

COUNCIL WORK MINUTES

August 19, 2026

The City Council held a meeting on Wednesday, August 19, 2026, at 5:30 p.m. in the City Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Steve Nelson; Councilmembers: Robert Cox; Waldo D. Galan; R. Scott Phillips; Carter Wilkey.

MEMBERS ABSENT: Phil E. Schmidt

STAFF PRESENT: City Manager Paul Bittmenn; City Attorney Randall McUne; Finance Director Terri Marsh; City Recorder Amber Ray; Senior Engineer Jonathan Stathis; Police Chief Darin Adams; Fire Chief Mike Phillips; Leisure Services Director Ken Nielson; Airport Manager Tyler Galetka; Water Superintendent Matt Baker; Jeff Lennert.

OTHERS PRESENT: Darrin Duncan, Ann Clark, Doug Hall, Scotty Harville, Suzane Roundy, Bill Payne, Tonya Payne, Tom Jett.

CALL TO ORDER: Chief Darin Adams gave the invocation; the pledge was led by Matt Baker.

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

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF

COMMENTS ■ **Galan:** A few weeks ago we approved the concept of working together with SUU, especially on the public administration MBA program in coordination with our staff to develop strategic plans for each and every department in the city. We've gotten to a spot now where we have designed the process and have looked at our mission and vision statements, our priorities, and so forth. Both the Mayor and I felt that we were ready to proceed with this. We have invited City Manager Bittman to be my co-partner in this process and in rolling this out. We will set up a process so that we will go department by department and get in all the engagement we need. I wanted to inform you it's moving forward and we're going to start making some good progress here. In terms of timing, it's going to take this probably the rest of this fiscal year for us to get all those wrapped up, but it'll help us as we take a look at our budgets and our staffing and everything else that we're going to need for the following year and into the future as we do the strategic planning. **Mayor:** This first semester they're working with their master's level students. They'll go through and design the very specific process in which a department will go through. Next semester, we'll start actually creating the plans with the departments is that correct? **Galan:** That's correct. There's an outline of the process already. They'll just get into it and begin to solidify it in the next few weeks.

SWEAR IN PATROL OFFICER II GARY ORTON **Chief Adams:** Gary Orton was our crime scene and evidence technician for the last several years. He's done a phenomenal job. He's also law enforcement certified. He has quite the tool belt. We had a position that we needed to fill, and we were able to hire him as an officer and put him out at Canyon View as the new school resource officer. **Gary Orton:** I know a lot of you just from working here already, but I'm happy to be here and happy to take on a different role, hopefully more positive interaction than crime scene investigation. It'll be great. I've already done it and had a lot of fun, and it's a very positive

environment. I'm looking forward to it. I have my wife, Jamie, and my youngest Hazel with me today.

Amber Ray administered the Oath of Office to Gary Orton.

AMERICAN LEGION 2026 UTAH GIRLS AND BOYS STATE REPORT. BRACKEN JOHNSON, CAMBREE SELBY, DARRIN DUNCAN

Darin Duncan: I am in the Cedar City American Legion, post-74 here with John Finn. He was in Vietnam, and he's a very honorable Vietnam veteran. He's in charge of Boys State. He wanted to come here tonight and show you some of the fine young men and young women that attended Boys and Girls State this year. Cambree Selby was one of the most successful young women at Girls State, and she will represent the girls. Then we'll have the boys come up, and they will introduce themselves and what they were elected to. We'll have Bracken Johnson represent them. Bracken was elected governor. He was one of the highest elected offices at Boys State, and he gave a talk on the Constitution, and he's going to present his Constitution talk to you tonight. Suzanne Roundy is the Girls State Representative. She was up there, and her daughters have been participating. It's been wonderful. We sure appreciate her. **Cambree Selby:** I was elected as our city secretary, and I was a Girls Nation finalist. **Phillips:** Which high school do you attend? **Cambree:** Cedar. **Madeline Blazard:** I go to Cedar too, and I was on the city and county councils. I'm on the Cedar City Youth Council. **Mckinley Bagley:** I go to Canyon View High School, and I was elected to the county clerk, and then I was a sergeant at arms, I also do the Cedar City Youth Council. **Evelyn Dodds:** I go to Cedar High School as well. I was elected county attorney, and then I ran for a bunch of green offices in the city level as well and got some of those. **Cambree:** I will be sharing a little bit about my Girls State experience. During my time at Girls State, I met amazing people, and I experienced invaluable opportunities. We listened to incredible speakers. I personally loved every two-hour meeting we sat through and every speaker that spoke to us. For a week, we lived together, ate together, learned together, and grew together. Every laugh, every smile, every tear, and every part of it became a very big part of my experience. At the start of the week, I was excited to wear the cute new clothes I had gotten and to receive the college credits, but that quickly changed. At the end of the week, I was sad to leave the wonderful people I had met and to leave the amazing program I had been introduced to. I was excited to take over the world with the new things I had learned earlier in the week. Throughout the week, I ran for multiple different positions, and I put myself into different situations. I ran for chair, vice chair, secretary, and senate. These all definitely pushed me outside my comfort zone, but time after time, it taught me more and more about myself. In particular, running for Girls Nation Senator was a huge learning experience for me. I decided to try out on a whim, and honestly, I didn't know much about it. The day before checking in, I submitted my application. Day two, they made cuts down to final 12. That 12, got an interview. From those interviews, they made final cuts down to final eight. To my surprise, I made final eight. Those eight candidates got to give a speech in front of their entire Federalist Party. I had given multiple speeches earlier in the week, I wasn't nervous for those, but this one was different. I was quite scared for this one because Girls Nation speech was a tiny bit more serious, and I had now realized I was in the running, I was excited, and I wanted it. After I filed for office, I could now campaign. This was something that didn't scare me because earlier in the week, I had started to make connections with different people. I had started trying to talk to as many people as I possibly could. I started to hold the door open at lunch and dinner, and as people walked through, they thanked me, and they said my name. This was a better feeling than winning a campaign. I had reached out to girls on a personal level and made a connection with them so much so that they remembered my name. I remember calling my parents that night in excitement because someone had remembered my face and my name with it. I will never forget that feeling. I did not make Girls

Nation, but I am proud of how far I went. I am even more proud of the impact I made on everyone else's life. On our last day, our newly appointed governor and the other returning generals got up on stage to announce state awards. As I sat in the crowd watching, at first, I did not understand what was happening. After hearing my name and the award of Ray of Sunshine, I had shortly noticed what was happening. I had now noticed how much this week had meant to me. A week to get out of my comfort zone, meet new people, and share my light with others. This award wasn't just a title. It had made me feel like my efforts were validated. I had now learned this was the real reason I was passionate about running. Girls State not only gave me confidence, but it gave me a renewed love and appreciation for my country. I gained a greater respect for where we live and the opportunities we share. I left Girls State with new friendships, more confidence, and a new interest for politics and our government system. But most importantly, I walked away knowing that my voice matters and that I can make a difference. I know I have so much more to learn and so much more to give. Girls State gave me new perspectives and new excitement for what my future holds. The American Legion Auxiliary is an amazing program that builds up women and shows girls that they can do anything. I am so honored I got this opportunity to attend Girls State. Thank you.

Tyson Barney: I'm homeschooled, I was the county sheriff. **Landon Larson:** I go to Cedar High School. I was elected county delegate, and I was also city health director. **Tripp Strange:** I go to Cedar High School, and I was elected mayor. **Ethan Black:** I go to Cedar High School; I was elected city auditor. **Bracken Johnson:** I go to Cedar High School, and I was elected as the governor. **Darin:** I talked to Bracken about his election and was curious as to what other offices he'd considered. Would you tell the council, mayor, and others here why you chose to run for governor instead of senator? **Bracken:** I would have been out of town for the Boys Nation, so I couldn't have gone to the Boys Nation. I went to hike Mount Kilimanjaro in Africa. It was really cool. It was a great experience. Since I was elected as the governor, next year, I get to go back to Boys State and conduct the next session. I'm really excited about that. We had a constitutional oration challenge, and I took third place in that. I was very excited about that. That's the speech that I'd like to present tonight. I want to start off with the preamble to the Constitution. "We the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, and ensure the blessings of liberty to ourselves and our posterity, to ordain and establish this Constitution for the United States of America." Now, in this introductory paragraph to one of America's most essential documents, it outlines the purpose of the Constitution, which is to create a country in which its citizens can have safety and freedom. It's clear that the founding fathers wanted to create something that would last and continue to bless generations to come. In order for that goal to be realized, however, it was necessary that the government not become corrupt nor allow an imbalance of power to arise as that could topple the whole system they'd worked so hard to create. The solution to this problem is found in the form of checks and balances, which are written into the Constitution in articles one through three. Articles one through three specifically talk about the legislative, executive, and judicial branches. Section one of article one says that all legislative power shall be vested in a Congress. Basically, what that means is that Congress has the power to debate, draft, and enact laws. Section two talks about the executive branch. The executive branch is headed by the president, the vice president, the president's cabinets, and then some other government entities. Their job is to administer and enforce the laws. Now, you can already see where checks and balances are coming in here as that the legislative branch can't enforce the laws it creates, and the executive branch can't create the laws it enforces. And finally, in the third section of the third article of the Constitution, it talks about the judicial branch. Through the Supreme Court, their job is to ensure the constitutionality of laws and to resolve legal disputes as well as to interpret the letter of the law as well. Each of these three powers is unique and

important, but together, they're the reason why we have freedom in America today. One modern example of when checks and balances were used in our government is comes in the form of the 2005 Stolen Valor Act. Basically, what happened here is this act was passed by Congress in 2005, making it illegal for anyone to lie about having received military awards. Now, this was fine until in what became known as the United States versus Alvarez case, a man by the name of Alvarez lied about having received military awards, breaking this law. Now, the judicial branch through the Supreme Court ruled that this act was actually unconstitutional because it violated freedom of speech. I don't condone lying about receiving military awards or lying about anything in general. But what I am saying is that I do believe in freedom of speech. And that means that sometimes you have to take the good with the bad. Even when small freedoms get taken away, it can be a slippery slope leading to larger and larger freedoms being taken away. In order for this system of checks and balances to continue working in our government, it's essential that the citizens of America know how this system works. If people can understand how power dynamics work inside our own government, it can influence the way they think, the way they act, and the way they vote. Now, for everyone listening tonight, I would encourage you to make yourselves familiar with the system of checks and balances and also to teach others. So the government of the people, by the people, and for the people can continue to prevail in our free country called America. Thank you. **Phillips:** You notice I didn't have any of the boys in the youth city council. We've got to change that, gentlemen. So, reach out to your junior classmates. We're going to be recruiting a new class very soon.

RECAP ON THE 2026 SEASON FOR THE UTAH SUMMER GAMES. JON OGLESBY

Jon Oglesby: Assistant Vice President of Sports and Destination Engagement at Southern Utah University overseeing the Larry H. Miller Utah Summer Games. It is an honor to be here this evening. I want to add to my congratulations to the folks who were just up here a minute ago who so successfully represented our community in Boys and Girls State. I was a Boys State attendee, but in Nevada. It is a great experience, and these young folks definitely need to be commended for the work that they're doing and the leadership they will be part of. First off we can't say thank you enough for all the support we get from folks throughout Iron County. Cedar City is such a massive part of that. Whether that's with Ken Nielsen and his team with Leisure Services, which is outstanding, Chief Adams' support with the force, all the different city departments that work and support us. I see so many of the folks that are up here, whether it's members of council, city leaders that are at so many of our events and generally supporting what we do. Thank you for the work that you're doing to support the Utah Summer Games. It was really one of the unique professional privileges that I've had in my life to oversee our 40th anniversary celebration this year. It's really unique to oversee great celebrations of moments in time of properties that were going well before you were there and will be going well, hopefully, after you're there. Our 40th anniversary was a tremendous celebration of the history of our community, the impact that we've made for a long, long time at the university, in our community, not only on sports in the state of Utah, but regionally, even nationally in many cases, to see that codified with our numbers this year and the strong participation, which I'll talk about in a minute, and then to set the table for the future and the future for the Utah Summer Games, for all the different things that our community is doing in sports, tourism, and engagement. I think there's never been a better time to work in sports in the state of Utah, and I don't think there's ever been a better time to be involved in that endeavor here in Iron County and in Cedar City. So I say that to set the table. These numbers were just final yesterday, so the council is getting the first look at our total numbers from the 2026 program year, 11,144 total participants, which is a 6.4% increase over last year. We had 27 of 29 Utah counties that participated. My public offer to scholarship any Rich or Daggett County participants that want

to come still sits out there. So we can get that 100% participation across the state. I think one of the biggest metrics as we try to be a driver of economic development is to see strong Iron County numbers, but to see the percentage of participants from Iron County actually going down when you look at the total number, even though the participant growth in Iron County is still there. It is to be an economic developer for the county. This year, we had a record 21 states who were represented in the Larry H. Miller Utah Summer Games with a 22.2% increase of participants from the state of Nevada, which was almost 700 participants. We believe a lot in what our community has to offer. We're very bullish about our business future here in the county, particularly in the hospitality space, and are grateful to have the opportunity to steward that and share that with people all around the country and, specifically our neighbors here close. We are working with Visit Cedar City, Brian Head, to get an economic impact report based on this year's attendees and numbers but think that it is going to be very healthy. Looking at some of the different residency or lodging rates, ADRs, etc., they were definitely very healthy during the game season. I think one of our great things was really trying to stretch ourselves in terms of bringing our local participants as well as our visitors together through more large-scale community events besides just the opening ceremony. I have to make special note of Councilman Phillips, his work that he did with Maria Twitchell and the entire America 250 Iron County Committee. It was wonderful to be able to bring that work, particularly through the Summer Street Fest initiative, together with Summer Games participants to give visitors who are coming to our community not on opening ceremony weekend an equally wonderful yet unique and different experience that brands our county as an elite summer destination for people that are coming to participate in the Utah Summer Games. I was extremely excited with the outcome of that. I think our weekly engagement series that we tried to do to celebrate our 40th anniversary was so successful that it set the table for being a permanent inclusion in our program. I think as we turn our attention to 2027, which we're already eagerly planning on, we're looking at a variety of our initiatives such as Special Olympics that are going to split off and be an entirely separate weekend because they continue to grow. There is big growth in our high school state tournaments that we're continuing to host. I think you'll see next summer a continued growth in terms of sports we're adding, but also just us having to split some sports into multiple weekends just because we have the enviable problem right now of having too much business for the weekends we have them scheduled on. We have to make some changes there. Thank you for what you do to contribute to our city, our community, and the university at large. Thank you for what you do to support the Utah Summer Games. Like Sinatra said, the best is yet to come, and I completely believe in that statement. I think we're just getting started in terms of what we can do to brand ourselves as one of the elite sports destinations in the state of Utah and in the Intermountain West. So with that, I'm happy to take any questions or any feedback. **Cox:** I know this is hard to quantify, but you know the economic benefit that it brings to this community? **Phillips:** I know it's tremendous. It is the hustle and bustle is awesome. **Jon:** In 2025, last program year, it worked out to approximately \$17 million. That was worked out with Maria Twitchell at Visit Cedar City, Brian Head. That was just the Utah Summer Games. By the time you add in our high school state tournament experiences, which those continue to grow, those average around \$800,000 to \$1 million, depending on that type of event. So, when you look at this upcoming year with the growth that we're continuing to project, plus the two different state tournaments we're hosting through the UHSAA, the three different Special Olympics Utah state events that we'll be hosting, plus their Summer Games, we're pretty bullish on the future of it and its impact. **Phillips:** What do you perceive as the biggest challenges that you face as you move forward into this future? **Jon:** I think one of the biggest challenges we have continually is venue space for particular sports, particularly diamond sports. Next year, we're splitting our fast-pitch softball tournament into two separate weekends. Now, there's benefits to that from an economic perspective. We had

approximately 30 team wait lists this year. So, we think what'll end up happening is we'll end up selling out just as we did this year, the original weekend, and then adding on a new weekend. Having not only facilities, but high-quality facilities, I think that is one of our bigger challenges. There's no doubt a facilities race going on throughout the state for athletic facilities. Particularly in smaller and rural communities. I think that's something. I've appreciated conversations I've been part of around the county about the future of those, and I think we're going to need to continue to have them. I think that viability is extremely important. I also think us finding a way to preserve what makes Cedar City and Iron County a world-class experience, which is our people, but finding a way to scale that as the number of weekends we have large-scale events coming into town. That's a challenge for our business community. That's a challenge for elected officials. I think we're up for the challenge collectively, but no doubt that's a moat that we have as a business advantage, but it's something that no doubt we definitely worry about making sure we preserve that first-class experience. I think those are probably the two things that keep me up the most at night, with the third being rain potential, which none of us have control of that. **Wilkey:** Like Phillips said, what are some of the pinch points facilities-wise and things that we can do? Our crew obviously will do everything that they can, and we can't unfortunately have everything that we want recreation-wise overnight, but we're trying. **Jon:** I'm involved enough in those conversations, whether officials or just asking questions. I appreciate the reach out that I get from members of the council, from members of the business community to ask. One of my position changes at the at the university is to very much make sure that I'm providing great information to yourselves on what I'm seeing as far as business trends, opportunities. We take it very seriously in stewarding a tremendous return on investment for our community. That's not going to change in terms of where we're going. We think there is a very bright future for our community in the sports business landscape in the state of Utah. And we want to make sure that we're playing a very active role in ensuring that you all have the information you need to steward things as appropriate. I think it's a great opportunity ahead of us. Sounds like Mayor Nelson's okay with me sticking around for a little bit to hopefully be a part of stewarding that. **Mayor:** We'll talk to Mindy. Make sure there's good contract extensions built in.

CONSIDER BID FROM BRADSHAW CHEVROLET FOR \$54,590.25 FOR WORK

TRUCK. RANDY CLOVE Randy Clove: We got a couple of different bids, we like to shop locally. It is a 1500. **Phillips:** What happens to the old fleet? Are we cycling some out? **Randy:** We just add it on, we are behind. We like to keep the older ones. When we do chip seal, we like to use older trucks. We have one submersible pump left out on the south interchange, and it has a crane in the back of it that we pull the pumps with. If we can get rid of that lift station out on the south end, we'll probably just eliminate that truck out of there and auction it off.

Councilmember Wilkey moved to put this item on the consent agenda; seconded by Councilmember Cox; vote unanimous.

CONSIDER BID FROM BRADSHAW CHEVROLET FOR \$111,776.75 FOR 2 WORK

TRUCKS. MATT BAKER Matt Baker: They are a 1500 and 2500. The 1500 is for my reclassification and the 2500 to replace an old truck.

Councilmember Phillips moved to put this item on the consent agenda; seconded by Councilmember Galan; vote unanimous.

CONSIDER BID FROM DITCH WITCH OF THE ROCKIES FOR \$53,323.55 FOR

HYDRO EXCAVATION TRAILER. MATT BAKER Phillips: Can you clarify what this is?

Matt: Miniature size to clean out valve casing, meters. Instead of hand auger.

Councilmember Wilkey moved to put this item on the consent agenda; seconded by Councilmember Cox; vote unanimous.

CONSIDER A RESOLUTION TO AMEND THE CONSOLIDATED FEE SCHEDULE TO INCREASE THE FEE FOR WATER METERS. MATT BAKER **Matt Baker:** I spoke about this about a month ago. There has been an increase in the Neptune meters due to the materials and manufacturing and increased shipping. Some are going up \$40; some are going up \$1000. We don't hardly use a 10- or 12-inch meter, they just threw it on the bid.

Councilmember Phillips moved to put this item on the action agenda; seconded by Councilmember Wilkey; vote unanimous.

CONSIDER PROPOSALS FOR THE WASTEWATER TREATMENT PLANT EXPANSION STUDY. JONATHAN STATHIS **Jonathan:** With the growth Cedar City and surrounding area has been experiencing over the last several years, the flow going to the treatment plant has been increasing. We're currently at about 68, 69 percent capacity. The general guidance is that at about 70 percent that we should start looking at treatment plant expansion. We put out a request for proposals for consultants to perform this study to look at and see what we need to do in order to expand the capacity of the plant. As part of the proposal, they needed to provide a cost to provide a master plan for the treatment plant over a 40-year planning horizon. We feel like that'll give us good information so that we can implement whatever infrastructure is proposed in that plan over that time period. Then also look at any short-term expansion needs that we have that we need to meet. The proposals were received from Stantec and Carollo. We had a group of city staff review the proposals, and Stantec received the highest score on the proposals. Their fee was also higher than Carollo, quite a bit higher. As we reviewed the proposals, we felt like Stantec provided a proposal that would meet the scope of work that we requested and would also provide all the information that we need to move forward in making important decisions in regards to the treatment plant. We also felt like that the team that Stantec has is very familiar with the treatment plant. They're also proposing to team with Hansen, Allen, and Luce, which we've been working with them on the water side quite a bit over the last few years. They'll bring good information in terms of the flows going to the plant. We present this to the city council for your consideration. One issue with Stantec's proposal is it would exceed the budgeted amount for the project. We currently have \$130,000 budgeted. There were a few things during the proposal process that came up through an addendum that may have caused that cost to increase. One was to look at a few more alternatives in terms of the expansion and then also going to the 40-year planning horizon. But we feel like Stantec would do a good job for us in moving forward with this proposal. **Phillips:** I have a couple of questions regarding this. The 40-year expansion was an addendum to the original RFP that we did for this study? We talked about the study back in the budget time. **Jonathan:** We originally were looking at a 20-year planning horizon. But as we discussed internally as staff, we felt like the 40-year planning horizon would provide us with better information and also allow us to plan for the future moving forward. **Phillips:** I think that's correct. It's been in there, 30 years now? I'm assuming also that that 40-year planning will work in tandem with population growth projections and everything else. So we know when we look at this that it's moving in the same direction as development. **Jonathan:** Absolutely. We're looking at not only population projections, but also water use projections as well. **Phillips:** We have worked with both Carollo and Stantec on various projects. I remember Carollo did a study for us a few years ago on the retention ponds and

things out at the wastewater treatment plant and some recommendations and things. I'm concerned that the bid is double what the other one is. I wasn't involved in the process of analyzing it, but I want to make sure we're getting the right amount of bang for our buck, because as you say, this exceeds the budget. I have concerns about that. **Cox:** It stands to reason if Hansen, Allen, and Luce have been involved with this, if they are familiar with it, then it would take less work to get it done. I'm concerned too with the big disparity. I don't know how we can justify that much more if we can get the same job. The bid process is there, and they have to do the same job at the end of the day. We should be able to get it for less if they're familiar with it. **Galan:** I'm with you on the on the disparity here on the on the price. There's also a pretty big percentage-wise disparity on the scoring by the team that did the evaluation between the two companies in terms of their bids. I had a conversation with Councilman Schmidt and he felt pretty strongly that for a lot of reasons Stantec would provide probably the level of expertise, dedication, and thoroughness that we require in this study for the future expansion. I suspect that you along with some of the staff member are pretty much aligned in that view. **Jonathan:** Yes, that's correct. **Galan:** I went through the introductory letter. They were even Stevens. But then when you came down to the things that are important, like the project team, the consultants' capability, there's a huge disparity there. The project understanding, the work plan, the schedule control, the project costs and fees. Of course, that one was overwritten by the great difference in pricing. But everything else that is important to a project of this nature is pretty much to the advantage of Stantec. So my question is how much pushback do we have available to us in order to see if they can bring that price down? I hate to trade expertise, which is clearly being highlighted over here and appreciated by the staff that evaluated both proposals versus just an issue of price. This project is very important. Not only our population is growing, but the mixture of solids versus liquid has precipitated the capacity utilization at the plant in the last little while because we're putting in more and more and more water-efficient faucets and showers and everything else in the homes and the apartments. The liquid to solids ratio is becoming an issue and being processed properly and in an expedient way. There's all kinds of things that I trust were evaluated by the team that evaluated both submissions to make sure that we have the best way forward. **Jeff Lennert:** I can tell you that we went through these proposals very thoroughly. The one that we scored the highest had all the elements that we wanted looked at. The other one didn't have all of them. I'm also a little concerned about the one with the lesser price because if you look back at the filter building, the winner on that was \$24,000. The losing bid on that was about \$98,000. We ended up paying A2S \$266,000 for the whole engineering of that project. I'm a little concerned this is to get their foot in the door, and then do change orders to bring it back up. **Cox:** I'd like to know what criteria you used because there's obviously some subjectivity to this scoring. I don't mean to offend, but there's probably some bias as well based on relationships or whatever else. How is that mitigated? I'm not saying that you did. I just want to understand because to me, it looks like it's mostly subjective. **Mayor:** That fear of change orders, did Carollo do that to us the last time? **Jeff:** I don't know because I wasn't that in-depth involved in it on the last one. **Wilkey:** The last major thing that Carollo did that I can remember is the wastewater the affluent study, correct? That's kind of what for years, we thought it was going to be a really high, unattainable thing. And then we were able to find out down the road that we could actually do it, and that's what we have now. So that was the last time I remember hearing their name. **Jeff:** And to clarify the capacity thing, as far as flow, we're about 69% of capacity. But on total suspended solids and biochemical oxygen demand, we're in the 70% range already. **Galan:** That requires a bit of catching up, I think. **Phillips:** I don't want you to divulge things that perhaps were in discussions, but two items I'd like to address is on the project team where they scored lower, were there not as many, were they less experienced? I'm trying to figure out what was the difference. Also, on the work plan, was it just not laid out properly, or was the

work plan going to be longer? **Jeff:** I just don't think they defined the plan well enough. They also included some equipment suggestions even before looking at the process. **Ryan Marshall:** Stantec is also partnering with Hansen, Allen, and Luce on this. So you've got the combined efforts from two different engineering companies. **Phillips:** Well, we're paying the combined effort of those two. **Cox:** We've already paid them a bundle for the study. **Ryan:** There were five of us that scored Stantec higher, even with the cost difference. One of the biggest things that I noticed in there, Stantec was giving their studies up front. They were going to pull the data. They were going to specify it to Cedar City and they were going to do thorough research onto that. Carollo, it seems like they were using some general data that was out there rather than what our specific data was. That's how they were saving some time and some money by using some generalizations. I think if we're doing a study that's going to go out 40 years, this is really going to drive a lot of decisions we're making. We want to know specifically what our plan is, not generalization what's out there for the general type of system that everybody runs. We want to know specific data from our system to drive what we're going to be doing the next 40 years. So that was the biggest difference for me on that. **Phillips:** If we do decide to award this contract to Stantec how do we plan to cover the overage? **Paul:** You would see in your next round of budget adjustments the request to allocate additional fund balance from the Wastewater enterprise fund to cover the overage. **Doug Hall:** I think we have a golden opportunity right now to take a different route. You've all heard recently the term SMR, where we talk about small modular reactors. Well, that technology is also available in wastewater treatment. It's a mature philosophy that is available now and has so many advantages over expanding our current plant that it's just unbelievable. You can co-locate with a subdivision, a modular wastewater treatment plant that will serve just that community. What does that gain you? How many wastewater sewer pipes are we putting in the ground trying to get to our current plant? Especially from the southern end of the city where we were looking at lift plants, which is the worst thing you can do as far as sewage is concerned. I think that this study needs to include looking at going a different route. Rather than expanding our current wastewater treatment plant, look at co-locating small modular wastewater treatment plants along with the communities. The great thing about that is, say we have a subdivision of 1,000 homes that's going in. It doesn't all go in at once, but a modular plant allows you to put in one section. Then as that subdivision grows, you put in another section until you reach the capacity of that subdivision. By not having to put in large sewage pipes in the ground to try and get to our current plant, we would save millions of dollars. You were talking about flow rates and that sort of thing. If you co-locate the plant along with the subdivision, you don't have those problems of flow rates that we're looking at now. You have the flexibility rather than trying to build one plant all at one time to expand, you do it as the demand arises. I would suggest that this study be looked at to include looking at those alternatives for the future rather than just looking at expanding our current plant. **Clint Rogers:** I'm the project manager for Stantec that submitted the proposal here in question. I just wanted to put our fee in context a little bit. In 2023, we did the sewer collection master plan for the city. Our fee was \$170,000. Our approach is to be very collaborative, to do workshops with your operators and make sure that we understand every problem, every situation, and then develop a plan that will serve the city for 40 years. I think we have the track record to do that. It looks expensive relative to our competitor, but it's a very thorough study that I think will give the city a great plan for moving forward. The best time to save money on a project is in the planning stage. When we get to construction, it's too late. If you have a good plan, then that really sets the stage for the city going forward. **Cox:** We have a 40-year plan, but is there technologies like this gentleman just mentioned that are going to change in the 40-year plan? **Clint:** That's part of what has changed from the original budget to our number now, is the city asked for, "Hey, maybe there's some additional technologies that are out there." As your public works manager mentioned, we haven't come with

those ideas. We have budget to explore those ideas with your city. If we want to look at modular technologies, if we want to do something completely different, we've got budget to do that. We're not coming in with an idea that's take it or leave it. We can adapt to what the city would like to study. **London Saxton:** I'm with Carollo. I work out of the St. George office. I wanted to provide some context for our budget that we provided to the city. Carollo was the original designer of your facility, so we're familiar with the process. We're familiar with the design. The project manager that managed that project is still with Carollo, so we have retained that experience. We felt confident enough to know the process to pass those savings on to you as well as some alternatives that we've implemented at other facilities across the state. Those were in the proposal. We have worked with the City of Logan, Park City, and some water districts in Utah and Salt Lake County. We felt confident enough to use that experience and pass those savings on to the city. That's why our number is significantly lower. I greatly appreciate your consideration for our proposal. **Mayor:** It felt to me like one of the concerns of the evaluation team was that you had built in this is the direction that we should go, and that's why it was cheaper, versus a feeling of we'll make sure this is the right direction to go and explore alternatives. Is that an accurate read into the way you intended your proposal to be written? **London:** We wanted our proposal to have options for you to consider. We're not trying to push you in a certain direction, but we do have very positive results from new technologies that are already implemented. We want the city to be aware of those options if they choose to implement it at your facility. But certainly, if you want to expand on the process that you have now and just make more capacity, we're not going to try and push you one way or the other. **Mayor:** Does your number build in the same opportunity to research alternatives? **London:** Correct. **Mayor:** You have budget in yours to research alternatives? **London:** Yes, we do. **Wilkey:** This is just to get us as far as, "Here's all the different options." And then you get to put it out to get a whole other set of engineering to actually design and engineer the thing. This is just, "Here's options one through five. Choose which one you guys want to do." **London:** Correct. **Galan:** And that'll take probably about a year or so, and then the project execution another four or five. **Paul:** Typically, they give us ideas on what we can do, how long it will take, and how much it'll cost. **Wilkey:** That is one of my concerns. With your company in the past, there was a project that was done, and the number sticker shocked everybody. We thought, "There's no way we could ever do anything affluent." And then when other things came about, we were actually able to do it because it was vastly different. That's one concern that I have, just with these types of studies in general. I think engineers in general are conservative, and they go on the high side just to make sure we're prepared for what it can be. But then we don't end up doing stuff because sometimes we think "We could never afford that," and we just don't even get there. **Phillips:** Do you believe that given the requirements of the RFP that you responded to, do you have any issues with your schedule, timeframe for it, or the control of getting the work done? **London:** No. We feel that we are able to help meet that schedule if not exceed it.

Councilmember Phillips moved to put this item on the action agenda; seconded by Councilmember Cox; vote unanimous.

CONSIDER DISPOSAL OF CITY PROPERTY AND EASEMENT TO UDOT FOR THE SOUTH INTERCHANGE PROJECT. PAUL BITTMENN:

Paul: There's two different things we want to talk about. First is the right-of-way acquisition. Both of these have to deal with the south interchange redo. UDOT needs a little triangle of right-of-way from us. It's right by our pump lift station on South Main by Maverick. It goes along with some of the other PUE they're going to provide. Ryan was going to double-check with Matt to make sure we're okay with our infrastructure. If there are conflicts, this is a public utility easement. We would be okay in a public

utility easement. We may have to move our fence a little bit, but that might be the extent. They've offered us \$9,400 for that easement. The second part of the transaction is a weird shape piece of property that we happen to own, that I'm not sure any of us knew that we owned. It has great frontage along the I-15 southbound on-ramp, which we would never be able to get a driveway to. It's landlocked against some private properties to the west. I have no idea how we ended up with this piece of property. I don't know why we own it. All I know is UDOT's offering us \$721,000 to buy it. UDOT's offering a signing bonus of sorts if we approve them within the month and we get the documents signed, there's \$5,000 - \$10,000 that they'll give us incentive money to sign up and go. The reason we can run this straight to the council with the triangle shape piece, there's normally in our disposal process, we go through appraisals and bids, open it up to anybody. There's a portion in our disposal process that says if we have an insignificant parcel of property, we bring it straight to the council. We define insignificant parcel of property as something that, given all of our zoning and land use regulations, you really can't develop anything on it. Looking at the triangle shape piece of property, after you do setbacks and everything else, there's not much developable land there. And then it's got the landlock issues as well. So that's why as staff, we've considered it insignificant. We brought it straight to you. **Phillips:** What I would like to have us consider as a city is that we place that in a fund, allocated or earmarked to say if we as a city need to come back afterwards and make some additional adjustments to this south interchange or we need to fix something or we need to enhance it or put a sign up or whatever it might happen to be, we have some funds set aside to do that until such time, and then it could be released for something else. **Paul:** There's a mechanism to do that. If you vote to give us that direction as a body, we can segregate that money within the general fund, so if we have betterments on the UDOT project, we have some money. **Phillips:** There's going to be stuff that comes up that we say, "We have to pay for that" **Cox:** This is a state road project. What are we going to be responsible for ultimately or potentially? **Paul:** When you work with UDOT, there's always what they call betterments to their projects that come up. It's stuff on the project that looks nice and is beneficial to the community, but that UDOT's not going to pay for. You're going to pay for the upgrade. Sometimes you see some of the landscaping betterments. Some of those things are typically betterments. In this case, there's probably some trail stuff going through it that we may have to find funding for. **Cox:** I agree with Councilman Phillips that we ought to use it for that area and then after a certain amount of time, release it to different accounts. **Paul:** If that's what council would like to do, please include that in your motion next week. We can segregate the \$9,400, and the \$721,000. We can hang on to those for a little while until the project's done. **Wilkey:** UDOT is keen on trading things at times or is it cleaner and easier if we just take the money and if we need something from UDOT, we'll just go and buy it later. **Paul:** UDOT's bound by federal highway restrictions. They're not in control of how they acquire this. Federal highway money has a lot of strings on it. One of them is you make fair market value offers, and you pay money for it.

Councilmember Wilkey moved to put this item on the action agenda; seconded by Councilmember Cox; vote unanimous.

CONSIDER AN UPSIZING REIMBURSEMENT AGREEMENT WITH BZI INNOVATION PARK FOR THE 30" SEWER MAIN. DRAKE HOWELL/ PAUL BITTMENN

Paul: BZI Innovation Park put in a 30-inch master plan sewer line. As you guys know, they're responsible to pay for the first eight inches. We're splitting the cost with Iron County. We're paying 62.3%. The county's paying 37.7% of the upsizing costs. These costs were derived by looking at the service area that this line will serve, looking at county master plans, city

master plans, as we develop out in that area in the future. This 30-inch line has a service area that is way bigger than just Port 15 and BZI. It goes way south, it goes west, it goes north. It encompasses a lot more than just industrial land. There's a lot of property south of Highway 56 that will feed into this. Those are the splits. The version that you have in your packet got amended on Monday. Let me catch you up on the amendments. There's some refinement to how the county's going to pay for their portion. They've already prepaid some. They had some sewer money they had to spend, so they spent it here. Our numbers are refined a little bit to reflect that we're going to pay them. It's approximately \$145,000 a year instead of what it recites in the agreement there. The gentleman who wrote it was incorrect in his math. Finally, there's a provision that's added to the bottom that says the city and the county have nothing to do with BZI, but the city and the county will work together on basically three sets of issues. One is annexation policy. Two is future connections and future capacity in our collection system and in our treatment system, and that the county could buy into, and what that buy in looks like. **Mayor:** BZI is a gracious partner in this because technically we're required to pay the difference between the eight-inch line, but they're financing it for us because we don't have enough money in our impact fees to cover it. **Paul:** Budget-wise, we're fine. We have money to make the first payment. It's set up so we make five even payments over five years. **Phillips:** Impact fees make that payment every year? **Paul:** They'll make it this year in this budget. My crystal ball says I think they'll make it next year, but I don't know. **Phillips:** Are we paying interest on that every year? **Paul:** No. **Phillips:** They're great community partners. There's a large payroll. Many of them work here and live in Cedar City. **Paul:** So just so you know, the next shoe in this series is they have a lift station they've built. We're going to have the same discussions about splitting the upsizing cost between the county and the city. And we'll be back with that one, I suspect, relatively soon.

Councilmember Phillips moved to put this item on the action agenda; seconded by Councilmember Cox; vote unanimous.

CONSIDER GSA LEASE AMENDMENT #DFC26. TYLER GALETKA Tyler: I'm here with the lease amendment to the GSA lease. It's currently for the TSA offices upstairs in the airport terminal. April 2026, they passed a federal aviation regulation that would make all GSA leases or contractors or cities who hold those that we do not participate in any racially discriminating DEI hiring or practices. They are requiring us to amend our lease with GSA so we don't participate in any racially discriminatory diversity, equity, and inclusion activities for any of our contracts at the airport terminal that pertain to this lease. Two years ago, we had to make an amendment to some of our prior leases to put most of this language in. Now we're taking it back out, and we're kind of back to where we were when we signed most of these agreements in the first place.

Councilmember Phillips moved to put this item on the Consent agenda; seconded by Councilmember Cox; vote unanimous.

CONSIDER CHANGE ORDER #1 FOR THE BIKE PARK AND PUMP TRACK PROJECT – SHANE JOHNSON Jonathan: We're currently constructing a new bike park and pump track along Industrial Road Parkway that was just completed. As the contractor got into construction and with the rains we've had over the last few weeks, they noticed that there's quite a bit of drainage that comes off the properties to the south. The LDS Church has a detention pond in their northwest corner that drains out into the city property that they knew about. There's some storage units that have quite a bit of surface drainage, and then also a culvert that drains to the north as well. In order to make sure that the drainage is handled going down through the

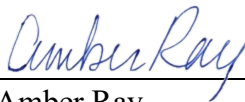
proposed bike park, there needs to be a gravel detention base and then a pipe that will take the drainage west. There was already a detention pond at the west end and a pipe going underneath 600 West that was installed as part of the Industrial Road Project, so it would tie into that. They're requesting a change order to be able to install that infrastructure so they can continue building the bike park and the pump track. The pump track has already been paved. **Wilkey:** Is it not the responsibility of these property owners? What I just heard is they're dumping water onto our property, and now we have to take care of it? **Jonathan:** It's been historical drainage going that way. The ditch used to be the south side of the tracks. **Wilkey:** So by us removing the ditch, we took the responsibility to now move the water? **Jonathan:** We bought the property. We own it. **Phillips:** I noticed last night, 30 or 40 people on that asphalt trail. I noticed today they had cones all over it because it's not finished? It's still under construction? **Anthony Pearson:** I believe the asphalt is at a finished stage. They're moving forward. I'm not sure if they would consider it open yet. **Phillips:** It was exciting to see it being used. It was fabulous. We are going to have to look in that area, somewhere to put a bench or two because there were so many parents out there, and there was no place for them to sit. **Anthony:** I think I have a spot that we'll lay a pad and put a bench in. **Jonathan:** We are getting very close to the end of the budget in this project. With the additional items that still need to be completed on the industrial road project, they're likely to be coming for a budget revision in the next month or so. Just so everyone's aware.

Councilmember Phillips moved to put this item on the consent agenda; seconded by Councilmember Wilkey; vote unanimous.

CLOSED MEETING- IMMINENT LITIGATION: Councilmember Phillips moved to go onto closed meeting at 6:58 pm; second by Councilmember Wilkey; roll call as follows:

Robert Cox- aye
Waldo Galan- aye
Scott Phillips - aye
Carter Wilkey - aye

ADJOURN: Councilmember Cox moved to adjourn at 8:03 p.m.; second by Councilmember Wilkey; vote unanimous.



Amber Ray
City Recorder