



**PAROWAN CITY COUNCIL MEETING MINUTES
JULY 9, 2026 – 5:30 P.M.
PAROWAN CITY COUNCIL CHAMBERS
35 E. 100 N., PAROWAN, UT 84761**

Elected Officials Present: Mayor Mollie Halterman, Councilmember Lyle Barton, David Burton, John Dean, David Harris, and Rochell Topham (via Zoom)

City Staff Present: Dan Jessen, City Manager; Scott Burns, City Attorney; Chief Addison Adams, Parowan PD; Aldo Biasi, Public Works Superintendent; Callie Bassett, City Recorder.

Committee Members Present: Garrett Wood, Ronnie Barton, Jennelle Zajac, Jordan Hirschi, Tyrell Crofts, Brandon Allen

1. Welcome and Call to Order

Mayor Mollie Halterman called the Parowan City Council meeting to order at 5:33 PM on Thursday, July 9, 2026.

Mayor Halterman noted that Council Member Rochell Topham was participating remotely via Zoom and would be voting throughout the meeting. She also acknowledged that council members were dressed in pink in solidarity with community member Bekah Hale, who had undergone surgery that day.

2. Opening Ceremonies

The invocation and Pledge of Allegiance were led by City Manager Dan Jessen.

3. Declaration of Conflicts With or Personal Interest In any Agenda Items

All council members present declared no conflicts with any items on the agenda.

4. Public Comments

No members of the public came forward during the public comment period.

CONSENT AGENDA

5. City Council Meeting Minutes from June 25, 2026

6. Warrant Register for July 09, 2026

7. Financial Statement for June 2026

Motion to approve the Consent Agenda (Items 5, 6, and 7), with the noted correction to the minutes regarding the motion to adjourn, was made by David Burton and seconded by David Harris. The motion carried unanimously.

ACTION AGENDA

8. Consider Brandon Allen for Water Board Appointment

Mayor Halterman presented Brandon Allen for appointment to the Water Board, noting that the seat had previously been held by Sam Halterman for many years and was a difficult position to fill. Mr. Allen introduced himself as a third-generation Parowan resident whose grandfather, Osmer Nelson, had served as mayor in the early 1960s. He described a background that included growing up farming in the valley, graduating from Parowan High School, attending Southern Utah University, and retiring after a 30-year career with UPS. He is married to Stephanie Allen, who manages the Paragonah Post Office.

Motion to approve Brandon Allen for the Water Board appointment was made by David Burton and seconded by Lyle Barton. The motion carried unanimously.

9. Consider Approval to Enter into Real Estate Purchase Contract to Purchase Parcel # A-0033-0001-0000 Using Corridor Preservation Funds

Dan Jessen presented this item, explaining that Parowan City's transportation master plan identifies future roadway corridors needed to accommodate long-term growth. A proposed building location on the subject parcel conflicted with a planned future roadway, and following the city's denial of a building permit, the property owner requested that the city either acquire the affected property or allow development to proceed.

Staff submitted the property for consideration through the Utah Corridor Preservation Program, which was created to assist local governments in acquiring property for future transportation corridors, and the request was approved for funding. The next step was to negotiate a voluntary real estate purchase contract (REPC) based on an independent appraisal, with acquisition proceeding only if mutually acceptable terms were reached by both parties.

Dan clarified that following acquisition, the property would be surveyed to determine the exact land needed for the future roadway. That portion would be dedicated for transportation purposes, and any remainder would be marketed for sale, with proceeds returned to the corridor preservation fund. He confirmed that the county auditor was prepared to issue payment upon council approval and execution of a successful REPC.

Lyle Barton sought and received confirmation that there would be no direct out-of-pocket expense to Parowan City. Dan acknowledged that minor surveying costs would be incurred but recouped upon the sale of the remainder parcel. David Burton confirmed that all outstanding disputes with the property owner would be resolved as a condition of finalizing the agreement. Rochell Topham indicated she had spoken with Dan prior to the meeting and had no further questions.

Motion to approve entering into a real estate purchase contract to purchase Parcel #A-0033-0001-0000 using corridor preservation funds was made by John Dean and seconded by Lyle Barton. The motion carried unanimously.

10. Consider Awarding the RFQ for the 6 Mile Spring Redevelopment Project

Dan Jessen explained that in advancing the city's water infrastructure project and working to bring the 6 Mile Springs back online, staff determined that exploratory and development work on the springs was necessary, as current flows were not meeting expectations. Because the exact scope of the final design was not yet fully known, staff utilized a GMGC (General Manager/General Contractor) agreement approach, which allows a contractor to be brought on board early, assist in the design process, and then complete the construction work.

The RFQ was issued in compliance with federal procurement requirements, as the project's ultimate funding source is federal. Three contractors submitted bids: John Orton Excavating, Schmidt Construction, and Titan X Excavating. Staff evaluated proposals using a weighted scoring criterion, with extensive experience in spring development carrying significant weight. Dan Jessen, Principal Engineer Aaron Anderson, and Public Works Director Aldo Biasi were all in agreement on the rankings: John Orton Excavating scored 95, Schmidt Construction scored 80, and Titan X Excavating scored 78.

The primary differentiator for John Orton Excavating was their extensive, directly relevant experience in spring development projects over many decades. Dan acknowledged that all three firms were reputable, but noted that spring development requires specialized intuition and expertise unlike standard excavation work.

David Burton strongly endorsed the recommendation from personal experience, stating that John Orton Excavating had produced outstanding results on prior spring development work, including one project that performed like an artesian well after the contractor reached the water source. He emphasized that spring work "is an art" requiring a feel for the water that John Orton possessed. Dan Jessen also noted the urgency of moving forward quickly, as exploratory work, final design, federal permitting, and bidding all needed to be completed within a constrained timeline to avoid pushing the project into late fall.

Motion to award the RFQ for the 6 Mile Spring Redevelopment Project to John Orton Excavating was made by David Burton and seconded by John Dean. The motion carried unanimously.

WORK AGENDA

11. Request for the Amendment of Parowan City Municipal Code 2.14.040(F)(2) – Jordan Hirschi

Dan Jessen introduced this item by providing background on the current ordinance, which places responsibility for the watering, general care, and pruning of trees located within the public right-of-way on adjacent private property owners. The city retains the authority to remove trees but does not assume routine maintenance costs. He noted that the code was updated in January 2025, not to change the underlying policy, but to clarify language that had

been vague and difficult to interpret. A small budget allocation was added at that time to allow the parks department to remove dead or hazardous trees administratively.

Dan outlined three broad policy options: (A) maintain the status quo, which preserves the tree canopy and avoids additional city costs but raises fairness concerns for homeowners; (B) provide homeowners greater flexibility to remove healthy right-of-way trees under defined conditions; or (C) have the city assume full maintenance responsibility, which would require significant additional funding estimated in the range of \$120,000 annually, likely necessitating a tax increase or cuts to other services. He identified the central fairness concern: homeowners are financially responsible for maintaining trees they do not own and over which they have limited control since approval for removal of a healthy tree must come from the Shade Tree Commission, which rarely grants such requests.

Jordan Hirschi, a Parowan resident and property owner, then addressed the council with a detailed and well-researched presentation. Ms. Hirschi requested that the council amend Municipal Code Section 2.14.040(F)(2) to return maintenance responsibility for city-owned right-of-way trees to the city. She argued that ownership and responsibility should remain together, referencing Utah Code Title 10, Chapter 8, Section 84, and noting that municipalities such as Salt Lake City, Provo, Ogden, and Springville retain responsibility for right-of-way trees through city forestry programs. Ms. Hirschi highlighted several key concerns: the unequal financial burden placed on individual homeowners (some having multiple city-owned trees while others have none), the liability risk posed by requiring homeowners to maintain public infrastructure they do not own, the danger of homeowners undertaking hazardous tree work without professional training, and the disproportionate impact on elderly residents, individuals with disabilities, and those with limited financial resources. She noted that her property, located adjacent to a heavily used public area near the high school football field, has two city-owned trees for which she bears sole maintenance responsibility, despite the area being used primarily by the public. Ms. Hirschi submitted a proposed draft amendment to the municipal code for the council's consideration.

Council discussion was substantive. Scott Burns raised a real-world liability scenario he had personally encountered, involving a tree obstructing a stop sign, and expressed concern that the city could face legal exposure if a known hazard went unaddressed because maintenance responsibility had been shifted to a homeowner. Lyle Barton agreed, observing that high-canopy and dead-limb work requiring bucket trucks or climbing equipment was unreasonably dangerous to assign to private homeowners. He suggested that the city might need to either go further in requiring licensed contractors for any homeowner-performed work or begin transitioning responsibility back to the city.

Dan Jessen acknowledged the fairness argument but underscored the fiscal reality: the city's total property tax revenue is just under \$900,000 annually, and the cost of a city-wide tree maintenance program would represent a meaningful percentage of that amount. He noted that any shift in responsibility would require either a property tax increase or cuts elsewhere in the budget.

David Harris stated directly that he believed tree maintenance in the public right-of-way was 100% the city's responsibility and that the work should be contracted out. A member of the public, Tyrell Crofts, addressed the council and emphasized that liability for a city-owned tree that causes injury would ultimately rest with the city, not the homeowner, regardless of what the ordinance states. He supported the position that the city should maintain what it owns.

Another community member, Garrett Wood, expressed a personal willingness to absorb a modest property tax increase if it meant the city would take responsibility for maintaining the trees, noting that the entire community benefits from the urban tree canopy. Mayor Halterman offered additional context, noting that the majority of Parowan's right-of-way trees are ash trees, many of which have been severely impacted by the emerald ash borer beetle, compounding the maintenance challenge and cost. She described the scale of the issue, referencing a tree mapping exercise in which the canopy appeared as thousands of green dots across the city. She acknowledged the tension between community attachment to trees and the fiscal and logistical constraints on the city.

David Burton suggested that the matter be referred to the Shade Tree Commission prior to returning to the council for action. Dan Jessen noted that the Shade Tree Commission does not meet again until August 6, which would push a council vote to the August 13 meeting. Lyle Barton suggested that the most immediate concern—the specific trees near Ms. Hirschi's property that are near power lines—could potentially be addressed through the power department's fall maintenance cycle, while the broader policy question moved forward through the Shade Tree Commission and returned to council in August.

The council reached consensus to refer Ms. Hirschi's proposed amendment to the Shade Tree Commission for review and recommendation, with the item to return to the council for a vote at the August 13, 2026 meeting. No formal action was taken at this meeting.

12. Sidewalk Policy Discussion

Dan Jessen presented a draft Sidewalk Maintenance, Management, and Inspection Policy, developed in response to a directive from the city's insurance provider, Utah Local Governments Trust. He explained that sidewalk-related lawsuits represent one of the highest liability exposures for municipalities and that the Trust required the city to adopt a formal program as a condition of continued coverage and defensibility.

The proposed policy establishes a framework for periodic sidewalk inspections on a tiered schedule: downtown areas, schools, parks, and public buildings annually; residential neighborhoods every two to three years; low-use areas every three to five years; and additional inspections following storms, construction activity, or public complaints. Identified defects would be rated on a four-tier priority scale ranging from Priority 4 (monitor only, less than a quarter-inch displacement) to Priority 1 (immediate hazard, greater than two-inch displacement requiring temporary mitigation within 24 hours). Repairs would be scheduled based on hazard severity, available personnel, and appropriated funding. Defects that cannot be immediately repaired would be clearly marked with safety paint or signage to reduce liability exposure.

Dan emphasized that the policy explicitly states it does not create an obligation for the immediate correction of all identified deficiencies—a provision that is critical for defensibility in litigation. He also highlighted the importance of documentation and record-keeping, noting that the Trust had examples of cities successfully defending lawsuits by demonstrating consistent inspection and marking practices, even when repairs were deferred for multiple years due to budget constraints.

Scott Burns confirmed David Burton's concern that a policy, once adopted, creates additional liability if not followed—but clarified that the only way to reduce liability is to both implement and adhere to the policy. He explained that the standard of care is whether the city acted as a reasonably prudent municipality of similar size and circumstances, and that a documented inspection and prioritization program supports that defense.

Aldo Biasi noted that while conducting the inspections personally was feasible, the volume of sidewalk infrastructure in the city was larger than commonly assumed, and consistent annual follow-through would require dedicated time and resources. He expressed interest in emerging LiDAR and AI-assisted technology to streamline inspections, which he intended to explore at an upcoming GIS conference.

Dan also raised the issue of open utility access covers and manholes as a related liability area, noting that the Trust had specifically flagged the need for a clear policy prohibiting residents from opening city meters or manholes, with documented communication of that policy to citizens.

No formal action was taken. The council reached consensus to bring the sidewalk policy back for formal adoption at the next regular meeting.

13. Closed Session

No closed session was held.

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

David Burton reported that the Water Board met the previous evening. He noted that all active water projects remain in progress and that the Four Bay Well is producing well. He expressed optimism that residents appear to be conserving water in response to drought conditions. He also commended the city's Fourth of July activities as well-attended and well-received, noting that despite the absence of fireworks, the day's events were positively received by the community.

Aldo Biasi provided an update on the 200 South road project, reporting that sidewalk installation is progressing and that the paving contractor, Sun Rock, has pushed the paving date back approximately two weeks. He indicated that traffic lanes would be temporarily reopened and driveway access restored as soon as conditions allow, and expressed confidence that the project will be completed before year's end. He thanked residents for their patience.

Aldo also updated the council on a meeting with the Bureau of Land Management (BLM) regarding potential acquisition of approximately 40 acres adjacent to the city cemetery, commonly referred to as the old ski hill area. Staff presented proposed uses for the parcel, including cemetery expansion, vista points, and other recreational features. The BLM was described as receptive and cooperative. David Burton praised Aldo for arriving to the meeting well-prepared with charts, maps, and data.

Aldo confirmed that pressurized irrigation is holding at two days per week and that staff is monitoring the Four Bay Well on a daily basis, adjusting output to prevent overflow.

John Dean reported that the Planning and Zoning Commission approved the road dedication for the 1200 West Road leading to the landfill, with finalization pending a signed mylar and recording, expected within one to two weeks. He also noted that the Planning Commission scheduled a public hearing on the new sign code and tabled further discussion pending additional information. John echoed praise for the Fourth of July events and noted positive community response to the new pool commemorative plaque. He also highlighted the community garden's first harvest.

Lyle Barton expressed thanks to the public works crew for their work in challenging weather conditions on the 200 South project. He noted ongoing concern about the water diversion project, which is currently at a vulnerable stage with monsoon season approaching, and indicated he is closely monitoring the situation.

Rochell Topham participated via Zoom and provided her report remotely. She attended the Five County Association of Governments meeting last week on the Hazards Mitigation Plan. This must be updated every 5 years, so they are working towards that. She said she shared the survey on social media as much more data is needed. She added her praises for the 4th of July celebrations held in Parowan, including the parade and activities at the park. She mentioned the outdoor plaque unveiling at the city pool. She was very humbled and grateful by the contributions made by the citizens of Parowan for this project.

Dan Jessen reported that the city received a response from the Economic Development Administration (EDA) regarding the approximately \$6.5 million airport infrastructure grant (roadway and underground utilities). The EDA issued a curing letter with an extensive information request and informed the city that the grant would be offered at an 80/20 match ratio with a maximum EDA contribution of \$5 million, rather than the previously anticipated 90/10 split. Under the revised terms, the city's maximum potential out-of-pocket exposure would be approximately \$736,000, compared to a maximum of \$278,000 under the original scenario, though there remain meaningful opportunities for in-kind contributions that could substantially reduce or eliminate direct cash expenditure.

Dan outlined several in-kind opportunities: roadway excavation (\$630,000), granular borrow (\$700,000), and untreated base (\$400,000) could potentially be performed or supplied by the city; and electrical materials including conduit and wire (approximately \$900,000) could potentially be provided by the city's power utility. He also noted that current favorable

commercial bidding conditions, and the precedent of the bridge project coming in \$800,000 under the engineer's estimate, provide additional grounds for optimism.

Aldo Biasi confirmed that the city's gravel pit on 300 East and materials associated with the recharge project could potentially be leveraged to meet specification requirements for the grant project.

Dan Jessen requested informal council consensus to proceed with submitting the required curing letter and information to the EDA within the one-week deadline. Council members present expressed general support for proceeding. Council Member Burton stated, "I think we need to complete what we started." Mayor Halterman noted that the city had been awarded the maximum GOED grant of \$600,000—an exceptional outcome—and that the alignment of funding sources may not recur.

Dan also noted that the city is entering red flag fire conditions over the next several days, with NOAA predicting monsoon activity the following week. He reported that the city has approximately 2,800 sandbags on hand along with sand at key sites, and that the city is prepared to mobilize sandbag-making operations with community assistance if flooding risk materializes. Messaging would be distributed via Facebook and Everbridge as needed.

Scott Burns expressed gratitude to the mayor, council, and staff for their outreach regarding the wildfire situation in Beaver County, which he had been assisting with. He described the severity of the burn, noting that entire mountainsides had been lost, and shared concern about the flooding risk to small communities in the path of anticipated monsoon runoff. He commended the council's decision not to hold fireworks given fire conditions, acknowledging it as a difficult but prudent call.

14. Adjourn

Motion to adjourn was made by David Burton and seconded by John Dean. The motion carried unanimously. The meeting was adjourned at 8:04 PM.



Mollie Halterman, Mayor



Callie Bassett, CMC, City Recorder

Date Approved: July 23, 2026