

COUNCIL MINUTES
APRIL 23, 2025

The City Council held a meeting on Wednesday, April 23, 2025, at 5:30 p.m. in the City Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Garth O. Green; Councilmembers: Robert Cox; W. Tyler Melling; R. Scott Phillips; Ronald Riddle; Carter Wilkey.

STAFF PRESENT: City Manager Paul Bittmenn; City Attorney Randall McUne; City Recorder Renon Savage; City Engineer Kent Fugal; Police Chief Darin Adams; Public Works Director Ryan Marshall; Project Engineer Shane Johnson; Airport Manager Tyler Galetka; Economic Development Director David Johnson.

OTHERS PRESENT: Ann Clark, Wendy Green, Roger Thomas, Stacey Cooper, Tom Jett, Steve Nelson, Elena Roundy, Jason Ashworth, Julie Ashworth, Sunny Alger.

CALL TO ORDER: President Stacey Cooper of the Church of Jesus Christ of Latter-Day Saints North Stake gave the invocation; the pledge was led by Randall McUne.

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

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF

COMMENTS: ■ **Mayor** – on the Esplin well, we did not find the volume or rock that we wanted to, the trays we have here tonight are from the BLM test well site, they are far better. We went 1,000 feet and then another 100 feet and it didn't pan out on the Esplin site. On the BLM well site we are seeing a fairly large volumes between 350 and 600 feet. **Shane Johnson** – the first 600 feet are good. **Melling** – how is the quality? **Shane** – we don't know that yet. **Mayor** – it takes 3 days to build the zone and test it. we are hopeful, we think in those rocky areas 250-300 feet is a deep vein of gravel. **Cox** – it isn't practical to drill on the other two sites with the results of Esplin. **Mayor** – we have one more well to drill. **Wilkey** – what are our options? **Paul** – these guys don't like to sit around. They want to go somewhere else or say we are done. **Cox** – will we get the quality back soon enough to move further. **Paul** – we have a permit from the BLM to drill on sites 4 and 1. **Wilkey** – I say stay east of Hwy 130. **Paul** – are you ok to go to well site #4? **Phillips** – yes. **Cox** – did Wayne find anything, or is he even drilling? **Mayor** – I haven't seen a rig out there. **Shane** – we had a change order for the additional depth. **Mayor** – we did go deeper, what we lost in one we will make up in another. **Wilkey** – what we saved on Esplin we will spend on the BLM piece. If we do well #4 will we stay within the original budget? **Paul** – that is what we are hoping for. **Mayor** – we talked about one more zone in BLM south, there is one more stratum where we had to go past the volcanic rock. We want to see the quality coming up on the zone test and maybe do something at the end. **Wilkey** – if we can do well #4 and stay in budget, I say go for it. **Phillips** – do we need anything legal to do this? **Randall** – no, just direction. **Mayor** – they knew we would pick three sites. **Wilkey** – I thought the bid was well site 1, 2 and 5. **Paul** – we could move to any of the six sites. ■ **Mayor** – we have settled on a finance director, Terri Marsh, she is coming out of California, I said why Cedar City, she already has a house under construction, she is building in Point West. We don't have a contract yet. She has a lot of experience, and is working for the City of Costa Mesa, 140,000 population, she has done conversions to Caselle and should hit the road running. We are happy, we had a

difficult time getting to this point. **Wilkey** – who was involved? **Mayor** – myself, Paul and Natasha. Also, the budget meetings are the afternoons of May 6th and 7th. ■**Melling**- we had construction equipment stolen from a site; I appreciate CCPD responding so quickly. We were able to, using flock cameras, identify the vehicle, unfortunately it was already in LA. They were professionals, based on how it was taken, we are a target, the more we publish about the flock safety cameras the better. With the vehicle information, they won't be able to use the truck or trailer in the area. ■**Phillips** – a shout out to the Fire Department, we did a burn at the old Town and Country, it was interesting to see the level of expertise that the Fire Department has. The modern fuels versus standard fuels and how they burn was interesting. Life Safety week is also going on at the Fire Department. Also, the Utah Shakespeare Festival did an open house last night, it is the 461st birthday today of William Shakespeare, he died 54 years later on his birthday. ■**Cox** – I had citizens reach out on the street clean up and they were grateful for the great job the street crews did. ■**Wilkey** – I had citizens reach out on the infields at the Veterans Park, they would like better dirt, I will visit with Kenney. I also had citizens reach out and I fell in it as well, when contractors cut into the sewer, I bottomed out my car, one is the Cascade Collision behind Home Depot, they need to patch better. **Paul** - they do a 14-day closure bond and a 1-year bond to make sure it doesn't settle. Public Works inspects those. **Wilkey** – one was taken care of, but the one behind Home Depot was not. What is the schedule for asphalt on Industrial Road, the trail looks fantastic. **Kent** – they are finishing up the concrete, my understanding is that that will be very soon, maybe within the next week.

PUBLIC COMMENTS: ■**Ann Clark** – I wanted to finish talking about the SHD zone. I know this is not the council that voted in the SHD zone. I was impressed with Phil Schmidt a few weeks ago, he worked with the community, and he will spend a lot of money to put a wall up. What did the neighbors get in the SHD zone, all I can see is false promises, no win/win. There are solutions, propose an ordinance that they cannot go outside the SHD zone. We have a granddaughter that goes to Utah State, and I have been up there, she is a freshman that lives in student housing, and they have a shuttle bus to get them to campus, she has a car but uses the shuttle so she doesn't have to park. We could come up with solutions that are win/win for both parties. We need student housing, and we need to save the old neighborhoods and come up with a win/win. The General Plan talks about what people really want.

CONSENT AGENDA: (1) APPROVAL OF MINUTES DATED APRIL 2 & 9, 2025; (2) RATIFY BILLS DATED APRIL 11, 2025; (3) APPROVE A VARIANCE TO ENGINEERING STANDARDS PERTAINING TO THE LENGTH OF A ROAD ENDING IN A CUL-DE-SAC FOR THE SHURTZ CANYON PUD PHASE 3.5 (ESTATES VIEW DRIVE / 2900 SOUTH STREET). MICHAEL PLATT / KENT FUGAL: Councilmember Phillips moved to approve the consent agenda items 1 through 3 as written above; second by Councilmember Melling; vote unanimous.

Wilkey – do we have the wheels in motion to look at the Engineering Standards? **Kent** - yes, we are looking at the cul-de-sac length and what other cities are doing, and we will come back to you.

CONSIDER AN ORDINANCE AMENDING THE GENERAL PLAN FROM LOW DENSITY RESIDENTIAL (LD) TO CENTRAL COMMERCIAL (CC) AND AN

ORDINANCE CHANGING THE ZONE FROM DWELLING MULTIPLE UNIT (R-3-M) TO CENTRAL COMMERCIAL (CC) FOR A PROPERTY LOCATED IN THE VICINITY OF 1600 NORTH WEDGEWOOD LANE. ASH HOLDINGS / RANDALL MCUNE:

Melling - do you want to build apartments? **Jason** - I think commercial makes a blend, it is an odd piece, that correction facility is so big, if you built an apartment, you would be looking at your neighbor, I think commercial makes more sense. It is an odd shaped piece of property. When we had a planning meeting, a few people came that liked the idea, some from the trailer park and people on Fairway Drive. **Phillips** - have you ever been in an apartment in New York City? **Jason** - in today's market you could rent something like that, but if the market shifts it would be difficult. I think there is a need for a 1500 square foot commercial building.

Councilmember Wilkey moved to approve the ordinance amending the general plan from low density residential to central commercial, and an ordinance changing the zone from R-3-M to CC for property located in the vicinity of 1600 North Wedgewood Lane; second by Councilmember Melling;

Phillips - I don't like to change low density, but with this one I agree. **Wilkey** - there is no low density on that side of the street.

Roll call vote as follows:

Robert Cox	-	AYE
Tyler Melling	-	AYE
Scott Phillips	-	AYE
Ronald Riddle	-	AYE
Carter Wilkey	-	AYE

CONSIDER AN AMERICAN250 RESOLUTION AND CREATION OF THE CEDAR CITY UTAH250 COMMUNITY COMMITTEE. SCOTT PHILLIPS:

Phillips, nothing has changed other than more people want to participate. We are asking for money in the budget, and we are asking for money from the County and Parowan, we can't ask the State for money until this is created. **Paul** - the budget has community promotions each year, he is looking for \$10,000 and there is probably plenty of money in that budget.

Councilmember Phillips moved to approve the American250 Resolution and the creation of the Cedar City Utah250 Community Committee; second by Councilmember Melling; vote as follows:

AYE	<u>5</u>
NAY	<u>0</u>
ABSTAINED	<u>0</u>

CONSIDER AIP 049 CHANGE ORDER #9. TYLER GALETKA: Tyler Galetka - no changes from last week.

Councilmember Phillips moved to approve AIP 049 Change Order #9; second by Councilmember Melling; vote AYE - 4; ABSTAINED - 1 Riddle.

CONSIDER AN ORDINANCE AMENDING CEDAR CITY ORDINANCE 26-XVI-3 REGARDING SIGNAGE IN THE HISTORIC DOWNTOWN AREA. DON

BOUDREAU/RANDALL MCUNE: Don – 26-16-B5, the language should be 25% to be consistent to the rest of the ordinance. Another suggestion is adding 26-16-B-11-B, walking around the downtown, there are probably 75% of the businesses that have window neon or internally lit signs that say open or closed, I think we should put an exemption in for those. **Paul** – we should add section B for small window signs indicating open or closed. **Don** – yes, up to 25%. **Melling** - window signs are already defined as the 25%, so in the existing exception halo signs, theater marquees may have illumination and window signs. **Cox** – did you talk to Brent Drew, they walked it and there are some locations where it didn't make sense for the 4' signs, like in parking lots, you want bigger signs, it doesn't impair the vision of the streets. **Melling** – where you want to consolidate them in one area, so they are taller? **Cox** – correct. A parking lot is somewhere you want people to know where to find a business, especially if you come in the back side of Main Street, and that is a place it's not going to impair the vision along Main Street. **Phillips** – the current signs at Lin's on Main Street, you are pulling into the parking lot, they do have monument style signs, but I don't think they are more than 5'. **Cox** – do we make an exception in a parking lot other than along the street. **Phillips** – like Evan's Hairstyling? **Cox** – we need them big enough to see. **David Johnson** – the intent was to not have monument signs on Main Street, I think the committee would be ok with that adjustment if it is on the side streets, maybe say on Main Street. On Main Street don't allow more monument signs that are over 4 feet. **Melling** – the city tenants have the sign, but no one else can. **Cox** – the whole center it is better for traffic. **David** – I would say table that then and talk to the committee. **Cox** – if there is a parking lot allow the signs to find the businesses. **Don** – when we are talking about this particular piece of geography, it is aesthetics. Most cities limit the monument signs to 5-6 feet, that is just in height. I think the one you are looking at in the Lin's parking lot is what we were chasing with the ordinance as it is written now. My opinion is monument signs up to 20', which is what ordinance would allow now, are very tall and they are not the most pleasing signs. Our sign at the City Park, it is a very nice-looking monument sign, and they are also effective because they put things right at your eye level, and aesthetically nicer in my opinion and they work for businesses too. **Wilkey** – monument signs would be limited to 4' plus 1 foot pedestal. The taller sign in the Lin's parking lot, do we have a definition of what that sign? **David** – they are trying to avoid tall signs. **Wilkey** – do we have a definition for the sign in this parking lot? **Don** - it would be free standing and that is not allowed. **Cox** – in a parking lot I don't think it matters. **Wilkey** – you couldn't see around that sign if it was on Main Street. **Phillips** – I will pull the change in the monuments if we approve this, or if there is a selected height. **Cox** – that sign does not bother me at all, especially if it is in the parking lot. **Don** – if you focus on the intent of the ordinance, on 100 west it would be ok. **Riddle** – are you talking from 200 South to 200 North. **Wilkey** – how tall is Maverik's sign? **Don** – with a goose neck 11'. **Steve Nelson** – the concept is accurate, but the concept is important. Because the buildings are recessed off Main Street that is the need for the larger sign. If the building is off the street it is needed, if the building is on the front use the building. **Cox** – what is a height? **Steve** – I agree with the monument sign concept, the buildings are zero setback. I would focus more on a recessed building. **David** – I recommend the 5 feet and say with the exception with the recessed building. **Phillips** – any sign there is grandfathered. **Tom Jett** – we have a large property where Lunt Motors was that will come available, so the issue of signage is going to be important. **David** – I think the exception mentioned would

work. **Wilkey** – the reason the sign is so big is because it has 7 businesses on it. Would more than one business be on a monument sign.? If you have a spot for a sign and you have a parking lot that serves more than one business, you can't get 5 or 6 businesses on a 4-foot-tall monument sign. **Melling** – the number of monument signs are based on the linear feet of frontage. **Wilkey** – it depends on the number of businesses that monument sign has to serve. **Don** – anywhere else in town that is how they are regulated, there are a minimum of 30 and then they are based on the linear frontage of your property. **Phillips** – the thing that changed all of this was when we took all the buildings that were zero setbacks along Main Street and did this development 25 years ago because there weren't any parking lots along Main Street at that time. **Cox** – I am ok with the offset building. **Don** – my suggestion would be not just an offset building, but an offset building with parking between the street and the building because you could take it back five feet. **Wilkey** – with the exception of a recessed building with the parking lot between the building and street. **Kent** – if the desire is to allow for some larger signs to advertise multiple businesses, I would rather it be a free-standing sign than a monument for the purpose of traffic safety. **David** - monument sign stay the same with a free-standing sign for a certain height. **Cox** - for site line the bottom of the sign should be 7 feet off the ground. **Paul** – there are a lot of definitions, if this is the direction, carve that out of what you approve tonight and bring it back. **Melling**- is there anything pressing that we can't table it and bring it back. **Phillips** – that is not what we are proposing. **David** – I agree with Mr. Bittmenn, let's get it right and bring it back. **Melling** – I hate legislating esthetics, but this ordinance allows more options that we have had. **David** – with committees like this, we determine the historic branding, what is the esthetic we are going for. **Wilkey** – can you see any unforeseen circumstances minus the monument and free-standing pole signs?

Councilmember Wilkey moved to approve amending Cedar City Ordinance 26-XVI-3 regarding signage in the Historic Downtown area as presented with these changes: we will remove free standing signs as a prohibited sign in sections 26-16-B-2, and remove the verbiage added on 26-16-B-6 and correct language that 25% of the face of the window can be used for a sign and that sign can be internally lit; second by Councilmember Melling; roll call vote as follows:

Robert Cox	-	AYE
Tyler Melling	-	AYE
Scott Phillips	-	NAY
Ronald Riddle	-	AYE
Carter Wilkey	-	AYE

**CONSIDER AN ORDINANCE AMENDING CEDAR CITY ORDINANCE 32-9
CREATING THE NORTHWEST WATER REIMBURSEMENT AREA. RANDALL**

MCUNE: Councilmember Melling moved to approve amending Cedar City Ordinance 32-9 creating the Northwest Water Reimbursement area; second by Councilmember Wilkey; roll call vote as follows:

Robert Cox	-	AYE
Tyler Melling	-	AYE
Scott Phillips	-	AYE
Ronald Riddle	-	AYE
Carter Wilkey	-	AYE

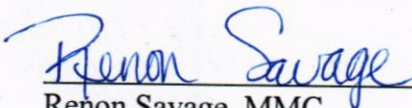
CONSIDER A LONG-TERM LEASE OF CITY PROPERTY IN THE VICINITY OF 150 WEST FALCON CIRCLE (2200 NORTH). RANDALL MCUNE: Randall- I

mentioned that if you wish to discuss it further, you can go in closed session. **Phillips** – the billboard industry has way too much lobby power in the State, but I don't want it on Main Street. **Mayor** – the counter is no. **Tom Jett** – they are playing the bully card. The Main Street sign will not carry near the value of the sales as the freeway sign, it is like comparing a home in Beryl to a home in Cedar City. **Phillips** – the value proposition is I don't want a billboard on Main Street. **Randall** – there is an application ready for approval, they are against the wire because they have to take down the other two signs. If we don't do this, they will move forward on the other location.

Councilmember Phillips moved to approve the long-term lease of City property in the vicinity of 150 West Falcon Circle (2200 North); second by Councilmember Wilkey; vote AYE – 3 NAY – 2 – Riddle & Melling.

CLOSED SESSION – PROPERTY NEGOTIATIONS: This session was not needed.

ADJOURN: Councilmember Phillips moved to adjourn at 6:32 p.m.; second by Councilmember Melling; vote unanimous.


Renon Savage, MMC
City Recorder