

COUNCIL WORK MINUTES
JANUARY 21, 2026

The City Council held a meeting on Wednesday, January 21, 2026, at 5:30 p.m. in the City Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Steve Nelson; Councilmembers: Robert Cox; Waldo D. Galan; R. Scott Phillips; Phil E. Schmidt; Carter Wilkey.

STAFF PRESENT: City Manager Paul Bittmenn; City Attorney Randall McUne; Finance Director Terri Marsh; Executive Assistant Natasha Nava; City Engineer Kent Fugal; Police Chief Darin Adams; Leisure Services Director Ken Nielson; Economic Development Director David Johnson; Facilities Supervisor Bart Bishop; Senior Engineer Jonathan Stathis; Aquatic Manager Marcie Burrill; Heritage Center Manager Jason Clark; Parks Division Head Anthony Pearson.

OTHERS PRESENT: Ann Clark; Tom Jett; Phillip Green; Lisa Pellegrini; Steve Holder; Shawn Severn; Brant Parker; Max Pearson; Corinne Severn.

CALL TO ORDER: Randall McUne gave the invocation; the pledge was led by Council Member Galan. **Phillips** we'd like to propose that we move item number five up to number one on the staff agenda. Right after the public hearing, we will move number five up to that order. **Cox** The item I came to discuss on the closed property negotiations has not come together yet. So, we'll push that off another week.

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

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF

COMMENTS: ■ Discussion on public comments in council meetings. **Wilkey** - I asked to have this put on the agenda so we could discuss it further. There are public comments that require action on the part of the city. Some comments require no action and are simply informational. Comments that require action have not been handled how they should have. We should have directed them to add the item to the agenda to be worked. We still have public comments on agenda items. I'm worried about what we may miss if we remove public comments altogether. We have provided contact information for all the council members on the back of the agenda so the public can contact us directly so we can add it to the agenda. There can be nuance to public comments, it can and is done differently in various cities. I think an argument can be made by having the generic public comment after all the agenda items have been discussed. **Mayor Nelson** I proposed the change to public comment because I've sat through these meetings for the last year, and people thought that their comment would be discussed, delt with, and acted on. Everybody leaves and nothing further happens. My intent is to help citizens find solutions. If a citizen had something to say, I wouldn't shut that down. I want to focus this in a way that we can be productive. **Wilkey** it was pulled from the agenda, our agenda does not have public comment on it. Having it on the agenda communicates that they can come and speak. **Mayor Nelson** comments will be allowed after the work items. If somebody wants to bring something to the council, they need to put it on the agenda. The deadline to be added to the agenda is 10am Monday, or by noon on Friday if Monday is a holiday. **Randall** I would encourage that you avoid some of the legal issues that arise by addressing an item that's not on the agenda. Council should not engage in a back-

and-forth conversation with the person that's presenting. Your choices are to put it on the agenda or go talk to staff. We haven't been doing that. If the community wants to introduce themselves, or their group, or share information with the public, that's fine. **Wilkey** the way the agenda reads now, they would not be able to share information. **Phillips** we were elected to represent you, the citizens of the community. And we want to hear from our residents, good, bad, or otherwise. I've been really torn on this issue, but I do understand the legal side of it and also the idea to get action moving to put it on agendas. If we were to do what the mayor indicated earlier about the work meetings and respond with public comments after the agenda items. We limit it to three minutes, we listen, but we don't respond. If further action needs to occur, we will add it to the agenda. This would happen on specifically a work meeting or specifically an action meeting, but not both. **Schmidt** I like that. **Paul** Cedar City Corporation has several advisory committees that take up a lot of different matters. There's also a lot of subject matter that necessitate public hearings be advertised, published, and posted. In some cases, the best direction that we can give is to have people reach out to the coordinating advisory committee within the City. Often times the public comments come in, and there are pieces of information that staff has that you don't have, that you're going to need before you decide. The delay of a week gives time to better prepare for the questions that may arise. **Wilkey** normally our action meetings are shorter than our work, however, if something needs to go on an agenda, most of those things require more notice than 7 day's notice. It could end up being 3 weeks before it is on the agenda. **Randall** most items that require that much notice, we'd have to send through that process. Planning Commission, Sketch meeting, things like that, those are a much longer process than just another meeting. Action is a lot easier for us to prepare for a work meeting because it's just the very next week. **Cox** If it's something that doesn't require action, we can interact and ask questions about the item? **Paul** technically, no. These meetings are not public forums. These are meetings for you to conduct the city's business and that's it. The only time you're allowed to give an opinion is during a public hearing. We've expanded that greatly and allow basically a mini public hearing on anything on the agenda. The problem is when we start debating a policy implication with whoever's presenting. You have a member of the public stand up and say, "I want a new stop sign here." And the council starts arguing with them about whether or not that stop sign's appropriate. **Cox** we could solve the matter right then and there. Using the stop sign as an example, we could say, you know, has there been a traffic study done? And if so.. **Wilkey** no, we can't talk. **Schmidt** if it's something that's not on the agenda, we are not to discuss it or respond. **Randall** you can direct them to the appropriate body or staff. I would avoid questions to staff because they might not have the right answer. **Mayor Nelson** my desire is to help our citizens. If people come with those types of issues, I'm going to turn to the council and ask one of you to work directly with the citizen to help solve the problem. My personal preference is to put the comment at the end of the agenda to respect those that are on the agenda.

Mayor Nelson opened the public hearing.

Lisa Pellegrini will there be limits on the comments that are made after an agenda item? Are we going to give people three minutes to comment or are we going to talk back and forth?

Mayor Nelson I want it to be very open with adequate time and thought. **Phillips** we don't want repeated stuff. If it's been said already the next person doesn't need to say the exact same thing. **Lisa** I like the idea of people putting things on the agenda, but we need to make sure it doesn't feel like we're gatekeeping. Where people are turned away from being put on the agenda, and they feel like their item is not being addressed in the way it could be

addressed. **Steve Holder** I've been a resident for about three years and it's refreshing to see the interaction between the city council, staff, and the public. I watch meetings on YouTube every week. I appreciate that I can bring a concern, like having a speed bump in my neighborhood, and I'm given direction on how to accomplish that. Public comments are a good way to disseminate information as well. It doesn't make any sense for us to make a comment without back-and-forth dialogue. I think public comment is necessary and I don't think it's being abused. **Shawn Severn** you may not realize just how valuable public comment has been to those of us that watch you on YouTube and then disseminate it to our neighbors. I've lived in places where this opportunity is not available. I would hate for us to lose that interaction. I highly support public comment. **Ann Clark** I really liked what Waldo said that first meeting. He said, "This is our public square". A lot of times people get up with concerns, and they need to be able to express those concerns whether they can take action on it or not. They're bringing it to your attention so that something can be done. I don't think it necessarily always has to be on the agenda. I worry that we're making this so cumbersome for everybody. I think we need public comments. **Brant Parker** I have been coming to these meetings off and on for a while and some of the accusations have been that if you go to staff, you get stonewalled. I was trying to change something in the city, and I went to four different staff members and three out of the four said it's impossible. I came to public comment and Scott was the one that encouraged me through the process. If I didn't have his help, I'm not sure anything would have ever been done. I agree that public comment needs to be listed on the agenda so that the public knows when they can speak. **Galan** I think every single one of my colleagues up here, not only appreciate being approached with comments and ideas and so forth but also feel that we have a duty to respond wherever we are. I think you can look at each and every one of us as being a mobile part of that public square. **Wilkey** we as a group can commit that we won't let them leave that pulpit without knowing this is your person to call. **Randall** the problem is when we start either making an actual decision or just encouraging other people to make decisions based on just one person telling us their version of what's here. And they may be telling you the complete truth as they see it. You put something on an agenda, we invite the whole public to come in with that issue known. It's going to be addressed. They all come prepared. We've had items that have come and we've talked about it for an hour and directed staff and directed other people to do things that were discretionary. Probably not necessarily pursuant to ordinance. Nobody else in the public had any warning. Nobody else had a chance to come in and speak their piece. I don't want you doing that. **Wilkey** I move that we add public comment to the end of every action meeting. The hearing closed. Consent.

2028 Heritage Theatre reservations. Jason Clark - the theater will be approaching its 27th year in 2028 and there are several things that are convening at that point where we're looking at a major renovation. The prior administration and council treated this as a pay as you go approach. The previous administration looked at the five-year plans that I was bringing forth, and they pivoted, deciding to do it all at once and do it right. So, we changed our approach. We set a date for 2027. We looked at our finances and the logistics of making it happen and we decided to push it back a year. We're looking at 2028 to shut down the theater for about 6 months. We don't believe the renovation will take that long, but we want to have some leeway. We did not want to shut it down during the Christmas season because of the tremendous impact that would have on thousands of people, both performers and attendees. We book 24 months in advance; we're now at a point where we would normally be taking reservations. I received a request and I decided I don't want to handle this piece-meal. I

created a public statement. I passed it by my direct supervisor and my office staff. I have a copy of that for your review. As we're working towards this date, I'm reminded that black swan events can and do happen. There are concerns that we maybe shouldn't cease taking reservations if this gets postponed for a reason. And that's a very valid point. If people make a reservation, we want them to be aware that we are still working towards the renovation period. We can reasonably accept reservations with people if we are upfront about when the shutdown is likely to occur. **Phillips** we would set aside about \$1.5 million for the renovation. We're hoping to add some additional funds. We've hired a theater consultant. We're waiting for that report to come back to us, but I'm thinking this is going to be about a 3.5-million-dollar renovation, which is not unheard of at all in a facility that large. I don't want to stop our ability to take reservations for 2028 in case the budgetary process doesn't allow for the renovation. We'll have a tentative budget in May. We'll have a final budget in June. And that still gives us time to go back to these organizations that made a reservation with the understanding that it may be closing, but then we could go back in the middle of this year and say, "No, it definitely will be closing." or no, we're only going to be closed 3 months. **Clark** I wanted a process in place to move forward and that's why I'm here today. **Galan** If we have a six-month period that we have identified, then we ought to be able to schedule around that six-month period, whether it starts in December or January. What you just said makes a lot of sense. That six-month period could become three and we don't know when because of the budget. **Phillips** I don't want us to turn away reservations in case the timeframe changes.

Wilkey open the 2028 reservations and let people know that we will be shutting down at some point, and we will notify them once that timeframe is known. When you respond to reservations, say after August 1st of this year, it'll either be confirmed or at that point we'll make that decision. **Jason** we can do that moving forward. We don't want to have no reservations for six months; we need to make sure we manage this. We don't want people to make other arrangements when they would have preferred to be with us. The sound and lighting are nearing failure point. This is not something we can indefinitely push back. You will be getting their report in the next couple of weeks. **Wilkey** those that have reached out so far this year, that have received the notice, do they need to reach back out or will you now take all those? **Jason** we will reach out to them. We'll say this was discussed and we're going to put you on the calendar, but please be aware this is contingent upon future budget and decisions. **Marcie Burrill** the pool is fixed and open, which is wonderful. I submitted a few pictures to show what we did. A lot of people were involved including City Manager Bittmenn. **Schmidt** some of this almost looks like sewer drainpipe, schedule 35-34. **Marcie** You can see that the fitting is cracked and it was replaced. It's all schedule 40 underneath. **Schmidt** what caused the fitting to crack? **Marcie** they don't know. They have not had this problem in 35 years of building pools. **Schmidt** Is it a pressure line or is it a drain line? **Marcie** It is a pressured line, it's heated. It's not very high pressure. **Schmidt** when you fixed that, did you slurry all that back in? **Marcie** No, the plan was to do that. **Bart Bishop** We have been working with CM, the company that built the pool. We were planning to backfill with slurry, and the guys from Western Rock showed up on site asking questions about the job. The vertical wall is a stainless-steel wall, and he wanted to know how thick that was. And we didn't know. They advised not to fill it with slurry because it will blow that wall out. And we called CM right then and there and they said, "Yeah, don't do that." So, we didn't, we ended up filling up with the pea gravel that was in there beforehand. **Paul** we slurried up to the height of the footer, and then from the footing to the top of the deck is pea gravel. There's still a small void in there and we'll slurry that in and then we'll pour the

concrete caps on the top. **Bart** we want to give a big thank you to the community. The advantages of living in a small town, we were able to accomplish this before the company could fix it. **Marice** I want to thank our in-house aquatics, parks, water, wastewater, streets, facility maintenance and engineering. They all helped with this project. I want to thank members of the community for their help, Robbie Mitchell, South Central Communications, and then the vendors that helped us besides being paid, they also helped and consulted on a lot of it. Western Rock, Brand X, Dirty Rock, Imlay, CM, and American League.

PUBLIC HEARING TO CONSIDER WAIVING A PORTION OF THE WATER BILL FOR PROPERTY LOCATED AT 362 NORTH 4250 WEST. JERRY LAMP/PAUL BITTMENN:

Jerry Lamp – Paul Mr. Lamp owns this property, and he rents it out to some people. He had about a 10-day period where his water usage spiked. He's asking us to either credit him or refund him \$225 to cover his cost for that spike in the water usage. I've provided you the 10-day period where it spiked in a graphic form. And there's also a sheet in there that shows you hourly usage for one day. They were going through about 200 gallons an hour for approximately 10 days. Our staff is confident that it's not a leak or a problem with our meter. We're responsible for everything up to the meter. Everything on the other side of the meter, that's our customers' responsibility. **Phillips** how does he know what was going on there, if he doesn't live there. **Paul** He represented to me that he spoke to the property manager and the renters, and they told him that there were no interior or exterior leaks. No visible pooling or puddling. Everything worked inside and there were no leaks. **Schmidt** If there's no leaks from that section back to the water meter and if the meter was functioning properly, then this is an issue on the property owner's side. I would say that we do not need to make this refund. **Phillips** I would concur. **Cox** it could be an open toilet or something like that. **Wilkey** it's interesting that the usage is identical every day. When people call or have a situation like this, just as a person, I feel much better if they would come represent themselves. So, we can have a conversation and ask questions. **Paul** I ask that they be here. **Cox** I feel bad that they must pay the bill. It's a slippery slope if we don't maintain that line.

Mayor Nelson opened the public hearing. There were no comments. The hearing closed.
Consent.

CONSIDER THE APPOINTMENT OF WOODY LOTTS TO FILL THE SHAKESPEARE SEAT ON THE HISTORIC DOWNTOWN ECONOMIC COMMITTEE. MAYOR NELSON:

Mayor Nelson I had the opportunity to meet with him the other day and I'm impressed with his passion for our community and particularly our downtown. I think he's a great appointment and recommendation. We have representatives from different organizations that have a key interest in the downtown area. He'd represent the Shakespeare Festival. **Woody Lotts** I grew up about 5 hours south of here on a one square mile town on a Native American reservation, home to four different tribes with about 7,000 people. I hold a bachelor's degree from Northern Arizona University, and a master's degree from Seattle University in arts management. I taught theater in Peru. I've run multiple performing arts centers. I've been the executive director for refugee and immigrant choir. I have also now become the development director for the Utah Shakespeare Festival. If you want to be part of community, you've got to be in community. The festival brought us out to visit, and my wife and I fell in love with your downtown. We're renting a house right behind North Elementary right now while our home is selling in Washington. And we love it. We

love seeing the kids parade out in their costumes right on our street on 500 West. And we love walking down here for events. We brought my parents down here during the Christmas festival. It's great. And we love being here. **Phillips** I've got to know Mr. Lotts over the last few months. He's a great addition to our community. He's doing a great job at Shakespeare. And I think he will bring great renewed energy to that committee.

Mayor Nelson opened the public hearing. There were no comments. The hearing closed.
Consent.

**CONSIDER ROADWAY DESIGN MODIFICATIONS TO THE CEMETERY
RENOVATION PROJECT – PHASES 2R & 3R – SHANE JOHNSON:**

Shane – with the complaints, we went back and looked at the design and came up with a proposal here to make some modifications to help with traffic movement and flow. We're removing some landscaping and adding more asphalt and moving curving back. They brought a hearse through and identified these corners as troublesome to navigate. We have an estimate from Viking to do the work. Or we can have one of our blanket contractors do the work. **Wilkey** So, this is redoing stuff that just got done? The turns were tight. **Shane** Yes, just for the turns. Right now, the curbing ends here. We're going to bring it back to line up with that one. **Schmidt** we have the big do not enter sign right there. When you start to come in that intersection, we asked them to move that because everybody thinks they're coming in here and all of a sudden, they get a big do not enter. We're going to have to paint this very clearly and we're going to have to add a few more one-way signs and we're going to need to relocate some of the do not enter signs because they're not in a good place. **Anthony Pearson** when it comes to that section, as you come in that helps lead people around for the one way, and if we get rid of that it will encourage them to go the opposite direction the wrong way straight down. As we took the hearse through, and they liked the flow for their procession, they didn't have people trying to race around them to the parking spot. As we walked it the other day, we decided to relocate some of those signs. The signage as you pull in is very confusing. We need to make it clear that it's directional. And move the do not enter sign a little further back on that other road. Finally, add some painting for directions as well. **Phillips** there's a lot of events that take place at the Veterans Monument, not just Wreaths Across America, which I'm concerned about obviously, but also Memorial Day and Veterans Day. If the landscape strip was narrowed, it would still allow some people to park there at the side and still allow the one-way traffic to come through. **Mayor Nelson** We have a contract dealing with design moving forward, if we're doing it better than the guys we hired to do it, then why would we continue to hire the guys that messed it up the first place? **Schmidt** We've discussed doing the next phase in-house. It's substantial savings doing it in-house. And our guys are better. The scheduling is better as well. **Phillips** It makes sense to accept these changes and request that this phase and any future phase be done in-house by our own engineering firm. **Paul** there's two options, do you want the reconstruction to be done by the contractor, or do you want us to manage it and use our own blanket contracts? The reconstruction cost is \$25,000. The in-house estimate is \$14,000. **Cox** what is the timing if we do it in house? **Anthony** we're going to try and have these modifications done before Memorial Day. The modifications, not the next phase. The contractor is waiting for the asphalt plants to open. **Schmidt** our in-house blanket contractors could complete this just as well or better than the Viking.

Mayor Nelson opened the public hearing.

Max Pearson Viking Excavation I have a couple points and concerns. I'm the contractor and the change order was \$11,000 more. We're going in and redoing recently finished work. If you guys want to do the work yourself, you can go in that direction, that's fine. The other concern is warranty issues. After every project's done, we're on the hook for a year. And depending on what you plan to do, it may be cheaper if you do it yourself. In a year the city will review the work regarding the warranty, and it will be hard to determine what was my work and what was the city. My bid was \$96,000 cheaper than the second place. It's unfortunate that it's getting redone. I'm not trying to gouge you to make extra profit. **Phillips** with that comment, I'm open to reconsidering the overall motion if council wants to still put that on work. The warranty issue is valid. **Max** I could be on the hook for damages in the modification. The public hearing closed. Action.

CONSIDER CHANGE ORDER #6 FOR ACTION CONTRACTING FOR CONSTRUCTION OF THE WWTP EFFLUENT REUSE FILTRATION PROJECT.

JONATHAN STATHIS: Jonathan this change order is for the wastewater treatment plant effluent reuse project. This is the project that's been ongoing to install the disc filter units that will improve the quality of the effluent coming out of the treatment plant to type one water. We're getting close to the end of the project. There are two parts to this change order. One is to reconcile the interest payment for the prepayment of the disc filter units. Two payments were made to the disc filters. There was interest earned on that money. When the change order was brought through several months ago, staff estimated what that interest would be. This change order is to reconcile based on the actual interest during that time. Our estimate was close, the change order amount is \$642 to be credited back to Action Contracting. The second part of this change order is to increase the completion deadline for the project. **Phillip Green** It's an amazing building; an amazing upgrade to the wastewater facility. The extension that we're asking for is because of product availability; we started this project in January and we ordered the disc filters the absolute soonest that we could order them. You're aware of the prepayment interest that all deals with this because they just took longer to get than we originally anticipated. These filters are about the size of a semi-truck trailer. They must be set in place with cranes on concrete pads. We ordered them the very first day that we possibly could after selections were made and we didn't receive them until November 2nd. We had 8 to 12 weeks to order the spools based on how the pipes lined up from the underground utilities into the filters themselves. We ordered the pipes, and received them the week after Christmas, and installed them. We installed the access platform. The conduit is mounted to the platform. We have power to the building. We had to decide whether to put off the commissioning of the filters that were selected by Aquaerobics. The plant guys said that their Total Suspended Solids (TSS) was too high in order to do the testing process of the filters. We've been on Aquaerobics schedule for six months to do the commission of these filters at the end of this month. And two weeks ago, we had to say that we're not ready. That decision was made under the advisement of Jonathan. **Jonathan** We're looking at a new completion date of April 30th. We consulted with A2S, and they recommended that we wait. It wasn't worth clogging up the whole filter system with these total suspended solids being at an elevated level. We also coordinated with the Division of Water Quality, and they were okay pushing this back. They understand the issues that are going on with the plant, and they felt it was reasonable to wait to do the startup as well. **Schmidt** is there a cost increase for the extension? **Jonathan** no. Consent.

CONSIDER CONTRACT MODIFICATION/CHANGE ORDER #3 FOR HANSEN, ALLEN & LUCE FOR THE WASTEWATER EFFLUENT REUSE STUDY AND THE CROSS HOLLOW AREA WATER MASTER PLAN AMENDMENT.

JONATHAN STATHIS: **Jonathan** – This is a contract modification for change order number three. There's two items here. One is to have them do the wastewater effluent reuse study. This is a project that's budgeted in the current fiscal year. The main reason for this study is to look at the infrastructure that would be needed to continue the project. The project that Action Contracting is working on is the first phase of a much larger project. That larger project is going to include a pump station. It's going to include a pipeline and other infrastructure to bring the effluent back into town so that we can use it in the secondary system and other areas. They already have the model built for our secondary irrigation system and they did the master plan. They have the most knowledge to do the study. **Schmidt** it's going to be expensive to install, we don't have the money to fix the water lines we have right now. Why are we doing a study now, for something we aren't going to be able to do for quite a while. I don't have a problem sending this reuse water back to the parks and golf. To run a secondary water system is totally nuts. To take it clear into town is expensive and not feasible. We're already \$15 million in the hole. Why are we even worrying about this right now? **Cox** do we get recharge credits for water by reusing this water, in terms of water rights? **Paul** I don't know if we'd get direct recharge credits if we use it on parks and recreational type facilities. The tradeoff is you won't use other water. It's a marginal tradeoff with the golf course because they water off a well that we don't use in our culinary system. If we incorporate all our parks, the university, and the schools that are using our culinary water. There is a direct offset. **Cox** in the long term, it helps with our water right issues. **Paul** It helps in our water right issue and helps extend the use of our good water rights further. I don't think it's going to get us out of any cuts. We'll be able to stretch it further. **Wilkey** if we know what the costs are for these things, there could be the discussion of do we bond for both at the same time? **Paul** the information gleaned through this planning effort would help the Water Conservancy District as they continue to seek funds to help us build the secondary pipeline. **Cox** If we don't do it, they don't have the ability to get funding. We can't apply without the study. **Paul** it's a planning level document, not a construction ready document. **Jonathan** The second part of this change order is related to an amendment to the water master plan. Several months ago, we started looking at an amendment to the Iron Horse RDO area, the South Mountain Drive area, and the Middleton property along the east side of I-15. As we started looking into it a little bit more, there were a few additional areas we wanted to have more modeling done. One of the areas is around the Cross Hollow tank where they're looking at doing development and it's in an area that can't be fed by gravity due to the elevation. We were looking at different options. From a staff standpoint, we'd really like to run a new line under I-15 to serve that area from the city's highest tank, which is a square mountain tank. We think that's a viable option but we need to have more modeling done. The initial proposal was to run that area off a pump station although it is not preferred. We'd really like to look at this additional modeling to see if we can do that by gravity to serve that area. That's what this change order is for. **Paul** regarding the first part of the change order, it's not an increase, it's budgeted for, this is a planning level document. **Cox** will Enoch and the county be participating in the cost because they run waste into it? **Jonathan** we haven't approached them specifically on that although they do pay into the wastewater treatment plant. So, I guess indirectly yes, they would be contributing to it. **Paul** part of making this reuse a reality and realizing some benefit from this effluent water is this planning effort. The other part I think you really need to consider is establishing a rate for the customers that are

going to use it. We need to establish a reuse rate for those who use the secondary water system separately and apart from your ratepayers that are paying for the sewer system. All the money that's collected from ratepayers for your sewer system is accounted for with operation and maintenance and expansion of the wastewater treatment plant. There is no room in that rate structure to add on O&M of this reuse. **Jonathan** the modeling is \$3,900 that we plan to pay out of professional and technical services of the water division account. We're paying half and the Leavitt's are paying half.

Mayor Nelson opened the public hearing.

Shawn Severn you don't seem to have an overarching plan for the water of the city, or at least not one that I can currently understand. And it would be a lot easier if you spent some time putting together one that creates a series of goals. When you talk about wastewater, you have a series of goals that are going to come out of that. When you vote to go ahead on a project, there are goals that are going to come out of that project. It seems like everything is done in a piecemeal fashion. Will the city be the only customer for this use? **Cox** there is a big plan that's not discussed here. We spent two hours today talking about new water and options and the Water Conservancy District. **Mayor Nelson** there are elements in motion. **Schmidt** this study is very vague. What exactly are we studying? I would like to see designation points. Only thing I see on this is an open-end study. It doesn't really tell us where they're going, what they want to do. I would like the city to give them directions. Give clear direction on what we want to do in this study. **Paul** we had a discussion a few months ago, do we use the affluent just on outdoor recreational type settings or do we run secondary to everybody in town? The council overwhelmingly told staff to give them the direction just to do the outdoor recreation, put it in the pond. We need to understand what more infrastructure we will need to get it to the other areas in town. Currently we do not water the baseball fields with secondary water. Could we use the line for that. The study will help us understand that. It will show the gaps in existing infrastructure and how we can optimize the water. The public hearing closed. Action

CITY COUNCIL ASSIGNMENTS. MAYOR NELSON: **Mayor Nelson** –we've gone over these assignments with everybody; this is finalizing those changes. **Phillips** can we get clarification when the various boards meet? **Mayor Nelson** Natasha is helping me with that information; I plan to sit down with each of you to share those details. **Galan** what about the boards with no council member? **Randall** we removed the council member from the Planning Commission because it became an issue when multiple council members attended meetings which triggered a quorum. If we had a council member on the Board of Adjustments it could cause some legal issues. It was an intentional decision to not have a council member on those boards. The overwhelming majority of boards with council members wanted the council members to remain on the board. Most commonly, they want the council members there, and they want you to participate. Consent.

Mayor Nelson opened the public hearing.

Corinne Severn I have a public comment that is not specific to the council assignments. I would ask for a review of the city website. There is no information regarding future meeting dates and times. There is no way to know when meetings are, or the type of meeting. The only way to know that information is on the agenda that is only available a day or so in advance of the meeting. It makes it hard to stay informed. **Mayor Nelson** our City Manger will facilitate that review of our website and report back. **Wilkey** I have some follow-up

questions regarding the closed session property negotiation. **Paul** it was on the agenda, and it was already posted, so we're fine to discuss it.

CLOSED MEETING – PROPERTY NEGOTIATIONS & CURRENT LITIGATION:

Councilmember Phillips moved to go into closed meeting at 7:37p.m. second by Councilmember Wilkey; roll call vote as follows:

Cox	-	AYE
Galan	-	AYE
Phillips	-	AYE
Schmidt	-	AYE
Wilkey	-	AYE

ADJOURN: Councilmember Phillips moved to adjourn at 8:23 p.m.; second by Councilmember Wilkey; vote unanimous.



Natasha Nava, Executive Assistant

CITY COUNCIL CLOSED MEETING
JANUARY 21, 2026

The City Council held a closed meeting on Wednesday, January 21, 2026, at 7:44 p.m. in the Council Chambers at the City Office, 10 North Main, Cedar City, Utah.

MEMBERS PRESENT: Mayor: Steve Nelson; Councilmembers: Robert Cox; Waldo Galan; Scott Phillips; Phil Schmidt; Carter Wilkey.

STAFF PRESENT: City Manager Paul Bittmenn; City Attorney Randall McUne; City Engineer Kent Fugal; Police Chief Darin Adams; Executive Assistant Natasha Nava.

CURRENT LITIGATION:

PROPERTY NEGOTIATIONS:

ADJOURN: Councilmember Phillips moved to adjourn at 8:23 p.m.; second by Councilmember Wilkey; vote unanimous.



Natasha Nava, Executive Assistant

