



Parowan City Council Meeting Minutes
October 12, 2023 – 6:00 p.m.
Parowan City Council Chambers
35 E 100 N, Parowan, UT 84761

Elected Officials Present: Mayor Mollie Halterman, Councilmember David Burton, Councilmember Sharon Downey, Councilmember Matthew Gale, Councilmember Jim Shurtleff, Councilmember Rochell Topham

City Staff Present: Dan Jessen, City Manager; Scott Burns, City Attorney; Callie Bassett, City Recorder; Judy Schiers, City Treasurer; Heather Shurtleff, Deputy Recorder; Jeremy Franklin, Power Superintendent

Public Present: See attached sign in sheet.

- 1. Welcome and Call to Order:** Mayor Halterman called the meeting to order at 6:00 p.m.
- 2. Opening Ceremonies:** Mr. Jed Sudweeks offered the invocation. He then led the council and the public in the pledge of allegiance.
- 3. Declaration of Conflicts With or Personal Interest In Any Agenda Item:** Councilmember Shurtleff and Councilmember Gale stated that their wives are employees of Parowan City, and they wanted to state that in reference to agenda item number 12.
- 4. Approval of Meeting's Agenda:**

MOTION: Councilmember Downey moved to approve the agenda for 10-12-2023.

SECOND: Councilmember Gale seconded the motion.

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

- 5. Public Comment:** There were no comments from the public. Councilmember Shurtleff announced that the veterans have decided to do the flag retirement ceremony on the 8th of November at 1:30 p.m. at the veteran's monument. Parowan High School student government will be involved with this.

CONSENT MEETING:

6. Approval of City Council Meeting Minutes from September 19th and September 28th, 2023

7. Approval of Warrant Register for October 12, 2023

8. Approval of September 2023 Financial Report

There was a correction to the date on the warrant register listed on the agenda. It should have been listed as October 12, 2023 instead of September 28, 2023.

Also, Councilmember Topham made a clarification to the minutes. The Interact Club is not a club of Parowan High school. They are associated with the Rotary Club. Parowan High school students are involved with this club, but not as a PHS club itself.

MOTION: Councilmember Topham moved to approve the consent agenda items 6, 7, and 8 with the stated corrections.

SECOND: Councilmember Burton seconded the motion.

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

ACTION MEETING:

9. Partnership with Parowan Fire Department: BreAnn Veater, Parowan Prevention Coalition

Ms. Veater gave a quick update on the coalition’s activities over the summer. She said she met with Fire Chief David Schiers and would like to ask for support from the council to partner with the fire department to advertise for the Parents Empowered program by putting decals/wrap on the fire house bay doors. This will need to go to the Historical Preservation committee for approval.

MOTION: Councilmember Gale moved to approve the partnership with the Parowan Prevention Coalition and the Fire Department contingent on approval of the Historic Preservation committee.

SECOND: Councilmember Downey seconded the motion.

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

10. Parowan Chamber of Commerce Winter Wonderland: Christine Price and Jed Sudweeks

Jed Sudweeks asked for the council’s blessing and permission to use the park and power again this year for the Chamber of Commerce’s Winter Wonderland. As a side note, he said the chamber received a downtown beautification grant. With this they purchased picnic tables to be placed at the gazebo. He told the council that for the Winter Wonderland, they are sure to call 811 to make sure they miss all the sprinklers and buried wires when they set up. They have a couple of new displays planned for this year. The rock church is still being lit. They will take it down when they need them to for the renovation. The Winter Wonderland has become an event and a destination. Saturday nights are free hot cocoa nights, which are very popular. They do take a crowd count each night. They know where the tourists are coming from due to zip codes on the Christmas ornaments.

MOTION: Councilmember Gale moved to allow the Parowan Chamber of Commerce to put up their Winter Wonderland in the park and to use the city’s power.

SECOND: Councilmember Topham seconded the motion.

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

11. Firm Power Supply Agreement, Resolution 2023-10-01: Jeremy Franklin, Power Superintendent

Jeremy explained that joining the Firm Power Supply project under the UAMPS umbrella allows the city more opportunities for new generation resources and to diversify their portfolio. Dan explained that this gives the city a foot in the door to be able to be involved in the projects and allows Jeremy to be a part of meetings discussing them. It does not commit the city to doing anything currently.

MOTION: Councilmember Shurtleff moved to approve Resolution 2023-10-01 with the Master Firm Power Agreement Between UAMPS and Parowan City.

SECOND: Councilmember Gale seconded the motion.

VOTE: A roll call vote was taken as follows:

	AYE	NAY
Councilmember Shurtleff	X	
Councilmember Gale	X	
Councilmember Downey	X	
Councilmember Topham	X	
Councilmember Burton	X	

All councilmembers voted in favor of the motion. The motion carried and Resolution 2023-12-01 and the Master Firm Power Supply Agreement were approved.

12. Step In Grade Committee Structure Discussion: Dan Jessen, City Manager

Dan addressed the council. He said there are different ways to approach coming up with a step-in-grade policy. It could be administrative or Dan could come up with something himself and present it to the council. He thought that a committee approach would work well. He thought it would work to have a couple of council members, himself, the mayor, H.R., and the city treasurer make up the committee. He asked for volunteers to be on the committee, and since then, he said, there have been some different concerns from different people (some from the public and some from the council) about the nature and the make-up of the committee. He said this can be entirely administrative, but at the end of the day employee salaries are one of the largest budget items that the city has. He said however the council wants to do this, we need to come up with a living, breathing system that can be used to inform the employees of how they can move through the steps and justify that movement. He said this process is not legislative, but the result is 100% legislative because this will be both policy and will affect the budget. Dan said this committee is not about getting raises for the whole city. This committee is about coming up with a good system that we can use to move forward. Whatever the committee comes up with will be brought back to the council.

Councilmember Gale asked what it would cost to bring in an independent contractor to do this. Dan said it is very expensive. He said Cedar City hired someone and it was over \$100,000. He said there is a company that we might be able to hire that would still cost between \$20,000 and \$40,000. He said for a small fee, we could subscribe to this company's data. It could be very difficult to translate because of all the variables involved. The city would still need to come up with a methodology of utilizing the system.

Councilmember Shurtleff asked if Dan could bring something to the council for them to look at and discuss. Dan said that would be the quickest process, however there will always be a disagreement as to what is fair and what is equitable, what is too pro-employee or too anti-employee. Dan would like this to be a more collaborative effort than just having him come up with something.

A heated discussion by the council ensued regarding the makeup of the committee, after which Councilmember Topham made the following motion:

MOTION: Councilmember Topham moved, in the discussion on the step-in-grade committee members, that the committee members be Mayor Halterman, Dan Jessen, Callie Bassett, Judy Schiers, Councilmember Downey, and Councilmember Burton.

SECOND: Councilmember Burton seconded the motion.

VOTE: The vote was 2-1 in favor of the motion, with two abstentions.

This motion died for lack of three affirmative votes. Attorney Burns said he was not even sure why the council was voting on this because this is an administrative issue and something that the city manager has the ability and the authority to make this committee. Councilmember Shurtleff then made the following motion:

MOTION: Councilmember Shurtleff moved to establish a step-in-grade committee structure based on the members Judy Schiers, Callie Bassett, Councilmember Burton, Councilmember Downey, and any other members of Parowan City that the city manager designates to be on the committee.

SECOND: Councilmember Burton seconded the motion.

VOTE: The vote was 3-1 in favor of the motion, with one abstention. The motion carried.

WORK MEETING:

13. Gravel Crushing at Landfill: Russell Limb and Randy Clark of Progressive Contracting Inc.

Mr. Limb said that three years ago his company helped fix a problem with the city's sewer line. He said the city manager at the time suggested they trade water for dust control at the landfill for the work they did on the sewer line. They were happy to do that. They never were able to get an agreement together. They approached the new city manager to get back in to the landfill to finish what they started. He said they have been turned down twice. He said if they are not going to be able to use the landfill and get water, then they are going to charge the city for the work they did. Attorney Burns said that he will meet with Mr. Limb and Mr. Clark to talk this through, then he will bring a recommendation back to the city. Dan Jessen made it clear that the city cannot sell a city asset without going through the bidding process.

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

Councilmember Burton commented on the Main Street decorations for Halloween. He reported that there was no Shade Tree Committee meeting. He asked Chairman Larry Zajac to report on the Planning and Zoning Commission meeting.

Mr. Zajac reported that there were three public hearings. There are going to be some changes to some of the city's land use codes regarding noticing of public hearings (from 14 to 10 days). Also, public hearings are now required by state law to be held on land use changes by the planning commission before making recommendations to the city council. The city council may hold a public hearing if they so desire. An ordinance was drafted addressing these changes and will come to the city council with a positive recommendation from the planning and zoning committee.

Mr. Zajac reported that the other two public hearings were regarding conditional use permits for the locations of the pickleball courts and the bicycle pump park at the Valentine Sports Complex. There were discussions about a couple of minor negative impacts and mitigations to resolve those. Both of those were approved for conditional use permits.

Mr. Zajac said there was also a brief discussion about the housing development proposed at 1200 West and Holy Oak Lane (200 South). The applicant for that development was not at the meeting, but had sent information to the commission. They decided they need a more final plat to see the full impact of that development. Until they receive that they will not be able to move forward with any recommendation. He said that Dan presented his growth presentation to the planning commission. He suggested that people check the video or minutes of the last meeting if they need further information.

Councilmember Topham reported that the theater board rescheduled to the 17th. She gave a copy of the RAP Tax flyer to the council, mayor, city manager, and city attorney that is going to be mailed out. These will be mailed on Friday Oct 13. The flyer explains what the RAP Tax is and provides voter information.

Councilmember Downey did not have anything to report.

Councilmember Gale did not have anything to report.

Councilmember Shurtleff did not have anything to report.

Mayor Halterman reported that the master active transportation plan draft was released and she would like input from the council and community on that. She said they are making good progress on the

master transportation plan. She reported there has been movement on the pickleball courts. Mayor Robinson (Paragonah) is working on plans for the courts. She said they had a preliminary pump track meeting that morning with public works. They need to update the grant they received for that pump track with the new location. They have earned just under \$40,000 in brick sales for the Old Rock Church. There will be costs coming out of that, with a net gain of around \$32,000. This is separate from what was raised at Old Rock Days. She said many positive things are in the works.

Dan Jessen reported that the pressurized irrigation system is going to be turned off on Oct. 15. He said this has been an odd year. There is still a lot of water, but we are entering the freezing period. They are still moving forward on the library getting the clean-up done. He met with the 5 County Association guy to see if this would be a good candidate for a CDBG grant. They decided it would not. This will probably be a good candidate for the CIB to remodel the library. He said insurance is declining to cover the damage done on the roof because it is a deteriorating roof. They do not cover mold. They will cover the entry way. The CIB will not do all grant, but it would be a small loan. He said it would be better to do a whole project than just cherry pick projects. He asked the council to think about this.

Dan reported that the Sunset View Subdivision on Diane Drive was built in the seventies. Two legs of the subdivision never had utilities installed, yet the lots were created, platted, and allowed to be sold. There 21 lots that are unimproved and unbuildable until someone puts in the improvements. One of the options property owners have is doing a voluntary assessment area. There are two property owners that are interested in doing an assessment area. They are looking at doing a city-initiated assessment area. Essentially, the city will get a loan to put in improvements. The lot owners would pay for the loan.

Dan gave a bridge update. They are waiting for Jones and DeMille to come back with their findings on the Main Street bridge. They met with UDOT. They need to find out if they need to amend the grant. He said they also need to meet with the pumpers about the diversion structure. It is a good idea, and they need to move it before they get the bridge plan going.

Dan said the water board meeting was postponed until Tuesday the 17th. Bowen Collins will be coming to present on the draft plan for the implementation of water rights exactions on new development, connection fees, impact fees, etc. The city will be switching to a meter size-based model. Dan added that the airport project is moving forward. They will do test core on Friday the 13th.

Staff: There were no reports.

Councilmember Burton thanked Councilmember Topham and Callie Bassett for the work they have done on the RAP Tax.

15. Closed Session: The Council may consider a motion to enter a closed session for specific purposes allowed under the Open and Public Meetings Act (Utah Code § 52-4-205), including to discuss the purchase, exchange, lease, or sale of real property; litigation; the character, professional competence, or physical or mental health of an individual; for attorney-client communications (Utah Code § 78B-1-137); or any other lawful purpose.

MOTION: Councilmember Downey moved to go into closed session to discuss the purchase, exchange, lease, or sale of real property.

SECOND: Councilmember Topham seconded the motion.

VOTE: A roll call vote was taken as follows:

	AYE	NAY
Councilmember Shurtleff	X	
Councilmember Gale	X	
Councilmember Downey	X	
Councilmember Topham	X	
Councilmember Burton	X	

All councilmembers voted in favor of the motion. The motion carried. The council moved into closed session at 8:17 p.m.

Present in the closed session: Mayor Halterman, Dan Jessen, Scott Burns, David Burton, Sharon Downey, Matthew Gale, Jim Shurtleff, Rochell Topham, Callie Bassett, Judy Schiers.

The council came out of closed session at 9:05 p.m.

16. Adjournment

MOTION: Councilmember Topham moved to adjourn the meeting.

SECOND: Councilmember Gale seconded the motion.

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

Mollie Halterman, Mayor

Callie Bassett, City Recorder

Date Approved: Oct. 26, 2023