

COUNCIL MINUTES
AUGUST 27, 2025

The City Council held a meeting on Wednesday, August 27, 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; R. Scott Phillips; Ronald Riddle; Carter Wilkey.

MEMBERS EXCUSED: Councilmember W. Tyler Melling.

STAFF PRESENT: City Manager Paul Bittmenn; City Attorney Randall McUne; Finance Director Terri Marsh; City Recorder Renon Savage; City Engineer Kent Fugal; Police Chief Darin Adams; Leisure Services Director Ken Nielson; Public Works Director Ryan Marshall; Economic Development Director David Johnson; Water Superintendent Matt Baker; Parks Superintendent Anthony Pearson; Wastewater Collections Superintendent Randy Clove; Wastewater Plant Superintendent Jeff Lennert.

OTHERS PRESENT: Laurie Scholzen, Rob O'Brien, Steve Nelson, Waldo Galan, Phil Schmidt, Wendy Green, Bill Payne, Tonya Payne, Dallas Buckner, Mike Platt.

CALL TO ORDER: Chaplain Paul Erickson of the Iron County Sheriff's Department gave the invocation; the pledge was led by Councilman Riddle.

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

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF

COMMENTS: ■Mayor Green read a Proclamation declaring the week of September 17 as Constitution Week, a copy is attached as Exhibit "A". ■Mayor Green I will not be here next week, I will be gone August 29th through September 8th, we need a Mayor Pro Tem. Councilmember Wilkey moved to appoint Councilmember Phillips as Mayor Pro Tem; second by Councilmember Cox; vote unanimous. ■Ryan Marshall, Public Works Director – we got a letter asking us to look into silt and dirt regarding a detention basin, it was Coal Creek Irrigation, they cleaned out the basin and placed it on their own property. We informed the owners of Box N Lock Storage who it was, and they will get in touch of them. Paul – it was a letter from the new self-storage Box N Lock; they were happy to be a new business but were concerned that Cedar City had piled the debris from the basin and piled it next to them and all the dust was blowing into their business. We informed them that it was Coal Creek Irrigation. Phil Schmidt - it is our gravel, but it is Amen Diesel that has trucks coming in and out all the time creating all the dust, they were going to gravel their parking lot but haven't. We have a water truck there when we move the gravel off of that pile and there isn't any dust. Phillips – was it a commitment from Amen Diesel that they have not followed through on? Phil Schmidt - No. ■Phillips – Iron County and Cedar City are celebrating America250, we had the speaker series last week on the Russian Gymnast's. We will have a float in the Iron County Parade on Monday; it will be spectacular. ■Riddle – we had a question on September 24th meeting and how many will be here. Phillips – I will be gone. Wilkey – I will be gone. Riddle – I thought I might be gone, but I will be here so we should be ok. ■Fiddlers Park Design. Ken Nielson – we have hired Terracon to do the design work. We are presenting how things are laid out, but we are not getting into the details about the play

equipment or any specifics on the placement of the amenities. We moved the outdoor classroom further east to fit into the niche; it fits well into crossing the bridge. We know the trail will be on the north side. **Paul** – with the outdoor classroom, that won't be constructed in the first round with the funding we have. **Phillips** – is the bridge in the first phase? **Paul** – it depends on funding. **Wilkey** – do we know the cost of the classroom in case the community wants to donate the funds. Also, what is #17? **Ken** - 17 is a water play feature. Pavillion restrooms, the playground is on the west. The restroom is facing the pavilion so people can see their kids going in and out of it. We have made the parking lot as big as we dare. The mayor suggested widening it by a foot because so many people drive trucks. We have trees throughout the parking lot, play area, hammock and bouldering area. The pavilion has a slopped roof. There are shade structures over the play area. **Phillips** – what is the general acreage of the first phase? **Ken** – 1.8 to 1.9 acres. Let us know if you want anything changed. I will email you with the renderings. Staff have looked at it and like the design. A copy of the renderings is attached as Exhibit "A". The cost is \$3.9 million, and it does not include the playground. The bridge is \$375,000. **Wilkey** – what is the budget? **Ken** - \$2 million. **Mayor** – we have talked about value engineering, using our people for the grade, water lines and sewer lines, and maybe we can do it cheaper. **Ken** – Anthony and I have looked at every detail as has Paul and the Mayor to save some money. **Cox** – have you broken it up to look at different phases? **Ken** – not yet. We included play structures that the community wants. **Ryan Marshall**, Public Works Director – we had our Wastewater Superintendent retire. Over the last while we were talking with him about that division and him being over the Collection and Treatment portion. It was a good time to look at that and it was a good time to split that and have a lead over the Collection Division and over the Plant. We have redone the job descriptions and talked to the employees and offered lead positions to each of them. **Phillips** – what does that look like budgetarily? **Ryan** – Eric was at a higher pay range, we took the funds and split and gave both gentlemen an increase. We offered Randy Clove the Superintendent over Collections, he has worked there for 24 years as the lead operator, he will take on additional duties with the State and with the budget. We offered Jeff Lennert the Superintendent of the Plant, he will do the reports required by the State, and will do the budget at the Plant and take on the new filtration projects and manage the people at the plant. It will be a good change and give a little more focus on both divisions and give them the focus they need. **Paul** – we may have to shift some funds from the Plant to Collections, but it won't increase the budget. **Jeff Lennert**, WWTP Superintendent - I have been here 20 years next month and I will keep the Plant as clean as it has been. **Randy Clove** - you have a couple of Rangers taking over. **Phillips** – a question that came up a few weeks ago about the sewer line on 1500 North. **Randy** – there is some working going on out there. When it is low pressure, we get some venting. We can put solid lids on them. **David Johnson**, Economic Development Director – each year we try and apply for Rural Opportunities Grant, up to \$600,000, we have done this with SUU and Port-15, this year we will partner with Southwest Tech on their emergency response, they have an area to better help them train more manufacturing. We are now doing the intent to apply, before we submit the application, we will bring that to you. They have asked us to bring it to you before we submit the application as they have had some issues in the past. We had to close our current grant, next month we will come to you for budget amendments to account for that payout so we will be eligible for this grant. **Phillips** – does it pay for the programing or employees? **David** – it has to have economic development drive; it will be to enhance the employment. It could be for a lift station for an area that is commercial. It can be workforce focused, but it is

a competitive grant. ■ **Paul** – the overgrown weeds on 200 South are ours and we have our crews on them. **Wilkey** – someone is putting a new fence at Airport Road and Hwy-56 also.

PUBLIC COMMENTS: ■ **Laurie Scholtzen** – on behalf of the Lighthouse, we have been working with the city for almost a year after UDOT notified us of eminent domain. We have worked through a lot of issues, and we have reclassified and permitted for an opening. We were hoping for Labor Day, but it didn't happen, we are hoping for the 5th or 6th. We would like to invite all of you for an informal lighthouse tour/climb if you would like to come. We will send you an email to join us on Tuesday at 6:30 to the lighthouse. **Cox** – will it not be eminent domain? **Laurie** – it will be, and we are the owner for about 15 years. We have gone through quite a few different options about what to do with it. UDOT did a taking 11 or 12 years ago, after that we went through different enterprises and never got anywhere. We tried to partner with companies that are more their wheelhouse. It was scheduled to be painted in 2020, but we did not generate the cash. UDOT called the week we were going to sign the check to get it painted and so we paused. **Mayor** – we are property rights people. **Laurie** – we will have a charge to go into the Lighthouse in order to cover the costs of getting it open to the public. **Wilkey** – is there a website? **Laurie** - Cedarcitylighthouse.com is the page. The charge will be \$12 a person; there is also a group rate. There is a lighthouse similar in size in South Carolina, and we have done things close to what they have. Theirs is by the water, but we have not had one shipwreck.

CONSENT AGENDA: 1) APPROVAL OF MINUTES DATED AUGUST 6 & 13, 2025; (2) RATIFY BILLS DATED AUGUST 15, 2025; (3) APPROVE GRANTING A PUBLIC UTILITY EASEMENT ON CITY PROPERTY AT APPROXIMATELY 2000 SOUTH OLD HIGHWAY 91 (CEDAR BOULEVARD). ROCKY MOUNTAIN POWER/RANDALL MCUNE; (4) APPROVE THE BID FROM SKYLINE CREATIONS IN THE AMOUNT OF \$452,270 FOR THE SOUTH MAIN STREET LIGHTING IMPROVEMENT PROJECT PHASE 2. SHANE JOHNSON/KENT FUGAL; (5) APPROVE THE PROPOSAL FROM HALES ENGINEERING IN THE AMOUNT OF \$29,500 FOR THE 2025 TRAFFIC STUDIES RFP. SHANE JOHNSON/KENT FUGAL; Councilmember Phillips moved to approve the consent agenda items 1 through 5 as written above; second by Councilmember Cox; vote unanimous.

APPROVE THE BID FROM VIKING EXCAVATION IN THE AMOUNT OF \$282,392 FOR THE CEDAR CITY CEMETERY RENOVATION PROJECT PHASE 3R. SHANE JOHNSON/KENT FUGAL; Councilmember Phillips moved to approve the bid from Viking excavation in the amount of \$282,392 for the Cedar City Renovation Project Phase 3R; second by Councilmember Cox; vote unanimous.

CONSIDER A REQUEST TO WAIVE PARK & OTHER FEES ASSOCIATED WITH THE JULY JAMBOREE. ROB O'BRIEN, CEDAR CITY ROTARY CLUB; Phillips – did we resolve the issue with invoicing. **Paul** – I have not seen an invoice. **Rob O'Brien**, Cedar City Rotary – can you provide who to send it to. **Paul** – just send it to me. **Phillips** – we will have the fee paid and in the future we will be clear on the in-kind donations. **Rob** – will you pay the electrician? **Paul** – no, we didn't call the electrician. **Phillips** – we will pay the sponsorship.

Councilmember Phillips moved to deny waiving the park & other fees associated with the July Jamboree with the understanding that the Special Event Department will pay the sponsorship of \$2,000; seconded by Councilmember Riddle; vote unanimous.

CONSIDER A RESOLUTION APPROVING A DEVELOPMENT AGREEMENT RELATED TO PUBLIC IMPROVEMENTS ON WESTVIEW DRIVE FOR PROPERTY IN THE VICINITY OF 1800 WESTVIEW DRIVE. GO CIVIL/

RANDALL MCUNE: Phillips – the fee amount is what is being proposed with the understanding of our Engineering Department, and the developer will put the deceleration lane in on his own? **Dallas** – yes, we will provide a bond for the widening, and we will put the deceleration lane in. **Phillips** – as much as we want Westview Drive widened, we will have the money, will it be in a special fund? **Paul** – it will be in a capital improvement fund that we will ask Teri to put in a Westview Drive expansion fund.

Councilmember Phillips moved to approve the resolution approving a Development Agreement related to improvements on Westview Drive for property in the vicinity of 1800 Westview Drive per the Development Agreement; second by Councilmember Cox; vote as follows:

AYE: _____ 4
NAY: _____ 0
ABSTAINED: 0 _____

CONSIDER ORDINANCES FOR A GENERAL PLAN CHANGE FROM MEDIUM DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL AND ZONE CHANGES FROM CENTRAL COMMERCIAL (CC) AND ANNEX TRANSITION (AT) TO DWELLING MULTIPLE UNITS (R-3-M) FOR PROPERTY LOCATED IN THE VICINITY OF 200 WEST 2530 NORTH. PLATT & PLATT/RANDALL

MCUNE: Randall – no updates or changes from last week. **Wilkey** – I missed this part last week. **Phillips** – I have a little problem with this, but I worry about moving into residential areas further to the west and we need the right transition. I know it is County, but there are single family homes on 2400 West. **Cox** – with the report on affordable housing, it is less on zoning, etc. **Wilkey** – is there a development agreement. **Mike** – no, the same owners of Cascade Springs own this and they have done nicer development than some areas with walking paths and some covered parking and not to maximum capacity. There is a retention pond that we will be using. It will not be 24 units per acre. **Wilkey** – as someone who worked on the master plan, I think we need to pay attention to it. Very rarely do I vote against the master plan. Since 2024 this council has only voted against the master plan 9 times, and 4 times have been with development agreements, and one was for us on a parking lot. **Phillips** – the north interchange moved about a mile, and it changed everything in that area. **Wilkey** – I could see it going either way. **Phillips** – on the notifications did you have any problems with the property owners. **Mike** – only Rodney Forsyth and it was a fence issue and we talked to him and he was ok.

Councilmember Cox moved to approve ordinance for a general plan change from medium density residential to high density residential and zone changes from CC and AT to R-3-M for property located in the vicinity of 200 West 2530 North; second by Councilmember Riddle; roll call vote as follows:

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

CONSIDER A RESOLUTION APPROVING A SECOND AMENDMENT TO A DEVELOPMENT AGREEMENT RELATED TO RIGHTS-OF-WAY AND ACCESS FOR PROPERTY LOCATED IN THE VICINITY OF 800 NORTH 3500 WEST (CEDAR 106). PLATT & PLATT/RANDALL MCUNE: Mike Platt, Platt & Platt – this

was to provide better access to the development. **Randall** – in the last meeting we had two different drafts, that is not the one on the screen. **Paul** – specify the second amendment we discussed last week if you approve this. **Mike** – we have a vacation plat coming through Planning Commission. The lot lines will change because the road has changed, we have to get the density back to 700, we are at 701. This is just to make the parcel better. If you want to table until you have the big picture all at the same time. We are not changing the zone, but the area of the zone. **Randall** – those do need to come back.

Councilmember Phillips moved to approve the resolution approving the second amendment discussed in the work meeting to the Development Agreement related to rights-of-ways and access improvements for property in the vicinity of 800 North 3500 West (Cedar 106) with the changes Randall McUne has made and urge staff to work with Mr. Platt on any adjustments that need to be made; second by Councilmember Riddle; vote as follows:

AYE: 4
NAY: 0
ABSTAINED: 0

CONSIDER A RESOLUTION APPROVING A DEVELOPMENT AGREEMENT RELATED TO NOT INSTALLING ALL PUBLIC IMPROVEMENTS FOR PROPERTY LOCATED IN THE VICINITY OF 1600 W. INDUSTRIAL ROAD. PLATT & PLATT/ RANDALL MCUNE: Mike Platt, Platt & Platt – this is to put an ag

building to get their equipment out of the weather. **Wilkey** – no electrical and plumbing. **Mike** – to my knowledge, there is not any of that on the site plan. **Randall** – it is not a restriction, the goal is on use, not the structure. **Wilkey** – it is just a big storage building. **Mike** – we did not meet all the requirements on the acreage. When they subdivide, they will make all the improvements. If we were running utilities, we would put in improvements. **Randall** - I did make the changes to get the right parcel number. It is an agriculture use building, and there are not any restrictions other than no other building, they don't subdivide or change the use. **Wilkey** – once the building is up it is easy to change the use. **Randall** – if the power and gas company came, they could pull a permit without a building permit.

Councilmember Phillips moved to approve the resolution approving a Development Agreement related to not installing all public improvements for property located in the vicinity of 1600 W Industrial Road; second by Councilmember Riddle; vote as follows:

AYE: 4
NAY: 0

ABSTAINED:0_____

CONSIDER MODIFICATIONS TO CEDAR CITY ORDINANCE 32-8 AMENDING THE CITY'S SUBDIVISION ORDINANCE TO ALLOW PUD-OWNED STORAGE UNITS. PLATT & PLATT/RANDALL MCUNE:

Mike Platt, Platt & Platt – we want to be able to put storage units, parking is an issue, storage units may eliminate this. **Cox** – it provides a buffer on busy streets if we allow this. **Wilkey** – does it allow for the storage units to be up against the streets. **Mike** – we brought this through a few years ago and Don said it was not allowed. **Randall** – setbacks are listed in subparagraph 10, they are 7.5 feet from PUD boundaries 10 feet from any private street, or the normal setbacks for a public street. They could have done it but not against the road the way they wanted it. **Phillips** – they still meet the size of the road. We can try and if it doesn't work, we can rescind it.

Councilmember Phillips moved to approve modifications to Cedar City Ordinance 32-8 amending the City's Subdivision Ordinance to allow PUD-owned storage units; second by Councilmember Cox; roll call vote as follows:

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

CONSIDER A RESOLUTION AMENDING THE FEE SCHEDULE FOR WATER METERS AND STRAINERS. MATT BAKER/RANDALL MCUNE: **Randall** – no change.

Councilmember Phillips moved to approve the resolution amending the Fee Schedule for water meters and strainers; second by Councilmember Wilkey; vote as follows:

AYE: _____ 4 _____
NAY: _____ 0 _____
ABSTAINED:0_____

CONSIDER TEST WELL LOCATIONS IN THE RUSH LAKE/BRAFFITS CREEK AREA. SHANE JOHNSON/JONATHAN STATHIS:

Jonathan Stathis, Senior Engineer – this was discussed last week as far as potential test wells. There are three possible sites near the BLM south well that we recently finished, two directly north, and one to the west and three locations by Braffits Creek, that would be 2.1, 2.2, and 2.3. When Shane went with Mervin Cox, the water douser, he identified 2.1 as the best location in terms of potential water availability, then 2.4 and 2.5 was tied for second place, they are by the BLM south location, third place was 2.6. **Cox** – did we get permission, or work something out verbally with the property owner on 2.1? **Jonathan** – they are willing to negotiate, but we haven't worked anything out with them yet. **Wilkey** – is this just to get bids to drill test wells? **Jonathan** – we need to determine the location before we put it out to bid. **Cox** – if we get the one closest to the Enoch well, it is the logical one and it is the number one site. **Wilkey** – it doesn't cost us to get bids. I would bid 2.1 and then either 2.4 or 2.5 or 2.6 and get 3 bids. **Paul** – why would we drill 2.6, it is in the same strata as Mud Flats and the one we drilled on the Esplin property. **Mayor** – the reason I like that one is because it is a rocky area and they

are mining gravel and that probably changes, we were in sand in the others, and sand is more stagnant. **Cox** – why did he prefer 4 and 5 over 6? **Jonathan** – I wasn't out there, but they are closer to the Black Point area, and there is a lava outcropping right there, so we know we are probably going to get into some good basalt and lava in that area, and probably some good gravel. The BLM south well had good gravel lenses, and this is right on that same vein, so 4 and 5 have good potential. **Wilkey** – would we put three wells that close together?

Mayor – #4 we are trying to hit more basalt/lava area, and one is more where the flow appears to be running and flattens out. **Cox** - 2.1 is close to putting in a pipeline in our Enoch well, it would be cheaper. **Wilkey** – I have not been out there. Is there a potential with 2.1 to get off private property and go on BLM. **Cox** – it takes longer to go through the BLM.

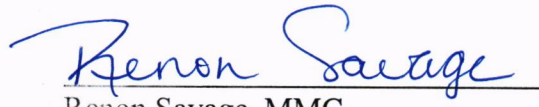
Wilkey – one costs money, and one doesn't. **Phillips** – if we go to 2.1 and are successful, 2.2 is moving northwest, won't it drain potential from 2.4 or 2.5 if we hit anything at 2.1 or 2.2?

Jonathan – I talked with the consultant a little bit. I got this exhibit today, if you look around the Enoch area, that is called the potentiometric surface, it's basically showing the direction of groundwater flow in the aquifer. It shows the flow goes around the Black Point toward Rush Lake. The groundwater is based on the water flowing in that direction northwest. **Cox** – do we also get some out of the Parowan Valley on 2.1? **Jonathan** – I don't know, Parowan Valley is so heavily pumped. There is some flow that runs toward our Enoch well #3, that is why it is such a good well, it runs down following I-15. This does show that there is also flow going to the northwest. **Wilkey** - 2.4 and 2.5 they gather water in that location that 2.1 doesn't receive because it also comes down the edge of the Black Point. **Jonathan** – there may be some that flows down from the Parowan Gap area towards that well. That is a really good location, 4 and 5 because it captures both of those watersheds. Until we start to pump, we really don't know how it will affect the others. This map shows the recharge that way.

Wilkey – would you bid 2.4 and 2.5 or one or the other. **Cox** – they are a few hundred yards apart. **Jonathan** – I don't know how they will influence each other. We do have wells in Quichapa that are a few hundred yards apart, and they are both good wells, but in this aquifer I don't know. **Cox** – the odds if one is bad the other will be. **Wilkey** – I worry if both are good, does it take from the other. **Cox** – if one is good then we have knowledge and we can make a decision. **Riddle** – we are so far from being taken care of water-wise if we don't keep exploring, we will not be able to take of the water need of the people of Cedar City. We got beaten up about development and this is about the people that have lived here for years. The people that are developing are supposed to bring their own water. **Phillips** – what is the master plan thought out here, do we want three successful wells out here or what? **Mayor** – we realize there is a limit to every aquifer, but you can't afford to build a 10-mile pipeline either. What is interesting to me is that the 4 and 5 are next to each other but probably getting two different flows of water, the one is catching the flow of underground water from Enoch and from the other sources coming around where the other one towards the east is in the basalt area, water flows downhill. **Cox** – lets pick two sites. **Mayor** – I wish you and Tyler would talk to farmers and take Shane and take some samples and see what the TDS is in the valley. I am not excited about taking the farmers well or taking a well and putting it in our system. What goes through the gap has been diminished by our well. I would like Robert and Tyler to call 4 or 5 farmers. **Cox** – have you tested on any of the others? **Mayor** – no. **Cox** – can we do two with a contingency with the 3rd. We want to move forward with knowledge. **Phillips** – we get more of a plan with one or two successful wells. **Cox** – bid 1 and 4 and decide from there. **Mayor** – it is cheaper if the driller knows they are doing 3. **Wilkey** - I would suggest 1, 4 and 5. **Phillips** – what would you suggest we pick? **Jonathan** – I like 1, 4, and 5. **Matt Baker**, Water Superintendent – 1, 3 & 4 and 4 & 5. **Wilkey** - if 2.1

is successful, from there if we couldn't take the other wells to the Enoch well and they were successful we would have to go elsewhere. **Paul** – we have to know how much water. There is a choke point on that line from the Enoch well and it is where we run under I-15. I saw an engineer's estimate the other day that it would cost to sleeve under I-15 is \$225,000, and T off into a second pipe, or you put a bigger pipe in. **Cox** – that is still cheaper than \$17 million. **Phillips** – we recommend getting bids for 1, 4 and 5 and go from there. **Jonathan** – it will depend on getting permission on private property and BLM. **Paul** – to petition BLM 45-60 days, the same with private property owner.

ADJOURN: Councilmember Phillips moved to adjourn at 6:55 p.m.; second by Councilmember Riddle; vote unanimous.


Renon Savage, MMC
City Recorder

Fiddlers Park.rvt

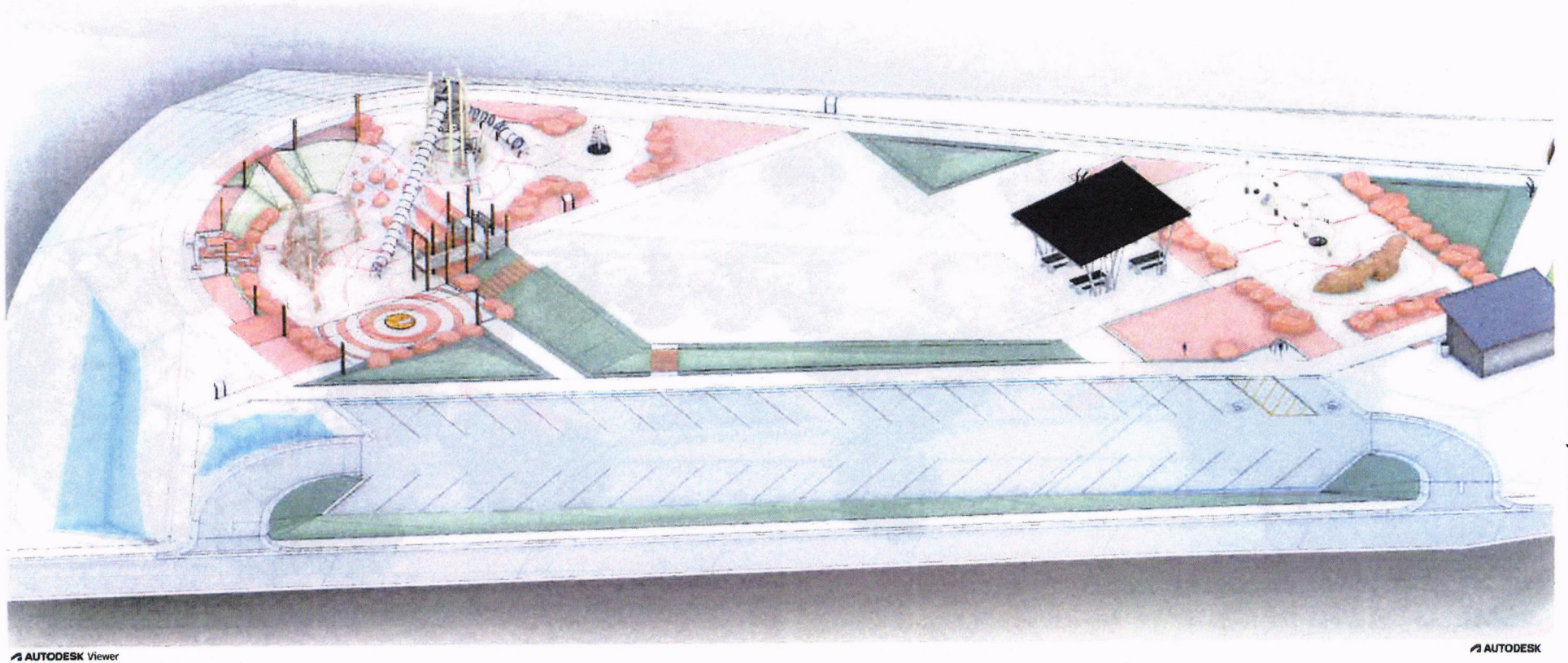


EXHIBIT "A"
CITY COUNCIL - AUGUST 27, 2025



SITE AMENITIES LEGEND

1. NATURE PLAY CIRCUIT
2. TOWER PLAYGROUND
3. INCLUSIVE PLAY
4. SWINGS
5. LAWN
6. SUN DIAL
7. PAVILION
8. MONUMENT TO PAM SMITH & EDUCATION
9. LOG PLAY STRUCTURE
10. BOULDER PLAY
11. BATHROOM
12. HAMMOCK HANGOUT
13. PEDESTRIAN BRIDGE
14. POLINATOR MEADOW
15. LAWN
16. WATER & SAND PLAY

INTERPRETIVE SIGN LEGEND

1. POLINATOR MEADOW
2. HYDROLOGY
3. FLOOD CHANNEL
4. HELP IDENTIFY THE ANIMAL FOOTPRINTS
5. SUN
6. WIND
7. WOODLANDS
8. STORM WATER MANAGEMENT
9. GEOLOGY

SITE AMENITY IMAGES

