



Parowan City Council Meeting Minutes
March 28, 2024 – 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 David Harris, Councilmember Rochell Topham

Council Present Via Zoom: Councilmember John Dean

City Staff Present: Dan Jessen, City Manager; Scott Burns, City Attorney; Callie Bassett, City Recorder; Jeremy Franklin, Power Superintendent; David Schiers, Fire Chief; Heather Shurtleff, Deputy Recorder; Chief Adams, Parowan PD.

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:** Rochell 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 Item:** No conflicts were declared.
- 4. Public Comment:**

Kim Bailey, Principal at PHS, said the new multipurpose building will be started soon. The area between the CT building and the elementary school will be blocked off for about a year for construction. He said parents will no longer be able to pull through in front of the school to drop off children. They will need to drop off students on the west side of the school. 200 West will become a one-way street from 100 North to 200 North. Dan explained that this will be a temporary change. The city will help with signage for the one-way street during school hours. The busses will pull through in front of the school to drop off students. They will follow Enoch Elementary's traffic flow model. Dan said they will bring a proposed plan to the council. The city will assist the school for safety reasons during construction. Kim thanked the council for their help, support, and willingness to work together.

Rob Dotson, Enoch City Manager, extended their appreciation to the council for their collaboration and approach for chip sealing of Enoch's and Parowan's roads. He said the chip sealer will be here June 15th. They will be planning and collaborating with Parowan's staff to get the roads chip sealed. He said they have a potential resource for the oil which will be stored in Enoch. This will cut down on the expense.

Mayor Halterman asked Rob to tell the council about the raptor place and the ice skating rink that are opening. Rob said that Martin and Susan Tyner, who started the SW Wildlife Foundation many years ago, have lived in Enoch for 30 or 40 years. Enoch City is going to lease property to them in Enoch for 100 years at \$1.00/year for their recovery location for birds of prey and other types of birds and species. He said their grand opening will be on April 27th at 9:00 a.m. with Enoch's Arbor Day activity. He also said that KJ's Ice Barn Ice Skating Rink will be the only ice skating rink between Salt Lake City and Las Vegas that is built to this capacity and size. It will seat up to 600 people for all kinds of events. They will be opening July 4th. He said people will be hearing more and more about it.

Rob also told the council that Enoch is in the process of annexing 600 acres into the city. The Southern Utah Veterans' Association has been working diligently to put in a veterans' clinic. They also paid \$10,000 for the rights to use the names on the Veterans' Wall memorial in Washington, D.C and will make an exact sized replica of that. There will be an amphitheater and they are planning a lot of things to go along with that. He said big things are happening in Enoch. Most of these do not bring in any money into Enoch's coffers, but that's part of creating community.

Jannelle Zajac requested that the council ask people to speak into the microphone so that people can hear what they say on the recording.

CONSENT MEETING:

5. Approval of City Council Meeting Minutes from March 8, 2024

6. Approval of Warrant Register for March 28, 2024

MOTION: Councilmember Topham moved to approve the consent meeting agenda items 5 & 6.

SECOND: Councilmember Downey seconded the motion.

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

STAFF REPORTS:

7. Jeremy Franklin, Power Department:

Jeremy introduced the power department which consists of himself, Brad Remund, and Nick Crosby. He went through the power department's duties. He listed some of the big projects they have in the works. He discussed the power poles in town and going out to the Red Creek Hydro that need to be replaced sometime in the next 2-5 years. He gave a quick update on UAMPS and the things they are working on. He also informed the council about the questions they receive the most from consumers and gave the answers to those. He said that Parowan's rates are right in the middle when compared to municipalities around Parowan.

Dan added that the letter sent by the city to Governor Cox to veto SB 161 related to the IPP project was not vetoed. He was responsive to the city's concerns. He has asked the legislature to call a special session this summer to fix the bill. Dan said hopefully everything will work out in the end.

8. David Schiers, Volunteer Fire Department Chief:

Dave said their department has grown. They have some new people, one of which is a retired firefighter from Las Vegas. He has been able to help train their volunteers. They were able to get rid of some of their equipment. They are increasing their ability to fight fires with newer equipment they got from the BLM. They are hoping to get a water tender, which they put in for, from the BLM as well. He said they work in conjunction with Iron County, because the valley is in their response area. They are hoping to meet with the county to get some funds from them. They are doing some training through Cedar City. There are four volunteers who are going to take the hazmat test. They have 17 volunteers on the department. They have half of the fireworks ordered for the 4th of July. They hope the weather will allow for the fireworks this year. Wildland fire season will be starting soon. There was a discussion on fire hydrants that need repairing. Councilmember Burton said they need to identify available sources of surface water they could access out in the valley during the winter. There was some discussion about a special service fire district. The county is looking at doing a study on this.

ACTION MEETING:

9. Approve Tracey Wheeler as Economic Development Committee Member

Mayor Halterman said that a position came open on the Economic Development Committee when David Harris was elected to the council. Her recommendation to the council to fill the position was Tracey Wheeler.

MOTION: Councilmember Downey moved to approve Tracey Wheeler as an Economic Development Committee member.

SECOND: Councilmember Harris seconded the motion.

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

10. Vote to Award Engineering Contract to Alpha Engineering for Water Recharge Project

Dan said there was an earlier meeting with all the shareholders involved in this project. He said what they are doing is ratifying the decision of a larger group. All the shareholders involved in this project are partners, each bringing money to the project. They met together to review proposals for the project. There were three companies that submitted proposals – Bowen Collins and Associates, Platt and Platt, and Alpha Engineering. There was quite a robust discussion regarding each proposal, and there was a consensus that Alpha has the experience needed was the cheaper of the two they thought were qualified, but the biggest thing was that their timeline worked out with the timeline of the project. The Alpha gave them the best shot at getting this done.

Jason Bradshaw, President of the Parowan Valley Pumpers Association, said they appreciate Parowan City helping them with this bit of legislation that has come down from the state engineer. They are looking for a ground water management plan to be implemented by the state engineer in the next short while. Parowan City is at risk of losing some underground water on the first cut. He said this project is the first step to show the state engineer that they have a combined effort and a mutual agreement between all parties – citizens, farmers, and residential home owners – to help solve this underground water problem. The first step is to put the pipeline in to take the high water out. They are hoping to work with the county on sinking this water into the gravel pit near the fairgrounds. He said the estimated cost for this first set of projects is around \$190,000 for design. This was less expensive than the others proposals. He thanked Parowan City for helping to award these funds to Alpha engineering for the water recharge project. He said the sooner they can get the design, the sooner they can put the pipe in the ground. There is a meeting scheduled with Alpha Engineering on April 1, 2024.

MOTION: Councilmember Burton moved to award the engineering contract to Alpha Engineering for the water recharge project.

SECOND: Councilmember Topham seconded the motion.

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

11. Vote to Amend the Use Regulations Table to Allow For the Conditional Use of Construction Equipment Rental, Sales and Service in the Highway services District HS-1, Ordinance 2024-04; and to Allow for Manufactured Home Sales in the General Commercial Zone GC-1, Ordinance 2024-05.

Dan explained they have received a recommendation from the Planning and Zoning Commission to allow these services as conditional uses. Rasmussen Equipment is interested in leasing one of the Jim Jense buildings, and opening a Rasmussen Equipment service center. They will do the sales, rental, and service of construction equipment. This went to the planning commission. 4-1 vote to give positive recommendation to the council for allowing this to be a conditional use. Larry Zajac, Planning and Zoning Chair, advised the council of the following:

- When you change these from “not permitted” to “conditional” use, what it is doing is changing conditional use so that any property in that zone in highway services or general

commercial, can put in a request for a conditional use permit for a similar use. It is not limited to one piece of property.

- Conditional uses, once approved by the legislative body, moving forward will all go to the Planning and Zoning Committee. They make the consideration as to whether to issue those permits.

MOTION: Councilmember Burton moved to approve Ordinance 2024-04, allowing the conditional use of the rental, sales, and service of construction equipment.

SECOND: Councilmember Harris seconded the motion.

VOTE: VOTE: A roll call vote was taken as follows:

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilmember Burton	X		
Councilmember Dean	X		
Councilmember Downey	X		
Councilmember Harris	X		
Councilmember Topham	X		

All councilmembers voted in favor of the motion. The motion carried. Ordinance 2024-04 was adopted.

Dan explained this next ordinance will change the regulations table to allow the conditional use of manufactured homes sales in the commercial zone. He said this went to the planning and zoning committee, where it received a unanimous vote to recommend this to the city council.

MOTION: Councilmember Burton moved to approve Ordinance 2024-05 to allow for the conditional permitted use of manufactured home sales in the general commercial zone.

SECOND: Councilmember Harris seconded the motion.

VOTE: VOTE: A roll call vote was taken as follows:

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilmember Burton	X		
Councilmember Dean	X		
Councilmember Downey	X		
Councilmember Harris	X		
Councilmember Topham	X		

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

12. Vote to Adopt Appendix A of the PCMC 15.42, Historic Preservation Overlay District HP, Ordinance 2024-06.

Dan explained this has been talked about a lot. He said Appendix A was referred to in the development standards section of the code, but it was not included. This is the Appendix A, which provides guidance to the Historic Preservation Committee when they consider applications that are made on land uses, development, and changes in the historic district. They received a positive recommendation from the planning and zoning committee to adopt Appendix A.

MOTION: Councilmember Downey moved to adopt Appendix A of the PCMC 15.42, Historic Preservation Overlay District HP, Ordinance 2024-06.

SECOND: Councilmember Burton seconded the motion.

VOTE: VOTE: A roll call vote was taken as follows:

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilmember Burton	X		
Councilmember Dean	X		
Councilmember Downey	X		
Councilmember Harris	X		
Councilmember Topham	X		

All councilmembers voted in favor of the motion. The motion carried. Ordinance 2024-06 was adopted.

WORK MEETING:

13. Pioneer Legacy Production and Olive Osmond Hearing Foundation: Justin Osmond

Justin Osmond gave a wonderful presentation on the Pioneer Legacy Production that they produce every year. This year, they are bringing it to Cedar City, and they have included some of Parowan’s heritage by including the story of the quilt walk from Parowan to Panguitch. Justin asked the council to consider sponsoring this event. The council will consider what they can do to help.

14. Discussion - Iron County Today Newspaper Delivering to Parowan Again: Casey Anderson

Casey explained that they had to make the difficult decisions to close the paper in March of 2023. A group of residents rallied together and encouraged the Mayor of Cedar City and other local philanthropic individuals to save the local newspaper. These people were very charitable and they were able to resurrect the paper again in April 2023. The paper was losing a lot of money, so they had to scale back their distribution. They were no longer to cover Enoch or Parowan.

Casey said he is the CAO for Go Green Enterprises. He is the Chairman of the board, and has been assigned to manage the day-to-day operations of the paper. Casey said they want to come back and cover Parowan. He said he wanted to gauge the interest of the council and the community. Sales rep will be coming to the chamber of commerce. Casey said there would no subscriptions, the distribution would be paid through advertisers. He said they are looking for a point of contact to get advertisers. They are looking for \$15K - \$20K in advertisement/year from Parowan. (That is 1-2 advertisements per week.) They will deliver to P.O. boxes.

15. Update on Pipe Going Through Town to Meeks Pond and Options/Solutions Discussion

The Mayor said there has been a lot of public clamor on this subject. She said this needs clarification and discussion. Dan said he want to clean up the myth. He said this has nothing to do with the recharge project on the east side of town. It has nothing to do with the creek through town. Another myth is that the city has excess tax dollars saved up. He said they have been looking at solutions to get water to the Meeks pond. He said another thing that needs to be cleared up is the city does not control that water way or that water. It is not a city irrigation ditch. What it is is a ditch that that the canal company can take winter water out to the north-west side of town to a recharge pond at the Evans. Once that fills up, there is an overflow that goes to the old sewer lagoons to try to recharge the aquifer. It is not the city does that; it is the reservoir company.

Dan said the only involvement that the city has with that whatsoever is a storage water right to keep the Meeks Pond full. That water right was converted from water the city owned – shares of the reservoir company – that was converted to a storage permit to keep the Meeks Pond full to keep the urban fishery working. The city does not have a specific turn in the canal company. It is a storage water right and they must keep the pond full. The reservoir company has been turning water out to fill the Meeks pond every Sunday. They cannot do that anymore because they said they cannot afford to cause damage to their line. Part of the truth to this conversation going around on Facebook is that the city has

explored getting water to Meek's pond via a pipe. They have not come to a good solution yet. Whatever they decide to do, water will still go down that ditch because that is controlled by the canal company.

Dan said they are currently looking at three different scenarios and they are looking for grant money through NRCS to fund whatever they decide to do. They are looking at this seriously. They must find a solution so they don't lose the fish in the pond. They know this is very important to everyone. They will make this a priority.

16. Discussion on Billboard Ordinance – Follow Up from Recommendation from Economic Development Committee

Dan asked the council how they would like to proceed with the billboards. Councilmember Burton said he would like the ordinance from June 2023 to be brought back. Councilmember Harris said he wants different options to allow them: for example, allow billboards between the exits on I-15, but do not allow them to be lit. Dan said he will bring back options for the council to vote on at the next action meeting on April 11th.

17. Dog Leash Fine/Leash Ordinance Discussion: Mayor Halterman

Mayor Halterman said that with installation of the dog waste stations, they could add additional signage that offers information on Parowan's code regarding dog laws and penalties for non-compliance. Chief Adams said the main complaints they receive about dogs are dogs running at large, dogs that bark excessively, and dog defecations. Allow your dog to defecate in public without removing the waste to a trash receptacle is a Class C misdemeanor and will stay on their record.

Dan suggested we see how the new stations affect the problem, and then go from there.

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

Councilmember Topham said PHS has taken out all the student lockers in their halls. They are putting up memorials in their place. Part of this is a section on Pioneer History. They need help from the community to find copies of historical pictures of the sheep industry in Parowan to display. They would like a short explanation about the photo included. Photos can be sent to becky.jensen@ironmail.org.

Councilmember Harris: They were supposed to have a Power Board meeting, but he was in Hawaii. He feels that the Power Board should not have the power to adjust rates. He feels that should be the council's responsibility.

Councilmember Downey – nothing to report

Councilmember Burton reported that planning and zoning discussed the recommendations on the conditional uses present to the council. They discussed ADUs. Dan said that the conversations are going to turn to short term rentals. He said he approves a home use business license for short term rentals every couple of weeks. He said we must decide as a community how we want to see short term rentals done. He said one concern is that corporations buy up houses and turn them into full time rental properties. This makes the city's housing affordability problems more difficult than they already are. They are having a lot of requests for ADUs to rent out. It is something they are grappling with. Larry is working on this. Larry Zajac said if we are serious as a town about IADUs, ADUs, and short-term rentals, it needs to be put on the agenda for city council. They can put a moratorium on these until they decide what to do.

Councilmember Dean – nothing to report

Dan Jessen reported on the turf removal program that the state is doing. He said they need to pass water conservation ordinances to qualify. They reached out to the DWR for information. Dan said he is willing to put on agenda for Water Board to start the discussion. It would then go to planning & zoning to find out how to apply to land use code. They would have to hold a public hearing, and the planning and zoning committee would send a recommendation to the city council. Dan said they are going to pursue this. He said the ordinances the city would have to adopt are: 1.) no lawn on parking strips, or areas less than 8 ft. in width *in new development*; 2.) no more than 50% of front and side yard landscaped area in new residential developments would be in lawn; 3.) in new commercial, industrial, institutional, and multi-family development common area landscapes, lawn areas shall not exceed 20% of the total landscaped areas (not to include recreational areas).

Dan also reported on the flood channel. He said it is that time of year. He said he attended the Water Users conference in St. George that was very good. They are saying that we have gone over 100% of our snow load. This is good. However, because of the soil/moisture content, they are predicting that we will only be in the 60-70% of spring runoff. He said this is starting to look like a less than average year for runoff. From a flood perspective, this is a good thing. From an irrigating perspective, maybe not such a good thing.

Dan said there are some issues with the flood channel. They are trying to get the county to haul rip rap. The county has been willing, but they have not had the man power to do this. They are just starting to haul now. Dan has resumed track hoe operations. They were able to install rip rap behind the houses they were worried the most about. There is still more work to do. Dan wants to go after a FEMA grant to armor the flood channel. They are hitting areas that were exposed to be a problem last year before they become a problem this year.

Mayor Halterman reported she had a meeting with Ron Cooper. He is who the county has here doing trails and trails maintenance. They are going to be maintaining our trails by the Frisbee golf course and the Valentine Peak trailhead connection. They talked about prioritizing other trails. They met with Jones and DeMille on the status of the master transportation plan. He said it will not be long before it comes to the city council. Dan provided some dates: the open house will be April 30th at 6:00 p.m., and it will go to planning and zoning on May 15. The mayor said the meeting following that meeting was on the industrial park planning.

Mayor Halterman said they had Jansen Brunch and Elaina Falco come out and look at the Old Rock Church project. The mayor had applied for a grant, and part of that was for them to come out and inspect the building. They loved the project and are completely behind awarding the city the \$20K. It includes up righting the belfry, purchasing the shakes for the roof, and things like that. They even told the mayor if they had other grant recipients who did not follow through that they would make that funding available to the city.

Mayor Halterman said they attended the land use training. She said some of the things they talked about that she liked was they need to starting thinking about citing the code when denials are made. That makes the city solid in being defensible. Dan interjected that they are waiting for the legislative session to end so Hansen Planning Group can start working on Parowan's subdivision code which has to modified to stay consistent with Utah law. They are going to help us re-write our code. One of the action items that the city needs to do is decide who land use authority is in approving subdivisions. It is

administrative now, not legislative. They need to figure out who that is. This should be an action item on planning and zoning. The council will designate who that will be.

The mayor said that at the end of the meeting with Jansen Brunch and Elaina Falco from the Community Cultural Engagement (CCE) grant, they told her about some other funding opportunities. They mentioned the T-Mobile grant. She found out that they can resubmit, so she asked Jannelle Zajac to resubmit. Jannelle said that the deadline is the 31st. She will be sending it in in the morning. She said she called T-Mobile to see if it was alright to resubmit over and over. They said yes. Mayor Halterman said they will be able to do the roof if we get that grant.

Mayor Halterman asked Councilmember Dean to report on the meeting to finish the cemetery fence. They met with Bill Richardson, and found out they can do cinderblock instead of the hard colors that are already existing. He said we have stone and caps and we can make the base a lot thinner. They hope to get pricing for the labor. Dan said there is a lot of cement work that needs to be done. Need to get some pricing for cement work. They may be able to get the block donated. The mayor said she applied for a grant and if they get it, they will be mostly funded.

The mayor said they had a meeting about the Dry Canyon holding pond and getting permits for that. Dan said they found out that the NEPA process they thought was happening never actually got started. There was a miscommunication about some details that were needed. They are getting those details to them. The mayor also said that they met with the BLM about expanding the sewer lagoons. The meeting went well and they have their next steps of what needs to happen.

Mayor Halterman gave a quick grant update: Dan wrote for and received a grant for \$1M Dan, the Parowan Valley Pumpers received a grant for \$1M for the recharge project. The mayor wrote a grant application to AARP for site development (seating, shade structures) at the pickleball courts. The Land/Water Conservation fund which is where they did the match for \$225,000 said there was a little issue with a spreadsheet. She corrected that and sent it back. They said the application looked good. She has talked with several contractors.

Staff: There were no staff reports.

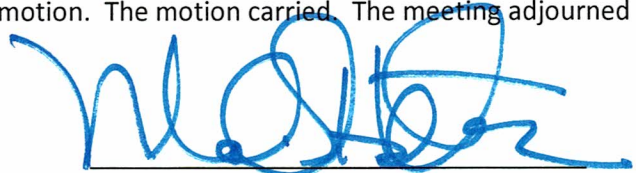
19. Closed Session: They council did not hold a closed session.

20. Adjournment

MOTION: Councilmember Downey moved to adjourn the meeting.

SECOND: Councilmember Topham seconded the motion.

VOTE: All councilmembers voted in favor of the motion. The motion carried. The meeting adjourned at 9:05 p.m.



Mollie Halterman, Mayor



Callie Bassett, City Recorder

Date Approved: April 25, 2024