



Cedar City

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Mayor
Steve Nelson

Council Members
Robert Cox
Waldo D. Galan
R. Scott Phillips
Phil E. Schmidt
Carter Wilkey

City Manager
Paul Bittmenn


CITY COUNCIL MEETING MAY 13, 2026 5:30 P.M.

The City Council meeting will be held in the Council Chambers at the City Office, 10 North Main Street, Cedar City, Utah. The City Council Chambers may be an anchor location for participation by electronic means. The agenda will consist of the following items:

- I. Call to Order
- II. Agenda Order Approval
- III. Administration Agenda
 - Mayor and Council Business
 - Staff Comment
 - Introduction of Public Information Officer Mary Nelson. David Johnson
 - Swear in Patrol Officer I Heather Conner and Patrol Officer I Dillon Murray
- IV. Public
 - Utah Summer Games update. Jon Oglesby
 - American Legion Memorial Day Ceremony. Scotty Harville
 - Water usage presentation. Benjamin Nielsen
- V. Consent Agenda
 1. Approval of minutes dated April 15 & 22, 2026
 2. Ratify bills dated April 24, 2026, and approve bills dated May 8, 2026
 3. Approval of the CWS Cooperative Agreement with Utah Division of Forestry, Fire & State Lands. Dannon Hulet/Mike Phillips
 4. Approve donating to Kanarrville Fire Department a 1995 Freightliner Water Tender. Mike Phillips
 5. Approve proposal from HBME, LLC in the amount of \$39,000 for auditing services. Lindey Matheson
 6. Approve the appointment of Kelsi Leavitt, Elaine Vickers and Kyle Bishop to the RAP Tax Arts committee. Mayor Nelson
 7. Approve settlement agreement in the amount of \$500,000 with Armbrust. Paul Bittmenn
 8. Approve entering a contract with Torus for energy management services. Paul Bittmenn
- VI. Action Agenda
 9. Consider approving a Residential Development Overlay (RDO) and Development Agreement for the Cross Hollow RDO located in the vicinity of Cody Drive and Cross Hollow Road. Go Civil/Randall McUne
 10. Consider a development agreement for a property located at approximately 1157 South Main Street (Smith's Marketplace). AWA/Randall McUne
 11. Approve a resolution adopting the 2026-2027 fiscal year tentative budget. Terri Marsh
 12. Consider a resolution to amend the Consolidated Fee Schedule. Randall McUne
 13. Consider the Schmidt Exchange of Services Agreement Extension. Tyler Galetka
 14. Consider the BLM Tanker Base Lease Extension. Tyler Galetka
- VII. Public Comments

15. Closed meeting - property negotiations

Dated this 11th day of May, 2026.


Renon Savage, MMC
City Recorder

CERTIFICATE OF DELIVERY:

The undersigned duly appointed and acting recorder for the municipality of Cedar City, Utah, hereby certifies that a copy of the foregoing Notice of Agenda was delivered to the Daily News, and each member of the governing body this 11th day of May, 2026.


Renon Savage, MMC
City Recorder

Cedar City Corporation does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

If you are planning to attend this public meeting and, due to a disability, need assistance in accessing, understanding or participating in the meeting, please notify the city not later than the day before the meeting and we will try to provide whatever assistance may be required.

COUNCIL MINUTES

MAY 13, 2026

The City Council held a meeting on Wednesday, May 13, 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; City Recorder Renon Savage; City Engineer Kent Fugal; Police Chief Darin Adams; Fire Chief Mike Phillips; Leisure Services Director Ken Nielson; Water Superintendent Matt Baker; Economic Development Director David Johnson; Public Information Officer Mary Nelson; Library Director Dallen Olcott; Heritage Manager Jason Clark.

OTHERS PRESENT: Rick Magness, Scotty Harville, Joe Sandbert, Kelly Newville, Randy Jones, Ann Clark, Tom Jett, Dallas Buckner, Dan Roberts, Lautta Mansel.

CALL TO ORDER: Chaplain Paul Edlinger gave the invocation; the pledge was led by Randall McUne.

AGENDA ORDER APPROVAL: Councilmember Phillips moved to approve the agenda order for Council action with moving the BLM tanker base lease until after closed session and the RDA and MBA; second by Councilmember Wilkey; vote unanimous.

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF

COMMENTS: ■Introduction of Public Information Officer Mary Nelson. David Johnson – our new Community Relations Officer is Mary Nelson. **Mary Nelson** – I worked at SUU Business School as PR specialist and marketing team and then moved to the Leavitt Group as communication specialists. I have lived in Cedar City for 19 of my 25 years. I am happy to be here. **Mayor** – I had a great meeting with Mary today and she will be a great asset. ■Swear in Patrol Officer I Heather Conner and Patrol Officer I Dillon Murray. Chief Adams - we have two new officers to backfill a few retirements, Heather Conner and Dillon Murray. **Heather Conner** – I worked with CCPD for about a year as Code Enforcement. I am glad to be here. My boyfriend Paxton joined me tonight. **Dillon Murray** – I was born and raised in Cedar, I always wanted to be a cop. Renon administered the oath of office. Badges were pinned by Heathers boyfriend Paxton and Dillon’s mother.

PUBLIC: ■Utah Summer Games update. Jon Oglesby – Jon had a tragedy in his family and is unable to be here. ■American Legion Memorial Day Ceremony. Scotty Harville – our annual Memorial Day Ceremony event, the ROTC will lower our flag and will lay a wreath. See Exhibit “A”. ■Water usage presentation. Benjamin Nielsen – I was in contact with Joe Baker and he was in contact with Tyler Melling and we wanted to see if the tiered system was working to keep the water usage down. See Exhibit “B”. **Phillips** – did you account for population growth? **Ben** – yes, we tried to use the same households over time. **Cox** – if we would have kept it as was, how many more tanks and wells would we need, did you look at that? **Ben** – this is a very preliminary analysis; it would be good to study that in the future.

CONSENT AGENDA: (1) APPROVAL OF MINUTES DATED APRIL 15 & 22, 2026; (2) RATIFY BILLS DATED APRIL 24, 2026, AND APPROVE BILLS DATED MAY 8, 2026; (3) APPROVAL OF THE CWS COOPERATIVE AGREEMENT WITH UTAH DIVISION OF FORESTRY, FIRE & STATE LANDS. DANNON HULET/ MIKE PHILLIPS; (4) APPROVE DONATING TO KANARRAVILLE FIRE DEPARTMENT A 1995 FREIGHTLINER WATER TENDER. MIKE PHILLIPS; (5) APPROVE PROPOSAL FROM HBME, LLC IN THE AMOUNT OF \$39,000 FOR AUDITING SERVICES. LINDEY MATHESON; (6) APPROVE THE APPOINTMENT OF KELSI LEAVITT, ELAINE VICKERS AND KYLE BISHOP TO THE RAP TAX ARTS COMMITTEE. MAYOR NELSON; (7) APPROVE SETTLEMENT AGREEMENT IN THE AMOUNT OF \$500,000 WITH ARMBRUST. PAUL BITTMENN; (8) APPROVE ENTERING A CONTRACT WITH TORUS FOR ENERGY MANAGEMENT SERVICES. PAUL BITTMENN; Councilmember Phillips moved to approve the consent agenda items 1 through 8 as written above; seconded by Councilmember Cox; vote unanimous.

CONSIDER APPROVING A RESIDENTIAL DEVELOPMENT OVERLAY (RDO) AND A RESOLUTION APPROVING A DEVELOPMENT AGREEMENT FOR THE CROSS HOLLOW RDO LOCATED IN THE VICINITY OF CODY DRIVE AND CROSS HOLLOW ROAD. GO CIVIL/RANDALL MCUNE; Dallas Buckner, Go Civil – we had a lengthy discussion last time and got feedback from council. Earlier today I sent out some exhibits. I was going to go through some schematics and then the changes in the Development Agreement. Mayor – we have had a lot of communications throughout the week. Since there are modifications from last week, we will allow the citizens to share thoughts on the changes from last week. Dallas – the original map with some redlines, I want to clarify that Pod 1 is currently proposed at 250 units total to go to Cove Drive. We would have up to 50 potential homes on Cody Dr. on Pod 3 and we reduced from 100 to 80 units, and the Cross Hollow lighted intersection we will match that. We reduced the single access to 80 lots for Pod 3. Pod 2 is the largest parcel with the open space dedication we have proposed from 400 to 350 units; these represent the upper bounds of what can be built as exists. There are 10 acres we set said as part of the Ome property that is existing commercial, so we will still have a commercial corridor, and it is not part of the RDO. Pod 1 will access Cody, Pod 3 will access Cross Hollow and Pod 2 will access Sunnyvale and Church Street. Schmidt – you will still need two accesses? Dallas – yes, we will have discussion when we get there. With the commercial we might have a private drive through the commercial. Those are the only proposed changes in the RDO, the rest are in the Development Agreement (DA). Exhibit “C” was reviewed – with the single-family detached component, I don’t know what council wants to see as scope, I boxed out the regional master planned pond. The layout reflects a 4,500 sq ft minimum lot with a 20 ft front setback, 22-foot garage with 5’ and 5’ side setbacks and 10 ft rear setbacks. The language in the DA commits to single family detached residential component, our intent is to buffer it off Cody Drive. We put the number of 15 single family units. Do we just need a single row of single-family. We still might go to a patio home driveway home route; we will commit to a first phase with 15 single family homes. As far as access discussion, the roads shown are a typical PUD minimum road, 34’ right-of-way, if we line it up with Sunset, we could possibly get 2 roads with 234 feet separation, it doesn’t quite line up with the LDS Church parking lot. Kent – we will need the Fire Department to weigh in on the accesses being that close. Barring the fire code issue, it seems workable. Dallas – I think we would still have an access

through the commercial. **Phillips** – in a PUD you are following the guidelines of driveway lengths? **Dallas** – yes, we would have the 20' setback off Cody, we will need a block wall along Cody. We would have a 5' setback on private roads, 20' on the main structure and 22 on the garage. **Cox** – I would suggest making a 1' side offset and a wide one on the other side to give you access to your back yard, and instead of a number, meet fire code. **Dallas** – I am in favor of that. **Wilkey** – with the schematic as drawn, is there an exception not to have a cul-de-sac? **Dallas** – I showed a circle of a cul-de-sac, fire code says 150 feet, if we do a hammerhead we would want an exception from the cul-de-sac. With an emphasis on interconnecting subdivisions, I think we are on our way back to 150'. **Cox** – for some of the residents, I read through the RDO and there is nothing that would allow an apartment complex. **Dallas** – there are not restrictions on Pod 3 or Pod 1, but Phase 1 we committed the 15 single family homes to buffer from R-3. **Cox** – if you put higher density, you are still maxed out at 350 residents. **Dallas** – we are locked in on the pods also. **Phillips** – how do you see the transition into the more R-3 into the rest of the pod. **Dallas** – it depends on the type of building. If this concept works well, we may continue. He wants the ability to pivot and then see if the patio home concept takes off well. If we do 4,500 square feet, then we go to patio homes, we want that flexibility. The roads depend on if it is a twin home or 3-plex or 4-plex. For conventional homes, there aren't many homes that fit on these lots. We have to develop floor plans and market research to see what will fit well. **Phillips** – my concern is, once we make the zone change to R-3 there is no going back, so the more detail the better. **Schmidt** – I like the design of single-family homes, and I think we have better response if we don't put apartments in pod 1, consider that. **Galan** – I like this better than what we saw last week. There were certain things written to several of us by the developer and I need to know if they are really going in there such as gymnasium and pickleball courts. I will insist that they are clarified on the agreement before we approve it. **Dallas** – as far as the amenities, they are things that fall within the PUD, the PUD ordinance gives a threshold, my understanding is they are included in pod 1. As far as who they are for, they are for the residents. Does a developer kick people off, I don't know. **Galan** – I appreciate that you clarified that, we wondered about that. I am ok with that as long as we know when and where it is going. **Dallas** – if we make those commitments, then what standards do we build to, so putting them in a PUD is cleaner. **Mayor** – are you saying not having a DA and putting in the CC&R's later? **Dallas** – no, he wants it in the development agreement. If it goes in the development agreement we need an exact list. **Wilkey** – our PUD ordinance requires a square footage. **Dallas** 3% of the square footage area. If we go to a single-family lot we wouldn't have guest parking. **Cox** – putting amenities in that are private, what incentive is it for the city? **Mayor** – if it is a quarter acre lot subdivision and we give concessions for size; it is a reasonable concession to make it a neighborhood. **Cox** – they will also retain the water. **Mayor** – if we don't put them in, they don't put them in and we let down the neighborhood. **Galan** – we didn't ask for it they offered it and now I am holding their feet to the fire. **Schmidt** – I hope we don't have a bunch of cars on the street. We have two big developments where people park on the street. We are not parking on the road. **Mayor** – then we need to change the ordinance. **Dallas** – with single family, it can accommodate on the lots. If we go to patio homes, we have guest parking. If we do the small lots, we have a two-car garage and driveway we don't have guest parking. **Wilkey** – you can do non-PUD's in the R-3. By ordinance he has to put amenities in a PUD. I appreciate the effort he is making. **Dallas** – we made reductions in Pod 2 and Pod 3. We did not show a reduction on Pod 1, but with single family we are reducing the units so we will lose 30 off the top. **Cox** – but it is capped at 350. **Phillips** – the alignment of the streets, you still have parking to the east, can

it shift? **Dallas** – it starts to get steep, there may be a way to incorporate some drainage, but we are pretty stuck with aligning up Sunset road.

Exhibit “D” shows Pod 2 off Sunnyvale and Church Street, we reduced from 50 units to 20 units, it shows reasonable low hanging fruit for R-1 type lots. Staff wants to see these roads finished out. We show a cul-de-sac on Church and a trail access and at the end of the Sunnyvale cul-de-sac the ability for the road to get out to the trails. Once Jones’ reviewed it they were comfortable taking it to 20 lots with access to the open space. City ordinance says we can only have 500 feet for a cul-de-sac. **Schmidt** – the ordinance changed, we are now 750 feet. **Kent** – we could work something out. **Mayor** – I have a lot of empathy for Sunset Canyon who bought R-1 and thought this was R-1. I do believe the RDO concept is the best way to make this work and feel we could make an RDO process work. I wish Ryan was comfortable with RDO throughout, but I know development is also a risk. At bare minimum, townhomes can be done nice and I would like not to have apartments. **Cox** – we could exclude apartments and allow duplex. **Schmidt** – I agree with most of the feedback, I would not want to see apartments there. Last week it was talked about a fire hazard in the open green space. What does the developer agree to do on that. **Dallas** – Exhibit “E” is part of the DA. The fire code is a bigger issue that was discussed. We talked with Chief Phillips, and I spoke with an arborist to see how big of a commitment it was. In Pod 2 we will take on the initial treatment, the 3–5-year maintenance is more manageable by the city. If the RDO is approved, we commit to the open space dedication and the initial treatment WUI and the city do the ongoing. The arborist had reasonable knowledge, he said \$50,000- \$70,000 is reasonable. **Schmidt** – are you still looking to do a retention at the top and the bottom of the basin? **Dallas** – that is my preference. The way it is written, the open space dedication would happen after final plat, the area treated, staff said we needed to do studies, I would like to see the dike moved up higher and the power company also does some mitigation, if they all align the fire trim area is reduced. **Schmidt** – is that one of the first things you would be doing? **Dallas** – it depends on how we develop. If we do a first phase of 15 units, it depends on how much is flowing to the subdivision. **Mayor** – won’t that be worked out with the development. We can’t put that in the DA. **Randall** – Master Plan improvements we try and get them in as soon as possible, you want to say at what percentage it has to be in, otherwise it will remain until the final phase. **Schmidt** – I would like it done first and eliminate problems for you and for us. **Kent** - on the two master planned storm drains, the pond and the dike that stores water behind it. What we phase up top is to prevent the downstream properties from flooding. It is tied to when the downstream properties are developed. **Dallas** - if I got to pick, the basin would go in with phase 1. **Wilkey** – I like exact with numbers. We receive emails with 255 signatures asking for us to deny this request. Within this ½ mile there are 520 high density homes. I think Pod 3 is great for R-3, that makes sense, Pod 1 I have a hard time with. **Cox** - I have been following housing; it is 25% high density to 75% single-family in the community. In 2026 it is 11%. **Phillips** – I have sat in this chair a number of years. About 2.5 years ago Fiddlers Canyon was in these chairs. 18 months ago, it was people in Cross Hollows about Henley and DR Horton, then Lund Hwy. Growth is happening all over the city and we don’t pick winners and losers, but we do listen to constituents, we all live in the city. **Dallas** – reviewed the POD amenities in the DA. **Wilkey** – when do we take the pond versus leaving it private? **Dallas** – when they are 50 acres. **Kent** – it is a regional pond, we need this. **Dallas** – we are also required to do a traffic study. **Phillips** – is it 400 or 350 units, it will increase the traffic and we need modeling. **Dallas** – we did antidotal traffic study; we got 6 cars per minute on Cody. With the removal of the road of Church Street, we

are required to model anyway. **Mayor** – it is a master planned road. **Galan** – the other reality is you can't take into account the development that is not finished, they will have children that will need to go up that road. **Dallas** – when we do a traffic study to remove the road and the loading that happens on each, do they run the modeling like water and sewer? **Kent** – the change to the master plan for the elimination of Church Street, the model is built if we remove that road. Does it lead us to other mitigated measures, are we ok with that. On the development itself, the consultant will have to look at what traffic looks like when completed, and the projected background traffic volumes and add this traffic to it. They do have to look at the other developments in the area.

Katy Berry, Sunset Canyon thank you, it has been awesome to see how much you care. We are a tight knit community. I had the opportunity to get signatures. We would like it to stay R-1 or R-2-1. We would like single family and curb and gutter. I walked the neighborhood. I went on an LDS mission, and I didn't like that part. Everyone signed the petition; all had different sentiments. We are not opposed to development. Across the street was for commercial. This lot was R-1 and backs to R-1 and it says how it should have minimal vehicular traffic and that is no longer the case. It is very busy. I don't like the patio home, but they don't have places for people to walk. If it is self contained I don't think you would hear a peep. Crescent Hills is a great neighborhood, and we wouldn't be opposed to something like that. We feel like we are not given privacy to our neighborhood.

Jan Gilbert – I spoke at the last meeting and I sent an email. I am familiar with patio homes, and I have seen them work. Across the street from Silver Silo don't forget about Hidden Canyon Commons, they show high density housing behind the commercial, you have potential for a lot more. You addressed the fire concerns. We are making progress, but the general population wants to see less density.

Mary Watkins – I am also a resident of Sunset Canyon, I am renting and I own two lots north of Pod 1, the house to the west of us had to be lifted and had their foundation redone, that can be a concern. I was also out canvassing; I had a few tell me they didn't sign petitions but supported me. Thank all of you that read my email. We did not expect this field to stay the field forever; we just wanted it done in a thoughtful way. Henley isn't done and it is not full; I don't know the market support for so much high density. I have been an apartment manager. Tenant quality goes down when they are not filled. We want it to stay R-1 or R-2-1.

Brenden Watkins – I want to reiterate everything that has been said. Density concerns, traffic and I am opposed to second access onto Cody, as much as can should to go Cross Hollows.

Ann Clark – thank you all for trying to make changes for Carmel Canyon and Sunset Canyon and they all looked at the zoning before they built. My problem is we have got to zone and mean what we say. Really think about it. Drive down Cody, this will be a tight needle to thread, and it will be that way all the time. I don't trust RDO's, they have too much flexibility. On Cross Hollows high density looks like a lot. They will do 15 single family homes, and they will do high density on the rest. Tie it down tight. Think about the people that were there first.

Randall – I am hoping you will table this since you have not read the proposal, I have not read through it all. A few things clarify the location of the single-family home and have phase 1 done before phase 2. Clarify the effect of the traffic study, it is great and wonderful, you might mitigate, or there is no way to make it possible, so if it says not possible, don't allow it. The ordinance requires a 10-foot PUE along all access. **Dallas** – I had the discussion with staff; all the private roads are PUE and a 10' beyond the PUE and around it is a PUE. I hadn't thought about the private road. **Randall** – we require the 30' triangle to not have a traffic danger. We talk about pod specific limits, almost every RDO has come in and shifted units from pod to another. The applicant said they will stay pod specific, put it in the DA. Amenities are in, if you want it specific put it in. Parking on Cody Drive if you want it, say what you want. Block wall, be specific in height and location. We may say meet all other ordinance requirements. **Dallas** – I was thinking a 6'. **Schmidt** – don't leave a blank space that no one takes care of. **Randall** – no language on Cody Drive. Remove 3–5-year fire maintenance, just don't have it in, we will do it as the fire department does it on timing and budget. Timing of the storm drain improvements, put what you want. That is a lot, so I hope you will not vote on it tonight.

Galan – there is still a lot of questions, so we will push the approval until we can look at everything. I would recommend after today's conversation look at what you have come up with and talk with us. **Dallas** – we want to define private amenities inside the PUD. **Galan** – we will not include them until you come back to us. **Cox** – add the setbacks to meet fire code. **Randall** – anything less than 3 feet the Fire Department won't go through. **Phillips** – the 10' setback along Cody Drive, is there not a landscape requirement? **Randall** – that is along Cody Drive. **Phillips** – why not match what is along Cross Hollows.

Councilmember Schmidt moved to table this item to May 20th; Seconded by Councilmember Wilkey; vote unanimous.

CONSIDER A RESOLUTION APPROVING A DEVELOPMENT AGREEMENT FOR A PROPERTY LOCATED AT APPROXIMATELY 1157 SOUTH MAIN STREET (SMITH'S MARKETPLACE). AWA/RANDALL MCUNE:

Paul – we have had a lot of discussions with the engineers with Smiths since last week, you have a copy in front of you. The sign, storm drain and water system. **Phillips** – what is the difference between red and blue. **Paul** - the red was changed last week; blue are this week. They will move the sign to help site lines. The next is the water improvements, they will connect along main street to the north with our existing system. Every pad will be served by an individual line coming off individual meters off of Main Street. There will be a fire loop around the property which is private and it will have a W8 vault, no W7 vaults. For the storm drain they will get a discount commensurate with the size of the underground system. Those are the changes.

Wilkey – we are ok with the variance for the 3 loading bays and the extra 5 feet on the sign. **Paul** – those are not controversial issues, and the e commerce was not either. We only focused on the three issues with disagreements. **Cox** – you are ok with the new water design. **Rick Magness**, AWA – yes. **Schmidt** – what size is the green and purple line? **Paul** – the lines don't mean anything. It is a big drawing. **Kent** – it is just a big picture of the overall site. **Phillips** – page 1 of the agreement, look at G and H, it says the main lines of the water system serving the property shall be owned, operated and maintained by Cedar City.

Schmidt – that is in the street. **Phillips** – then it says H. storm water system be designed to facilitate waiver of storm water impact fees. **Paul** – we will modify that to fit the rest of it. **Jeff** – we love working in this city. For Smith’s we feel like staff as well as you expediting this, your staff has been amazing. We did have a bit of discussion last week, but through that discussion, we were able to get to where we needed to be. We are ready to move forward. We are about two weeks before we start grading; we do have permits for the retaining wall and the grading. We are excited to be part of this community. We will be open next year. **Paul** – the two portions you referred to, G & H, there’s a portion in this agreement that said this is what Smith’s wanted and a portion that said this is what the city wanted, the G & H you referred to is what we were negotiating. The following provisions in the contract say here are what we agreed to.

Councilmember Phillips moved to approve the Resolution approving the Development Agreement for property located at approximately 1157 South Main Street (Smith’s Marketplace); Seconded by Councilmember Schmidt; vote as follows:

AYE: 5
NAY: 0
ABSTAINED: 0

APPROVE A RESOLUTION ADOPTING THE 2026-2027 FISCAL YEAR

TENTATIVE BUDGET. TERRI MARSH: Mayor – I sent everyone a list of things I would like continued discussion on. **Paul** – if you have items to be added, get to us so we get cost estimates. When we bring it back for final, we will have costs and that is when you add them. **Phillips** – has the tentative changed from what we had?

Terri – No. With state law you have to adopt the tentative budget. The final hearing is June 3 and final is June 10th. **Mayor** – the list I sent are 5 priorities you sent. If you have items you want added, let me know.

Theatre remodel

Weed abatement – yes. Do you want them to spray all over the city. **Schmidt** – we gave two people to Eric. **Paul** – that is in enterprise fund, not C-Road and general fund money. **Wilkey** – can one department pay the other department. **Phillips** – we asked them to come up with a plan, if they get that we can get it in the budget. **Paul** – are we doing public or private land. **Phillips** – our sidewalks, interchanges, medians at airport. If we can’t take care of our property, how do we expect others to take care of theirs. **Wilkey** – one person. **Paul** – if you give them more money for chip seal and they do the alternative road maintenance they can free up their own staff. **Cox** – the county did spray private property, if you called them you paid for the product and they came and sprayed. **Galan** – that is how we do it in our HOA.

Currently the South Interchange plans have a retention pond, I would like numbers to pipe it to the detention at Cross Hollow. **Schmidt** – they are keeping the box culvert. It would be worth looking at.

Angle parking on 100 West, extending it to the south. **Paul** – the concepts are not well thought out, and the cost estimates can be a lot. **Wilkey** – Downtown Parking Authority, they have talked about the bulbing.

Mayor – discussions on the zoning ordinance and master planning. Seek and find other places that have R-1, R-2 and R-3 and look at other density zoning, include money for consultant for zoning.

Citywide storage facility. **Wilkey** – I went with Chief Adams to the old treatment plant, we have so much land, we have how many Conex boxes. I would like to start building one major storage facility that can be shared with various departments.

Iron Leaders, annually from City staff to participate, it is \$2,800 a year. Pay enrollment cost for one person, possibly our PIO officer.

Grant writer concept.

Hosting Budget. **Paul** – we can accomplish that out of existing financial resources. Add \$2,000 to \$3,000 in administration sundry budget.

Galan – at the airport we talked about the pads we lease where they built hangars. I walked through this with Tyler and I got a better feeling about what he was talking about. There is a drainage issue and liability issue, the second pad up has taken mitigation. We allow them to build their own but don't make provisions for drainage. We have more property east above what is built out that we hope to recruit tenants to build their own buildings, we will then put in drainage, so we don't have a liability. I recommend we take what is there and run 50' of drainage pipe to the flood channel and from then on, we make everyone tie into that as they build east. We have \$56,000 plus it will cost another \$50,000. I would like it to be taken care of sooner rather than later. We also talked about the need to develop a business plan for every revenue-based operation in the city, we will form a small committee to look at a strategy for the airport and then look at what we control and what we don't. What we control, create a plan going forward and measure it. We can also start looking at what we need to get involved in or re-purchase and control what the airport represents in the community.

Schmidt – clarification on the water department. We met with Matt today about moving one employee from level 1 to level 2, eliminating two meter reading position. Have level 2 become an inspector and give Matt 2 openings for level 1. One is posted already and can post 2 more. **Paul** – we are trying to know what we need money for. **Galan** – there was a perception that we were pushing to keep the employees that were made redundant because of lack of meter readers, that is not what was on the table. We want the head count to stay at 13 and find the individuals that fit the qualifications that fit the jobs. The cost was about \$15,000. The meter readers would have to apply for the jobs, and it would be handled by HR.

Wilkey – would there be a cost to add a bond initiative? Renon will you get the cost to add the bond initiative on the ballot. Also go back to who engineered it. **Paul** – we had a conversation about if we want to put it on this year or next year. **Wilkey** – I have had discussions with other taxing entities today.

Phillips – I do want to consider adding \$10,000 to Economic Development Department for the Downtown Coordinator, I think we can get there.

Councilmember Wilkey moved to approve a resolution adopting the 2026-2027 fiscal year tentative budget; second by Councilmember Galan; vote as follows:

AYE: 5
NAY: 0
ABSTAINED: 0

CONSIDER A RESOLUTION TO AMEND THE CONSOLIDATED FEE

SCHEDULE. RANDALL MCUNE: Paul – there were several questions that came out last week. I told them to be ready during the budget presentation on fee schedule changes.

Phillips – I need clarification on the Building Department. **Kent** – these are the existing fees.

Paul – they didn't come, you can take them out and if they want them changed, they can show up. **Phillips** – my only other question is the banner program. **David** – John and Anthony worked on this. Our cost is about \$10 per banner, and we are only charging less than \$6 per banner.

Randall – it is for installation and removal; I think the fee is for both.

Paul – you can determine if you want to subsidize the banner program. **David** – our cost is \$10 per banner, Kolob is \$10 per banner, Rainbow is \$26 per banner, we were being conservative. **Wilkey** – I would like to talk about the programming side, but I think we need to set down. **Galan** – we don't subsidize.

Councilmember Wilkey moved to approve a resolution amending the Consolidated Fee Schedule minus the building department; second by Councilmember Schmidt; vote as follows:

AYE: 5
NAY: 0
ABSTAINED: 0

CONSIDER THE SCHMIDT EXCHANGE OF SERVICES AGREEMENT

EXTENSION. TYLER GALETKA: Councilman Schmidt recused himself from voting on this item.

Wilkey – we have a \$56,000 credit in our favor; can it go in the other direction. **Tyler** – we have never gone that way, and we aim never to do that.

Councilmember Phillips moved to approve the extension of the Schmidt Exchange of Services Agreement at the Airport; seconded by Councilmember Cox; vote unanimous.

PUBLIC COMMENTS: there were no public comments.

Councilmember Wilkey moved to go into the MBA meeting 7:52; seconded by Councilmember Cox; vote unanimous.

CLOSED MEETING - PROPERTY NEGOTIATIONS: Councilmember Wilkey moved to go into closed meeting at 7:56 p.m.; seconded by Councilmember Cox; roll call vote as follows:

Robert Cox - AYE
Waldo Galan - AYE
Scott Phillips - AYE
Phil Schmidt - AYE
Carter Wilkey - AYE

CONSIDER THE BLM TANKER BASE LEASE EXTENSION. TYLER GALETKA:
Councilmember Phillips moved to approve the extension of the BLM Tanker Base Lease at the Airport increasing the fee to \$0.08 Per square foot with the annual 3% inflation increase; seconded by Councilmember Cox; vote unanimous.

ADJOURN: Councilmember Phillips moved to adjourn at 8:25 p.m.; second by Councilmember Cox; vote unanimous.



Renon Savage, MMC
City Recorder

EXHIBIT "A"
CITY COUNCIL – MAY 13, 2026

MEMORIAL DAY CEREMONY HONORING OUR FALLEN HEROES



THE
AMERICAN LEGION
POST 74 CEDAR CITY
DEPARTMENT OF UTAH

MONDAY, MAY 25th 2026
10:00 AM



CEDAR CITY CEMETERY
745 N MAIN STREET,
CEDAR CITY, UT 84721



**COME HONOR LOCAL VETERANS
WHO HAVE ANSWERED THE
CALL TO SERVE BEYOND.
GOD BLESS AMERICA!**

VOLUNTEERS NEEDED!

-  **TO PLACE FLAGS**
Wednesday May 20th @ 5pm
-  **TO REMOVE FLAGS**
Wednesday May 27th @ 9am

FOR QUESTIONS OR TO VOLUNTEER
Scotty Harville Post Adjutant/SgtAtArms
(435)590-3072 • @americanlegioncedarcitypost74

Cedar City Residential Water Usage Analysis

BENJAMIN NIELSEN

1

Objectives

Three Primary questions:

1. How does overall usage compare between single-family conservation tier households and standard residential single-family households?
2. Has water usage changed from 2019 to 2025?
3. How persistent are high-use households?

Supplementary Analysis:

- Seasonal patterns and upper percentile (95th - 99th percentile) usage

2

Overview: Billing Codes and Thresholds

Standard Tier (Rate 101)

- Standard single-family residential
- Standard tiered billing rates, steep increases in billing rates past 20,000

Conservation Tier (Rate 111)

- Conservation Tier for single-family residential
- More aggressive tiered billing rate, surcharges past 12,000 gallon usage

- **8,000 gallons per month is considered a reasonable indoor usage benchmark**

3

Q1: Conservation Tier uses less water

Conservation Tier showed substantially lower usage, especially compared to Standard Tier households.

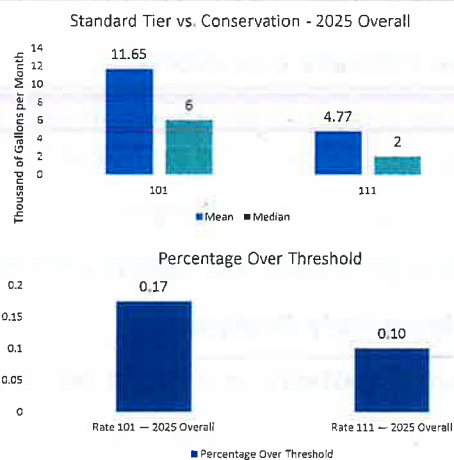
Conservation Tier:

- 1,378 observations
- 95th percentile usage of 18 thousand gallons per month

Standard Tier:

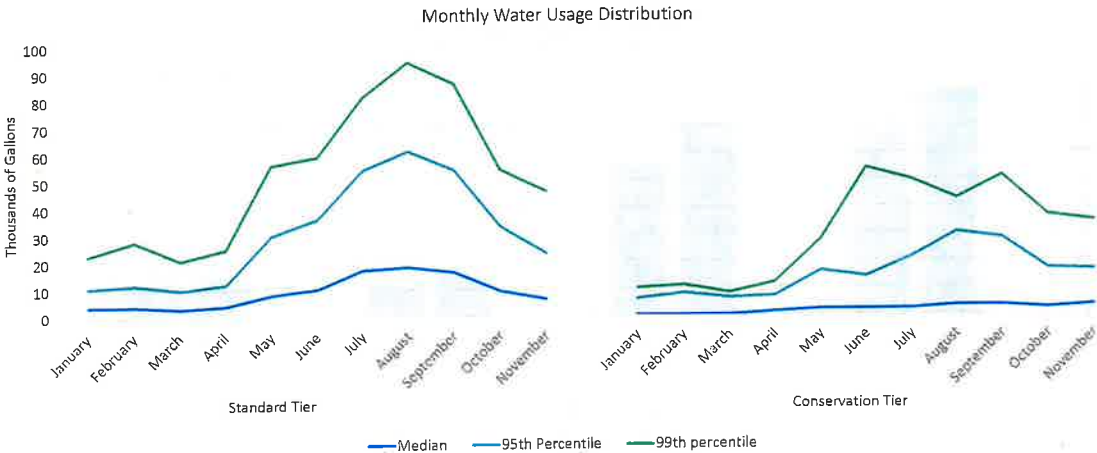
- 91,511 observations
- 95th percentile 39 thousand gallons per month

Conservation-tier households show much lower high-end usage and typical usage than Standard Tier.



4

Monthly Usage: Conservation Tier well below Standard Tier across the distribution



5

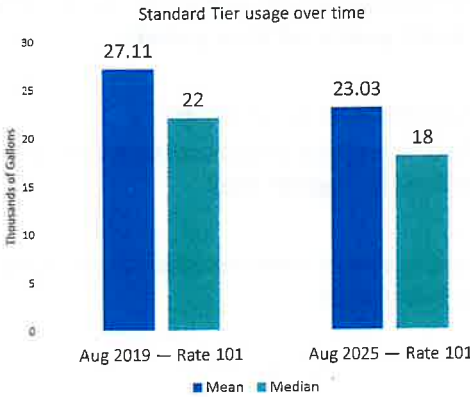
Q2: Standard Tier usage declined from 2019 to 2025

Standard Tier accounts showed decreased water consumption from August 2019 to August 2025.

Additional metrics:

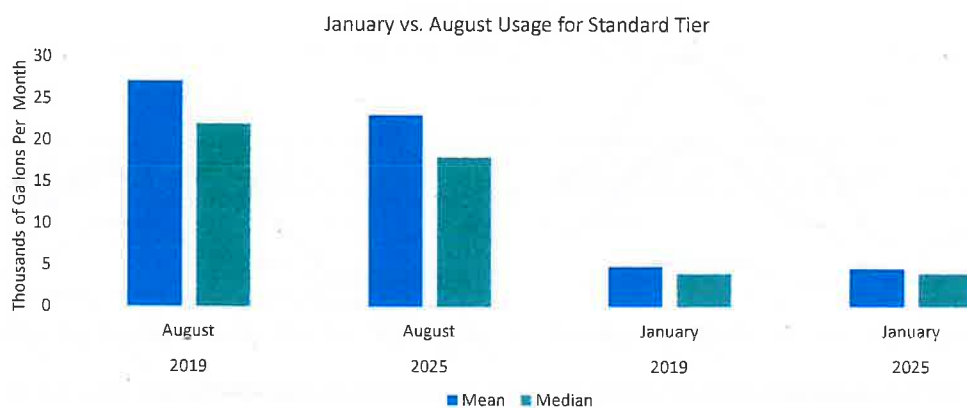
- 95th percentile declining from 69 to 61 thousand gallons
- Percentage of accounts exceeding the threshold of 20K declining from 54% to 46%

Declines show up across the distribution, not just among average users.



6

Seasonal Impact



7

Q3: High turnover rate

From August 2019 to August 2025, only 6 accounts (12%) appear in the top 50 for both years. Of this group:

- Two reduced water usage
- Four increased usage substantially, with increases of 93, 39, 23, and 17 thousand gallons in August 2025

There is a high turnover rate for extreme users, but the ones that persist exhibit high levels of usage.

8

High-use households drive a disproportionate share of demand

Among 3,825 Standard Tier accounts in 2025 within this group:

- around 86% went over double the 20 thousand gallon threshold (40K) in 2025 overall
- 100% of these users went over double in August
- Although accounting for about 4% of Standard Tier users, they used approximately 17% of total Standard Tier usage in 2025 overall.

Among 61 Conservation Tier accounts in this percentile were also analyzed, revealing:

- Around 46% went over double the threshold in 2025 overall (24 thousand gallons)
- 100% went over double in August
- Accounting for about 4% of accounts, they used approximately 23% of the total Conservation Tier water use in 2025.

9

Conclusion

- 1 Conservation-tier households use substantially less water**
Conservation Tier households consistently show lower median and high-end usage compared to standard residential accounts
- 2 Peak demand is driven by seasonal outdoor use**
January usage is low and stable for both years, and August drives extreme consumption
- 3 Residential usage has declined since 2019**
Reductions are visible both in overall August comparisons and when tracking the same households over time
- 4 A small share of households uses a disproportionate amount of water**
4% of households account for a large share of total water usage, especially in summer months

Peak demand is seasonal, concentrated, and has declined in recent years, which may be associated with conservation pricing implementation.

10

Questions?

11

APPENDIX (Slides 13-19)

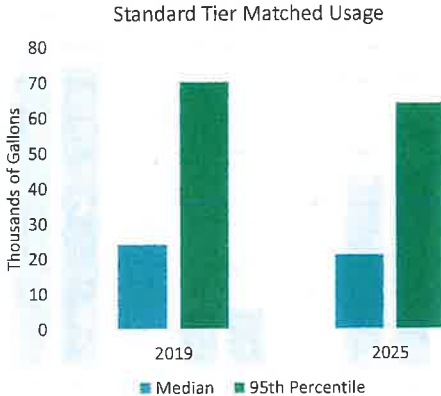
12

Matched Rate households

Further analysis matched all Standard Tier households observed during August for both 2019 and 2025 using customer number. Of this group:

- Median declined
- 95th percentile declined from 70 to 64 thousand gallons
- The share of households exceeding 20 thousand gallons fell from 57% to 52%

Reductions in typical water usage are observed, even when tracking the same households.



13

Matched Turnover

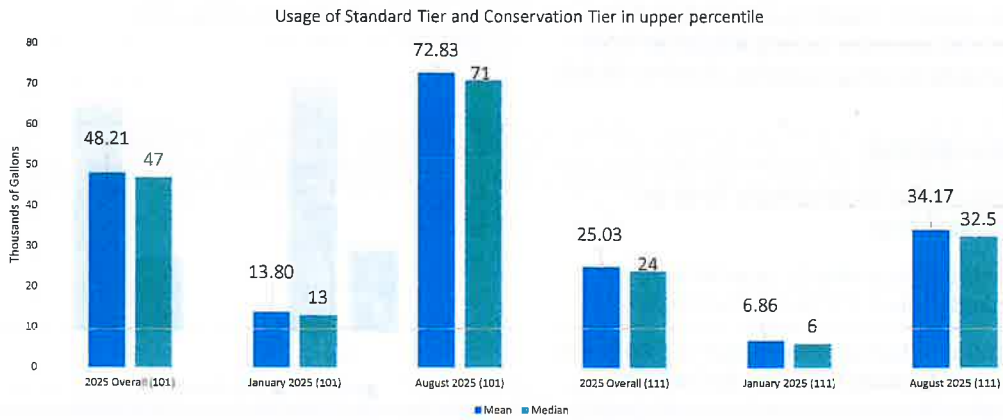
Matched households were further analyzed to look for accounts with a constant customer number that had changed names. 233 total observations in both years showed:

- Median declining from 20 to 16 thousand gallons,
- A mean declining from 24.22 to 19.64 thousand gallons, and
- A 95th percentile declining from 57.4 to 49 thousand gallons.

Since this group only makes up about 4% of matched households, they are likely not the primary driver of water use reduction.

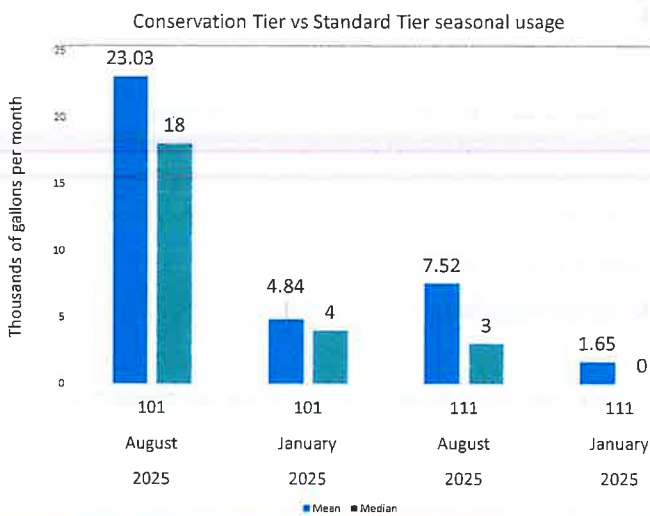
14

95th - 99th Percentile Usage



15

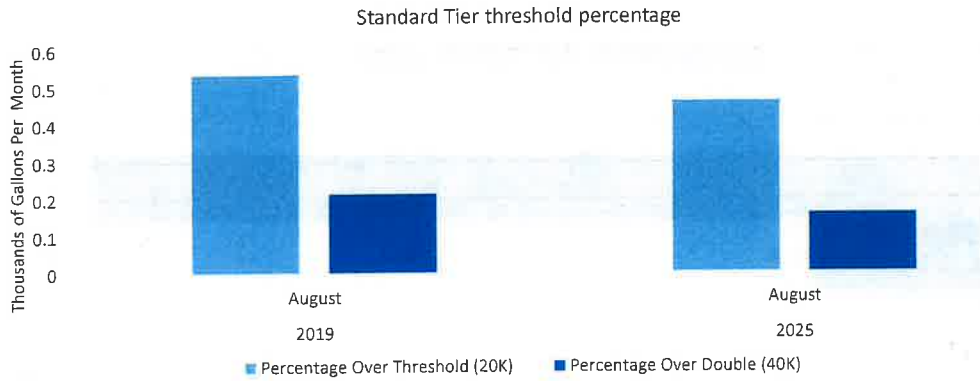
Seasonal Patterns



- January usage is low and stable
- August usage is much higher
- Indoor usage stays very consistent across time

16

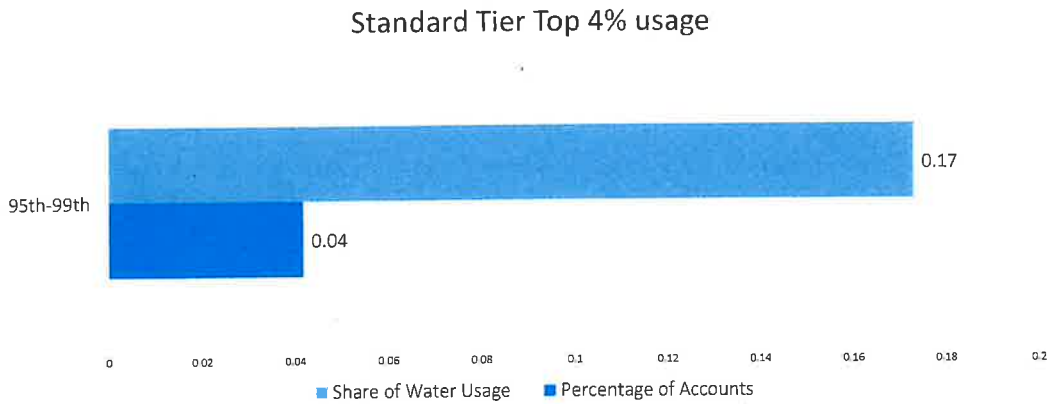
Seasonality Impact



Extreme Water Usage is largely seasonal and associated with outdoor irrigation.

17

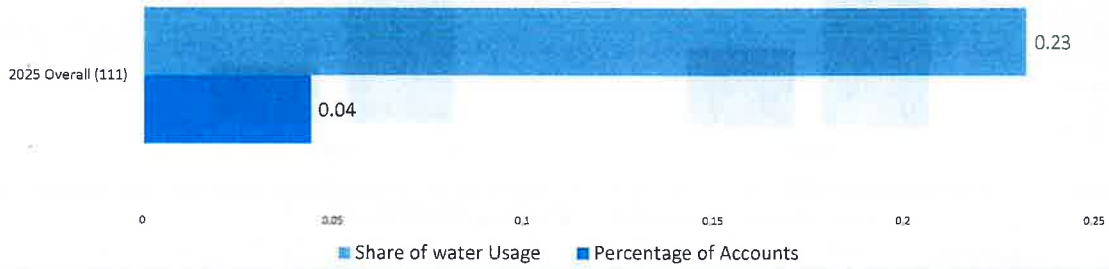
Top 4% of households account for 17% of usage



18

Top 4% Conservation Tier

Conservation Tier Top 4% usage





STORM DRAIN MASTER PLAN



TRANSPORTATION MASTER PLAN



WATER MASTER PLAN



TRAIL MASTER PLAN



SEWER MASTER PLAN (NONE)



ACTIVE TRANS. MASTER PLAN

NO.	DATE	REVISION



GO CIVIL ENGINEERING
 100 W. GERRARD ST. S.W. SUITE 100
 KANSAS CITY, MISSOURI 64108
 TEL: 816.451.1111
 WWW.GOCIVIL.COM

**CROSS HOLLOW RESIDENTIAL DEVELOPMENT OVERLAY
 FOR CROSS DEVELOPMENT**
 KANSAS CITY, MISSOURI

DATE	BY	SCALE



LEGEND

- POD BOUNDARY
- EXISTING CONDITION (AS SHOWN)
- AREA INSIDE OF THE BOUNDARY
- CITY MASTER PLAN HOLLOW TRAIL
- AREA OF SLURP-UP SLURP
- LINE LIMITS OF OTHER MAPS

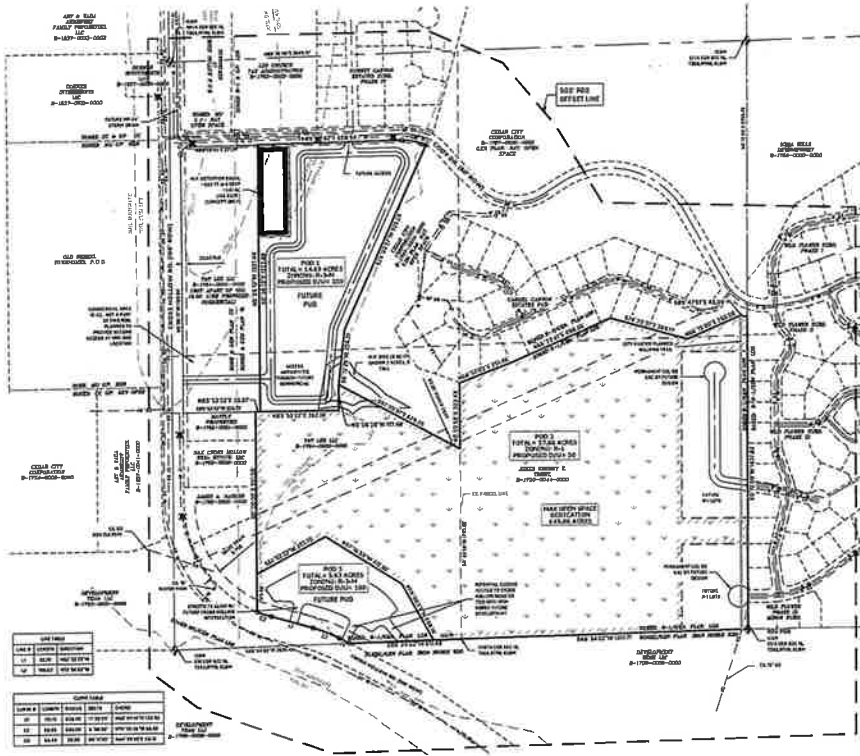


EXHIBIT NOTE:
 THIS EXHIBIT IS A PRELIMINARY EXHIBIT TO BE USED FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION OR AS A BASIS FOR ANY OTHER ACTION. THE ENGINEER ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS EXHIBIT.

DATE SHEET

DATE	DESCRIPTION
11/15/2011	ISSUED FOR PERMITTING
11/15/2011	ISSUED FOR PERMITTING
11/15/2011	ISSUED FOR PERMITTING

CONTRACT

NO.	DATE	DESCRIPTION
1	11/15/2011	ISSUED FOR PERMITTING
2	11/15/2011	ISSUED FOR PERMITTING
3	11/15/2011	ISSUED FOR PERMITTING

GO CIVIL ENGINEERING

**ACCESS / OPEN SPACE CONCEPTUAL EXHIBIT
 CROSS HOLLOW RESIDENTIAL DEVELOPMENT OVERLAY
 WITH
 ERDS DEVELOPMENT**

REVIEW ONLY

DATE	BY	REVISION

11/15/2011 10:00 AM
 11/15/2011 10:00 AM
 11/15/2011 10:00 AM
 11/15/2011 10:00 AM

EXHIBIT "D" - CITY COUNCIL - MAY 13, 2026

SCALE: AS SHOWN. SEE PLAN FOR DIMENSIONS AND NOTES. SHEET 1 OF 1. DATE: 5/13/2026. 4:33 PM. BY: JLM



ONES SHERRY E.
TRUST,
1750-0044-0000

WILD FLOWER SUBD.
PHASE II

WILD FLOWER SUBD.
PHASE III

WILD FLOWER
PHASE III
MINOR SUBD.

TRAIL ACCESS PARCEL

NEED EXCEPTION ON DEAD END
ROAD OF 500' MAX LENGTH

TRAIL ACCESS PARCEL

DEVELOPMENT

REVIEW ONLY

FOR

####

GO CIVIL
ENGINEERING

590 N. 800 W. CEDAR CITY, UT 84221
801.225.2572 WWW.GOCIVIL.NET

REVISIONS		BY	DATE
NO.	DESCRIPTION		

PROFESSIONAL ENGINEERS ON THE BEHALF OF THE PROFESSIONAL SUPPLIER ONLY. THE SUPPLIER ACCEPTS THIS DRAWING ASSUMES ALL RESPONSIBILITY FOR VERIFYING THE ACCURACY, SUFFICIENCY & COMPLETENESS OF THE INFORMATION FOR THE PROJECT. CONTRACTOR TO VERIFY ALL DIMENSIONS AND LOCATIONS MUST BE VALID BEFORE BEGINNING CONSTRUCTION.

ii. POD 2 CONDITIONS

The Project's RDO Map supplemental exhibit, Sheet 3, identifies a majority portion of Pod 2 as proposed natural open space to be dedicated to Cedar City Corporation. The proposed open space includes existing dirt trail networks currently used by the public and is intended to preserve natural open space and provide public trail access within a largely developed portion of the City. The proposed dedication area is anticipated to range from approximately 30 to 49 acres, with the final acreage and boundaries to be determined after completion and recordation of the applicable final plat or plats for the two upper road areas, including the areas associated with Church Street and Sunnyvale Drive.

Prior to dedication of the Pod 2 open space to the City, Developer shall complete an initial fire fuel mitigation treatment within the proposed open space area in compliance with the Wildland Urban Interface (WUI) standards. The Parties acknowledge that the Cedar City Fire Chief has indicated that, following initial treatment, ongoing fuel mitigation and maintenance on an approximate three-to-five-year cycle would be a more manageable maintenance obligation for the City. Upon completion of the initial fire mitigation treatment and final determination of the dedication boundaries, the open space shall be dedicated to Cedar City Corporation, subject to City review and acceptance.

As part of the Pod 2 open space and trail access plan, Developer shall provide public trail access to the dedicated open space from both upper road areas. Such access shall be provided by separate 20-foot-wide public trail access parcels, or similar dedicated access corridors acceptable to the City, located to provide community access from each road to the public open space.

Development within Pod 2 shall be subject to the R-1 zoning requirements and shall be restricted to a maximum of twenty (20) single-family residential lots. The Parties acknowledge that development of Pod 2 will require completion and extension of the existing dead-end stub roads, including Sunnyvale Drive and Church Street, and that such road completion provides a mutual benefit to both the City and Developer. The City has expressed a desire for the existing dead-end road stubs to be completed in order to improve public access, fire protection, snow removal, trash service, and general neighborhood circulation. Developer desires to complete such road improvements in order to allow limited residential development within Pod 2 and to provide access to the proposed public open space dedication.

Due to existing topography, existing dead-end stub road conditions, road layout constraints, limited residential lot count, and the proposed open space dedication, the Parties acknowledge that certain variances or modifications from City engineering standards may be necessary. Specifically, the City shall consider and, as applicable, approve a variance or modification to allow Sunnyvale Drive and/or Church Street to exceed the standard 500-foot maximum dead-end cul-de-sac length, subject to final engineering review and any required public safety conditions. The consideration for such variance or modification includes the limited residential density within Pod 2, the completion of existing dead-end road stubs, improved municipal service access, and the dedication of public trail access and natural open space to the City.

CITY COUNCIL CLOSED MEETING
MAY 13, 2026

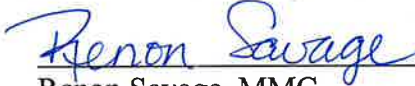
The City Council held a closed meeting on Wednesday, April 13, 2026, at 8:02 p.m. in the Council Chambers at the City Office, 10 North Main, Cedar City, Utah.

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; City Recorder, Renon Savage; Airport Manager Tyler Galetka.

PROPERTY NEGOTIATIONS:

ADJOURN: Councilmember Phillips moved to adjourn at 9:23 p.m.; second by Councilmember Cox; vote unanimous.



Renon Savage, MMC
City Recorder

