

**COUNCIL MINUTES**  
**MARCH 12, 2014**

The City Council held a meeting on Wednesday, March 12, 2014, at 5:30 p.m., in the Council Chambers, 10 North Main Street, Cedar City, Utah.

**MEMBERS PRESENT:** Mayor Maile Wilson; Councilmembers: Ron Adams; John Black; Paul Cozzens; Fred Rowley; Don Marchant.

**STAFF PRESENT:** City Manager Rick Holman; City Attorney Paul Bittmenn; City Engineer Kit Wareham; Executive Assistant Barbara Barrick; Finance Director Jason Norris; Police Chief Robert D. Allinson; Fire Chief Paul Irons; Leisure Services Director Dan Rodgerson; Public Works Director Ryan Marshall, Library Director Steve Decker, Project Engineer Jonathan Stathis,

**OTHERS PRESENT:** Tom Jett, Stacy Jones, Sharon Wasden, Rich Gillette, Terry Irons, Cody Greenhalgh, Isaac Miner, Joseph Ford, Trevor Fredland, Coby Barnes, Treyson Barnes, Jason Barnes, Amanda Hunter, Leslie Holyoak, Jared Barnes, Brett Warby, Marilyn Kidwell, Nicholle Davis, Bryce Davis, Jeffery Jewkes, Haven Scott, Aubriana Parkins, Courtney Terry, Cambree Applegate, Darrin Applegate, Tracie Sullivan, Holly Coombs.

**CALL TO ORDER:** Reverend Susan Allman gave the opening prayer; the pledge of allegiance was led by boy scout Cody Greenhalgh.

**AGENDA ORDER APPROVAL:** Councilmember Cozzens moved to approve the agenda order; second by Councilmember Black; vote unanimous.

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

**COMMENTS:** ■ Fred – I took a look at the intersection at 300 West and 400 South. There is a hazard for pedestrians and we need to put up some sort of railing or grate. Kit – We installed grates on both those corners. Let me know if there is still an issue. ■ Paul C – When we get to the bills, I want to disclose that the Aquatic Center asked me to do some minor work up there. I had done some of the cabinets when it was built and they asked me to do this work. I asked a competitor to do it to avoid a conflict and he was too busy. I just charged for time and materials. ■ Mayor – Tomorrow at midnight the legislative session ends. In the state budget the ATC has been funded as well as the Summer Games; the prairie dog fence at the Golf Course and also the Shakespeare Festival. Fred – Thanks for your work up there and thanks to the legislators. ■ Review the 2013 Water Report – Jonathan Stathis (exhibit). There is decreasing water use. The City is continuing to acquire water rights. We almost have 20,000 acre feet. We only used 37% last year so we have some room for growth. In 40 years we will probably have about 70,260 population and would need about 17,495 acre feet for that population. The power costs for pumping have gone up 107%. This is due to rate increases and the aquifer dropping. The overall total is due to population growth as well. Quichipa has dropped about three feet per year for the last 20 years. This year the water dropped five

feet due to the dry streak. For every foot of drop it costs \$500 per year for electrical costs to pump that water out of the well. Hopefully with the recharge rates and the conservation efforts the Quichipa situation will not be as concerning. Kit – Our main recharge is out at the Airport and will go into our aquifer. We recharge approximately 2000 to 2500 acre feet a year. Paul C – Good work on that.

Jonathan – The snowpack in southwest Utah is 47% of normal. This shortfall could cause a loss of flow from some of the mountain springs and there will likely be a larger decrease in the aquifer level. The City has water restrictions between 8 a.m. to 6 p.m. This allows the tanks to fill. The Water Department tries to enforce this, but it is difficult. Rick – The water guys go to work Monday through Friday and go to a specific location and we don't have workers driving up and down the streets throughout the day. On weekends people may have sprinklers on during the day and we don't have people out there to enforce the restrictions. Don – We can be good neighbors and suggest they comply. Fred – Would Code Enforcement take care of this? Rick – The Water Department has door hangers and they try to keep track of repeat offenders and then go from there. Paul B – The City has had the same ordinance on the books for a couple of years and doesn't differentiate between the sources of water. Large irrigators can use the reservoir and the ordinance doesn't differentiate between this and culinary. This is a criticism we've heard for a long time. There is not a lot of enforcement with citations. Don – I suggest that we be good neighbors, but if people still don't understand and they see the high school or the City park watering during the day they are confused about non-compliance. Maybe in the newsletter we could make an explanation. Fred – Why doesn't the City comply with the restrictions? Paul B – Most of our irrigation comes out of the pond and all the fields take a long time to water. Rick – The Cemetery and parks are the same. Fred – If it can be done at night it should be. But if not it's a different story. With the aquifer dropping we need to make sure people quit wasting water. Rick – With the evaporation rate during the day people lose 30 to 40% of effectiveness by daytime watering. Paul C – I congratulate the Water District on its educational efforts. Fred – The Water Fair was great. John – Maybe you can give some suggestions on the ordinance. Paul B – I will need to collaborate with the Water Department and the Police.

**PUBLIC COMMENTS:** ■ Tom Jett – A lot of businesses are switching to a sensor that reads the amount of moisture in the air. Doug Hall would be able to educate everyone on this. There is a lot of technology out there that could help conserve water. John – Doug is the Chair of the conservation committee at the Water District. The City and the School District is currently testing districts with this technology.

**CONSENT AGENDA: (1) APPROVAL OF MINUTES DATED FEBRUARY 19 & 26, 2014; (2) APPROVAL OF BILLS DATED FEBRUARY 26, 2014; (3) APPROVE THE \$2,500 SPONSORSHIP OF UN-PLUGGED CEDAR CITY TO BE PAID OUT OF THE EXECUTIVE DISCRETION FUND; (4) APPROVE A BOND AGREEMENT AND FINAL PLAT FOR ASHDOWN FOREST PUD PHASE 7 – BRIAN NICHOLS/PAUL BITTMENN; (5) APPROVE A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN CEDAR CITY AND THE IRON COUNTY RESTAURANT TAX BOARD FOR A MATCHING GRANT OF \$2,500**

**FOR MAIN STREET BANNERS, THE CITY PORTION TO BE PAID OUT OF THE EXECUTIVE DISCRETION FUND – DANNY STEWART; (6) APPROVE RATIFICATION OF MAYOR’S SIGNATURE AUTHORIZING THE 2014 UTAH STATE LIBRARY MEMORANDUM OF AGREEMENT (COMMUNITY LIBRARY ENHANCEMENT FUNDS) IN THE AMOUNT OF \$9,184.00 – STEVE DECKER; (7) APPROVE THE UDOT STATEWIDE UTILITY LICENSE AGREEMENT – RYAN MARSHALL; (8) APPROVE PROPOSAL FROM EZLINKS FOR A SOFTWARE PACKAGE AT CEDAR RIDGE GOLF COURSE – JARED BARNES; (9) APPROVE THE REAPPOINTMENT OF BRUCE BARCLAY TO THE PARKS AND RECREATION ADVISORY BOARD – MAYOR WILSON:**

Don - Regarding the minutes of February 19, on page 2, the person’s name is spelled Kahler.

Councilmember Marchant moved to approve the consent agenda items I through 9 with the correction of the spelling of Cal Kahler’s name on page 2; second by Councilmember Rowley; vote unanimous.

**CONSIDER REQUEST TO MODIFY/REMOVE THE ISLAND IN THE VICINITY OF 647 S. CROSS HOLLOW ROAD IN FRONT OF STONE HAVEN – STACY JONES/SHARON WASDEN:**

Fred – I drove by the island and from the north it’s not too much of a trick to make a U-turn. But Paul C said that with a longer truck it was difficult. We think the problem could be addressed by an apron of concrete on the east side of the road. Paul C – I would like to see that if we do the apron it is up to road standards. You could make a U-turn if there was more asphalt. John – To protect the people with the U-turn we need to go further south and put up directional signs so people don’t think the asphalt is a travel lane. Paul C – If Sunrise church ever builds you could share parking lots and if the driveway was between your properties it might be easier to turn into their parking lot. John – If someone wants to go south there will be the same U-turn situation. Don – I’m not sure a U-turn will solve the problems and I would like more input on the engineering aspect and what it would entail. It might be a bigger boondoggle with the U-turn than not. Fred – We have these all across America. Don – But we don’t have them here. Ron – On the Master Plan there are two lanes going both directions. Kit – The islands are the turn lane in the middle. There are two lanes on either side of the island. I don’t have any other suggestions. I gave you the costs on tearing out the island. Left lanes are built in there and they are protected turns so it is a little bit safer. John – What about the turning lane going north? Kit – We would need to put signage up that there are no left hand turns coming out of there. We could keep the turning lane in and make sure they aren’t turning left out of the drive way. We would have to widen out the asphalt on the other side there. I’ll look at the drainage and make sure it’s adequate. Ron – If you have a large number of vehicles making the U-turn there, there won’t be room for them. Don – I went out there and I was amazed at the amount of traffic that goes that direction. I don’t think it will solve problems with a U-turn at either location and I’m afraid there will be accidents there. Paul C – The median protects vehicles from fast moving traffic. Mayor – How were things with the wedding last weekend? Stacy Jones – It was a little congested. Sharon Wasden – I went to Utah barricade and put up barricades with caution tape. It

was a big event. I was concerned that as someone made a U-turn they might get hit so I put the barricades up. We had 400 people come and we planned for 700. I think the U-turn is a possibility but have you considered removing a large portion of the southern part so vehicles can turn directly into our parking lot instead of making the U-turn? That would still allow vehicles to angle inward. John – On the egress it would be natural to want to turn. We would need to add egress to the parking lot that was a right turn only. Paul C – That's one reason that a median is good.

Rick – We could put together an estimate for widening the asphalt and it would be the property owner's responsibility. Kit – Normally it is the person requesting the change that bears the cost. I would be concerned if we shorten the island and people pull in to make left turn. If there is no stacking distance for cars they will hang out into on-coming traffic creating a hazard. Paul C – An accident could happen either way and we need to recognize that. Sharon – I like facilitating the U-turn with signage. It guides them onto the asphalt. Paul C – Could an agreement be drawn up stating that Stone Haven pays for the apron and then Son Rise Church reimburses the cost to them when they build? Paul B – We can write a 10 year agreement. You probably need to talk to Son Rise.

Rick – Kit will design a turn width of asphalt on both ends and get an estimate of the cost. Stacy – We are a brand new business. We just closed on the mortgage and we don't have a lot of working capital right now, but will have in the future. We can't afford to pay for this safety issue right now and ask that you consider helping us out. Don – We will consider that but we have to be concerned about setting a precedent. We appreciate your predicament but we have a responsibility to others with public funds. Sharon – I was talking to the builder today and it was because of our construction that the water, sewer, and electrical is available to the entire east side of the road. Our burden was 15 to 20 thousand dollars for this. We made the pipes larger than our needs so they could extend to other properties in the area. We will have helped this whole area to develop. Rick – We will bring an estimate back next week.

**APPROVE AN AGREEMENT WITH BUILDER GROUP, LLC, TO USE THE IRON RANGER'S ARENA FOR A DASH FOR CASH AND DEMOLITION DERBY - BRYCE DAVIS/DAN RODGERSON:**

Bryce – Are there any concerns? I met with the City Manager and the City Attorney this morning about safety concerns. Amanda Hunter – I am a derby driver. My concern, although we're supportive, is the safety of the drivers. This event will have new drivers coming in and I ask the Council go through the rules of stock drivers and put more regulations in place for this event. We are supportive of this event. It gives us an opportunity to drive somewhere else and we like that, but we concerned about the safety of the drivers with the current rules listed on this event's website. Most events of this type require that the gas tank and battery are inside the vehicle to avoid fires. Usually the driver door is required to be welded shut or chained closed, etc. The gasoline should be secured inside with the driver. Don – There is more to this than I thought there was. Amanda – I request that maybe you pull something from another demolition event page and look at their safety rules. John – There is a standard for these events on line? Amanda – Not a standard, but the different events like those at the Parowan Fair or the

Washington County Fair have their requirements on line. Bryce – I sent an email to Kit and pulled up some rules. Fred – How about requiring the Parowan Derby rules for this event. Would that be adequate? Amanda – Washington County would be better for the stock class that is his style of derby. Those rules would reasonably protect the drivers. Bryce – Our event is based on spectators and originally we were just going to put a show on. We are not trying to create a sport or a sanctioned demolition derby. There are no national rules. John – I have heartburn with what you are saying. This would put drivers at risk. You need to come up with safety rules.

Rick – I looked at the Iron County rules and they are more extensive. If you're comfortable with Washington County rules, then that's what we'll ask. Fred – Bryce is this is your first demolition event? Bryce – Yes. Fred – I think you should spend more time with these people before you put on an event sanctioned by the City. Bryce - Amanda has some bias because she has been trying to have a contract with Larry at the Events Center. Amanda – My dad has tried to have a contract in the past. This has nothing to do with that. I am concerned with driver safety. Bryce – We are being very exclusive in selecting the drivers. The driver positions are not open to the public. I've put on these events with motorcycles before. This makes our event a little different. John – You have a purse so there is a competition. That puts drivers at risk to earn the \$1500 purse. Amanda – They are still calling it a demolition derby. John – I think you need more standards.

Leslie Holyoak – I am a driver and my concern is with many of the rules he has proposed. There is a big difference in vehicles and some are heavier. If the driver uses the back of car to ram another vehicle, which is common, there is the hazard of the gas tank in the back. After reading these proposed rules I wouldn't let anyone I know drive in this event. Amanda – We are all for what you are doing, but the driver's safety needs to be reinforced. Paul C – Since your event is not until next month, why not have the drivers fix their cars? Bryce – There are not set rules for these events. Iron County's rules are very restrictive. John – Common sense would say this shouldn't go on. Paul C – What is wrong with adding rules? Bryce – We want to keep the budget down on the cars. Amanda – I personally would rather pay up front and not have to pay medical bills later. Even with the rules we have in place usually the driver gets cuts and bruises, but the rules I am suggesting will save from serious injury and maybe even save the driver's life. Leslie – I am an inspector and the Iron County Derby at their demolition derby if the car is not safe, the safety inspectors turn the drivers away until it's fixed. Our concern is the safety of the drivers and the spectators. Don – Why not work with Dan and address these issues. We need to be careful in how we approach this. Bryce – I have no opposition to adopting different rules. The insurance company approved three million worth of insurance for this event with the current rules though. John – It's just common sense. I suggest that we review Washington County's rules and then look at something that is safer and more equitable. Leslie – I would suggest that you put in size requirements for the vehicles, so larger cars don't compete with smaller cars. Rick – Dan and I will get the Iron County and Washington County rules and highlight those expressed in the meeting. John – Maybe you could have a mini derby with compact cars. Mayor – We'll work with Dan and Rick to review the rules and different options and we

will bring this back to the next work meeting. Bryce – We will have to shoot for a different date.

**APPROVE A RESOLUTION INCREASING THE FEE FOR OVERNIGHT  
STALL RENT AT CROSS HOLLOWES ARENA – DAN RODGERSON:**

Councilmember Rowley moved to approve the resolution increasing the fee for overnight stall rent at the arena; second by Councilmember Cozzens; vote as follows:

AYE:               5     
NAY:               0     
ABSTAINED:    0   

**ADJOURN:** Councilmember Rowley moved to adjourn at 6:48 p.m.; second by Councilmember Cozzens ; vote unanimous.

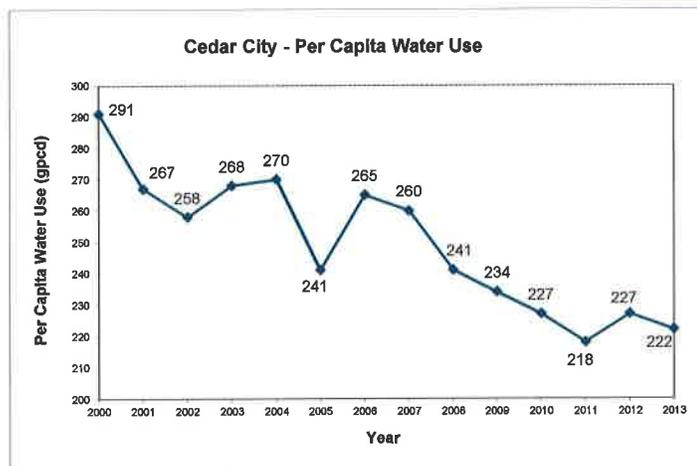
  
Barbara Barriek, Executive Assistant

# Cedar City 2013 Water Report



## Per Capita Water Use

2013 population estimate = 29,118  
2013 per capita water use = 222 gpcd



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## Water Rights and Usage

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- **31 ac-ft** of water rights were acquired in 2013 and the City now owns a total of **19,693 ac-ft**.
- Total amount of water used by City in 2012 was **7,251 ac-ft** (37% of total water rights were used).
- 40-year outlook amount of water rights is **17,495 ac-ft** for a projected population of **70,260**.

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## Power Costs

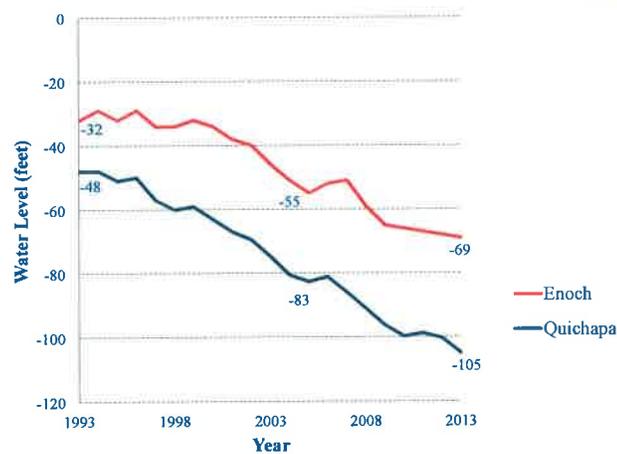
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- Total power costs for pumping in 2013 were **\$540,978**. (Total power costs in 2000 were \$259,523.)
- Power costs have increased from \$0.15 in 2000 to **\$0.31** per 1,000 gallons in 2013. This represents a 107% increase.

## Aquifer Trends

- Water level in the aquifer west of Quichapa Lake has decreased from 48 feet in 1993 to 105 feet last year. This is an average decline of about 3 feet per year.
- From 2012 to 2013, the water table dropped about 5 feet.
- The 5-foot decline last year represents an additional \$2,500 in annual electrical costs. (approx. \$500/foot).

## Cedar Valley Aquifer Levels



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## Summary of Water System Projects

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### Water Projects completed in 2013

- Quichapa Well #5 power/motor conversion
- Spilsbury booster pump replacement
- Shurtz Canyon Springs collection box upgrade

### Water Projects under construction or planned for 2014

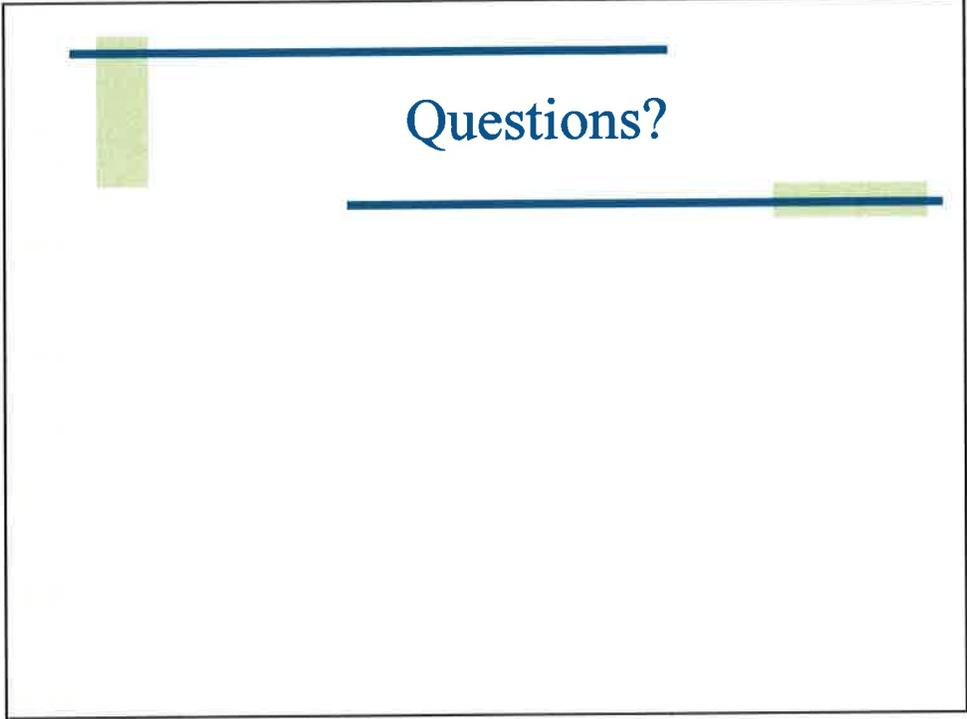
- Cedar Canyon Tank replacement (under construction)
- 1700 West waterline replacement
- 100 West waterline replacement - 400 N. to Coal Creek Road
- Chain-link security fences at Quichapa Wells #5 and #6
- Equipment storage bay enclosure at Public Works yard
- Re-drill Quichapa Well #1
- Right Hand Canyon Springs collection box upgrade

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## Update on Water Situation

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- Snowpack in SW Utah is currently at 47% of normal.
- 18" of snow currently at Webster's Flat. (Normal is 38")
- The dry winter could cause a loss of flow from some of the mountain springs. Also, there will likely be a larger decrease in the valley aquifer levels over the next few years.
- City currently has a restriction in place – no outside watering from 8:00 AM to 6:00 PM.
- Conservation is encouraged through the water rates and information can be sent out in the utility bill.



Questions?