

**COUNCIL WORK MINUTES**  
**MAY 4, 2016**

The City Council held a meeting on Wednesday, May 4, 2016, at 5:30 p.m., in the Council Chambers, 10 North Main Street, Cedar City, Utah.

**MEMBERS PRESENT:** Mayor Maile Wilson; Councilmembers: Ron Adams; Paul Cozzens; Terri Hartley; Craig Isom; Fred Rowley.

**STAFF PRESENT:** City Manager Rick Holman; City Attorney Paul Bittmenn; City Engineer Kit Wareham; City Recorder, Renon Savage; Finance Director Jason Norris; Police Chief Robert D. Allinson; Fire Marshal Mike Shurtz; Economic Development Director Danny Stewart; Public Works Director Ryan Marshall; Wastewater Plant Manager Darrell Olmsted; Police Lt. Keith Millett; Police Lt. Darin Adams; Leisure Services/Events Director; Water Superintendent Robbie Mitchell, Aquatic Facility Manager Chris Hudson; Street Superintendent Jeff Hunter.

**OTHERS PRESENT:** Jennifer Barnhurst, Carla Ferguson, Doug Hall, Melodie Jett, Tom Jett, Paul Monroe, Trevor Pollock, Carter Hunt, Brennan Baker, Tyson Pollock, Nathan Moses, Corey Baumgartner, Jeremiah R. Davis, Rusty Slade, Dave Jacobson, Kaer Neumann, Nadia Neumann, Ryan Robinson, Jessica Robinson, Madelin Nielsen, Jessica Adams, Trevor Robinson, Jonah Prettyman, Heath Oveson, Ken Robinson, Natalie Evans, Starr Alaniz, Donna Shattuck-Johnson, Seth Palmer, Kathy Kaminski, Enoch Seegmiller, Maisie Elison, Diane Gil, Cindy Laffoon, Clayton Lunt, Skip Sasser, Susan Sasser, Madison Pyle.

**CALL TO ORDER:** Councilmember Isom gave the invocation; the pledge was led by Scout Troop 655.

**AGENDA ORDER APPROVAL:** Councilmember Isom moved to approve the agenda order for City Council & RDA; second by Councilmember Rowley; vote unanimous.

**ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF**

**COMMENTS:** ■Rowley – when we approve the extension of Interstate Drive we talked about posting a local traffic only sign at the north end of the extension. Is it legal and if so can we get it done. ■Isom – with the Lake at the Hill, I have a disabled neighbor and asked if there was provisions for a fishing opportunity that is not on the rocks that will allow him to go out and fish. Rowley – we talked about Eagle Scout projects for wooden platforms that would be good to pursue. Kit – there was nothing in the master plan to do that. Rowley – it would make the fishing experience better. Rick – it would have to be a floating dock, we wouldn't want to penetrate the liner. Kit – the level varies also. ■Mayor – this Saturday from 10 a.m. – 2 p.m. is the public safety responder appreciation day. Police and Fire will be there. ■Chief Allinson – you are aware of the vandalism at Park Discovery, if we had not found the individuals responsible they would have done it again. We did not have any leads. We put the information on Facebook, and Carla Ferguson remembered selling spray paint to individuals and got information to us.

Officers Glazier and Coleman were tasked with the investigation, they got pictures from Wal-Mart and took the pictures to the schools and Officer Coleman got one that admitted and Officer Glazier got the other individual from another school and the other was from St. George. We have a challenge coin that the officers designed themselves. During WWI there were wealthy people that volunteered to fight in the war before we got involved. One of the Lt's made a coin for everyone in his squadron; one was shot down and captured by the Germans. They took it to France, he was able to escape, they had taken everything from him but a pouch. When he was caught from his escape, they thought he was a saboteur, one checked around his neck and found the challenge coin and realized he was an American and it saved his life. They all kept the coins with them and if someone challenged someone and they didn't have it they had to buy a drink. We do the same thing. There is a saying on it that means "in my care you will be safe". We like to give a coin to those that get involved. ■Darrell Olmsted – last week I attended the WEAU annual conference and our Waster Water Plant received the WWTP 2015 Water Reclamation award. A committee is formed and visits plants in the State, 3 operators and one State Water Quality person. They look at the operation, logs, bio solids, safety, discharge, overall condition of facility, state and federal monthly and quarterly reports. They were impressed with the bio solids give away and safety and couldn't believe the plant was 20 years old. We were at ½ capacities. Also because we were able to start up the new portion without an evaluation. We wouldn't have done that without the commitment of the men and women at the plant. I want to thank Kit for the 3,000 hours he spent at the plant during the construction of the plant expansion. We elected not to have the contractor pay for the engineer but do it ourselves. I was contacted by 2 private engineers to see how the process went. I told them we saved money, under budget and ahead of schedule. We are the first to upgrade, but won't be the last, every plant in the State will upgrade in the next 5-10 years. In closing, the last 2 years of design, construction and completion was stressful. I would like to personally thank the Mayor and City Council for the support through design, construction and start-up of the plant.

**PUBLIC COMMENTS:** ■There were no comments.

**PUBLIC HEARING TO CONSIDER AN ORDINANCE PARTIALLY VACATING A DRAINAGE EASEMENT ACROSS COAL CREEK INDUSTRIAL SUBDIVISION, PHASE 3, LOTS 1 AND 2. PLATT & PLATT ENGINEERING/PAUL BITTMENN:**

Paul – there is property in question, the undeveloped lot wants to vacate 50 feet of the drainage easement and have it drain into the channel at the back of the lot. Once the property is developed it drains to the street and then to the channel. There is not a need for the easement any longer. Rowley – does the property slope toward the street? Paul – yes.

Mayor Wilson opened the public hearing. There were not any comments. The hearing was closed. Action.

**CONSIDER AMENDMENTS TO THE ANIMAL CONTROL ORDINANCE.**

**WYNN ISOM:** Paul – you had a few proposals in the packets. One proposal was a sportsman's permit along the lines that Mr. Isom permitted to allow folks up to 3 dogs, all

papered, only UKC and AKC registrations and appropriate facilities. The other is a hardship permit, the owner would have to demonstrate the hardship, pay \$100 fee, adequate facilities, sign-off from neighbors, but I advise the Council not to do that after research was done. Both are subject to have permits revoked, could happen with other violations of the ordinance, dogs at large or barking. You can give other options if you prefer.

Kathy Kaminski – I came on March 23<sup>rd</sup> and spoke about the animal shelter in the budget to get replaced and on April 20<sup>th</sup> to correct my comments, after that I saw Wynn Isom talking and was taken in by his plea. He looks professional, distinguished and plea for his dogs and was almost to tears. I came last week and there was not discussion. I wanted to see what is done in the State; I don't know how long we have had 2 dogs, cats and rabbits. I see many that allow 3-4 dog maximum, Davis County, Draper, Riverton, So Salt Lake, Weber majority have 3-4 dog max. They call it the fancier permit which is like the sportsman's permit. They also have a hobby permit which involves more than 3 dogs in Herriman as long as individually licensed, they are sterile, apply with zoning and health department. I talked with Brandon Nowland, he said we don't have a dog problem, but we have an owner problem which makes sense to me. When I contacted the agencies, except for 1 I talked with animal control officers, all switched from 2 animal and they had 2 animal control officers, some were small. The one that impressed me most was South Salt Lake, they last year changed from 2 dog to 3 dog and the officer was amazing to talk to. They want to enforce laws, make sure people are responsible and make sure dogs are rescued. They made it a part that if you have 2 dogs the 3<sup>rd</sup> had to be a rescue dog and they had to show documentation. They do get adoptees, they were able to track and there was no misuse. There are typical nuisance complaints; a lot of them are the neighbors not liking each other. They have a data base and check on complaints and talk with other neighbors, he said it was working well. There was a University of Michigan that talked about animal ordinances that the court was to prove the number of animals and they couldn't that 1-2 dogs was worse than 4-5 dogs. You can have one dog owner not responsible and another one that is responsible. If you are responsible dog owner and have 1-2 dogs you won't get another dog and become irresponsible. It comes down to being responsible dog owners. It seems like in Wynn's case I don't understand why a kennel permit is not allowed for him. Many offer kennel permit, sounds like he has a good set up.

Jeremiah Davis – the only thing I see as an issue on the two proposals is the AKC registered. I have 3 dogs in the County, looking at moving to the City. I have more problems with my certified dog as the two mutt dogs. The proper size yard needs to be addressed. We own a mobile home park up north, you get 2 dogs in every yard and that is a lot of dogs that become a nuisance, it is the number in a confined area.

Mayor – I have a letter from American Kennel Club that objected to an ordinance requiring the dogs be registered in order to have more.

Cindy Lafoon – I have missed a few meetings, not sure what the ordinance, anyone can have what they want or certain people that want more dogs need a special permit.

Paul – currently our ordinance says you can't have more than 2 dogs per residents, or business. The kennel permit is only allowed in I&M zone. The proposal is to allow more than 2 dogs, one is a sportsman's permit and must be UKC or AKC registered and registered with the City with proper facility. You would lose the permit if they violate the ordinance such as running loose or barking. The other is to demonstrate a hardship and have adequate facilities for the dogs. You can lose the permit if you violate the ordinance such as barking or running loose. Cindy – what drove the request? Paul – a citizen.

Jeremiah Davis – when you say one residents, the houses that are apartment style are they classified as one or as number of occupied apartments? Paul – each apartment is a separate resident.

Chief Allinson – I spoke with Animal Control Officers last week. Staff told me it is not uncommon to have pure bred dogs brought in as strays, that means they are not more responsible owners. When you have dogs and kennel them, they are not social animals, they are stir crazy and bark more and become more aggressive, so they don't promote more dogs if they are in kennels. They also said if you are going to look at more animals, do it by the number of animals at residents, not the type of animal. Don't have them decide if they are AKC or UKC, but rather a number of animals. Presently we come across people that have more than two dogs and work with them on individual basis. We find this out when we get called. Most have worked through and got down to meet the ordinance. To be responsible dog owner you should look at the ordinance and see what is allowed. My recommendation working with Animal Control is make it as clean as you can so we can be consistent in enforcement. Rowley – what would be the effect of 3 dogs instead of 2? Chief – I don't know if it would be harder, if they are responsible we don't deal with them. If they are not responsible it is more barking and more waste. I would never recommend more than 3.

Brandon Nowland – it becomes complex, responsible owner, I did say we don't have animal problems, we have animal owner issues. Part of being responsible owner is the amount of space to keep you animals, your house can become a kennel, the yard also. I have been on several situations, we get more with fewer animals in smaller lots. The bigger lots we get kenneled animals and they get out and go faster and have more aggression. The more they are away from people and other animals the more aggressive. Being a responsible owner and understand what your dog needs.

Hartley – the misconception is they actually have to be kenneled. No one has recommended them be in a kennel. Chief – the ordinance says they have to be contained on your property.

Cozzens – this has been interesting, after the first meeting I was at church and had someone say please don't let people have more dogs. Tonight there was a gentleman I was visiting with and he said his neighbor has 4 dogs and I never hear them, and I have a neighbor with 1 and it barks all the time. We have so many people breaking the

ordinance now. You don't have time for small details, it is not about the number of dogs, but be a good neighbor. I don't care as long as they don't interfere with my peace and tranquility. The AKC letter did not want a limit. Just don't let them encroach on me. There are so many people with more than two dogs.

Mayor – we would not be here if the ordinance had not been violated and Animal Control Ordinance. The only way they know about it is they were called out. So are we going to increase the number of dogs and still have the same problem? Cozzens – they are doing what they want now. Mayor – Brandon was enforcing the ordinance and that is why we are here today. If we do change it will we stick with it and enforce it or will we be back.

Rowley – I have heard too much from people. I am ready to leave the ordinance as it sets. Adams, Isom and Hartley agree. Hartley – I am leaning because of where we are, you don't report because you don't want to offend your neighbor. I have heard so many citizens say please don't allow anymore dogs. Originally I was in favor of a sportsman's permit, but it is too complex.

Wynn Isom – I proposed this. To hear the Chief and Brandon talk about the kennel is ridiculous, they are better than with a dog separated in kennels. I have dogs that don't bark that I take care of 2-3 times a day. Kennel does not make a dog bad, it is owners that are irresponsible. The violation, I did not know anything about the ordinance being a 2 dog maximum. I had dogs get out twice in 2.5 years. I have a 20x16 dog pen with a roof and dog house to hold all three dogs. I do everything in my power to keep the dogs in. The people that called said that dogs were not a nuisance, they didn't want them to get ran over, if it is run over I am irresponsible. My pen is reinforced to hold the dogs. To say the kennel makes them want to run. You need to take them out and exercise them daily. My dogs are with me in the county exercising every day. It is all about being a responsible neighbor. I have 2 neighbors here tonight, the 3<sup>rd</sup> couldn't be here. Rowley – if we could pass a law just for you I would do it, but we have to pass a law for the City. Wynn – how do we know if it will increase the number of dogs? St. George has the ordinance for sportsman's permit and no one has applied for it. The population will not increase. Hartley – we have run into too many issues, overwhelming people are saying please don't do it. If we compromise, most residents don't want the 3 dog limit, everyone that has contacted me has said please do not increase the number of dogs, so I want to leave it.

Cozzens – is it true you have approached people with more than 2 dogs and they say don't come back until you enforce it across the city? Brandon – yes, but I tell them I can only deal with one at a time. If I stopped at every house that had more than 2 dogs and barking dogs I wouldn't have enough time. I had one lady with 11 dogs in her house; she realized that she knew she had too many dogs. She asked if she could compromise, I told her if I change for you I have to change it for someone else. They say you change because you know them. I came from Southern California. She got rid of her dogs. I tell people you tell me who has more dogs and I will go, but they won't give me the information. I had a situation where I was a good neighbor. When I can't sleep at night I will knock at our door, but if no one is home I call someone. Cozzens – I struggle with it

because I know there are a lot of violations. Brandon – out of everyone I have seen he is a good owner, but if a dog is out it is a nuisance if they are running the neighborhood.

Kip Sasser – neighbor of Wynn for about 3 years. I have been on both sides of the fence with neighbors, Wynn is a responsible dog owner, I have never had a problem with dogs barking. They have had a jail break twice. As a neighbor I feel like the city has ordinances already in place that protect me as a neighbor for a nuisance dog. In the same neighborhood they have dogs barking constantly. I would approach them first and then call Brandon. There are ordinances in place to protect me. I think Wynn should be fined if the dogs are out. I think 3 is a reasonable number, I wouldn't go any higher. It comes down to responsible dog owners.

Donna Lee Shattuck – I have been a resident in Cedar for 1 year. I have always rescued AKC dogs, they are trained and obedient. I came to Cedar 10 years ago, and there was talk of a dog park. If you want your communities to be responsible dog owners you give them a place to take their dogs. I have rescued dogs all my life. Bring the community together with animals that are companion, work dogs or protective. There is a way to bring the community together. I pick up after my dogs every day. There are people taking their dogs to church lots and parks with their animals. Teach the community to be responsible and not take away pleasure of having companion animals.

Robert Cox – Wynn is my back yard neighbor. The number is irrelevant. We need to get to where my rights end. We start enforcing when someone writes in. You will deal with me if I have one or 50 dogs if I am not taking care of them. We should not make a law for anyone. The role of government is to start enforcing where the nuisance begins instead of counting numbers. Hartley – we don't disagree, it is just not black and white where it infringes on someone else's right. Adams – it is owners. Robert – the Police force is tasked enough. We cannot enforce what is on the books, why add more. We either need to enforce the laws or remove them from the books. I think we should take ordinances off the books and let people live. Wynn is a great neighbor and his dogs are great. Action.

**CONSIDER RED HOLLOW TRAIL HEAD IMPROVEMENTS. BLM DAVE**

**JACOBSON:** Dave Jacobson, outdoor recreational planner for BLM – we have a MOU for Thunderbird Gardens and Red Hollow Trail Head. The MOU says we will come to the City when we do the trailhead design for Red Hollow, we want UDOT to identify it for a pull-off. Paul – do you need an easement from the City, tell me how it will operate. Dave – it is similar to Thunderbird Gardens. It has a kiosk and poles to keep people from driving up the trail. We want a pull off. Paul – we signed an MOU a year or so ago about the trail head. Rick – it had responsibilities of BLM doing construction and maintenance. We did more at Thunderbird Gardens, this one they will take care of it. Dave – this is by the Shoe Tree, the trail is completed you can hike or bike on the trail. Rowley – what does a completed trail look like? Dave – it was finished by Dixie Biking Association, this was a mini excavator, 3 feet wide with natural dirt. We are not asking for anything for this trailhead, just permission to move forward.

Dave – Southview Trail update we are looking at options to do a septic system, we did perk test but don't have results. We will just need water. Rowley – did you find the owner? Dave – I have left information, but have not received a call.

Rusty – there is a video of the Red Hollow trail on You Tube, look up Red Hollow Cedar City. The trail is 3-4 feet wide, good mountain bike trail. We are working hard to get trails busted out and bringing people to Cedar City to spend money

**CONSIDER AN AGREEMENT BETWEEN CEDAR CITY, IRON COUNTY, AND IFA FOR THE USE OF CITY WATER AND PRE-ANNEXATION**

**INSPECTIONS. GO CIVIL ENGINEERING:** Paul – this property is proposed to be annexed, IFA owns a large parcel. The City's rail line runs to the west. They want to move their facility by Coal Creek out here to utilize the rail spur. They want to build their facility and do it during this building season. They have started with the County process and applied for a CUP, but are also working with the city to annex. They will have to extend the water, sewer and storm drain. They want an agreement to build to City specifications, the County will delegate to the City the inspection and we will collect the inspection fees, and defer impact fees and allow them to use the water for now as an out of City property. There are higher rates. Robbie has areas they want things if the annexation doesn't happen. The annexation takes 2-3 months.

Heath Oveson – there is a piece at the bottom of Horse Alley and some Lunt property that is not in the City or in the annexation proposal.

Paul – we will bring it back later with legal descriptions. They will ask to extend the rail line to their property. Adams – how much to extend the infrastructure? Kit – they will put that in. Hartley – will they pay? Paul – they will pay for the minimum requirements, if we upsize the City uses impact fees to upsize. Heath – once annexed they give it to you.

Adams – it is your concern where the connections are located: Robbie Mitchell – this is if the annexation fails, our ordinance does not allow outside water unless it is livestock. Paul – the Council can grant use. Robbie – right now the meter is in the middle of their property. We require they put it at property line and then a backflow preventer and leak detector. If the annexation fails they will have to move it. Right now they are putting in a 2" meter; if they tap into the other line it will be an 8" meter which increases the impact fees. This is only if the annexation fails. Paul – it is easier if they get the other property owners to agree. It is in our annexation policy plan and reduces an island. Annexation is a legislative decision that has to be done step by step. Robbie – you will run into the same thing with the trail head at the south end of town. I get a lot of people call and ask me about water outside the city limits. Adams – have you heard any opposition? Heath – the middle is owned by Murie Family, others are Connel Gower and his children and he was telling us how they want boundaries, they are on board.

Doug Hall – does this annexation carry any water rights requirements? Paul – yes, they have to meet the same as everyone else. If you are wet you bring in water rights if dry they pay a fee.

**CONSIDER AWARDING HEALTH, VISION, DENTAL & LIFE INSURANCE BIDS, AND AUTHORIZE THE MAYOR TO ENTER INTO APPLICABLE**

**CONTRACTS. NATASHA HIRSCHI:** Natasha – We went out to bid for our health, dental, vision and life insurance, received bids from PEHP, EMI, Select Health, Regence, Aetna, Hartford Life and PEHP Life. We had a committee review and then took the proposals to the employees, some of you attended, and handed out a survey to the employees. We are recommending Select Health which is an increase of 4.9%. We keep dental with PEHP, life from Met Life to PEHP and vision to Select Health. After reviewing feedback from employees, majority of those that turned in would like to switch to Select Health and keep current benefit levels. Rowley – I have the whole package the increase and decrease is 4.4%. Natasha – life insurance is a slight decrease. Since we went to high deductible plan we are still paying \$800 less than we did in 2009-10. Adams – clarify for me, Select Med on using physicians out of the system does not apply to your deductible. Natasha – they have in network and out of network deductible, they are separate. Hartley – we are in the middle of budget hearings, it is approving an increase, is that what you have put into the budget? Mayor – yes, this is the figure we put in the budget. Natasha – this will allow the Mayor to sign a contract and we can have open enrollment. Mayor – approving this will give us for sure figures for the budget. Isom – we need to compliment Natasha on the analysis and I love how we involved the employees in the process. Consent.

**CONSIDER A RESOLUTION AMENDING THE FEE SCHEDULE (AQUATIC CENTER FEES). CHRIS HUDSON:** Mayor – in the coming weeks Cross Hollows will also amend their fee schedule.

Chris – what you have seen is an increase on a few of the fees. We want to do this before the busy season; the budget is in the middle of the busy season. I did an analysis, about 5% increase on memberships. Base rate the most expensive goes up by just over \$2 a month, but we could see profits of over \$5,000 in a year which will decrease subsidy. Also increase daily rate from \$4 to \$4.50 which would bring in \$27,000. I have submitted a few fees we don't have such as for tables and chairs. I have looked at other facilities and cut the rate in half. Washington has a convention center so their rates are different. I have comparisons I had compared to Washington Community Center. Rowley – there is an asterisk on family that doesn't attach to anything. Chris – the details were up for discussion, currently it is 5 or 6 in a household and then they pay for an additional. We would suggest not add until after 6. Rowley – we have to watch this close. Chris – 5 years is an average in the standard. We have been open 5 years. Mayor – during the budget process the fees are typically evaluated, but a few will be before.

Paul – if you want the fee schedule to have the asterisk get me the information. Chris – we want to reduce the subsidy without pricing people out. Adams – the fee schedule reads 5 for a family, I would like that increased to 6. Chris – we enforce that as people

living in a household. Hartley – do you have a total amount you are projecting? No, if we duplicate a previous year I am estimating \$30,000. Adams – in relation to last year, how did you do on your pre-sale? Chris – memberships are up. We cut out a little swim time so daily passes have dipped a little. Action.

Enoch Seegmiller, Manager at El Ray and Stratford Court - I had the opportunity to discuss this, right now there is not anything specific for bulk passes. Both of my properties are outdoor pools so there is not access in the winter. I went to Dan 3 years ago about doing bulk pass discounts. We understand when you buy a large number you still increase funds. Right now there is not a schedule if I buy 100 passes. Rowley – is that so you can use it for your patrons? Yes, I probably bring up the Aquatic Center at my desk with patrons 5 times a week. We open in mid-May and closed in October so I am sending people to the Aquatic Center. Chris Hudson – Bryan Dangerfield and I are looking at that. We are hoping to come up with a good policy.

Enoch – I love the hockey business I get for the Ice Rink, Kerry Fain does not pay for rooms for her refs because of the business I get.

**CONSIDER A RESOLUTION ENCOURAGING THE IRON COUNTY COMMISSION TO PUT A LOCAL OPTIONS SALES TAX ON THE NOVEMBER BALLOT. RICK HOLMAN:**

Rick – you are aware that last year the legislature acknowledged the need for additional Transportation Funding. They passed a bill for local options sales tax and motor fuel tax. The motor vehicle fuel tax went up and we will benefit from that. We hope to see that in this year's revenues. The bill was detrimental to Iron County because 2/5 of the local option had to be for transit system. Our CATS uses about \$160,000 a year and the tax would have generated \$400,000 so it wouldn't be prudent to do that. The other counties with smaller transit systems gave 5 counties the option to look at the local option and reallocate the local option to be more palatable to us. I asked Jeff and Ryan to put together a list of road projects that would need for fiscal support that our street maintenance can handle. We go into roads and do skin patch and chip seal. However with the cost of oil and wear and tear on roads the annual street maintenance program will not handle it. We have identified a number of roads, we have \$2.5 million of reconstruction and the C-Road money is not adequate to take care of it. At a recent Iron County Coordinating Council we decided we need to look at the local option. The important thing for me is it is local money for local needs. The resolution is asking the County to place it on the November 16 ballot so county residents can see if they feel roads are in need of the additional sales tax for transportation funding. Cozzens - how much more revenue will we get from the State gas tax? Rick – we anticipate an additional \$160,000 a year that can easily be absorbed in the annual street maintenance program, but that is also used for sidewalk. Cozzens – so this is in addition? Rick – yes, we need to address that issue and the only other issue is property tax. Rowley – we can say to people you can decide. Mayor – this is asking the County to put it on the ballot. Rowley – part of the money is from those traveling through the City. Cozzens – what would the tax be? Rick 6.075 on everything but food. Isom – this lets us take it to the residents. Mayor – if the County puts it on the ballot there are different legal provisions. This will allow citizens to vote if they want to

improve the roads. Rick – we will have to educate citizens on the consequences of passing it and not passing it. Rowley – do we have a higher tax on fast food? Rick – the County has a restaurant tax. TRT is in the City.

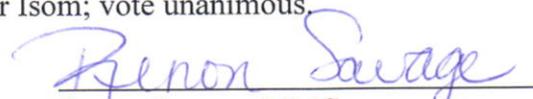
**CONSIDER A RESOLUTION EXPRESSING AN INTENT TO WORK WITH THE CENTRAL IRON COUNTY WATER CONSERVANCY DISTRICT TO OBTAIN WATER RESOURCES FROM OUTSIDE THE CEDAR BASIN. PAUL BITTMENN:**

Paul – Water Conservancy District (WCD) years ago filed for water in Beaver county to develop and use it over here. They have the water rights and then got sued by SITLA and some interest in Beaver County. They are in a lawsuit and to the point where they are asking the local municipalities to say yes we are interested in future use of water from WCD. It doesn't tie us into a dollar amount, storage areas, just says that we are interested in the idea, and recognizes we are in the basin and the water is scares and we are interested.

Paul Monroe, WCD – that was well stated. Paul – your Water Department had concerns with recharge basins not to interfere with our existing wells. Cozzens – the two areas we are looking at are a ways away. Paul Monroe – you have a well close to the Jones areas and Robbie sent me an email. Paul – this doesn't affect this today, but we need to work together on the areas. Rowley – we want you to aggressively work on the recharge. Paul Monroe – we are working on diversions in the area. Right now we are at 150%. Hartley – where does the County fit into the county water users, are they doing a similar resolution. Paul Monroe – the majority of the County residents are part of our system. Enoch has already passed a resolution, Enoch and Cedar City are the largest in the WCD, and there is not a large entity in the County. We would have to get agreements from every farmer to do that. If we bring in water from the west desert it makes sense to bring it all in here. We will next work toward the agriculture users. This helps strengthen us when we go to trial. There are a lot of things we can still do with saving water usage, but at this point we want to secure the water right.

**PROPOSED TENTATIVE BUDGET. JASON NORRIS:** Jason – I have given you each a paper copy of the tentative budget, we don't need to make any decisions tonight. We talked about capital, operating, etc. You can review the document and I am available to answer any questions. Rowley – why is the tax down on energy/telephone, etc. Jason – we are conservative with our numbers, we mark them to the prior year collection and it allows us to put money away for capital projects. Mayor – one difference between us and Salt Lake, their mayor presented last night which is the first time and they have a substantial deficit. We try to involve you all. Jason – We are having budget meetings Monday and Tuesday we are working with Department Heads from 1-5.

**ADJOURN:** Councilmember Rowley moved to adjourn and move into the RDA meeting at 7:35 p.m.; second by Councilmember Isom; vote unanimous.

  
Renon Savage, MMC  
City Recorder