

CEDAR CITY PLANNING COMMISSION
MINUTES – May 20, 2025

The Cedar City Planning Commission held a meeting on Tuesday, May 20, 2025, at 5:15 p.m., in the City Council Chambers, 10 North Main, Cedar City, Utah.

Members in attendance: Councilmember Robert Cox, Adam Hahn, Tom Jett, Jennifer Davis, Jim Lunt, Wayne Decker

Members absent: John Webster

Staff in attendance: Kent Fugal-City Engineer, Randall McUne-City Attorney, Donald Boudreau-City Planner, Faith Kenfield-Executive Assistant

Others in attendance:

<u>ITEM/REQUESTED MOTION</u>	<u>LOCATION/PROJECT</u>	<u>APPLICANT/PRESENTER</u>
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- Pledge of Allegiance – the pledge was led by Adam.

I. REGULAR ITEMS

1. Approval of Minutes (dated May 6th, 2025)
(Approval)

Cox motions to approve the minutes from the May 6th meeting; Jett seconds; all in favor for a unanimous vote.

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| 2. Vacating Public Utility
Easement
(Recommendation) | 780 Cross Hollow Road | Daryl Brown / Watson
Engineering |
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Tabled until next time meeting on June 3rd, 2025

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| 3. Street Name Change
(Recommendation) | From Old Hyw. 91 to South Dan Roberts
Main Street |
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Dan Roberts: For Coldwell Banker. We have Cedar Trials listed out south of Cedar City and we are proposing to change the name from Old Hwy 91 to South Main Street. Because right now it will stop at Maverick. I don't know if you ever tried giving directions in Cedar City and said, Meet me on Old Highway 91. Well, there is one up the North interchange all over. I think coming down and saying it's Old Highway 91 down there. We would like to see it change from down there to Tipple Road. Have it so people know where they are going. Right now, it stops at the interchange.

Jett: Dan, may I ask Tipple Road? Is that where it currently stops?

Dan: No that is where we want it to stop.

Jett: Why there?

Dan: Well as far as I am concerned, we could go clear to exit 51. Because it's going to be in Cedar City's limits one of these days.

Adam: You must stop somewhere.

Dan: So right now, at least to there until we know what is going to happen if we have another interchange between exit 51.

Cox: Is that considered Main Street down though that road? It is kind of all over the place.

Dan: Well, Main Street is right here, and it goes out and stops. We think because of the magnitude of the subdivision it would be a good idea to extend that where the blue line is and come down there. The addresses aren't going to change any. It will all be the same numbers, but it just makes more sense to make it Main Street to me.

Cox: Is that a county road? A county-maintained road or does the city maintain?

Randall: State road but by agreement we maintain it.

Cox: Okay, so my question is; do we have the ability to rename a state road?

Randall: I asked the same question, and we would probably want to verify with UDOT. On a lot of these they have their SR names, and they don't care what we call them.

Cox: Just double-name it, I have seen.

Randall: We just have to double-check with them to make sure they are okay with it.

Cox: You could have Old Highway 91 Main Street. We do that a lot like on Center Street we have done that. University Boulevard, 200 to 300 East. Veterans Way, which has a street number on it but it is double named.

Jett: Currently, once you hit that stoplight where Maverick is and toward under the freeway, that would be Cross Hollow.

Dan: Yeah, the green line if you look at the map there is Cross Hollow.

Don: It is kind of interesting. We thought about this together today. Old 91 is at the light as well. That is how it is signed, and as far as we can tell from state records, that is the official name. Maverick, the little auto business, and the rest of those were addressed off Main. It is kind of unique. It is just Greens Lake right there.

Jett: We have new tire shop going out there. Is that addressed currently?

Don: That would be addressed Old Hwy 91 Discount Tire.

Jett: You would say Discount Tire ABC Old Highway 91.

Don: Yes.

Jett: My only struggle with what is being asked. I think it is a grand idea. My struggle is you have to make that turn so it is not natural flow.

Don: I think that is part of the staff's concern. If I remember correctly, I don't want to speak for Kent, our City Engineer. It is a hard left or right onto a different roadway, there could be some confusion there.

David Johnson our Economic Development Director. His opinion was he thought it may be a great opportunity for a new name. Especially if that area takes off. It is mostly in the Cedar City Trials RDO.

The plan is generally all commercial, but a different name besides Main would be more appropriate. These are just some of the staff's thoughts

Dan: I don't know why it just makes sense to me to make it Main Street. It is a continuation of Main Street, and it gives it a different feeling to know that we aren't just stopping Main Street at the Maverick. All that frontage is commercial down to Tipple Road. We go from the North Interchange it is confusing Old Hwy 91. Okay, does that mean that Old Hwy 91 is on the North Interchange? There have been so many Old Hwy 91s throughout the years. The one on the other side going to dump that used to out to the dump was Old Hwy 91.

Cox: Oh really.

Dan: That shows me how old I am, but I can remember that, Tom.

Randall: I don't think anybody on the staff side disagrees that the name change should occur from Old Hwy 91. If I am on Main Street and not from here, and it says to stay on Main Street. I am going to stay on Main Street and that idea would take me to Cross Hollow because it is on the same road. This one requires an actual turn signal, a left turn to wait for the light kind of thing. That is where we are all worried. You say South Main. You are going to have a culture change.

Cox: Just call it Old Main.

Randall: Even though it is the new Main. The process we are talking about at to staff level is a great idea to change the name. If you change it to another Main Street, it is going to cause a lot of confusion. Not any less because you talk about Old Hwy 91. Well, there is one up here and one down here. The same thing here, people will get confused. Is there another name that could be given?

Lunt: Whose responsibility is it to pick a name?

Randall: The city council.

Dan: It is confusing to me that Cross Hollow Road isn't a continuation of Main Street.

Adam: Agreed.

Randall: That is always the danger you have.

Dan: That is a lot more confusing than saying Main Street goes to the left instead of going straight.

Cox: Where does Cross Hollow end? Does it end right at that intersection?

Randall: It depends on what map you look at.

Cox: That is the thing. We need to clean it up somehow. I agree. If we have a Main Street address on Maverick that goes down that roadway. Why doesn't it extend beyond? We either need to cut off where it needs to be cut off or extend it down. In my opinion.

Don: Yeah, that is kind of is an anomaly there.

Randall: No doubt that it needs to be cleaned up.

Dan: I think it is better for Cedar City's business district to continue that on down that far and call it Main Street. Just because you must make a half-left turn.

Cox: Instead of the Historic Main Street we can have the future Main Street.

Jett: I am not opposed to the idea. I am just trying to figure out the educational curve. You know the city at the back of your hand and then you have people like me who have been for 35 years. We got in here and started putting names on streets just after I learned the East, West, North, and South. My only concern is how do we make it a seamless natural flow.

Cox: I think it can be down quite easily because you can put signs on the stoplight, and it shows Maine with an arrow Cross Hollow that happens all the time in other cities. That is easy so Cross Hollow with an arrow to the right to Main Street. But we need to move back to that intersection if we are going to do that.

Decker: May I ask a question? Currently Maverick is on Main Street, correct? And the business just passed Green Lakes Road is that also on Main Street or Old 91? Okay, I understand the situation here. To me, it is a 100% non-factor either way. It seems like we are just splitting hairs to me. If I am going somewhere I am going to plug it into my GPS and drive, there. Whatever happens, I am fine with it. It just seems like an absolute non-factor to me. Many times, when you are driving down a road and you are on that road suddenly, the name of the road changes. To me, that is not confusing. It is what it is. If there is a cost involved. I don't know why we are spending money on something that doesn't make any difference to me. There are my two bits.

Jett: Why would Maverick be Main Street?

Cox: Who knows?

Jett: It doesn't front Main. It fronts Cross Hollow and 91.

Dan: Well, I think for that reason it is on Main Street.

Randall: There is some confusion, and I have had these discussions even with staff. Depending on what map you look at the Main Street to Cross Hollow, a changeover can either happen where marked here or underneath the underpass. I have seen different maps including city and state ones.

Jett: Alright.

Randall: If you are going by that, it is Main Street by some of those maps. If you remember way back when that property that Maverik sits on and what the Tire shop will sit on, was all the freeway. At that time it was a continuation of Main Street. Main Street went straight onto the freeway or, vice versa. I think there was some history to that, and they did want a Main Street address because it got people to see where they were at.

Cox: It is not uncommon to change the name when you enter the city limits. Highway 14 hits town at Center Street, 200 North goes all the way through town until you leave town and that's Hwy 56. It is not uncommon to have that scenario at all.

Randall: The one thing we'd be looking at in the city is when you ask the why. It is probably less about addressing. You are right, most people are just pulling. They either know it because they have lived long enough or they are putting it on their maps. That is fine. Your biggest one is probably more of an advertising thing for the city. You think of the whole Walmart area, I can call it the Walmart area but what does everybody know it as.

Cox: Providence Center.

Randall: Right, the Providence Center. They have advertised with a mostly weird light that is supposed to be next to an ocean that we don't have. It did its job. It marketed the area for that.

Cox: Hasn't been painted for years.

Randall: If we change it to South Main, yeah people will find their way, but it loses any advertising opportunity for the city for this new area. I think that what we would be missing the most is a chance to name an area as something that would become, if not iconic, at least remembered. Where are you headed to town? South Main. We say that now and that it is there. It wouldn't mean anything else, the rest of this is South Main.

Don: I think that is the thought process for Economic Development, something different.

Adam: Dan's Drive. Robert's Way.

Don: I have a quick question, Dan. It came up in Project Review. Have you talked to any of the businesses around there, but have any opinions?

Dan: A lot are coming.

Don: No, I know. I am talking about the existing business. Did you speak to them at all?

Dan: Yes, I have.

Don: What were their thoughts?

Dan: They want it south main. The 60-acre parcels want it South Main. Those two, Parcels one and two of the RDO.

Cox: What was that area called before Shurtz? You could market an area quite easily that would be, for lack of a better word, a destination like the Providence Center or Shurtz Canyon Drive.

Jett: Or Freeway Frontage Drive.

Cox: I do agree that we need to clean it up to be consistent at the intersection or not.

Jennnifer: I like the thought that we don't have all these Old Hwy 91s. Because you are right, we have one on the north and south end. It gets confusing, yes.

Jett: Where on the west side?

Dan: I have always seen you right there on South Main at the liquor store, Tom. Just kidding. I am just

saying that used to be Main Street.

Lunt: That is the Old Hwy 91.

Dan: I am saying why not expand Downtown Cedar City to Tipple Road.

Adam: I like it. I think it is a great idea.

Jett: Chairman, does this require a public hearing?

Adam: Nope, this is just an item seeking a recommendation. We are looking for someone to make either a positive or negative motion for a recommendation.

Cox: We'll continue to grow down there. We are going to be more confused if we don't do something at that intersection than just leaving it. That is my opinion. As the city grows that way and then those developments come in, it is going to be confusing if we don't go back to that intersection and either name it Main or something different.

Dan: Cross Hollow Road why didn't we keep it Main Street?

Jennifer: I am not sure; we were not here.

Cox: Because Main runs North to South mainly and Center runs East to West.

Randall: That would cause its problems, Cross Hollow goes back around again.

Dan: I am just saying you are expanding Downtown Cedar City to Tipple Road. I think it makes perfect sense to keep it Main Street. It will be South Main because that is what the address will be. We can just keep it on Main Street. I am just saying to stay on South Main and get to that light and either must turn right to get on to Cross Hollow or turn left.

Decker: You must pull up to a stop light wait there and turn left to be on the same street. Correct?

Dan: We do that right out here, too.

Decker: Well, that doesn't justify what I'm asking, though, does it? To me, it is a non-factor. What if we just changed the address of Maverick? Problem solved?

Dan: No.

Decker: Okay, how come?

Dan: Because it is on Main Street, not on Cross Hollow. You can't access it from there.

Decker: Okay, to me when I go up there and take a left-hand turn and go to Maverick to get my diet coke and fritter, to me that is not the same the road. Honestly, to me it is a non-factor, I am okay with what people decide. It is just like a silly thing to me. So, I am either way. I don't know.

Cox: I understand when highways come into cities, we name them because they are easier to navigate through town. It is awkward when you must turn left to stay on Main Street. That is my one problem with it. My other problem is that we have it named 500 yards in and then it changes. We either need to go back to the intersection and start over and continue it all the way through or maybe name it South Main. Is that a thing?

Randall: You end up with a double South Main. Do not do that to us, please.

Dan: You're on South Main on Main Street. Let me just continue it on Main Street. South Main is the address.

Randall: If you note, most of those that have Maverick being a slight exception or at least half exception, most of the front off Main Street as well. For example, the access to the buffet and hotel have access on Main. They may also have access to Old Hwy 91, but they do have access on the main. I don't blame a business for wanting an easy address to find. If you can claim Main like Maverick could claim Main, so they did. Those other ones could claim Main.

Cox: Cross Hollow is what they intersect, not Main.

Randall: Well, again there is some dispute as to where those boundaries are.

Don: This is the best we could tell, but Randall is right there is conflicting information.

Randall: You are right that it needs to be cleaned up. Staff is just encouraging some other name that

doesn't just take one confusion and create different confusion. We leave it to you.

Jennifer: I do agree that South Main or South Main Street sounds better than Old Hwy 91. Just for business purposes, I would think that it has a better sound for marketing.

Dan: That is what we think. South Main Street.

Jennifer: Right, but is it? I don't know.

Randell: You don't want to go with what is better than now. You are changing a name that will likely remain for the rest of our lives.

Cox: Save your legacy.

Randall: This is your chance if you want to recommend else or even put it back to Dan and say, "Dan, give us a name other than Main Street that would market this area for Cedar City. It is that; good, better, best. Yes, it would be less confusing to go to Main, but it would still be confusing.

Jennifer: It still would, especially with the 500 feet in.

Dan: But coming back and you left it at Old 91, that is so confusing.

Randall: That is what I am saying. That is the worst, you are providing a better option.

Dan: If you are already on South Main Street, why not continue it on and make it Downtown Cedar City? Right now, we are ending downtown Cedar City.

Randall: Well downtown Cedar City, as we call downtown, only goes a few blocks.

Dan: Yeah.

Randall: It doesn't even go down to South Main at all.

Dan: Well, go to Providence Center. They don't know where it's going.

Adam: Dan, how much commercial Real Estate is along that road?

Dan: All of it.

Adam: Is it commercial all down there?

Dan: Yup.

Cox: There is going to be a commercial adjacent to Old Hwy 91 and housing behind.

Dan: Yup, do you want to pull up the RDO?

Cox: If there is a whole bunch of business down there, it is a little more awkward to have Old Hwy 91.

Dan: Okay. Look at this next slide. This right here is what is under construction RDO. That is parcel one of the RDO. This right here is Obring Subdivision right here, and the hotels right here. If you come down to here, this what they have under construction, there are going to be 18 high-end lots up on that plateau. This is R-3 but everything down this parkway that goes down the middle of it, the Ken Middleton Parkway goes all the way down to Shurtz Canyon Road. Everything West of the parkway is commercial down.

Cox: Anything that borders.

Dan: So, we are talking about 481 acres all together come down through there.

Cox: So, it will make a lasting difference.

Dan: But if I was a businessman wanting to be on Main Street. I would say come down to, 2050 Main, that is South Main, and it is not confusing when you get there and say, well this is the new street. Well, that is not South Main. You have another address to find. To me, it is an easy transition because you must turn right or left. Turn left to get on Main Street, stay on Main Street, and go down there.

Lunt: Dan, you mentioned Ken Middleton Parkway

Cox: That is already named.

Dan: That is already named, this is a big piece of ground you guys.

Cox: How difficult would something be like South Main Boulevard? So, there is a distinct difference. You are turning onto something new, and you can run it down to where Cedar City ends.

Randall: You would still want to keep South out the name. Because the street address would then be

South South.

Jennifer: Like we have on North Northbuild Road.

Dan: I am just fine with Main Street. I am just saying when you get there. What I am not fine with is Cross Hollow continuing to Main Street, it doesn't make sense.

Cox: I am just thinking of something that would make it unique, and so there is a transition. So, you know that it is different.

Dan: All these guys down here are going to have their own, this is 60 acres. That will be a big development. It will have its own name. You know, if you got 168 acres of Commercial coming down there along that frontage but you also got all this Residential in the back. The city had approved these roundabouts right here, see them? Coming in like that. Jim Guthrie's got this piece right here. And we got this piece where they are going to put a hotel here. It is just going to be a continuation of what our Main Street is anyway.

Jennifer: Where were you proposing that stop on Main?

Dan: Right here at Tipple Road.

Cox: Or go to the city annexation line. Is that where it is?

Dan: These are all in Roger Thomas's project which is right here, and it is in the city limits. When the Thomas Mack people, we had this under contract 15 years ago. Thomas Mack people from Vegas had all that under contract they were going to build their interchange right there.

Jett: I remember that.

Dan: So anyway, they didn't see any reason to stay in Cedar City. They put 6 million down on it and financed it for three years and weren't behind on the payments and headed the keys back to me and said Dan we are going to back out of this. They left 9 million dollars on the table and Ken Middleton said, "Thank you very much, do it again Dan. Anyway, before their time, back then this was 2008 – 2009 when all that happened. Anyway, this has all been Mastered Planned. To me, it just makes sense to keep it Main Street and we don't have to call it South Main because it is already South Main down there. If you just say, Main Street continue, but you could say South Main Street if you wanted.

Cox: How about a variation like Main Street Boulevard? Of course, that is long and cumbersome. That is why I was thinking of South Main Boulevard.

Dan: I think to know if you are coming from out of town and you are on Main Street and you hit that intersection and you say this a continuation of Main Street and you have an address, 2050 South Main.

Jett: Could we call it Main Street Extension?

Dan: No, I am just trying to keep it unconfusing. To me, calling it something else is confusing to me.

Cox: There is a distinct turn.

Dan: Just like Providence Center. We know that because we live here. Why did we put a lighthouse there?

Cox: Because someone wanted it on their property.

Dan: No, Tom Pew and the guys thought that traffic would stop. Everybody is going right by that intersection and saying, why in the world is there a lighthouse there. He thought that would be, go the lighthouse and get off.

Cox: It is a landmark.

Dan: The Northbound traffic was looking at it as they went by. They didn't know what Providence Center was or anything else. They still don't.

Lunt: We are beating a dead horse.

Dan: People know what Main Street and Center Street are in Utah if you are acquainted with Utah.

Don: Couldn't it be to your point about the lighthouse and destinations, especially as we grow. This could explode we don't know. Would a different name work for the marketing. Because Main to me means that

is more of your older downtowns. That is usually where you find a Main Street in smaller towns. This is going to be a whole new Commercial Development.

Dan: Well, if you go back to my day, that was Main Street originally. This is Main Street it is Old 91 that is just a continuation to go to St. George.

Cox: Okay, before we put the freeway, it went down into the other and there was no road down into where Wal Mart is back in the day.

Dan: Wal-Mart wasn't there.

Cox: Nope, there was a rodeo arena, and you got into it from the other side.

Dan: No, there used to be a racetrack there and the city used to own the property. Shooting range, so Tom Pew decided we would make a destination point there and we sold to him for an RA zone instead of Commercial and there it is. But Main Street just continued you couldn't even go down Cross Hollow because it wasn't there, it was just a sheep trail.

Cox: Correct.

Dan: So, this is Old Main Street, which is what I am saying. To me, we just need to keep it Main Street. There is Providence Center is about 80 acres. You could have 80 into 168 and have three or four Providence Centers down through there. If you wanted destination points.

Adam: That is just the Commercial Real Estate.

Dan: Yeah, that is just a Commercial that goes all the way down through there. So, to keep it Main Street, turn left to stay on Main Street, or turn right to get onto Cross Hollow. It makes sense to me.

Cox: Let's call it Left Main.

Dan: It has always been Main Street, to those old-timers. I am just saying that we ought to keep it that way.

Adam: Well, thank you Dan. So, do we have anybody who would like to venture a motion?

Jett: Well, I am going to through spaghetti to the ceiling and see what sticks. So, we can start the process.

Cox: I would be nay just because I think we need to back to the drawing board and see if there is some name that we can give and clean the whole thing up, once and for all clear to the city limits. I am not opposed to Main Street, I think there is something better that we can do at that turn all the way down to where the city ends. Then be down with it.

Lunt: With a Positive Recommendation, this will go the city council could mole this over for two weeks and then when vote on it. Because they have the final vote anyway.

Cox: Again, I just want to emphasize that I think we need to clean it up somehow from that intersection and that is why I am voting nay. Otherwise, Main Street, I don't care what it is called. But having half down there I don't agree with.

Jett: This is contingent upon the State of Utah approving that to renamed to Main.

Don: Tom, we will look into that before it gets to the city council. Just to make sure there are no issues there.

Cox: Dan, I would recommend you find some unique drawing name that is going to identify as the new Commercial Center and maybe consider that.

Jett: I love the name Shurtz Canyon.

Randall: Just a matter of clarification and there is a lot of tradition that goes in this direction a lot of chairs including members of this committee as well as others. Don't think they vote. They consider themselves a mayor. The mayor doesn't vote unless there is a tie of the council. In the case of the Planning Commission and specifically in our ordinance that the chair is a voting member. As it stands right now, there are three yay, two nay, and Adam you need to vote.

Adam: Thank you, I appreciate you clearing that up. The positive recommendation will go to the city.

Mr. Roberts, I implore you to do some campaigning to the city councilman. You are going to hear a lot of

opinions on what it should be named, but maybe it will become Main Street.

Dan: I am going to Korea with the Mayor next week.

Jennifer: He is not voting a member.

Randall: This is one of those that is interesting. Because if you look at the flag behind you, next to the City Flag, the youth council did the work to solicit suggestions and proposals. I fear we are missing an opportunity to do the same here. It would be interesting to see what the public would say as to what they would want to name it. Now we have something that could be iconic.

Adam: I agree.

Cox: That is my point. We need to put more thought into this because it is going to extend clear down to the overpass we need so and if Main Street its, then Main Street its.

Lunt: With this positive recommendation that will force the two weeks, this discussion to happen and when it comes before the city council, maybe there will be a Dan Roberts Boulevard.

Adam: I will vote with that one.

Jett motions for a Positive Recommendation that we make the continuation of Main Street; Lunt seconds; Lunt yay, Jett yay, Jennifer yay, Adam yay, Decker nay, Cox nay.

II. CITY ITEMS

1) Planning Commission

Ethical Training

Randall McUne

Randall McUne: You are going to go from something entertaining to something not entertaining. This is something I am supposed to do every year. I have been a bit of a slacker, apparently with you, the Planning Commission. So, here I am. Basically just want to go through it, make sure we are doing everything we are supposed to be doing. The whole goal in any of these, both the statutes as well as my training, is to make sure that what is done by the government is done in the light day. So, that way if you disagree with something, as Adam clearly did earlier, you know about it as it is happening. You didn't wait until it happened, and you got arrested and that is when you found out. If you only found out then, you weren't paying attention. That is our goal. Our other goal is to make sure that decisions aren't made for inappropriate reasons. Even though it is done in public, we still want to make sure it is done for the right reasons. Conflict of interest we will go through those. They are not well defined, but they give specific examples and categories of where you must be careful. We will go through those. You guys are all appointed officers for this training. Please keep that in mind. That doesn't mean you get all the other perks for being a city employee. It does mean that for purposes of this law, you guys are appointed officers. We have one elected official, many municipal employees, and substantial interest under this code. It is different than other ones, it is 10%. If you have 10% of outstanding shares or ownership in a company, then consider that company yours for purposes of this statute. If you are under that, then don't consider it yours for substantial interest. Three areas where disclosure does and I need to recheck that spelling one of these days. Where disclosure doesn't count. So, one of those you must be careful with. Each one of you has hopefully some form of a life and you have a job and some type of employment or investments or whatever else. You may hear information based on the fact that you are in these positions for the city that you can gain personally from. I know Costco is coming in at this location and nobody else does. Then I go buy all the properties around it's before it is announced. So, all the property values go up and voila, I am suddenly richer. That is illegal. I won't mention Congress because they are a bad example of this one. That kind of information is bad. Do not get personal gain out of what you get from your position, do not use your position to get benefits. For example, I could go to Jennifer, and say, hey, I

work with you. Can you drop what you charge for selling me a home? Because I work with you. You can do that in the private sector all the time. You cannot do that as a government employee. Now again, Adam: You know own a business?

Adam: Yes.

Randall: You can do that as part of your business. If you do that, I am Chair of the Planning Commission and now I have found out I can vote. Illegal. So now we all must go get mortgages, loans, and stuff like that. That is fine. If there is even a hint that you are getting a better interest rate. Because of your position with the city, that is illegal, and it is not enough just to disclose that it is illegal. Okay, gifts, be careful on receiving gifts. They have some generic rules and then they have some safe harbors. Generic rules are what does they look like? If you are on some street corner and someone is handing you an envelope and all of sudden, he is up to your next meeting next Tuesday. That looks horrible. Even if he was just handing you an invitation to his kids' wedding or something like that. It looks horrible. Keep that in mind. We don't want anything that looks like it is going to do that and nothing that would do that. Like, helicopter training, trips, and stuff like that. They have a nice little safe harbor there. Not occasional non-punary gifts under \$50. Most of us live by that \$50 rule. Stay under that and life is pretty good. Notice the occasional part. That does not allow you to continue giving a gift every other day for \$49.99 and say I am good. It is the occasional meaning. It is not a constant or expected thing.

Lunt: I have got a question. If you find yourself in a conflict of interest. I believe Tom did one time, and then he didn't attend any of the meetings that we were discussing. Can we attend the meetings where we declare our conflict?

Randall: Those are the ones we are going to get into. Let me cover that briefly. The best thing, the ideal gold standard is to not be there if you can help it. Because you may still influence it. The board is sitting here. I had this experience shortly after I started here. There was a zone change coming in next to my subdivision. In my subdivision, a bunch of people said, Randall, you go talk to them. Now you can imagine how awkward that is. I was the assistant City Attorney at the time, and I was like, please don't do this. Guess what I got silence. Nobody on the Planning Commission wanted to make a motion because they were afraid that the Assistant Attorney would be offended.

Lunt: That is why I ask.

Randall: That is what is horrible is I am one sitting there. Not, one Planning Commission member knew me well enough to know that I wouldn't be offended. I was very happy he made a motion because otherwise I think we would still be there. He made a motion then everybody voted in favor of his motion.

Lunt: And with electronics now, if I still had that interest, I could watch electronically.

Randall: You can even just step out. It is not like it's not public. You can just go out in the hallway where no one can see you and it will reduce that potential impact that you'll have just by being there.

Cox: Well and the conflict you would have significant financial benefit from the connection too, right? I mean, that is brother, but I can disclose that and still vote because I have no dime in the game. You know what I am saying?

Randall: Correct. I cover the ones that are just barely covered by the disclosure. Now we will cover all the ones that are adequately disclosed in the disclosers. It is a disclosure. You are starting to look at siblings that you don't share finances with.

Cox: It is my brother, but I have no interest or ownership in that. I am just disclosing that.

Jett: That is not a conflict?

Randall: No, it is a conflict, but it does not prevent you from being able to still vote. Now, again that is legal. Politically, you can still make a completely different decision and say, "I know what the public is going to think of if I am voting in favor of my brother." Or I know I am going to vote against my brother and then he will never talk to me again. So, can you still conflict out politically even if the law doesn't

necessarily require it? So, keep that in mind. I am just giving you the floor and if you go below that, it could be a crime. So, the ones that you have to disclose are compensation for assistance and transactions involving the municipality. For example, Adam's got a contracting company, right? You go to do some work for the city. That doesn't mean that he must conflict out everything, but you do need to at least disclose in case because you get a financial gain. Probably conflicts with whatever that specific item is. Adam: Okay.

Randall: Does that make sense? You will have some conflicts that are just completely across the board a conflict and then you will have other ones where it is just simple, right? Our mayor has a couple of conflicts specifically because it is his family's business. Great conflict out, but that doesn't mean he has to stop being the mayor. These are usually, we have the forms you are supposed to fill out. I you haven't already please talk to Renon. You are supposed to fill these out to indicate what kind of generic potential conflicts there are. Businesses you own, or have any ownership interest in. I would even suggest anytime you have an employer list them down because is that potentially going to be a conflict the public is going to care about? Yeah, probably. If you vote against your employer. Are you worried that is going to have an impact on your job? Probably. So, are you less likely to vote against them? Probably. So, keep those minds. The council members have to have these posted on the website. The rest of you are just public. So, they can come in and ask. Interest in business entities regulated by the municipality. So, again Adam, is your business located in Cedar City?

Adam: Yes.

Randall: Okay, perfect. Jennifer, I know yours is. Even if it does nothing for the city, you are regulated by the city. That goes on to disclose the form. We know there are going to be times that it is going to impact you. Even if it is a generic law, it might still impact you. So, just disclose it. Again, if the interest levels are below 2000, I am not worried about that one. Again, interested in a business entity doing business with your municipality. This is that 10% rule. If you own at least 10% of a company that is doing business with the city, consider yourself in the same conflict. If you are less than that, it's usually not an issue. Again, don't go by that percentage for every other area of the law. Like federal law, for example, investments, it is 5%. In other areas, I think for our liquor ones, it is 20%. This one is 10%, stick with 10 on this one, it is easy enough. Again, it does emphasize here, which does or anticipates doing business. Again, you have to some reason that it's likely going to happen. Most people won't listen unless they think that it is a risk, but as soon as it is happening, you are putting in a bid or whatever else, please come in and make sure you update your disclosure forms. Any other investment, I think this is a kind of catchall. If you must do something about the financial risk in the games and the city has some regulation on it, disclose it. Penalties, just to give you this nice scary thing. The minimum is an A, but they can go all the way up to second-degree felonies. You can go to prison if you are hitting those higher levels. Please don't do that. I guess it is a retirement plan, but it is not the not the greatest one. The city can undo some of these, but sometimes that is difficult to undo because we may not find out till much later. On other occasions, we can't get the money back. For example, there were two brothers in Lehi, I think they are both in prison now. One of them worked for the city, and the other one worked for a contractor providing asphalt materials.

Jett: Oh, did they end up going to prison?

Cox: Oh yeah.

Randall: That is what I heard. It was quite a bit of money that Lehi ended up forking out over that whole mess. One, don't do that, because you are all good people, and that would be horrible but the city will probably never get that money back. Because how do you get it back from a man you just sent to prison? Who probably was just not frauding them? Okay, next section, and then I will do. Utah's open and public meetings act. Again, this is about doing the public's work in the public. We don't want to be

making decisions behind closed doors. The basic rule is to do everything that you possibly can do where the public can see it. Now, you can tell nobody is here. I get that. It kind of sucks to sometimes realize it is a public meeting and nobody is here, but this is being recorded. People can stream it; people can look it up later. It makes life a lot easier when we know we can to the extent we never trust in government.

Trust in it a little more, not so less, I guess. That is our goal here. This is applicable to lots of different boards. Yours is a guarantee it applies to. There are other boards or the city that we teach this to. It probably doesn't legally apply, but we make them follow it anyway. So, what is a meeting? This is my definition. This is not the statutory one because the statutory one is circular. If you want to break your brain, go read the state statutes on this. Just follow this basic rule. If there is a quorum and the majority of you are present in one location and you are discussing city business, that is a meeting, and it needs to be public. It needs to be open to the public and it needs to be published. If you are invited to dinner and four of you show up. Sweet. Please don't talk about city business together.

Cox: Please do sit at the same table.

Randall: That would be helpful. Because you can avoid the appearance of evil as much as avoiding the actual breaking of the law. That is the gist of it. Since there are seven members of this board, three of you can be anywhere and even discuss city business if you wish. Soon it as hits four talks about the game, the market, please don't talk about don't talk about city stuff. So, chance and social meetings but you still can't. That is the thing that changes it. You run into each other at Wal-Mart because it is the closest thing we have to a mall. Great. Don't talk about city stuff. Now, if two or three of you want to call each other and talk about stuff, go ahead, and have fun. I would still encourage you to not make all your decisions in those private conversations, but it is not illegal. We do that with the council all the time. Again, a simple majority, open public notice, keeping minutes on a record, all those lovely things. Closed meetings, this is simple. It is highly unlikely and anytime any of you sit on this board, we will never have a closed meeting with this Planning Commission. There are a few if we came in and started talking about property negotiations that involve something that you are dealing with, we could close the session. For dealing with security concerns, right? There are some cities where that is a bigger issue than Cedar. Nobody has tried shooting up our city building, but in some cities they have. So, those are the ones that we could do in a close session. There are lots of formalities. If you even think there is something for a close session, please talk to me first. Don't just try and do it in the middle of a meeting. Again, I am not worried about it for most of it. Those are probably the only ones that are ever going to matter for your cases, but I will let you know if that ever comes up. There are all these different ones, but most of those are just for the council. They even have issues where sometimes we tell them to stay on target because they tend to go off. If we violate this again, we can all be in trouble, pay court fines, and all that kind of stuff. Generally, for this, I doubt any of you will see it in your time or time on the board. We will have a closed meeting. Make sure it is open; you have it on the agenda. That is what you saw tonight. We had an item that wanted to be discussed, but it wasn't properly noticed. That was this act that made us say, too bad, do it again later. Does anybody have any other questions? I know that was exciting.

Adam: Good job, thank you.

The meeting was adjourned at 6:06 p.m.

Faith Kenfield

Faith Kenfield, Executive Assistant