lights and a basketball hoop. The cost was \$40,000 reinforced steel. It was not post-tension concrete.
- Dale Tanner Jr. said he has had courts built at his house. He said courts can be built a lot less expensive than the costs that have been thrown out there. He asked if the courts must be engineered. He said if they do, then get someone who engineers these regularly. He said one thing to consider is if they choose to do a sport court surface, they will not be able to have tournaments. His court is post-tension. He said the estimate the city got from Stillson for six courts was \$390K. He said they are very good because that is all they do.
- Jennelle Zajac asked why Parowan City is not ponying up a dime for this project. Dan said the city proposed an in-kind match. He said they could use park impact fees, which is currently

about \$49,000. He said they could use some general fund money and put it into a capital account.

Mayor Halterman said that a lot of cities use RAP tax money to use as a match on grants. It would be very beneficial for the city.

17. Update on Bridge Process: Dan Jessen

Dan gave an update on the bridge. He said in the current location that the bridge was voted on (100 West,) there will be a lot of expenses to the city not covered by the grant. He said that if we can work with the canal company on relocating the diversion, we can lower the level of the water that comes under the Main Street bridge, which would open-up less expensive bridge designs. It would not have to be as tall or as long. Jones and DeMille did the original feasibility study on the bridge location. Dan said Kendrick Thomas with Jones and Demille said that having the lower flow would be a game changer. He said it may open new options. They are still going to look at 600 West as a possible bridge location. They will design 3 different designs for one location. The city would have to amend the grant to move the location. Dan said if there are options the city did not consider before on Main street that would allow a less expensive bridge, we need to look at that. Dan asked Jones and DeMille what the city should do. He said their scope of work and deliverables would cost \$19,900.

Dan asked the council what they wanted to do. He said this is a difficult decision. He said the \$19,900 is in the budget. He said if we move the bridge from Main street, the city will have to pay for all the intersection improvements. If we leave it on Main street, the city will have to pay for the relocation of the diversion. These items cannot be paid from the grant. Dan talked about the retention pond up the canyon and what it would take to move the diversion structure and put the water in a pipe. The council felt that they should move forward with the engineering and with options for keeping the bridge on Main street.

18. Reports, Updates, Old Business Follow Up – Elected Officials and Staff:

Councilmember Shurtleff said the Historic Preservation committee met. They approved a sign at the laundromat. He asked Dan to report on the airport. Dan said the Airport Runway Project is back on. They have worked out something with the Fish and Wildlife in regards to the prairie dogs. They had the preconstruction meeting yesterday. They will be shutting down the airport on the 30th of August. Construction will start August 31. Anything that disturbs the soil on the project must be completed by November 1st. They have been given a two-week buffer window for weather. The airport will be shut down completely. The city will be trained by the biologist on how to take care of the prairie dogs.

Councilmember Gale commented on the UAMPS conference he attended. He said it was a very good conference with great information. A few of the interesting items they discussed were municipal financial stability, the nuclear project, and electric vehicles. He also said cities are putting in solar panels and putting them on schools, water tanks, etc.

Councilmember Downey she said she has been approached by several people and they are tired of the word "TAX." They told her that they will vote against anything that mentions a TAX on the ballot.

Councilmember Topham did not have anything to report.

Councilmember Burton reported on the Meeks pond. He said the engineering firm from NRCS cannot work for cities. He has been trying to find an engineer to look at the water levels of the pond. He said some trees at the park blew over. He said a private citizen is going to pay to have the trees removed, the stumps ground down and replant the trees. He said the Planning and Zoning committee did not meet. He also said the pool has been closed due to lightning. He said there are still things to finish there, and people are still enjoying the venue.

Councilmember Burton said a group of people have gotten together to think of ways to honor the veterans at the cemetery. They have a donor who wants to donate an 8' – 10' wreath that will be put up at the cemetery at Christmastime and Memorial Day. Jet Smith will put them up, take them down, and store them. Burton Land and Livestock has committed to donating the live flowers for the Memorial Day wreath. He said they are going to get some artificial wreaths to mark all the veteran's graves at Christmas. It will not be this Christmas. They will have to get donations to purchase the wreaths. They are looking at next year.

Dan Jessen said he is going to apply for a water infrastructure grant. He is very hopeful and optimistic that they will get some money from that. He said on the traffic master plan, they had a meeting with the engineering firm. They have put out traffic counters throughout the city. The last traffic plan was done in 2002. It was amended in 2014. We need to get this plan done. He said this is NOT about traffic lights, it is about the traffic master plan.

Mayor Halterman reported that repairs to the library have become a high priority.

Councilmember Burton gave a shout out to the people who are cleaning out the break water. Dan said there are two companies who are moving out a lot of the material. It is a win-win solution. We give them the material, and they dig a big hole.

19. Closed Session - The Council may consider a motion to enter into a closed session for specific purposes allowed under the Open and Public Meetings Act (Utah Code § 52-4-205), including to discuss the purchase, exchange, lease, or sale of real property; litigation; the character, competence, or fitness of an individual; for attorney-client communications (Utah Code section 78B-1-137); or any other lawful purpose.

MOTION: Councilmember Topham moved to go into closed session to discuss the deployment of safety personnel, devices, or system; and the purchase, exchange, or sale of real property.

SECOND: Councilmember Burton seconded the motion.

VOTE: A roll call vote was taken as follows:

	AYE	NAY	Absent
Councilmember Burton	X		
Councilmember Topham	X		
Councilmember Downey	X		
Councilmember Gale	X		
Councilmember Shurtleff	X		

The motion carried. The council moved into closed session at 9:31 p.m.

Present in the closed session: Mayor Halterman, Councilmember Burton, Topham, Downey, Gale and Shurtleff, City Manager Dan Jessen, City Attorney Justin Wayment, Parowan Police Chief Addison Adams, Zach Tuttle with Iron County School District, and City Recorder Callie Bassett.

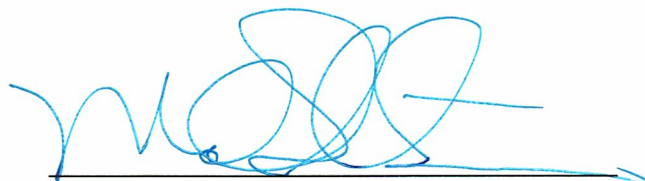
The council moved out of closed session at 10:36 p.m.

20. Adjournment:

MOTION: Councilmember Topham moved to adjourn the meeting.

SECOND: Councilmember Gale seconded the motion.

VOTE: The Council voted unanimously in favor of the motion. The motion carried. The meeting was adjourned at 10:36 p.m.



Mollie Halterman, Mayor



Callie Bassett, City Recorder

Date Approved: September 14, 2023