

COUNCIL WORK MINUTES
MAY 20, 2026

The City Council held a meeting on Wednesday, May 20, 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; Senior Engineer Jonathan Stathis; Police Chief Darin Adams; Fire Chief Mike Phillips; Leisure Services Director Ken Nielson; Public Works Director Ryan Marshall; Economic Development Director David Johnson; Project Engineer Shane Johnson; Project Engineer Bill Maxwell; Street Superintendent Eric Witzke; Water Superintendent Matt Baker. JoAnn Brunson, Lindey Matheson, Natalie Cooley; Kayley Sigman; Rhean Carlson, Lester Ross, Amber Ray, Hope LaCagnina.

OTHERS PRESENT: Erick Cox, LaNor Warby, Phil Hammond, Dallas Buckner, Justin Wayment, Doug Hall, Tom Jett, Brittany Fisher, Ann Clark, Randy Jones, Kelly Newville, Matt Perasic, Michael Perasic, Bill Payne, Tonya Payne, Mike Adamson, Justin Adamson, John Hinman, Shannon Hinman, Jelisa Robison, Danny Cook, Julie Cook, Randy Yardley, Scooter Williamson, David Westwood, Julianne Westwood, Mary Watkins, Dan Camp, Katie Berry.

CALL TO ORDER: Councilmember Schmidt gave the invocation; the pledge was led by Chief Mike Phillips.

AGENDA ORDER APPROVAL: Councilmember Phillips moved to approve the agenda order moving item #2 after item #6; second by Councilmember Cox; vote unanimous.

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF

COMMENTS: ■ ■Swear in Amber Ray as City Recorder. Mayor Nelson – this is bittersweet. You can't just jump into swearing in someone new without recognizing the spot that is being left vacant. This is Renon's last meeting, and I would like to express gratitude. I have only worked with her for a few months, but everybody loves and respects you and the professional way that you have always handled your responsibilities and the way you have taken them seriously. You are great to be around, and you will be sorely missed. First thank you for your years of faithful service. That is the bitter part. The sweet part is I am excited to have Amber work with us as well. She has big shoes to fill, but I am confident that she will do a great job. Let's get her sworn in. Renon Savage administered the Oath of Office to Amber. ■Phillips – I want to echo the mayor's words. I hope everyone in the audience can appreciate the tremendous job Renon has done over her time with the city. Having many of her colleagues here on the second row here to watch shows how much she is loved and respected. I don't know who I am going to go to and get all the answers to the questions; she knows where all the skeletons are hidden and I just wanted to let all of you know and offer a round of applause. Also, today was the quarterly Chamber of Commerce Economic Review Breakfast and the State of the City and I was impressed with the mayor's speech and how highly he spoke of the staff and how much you have protected the taxpayers dollars. ■Cox – I echo Scott's words about Renon. I also want to say thank you for the kind email we received from the citizens this past week. We usually only receive complaint emails; it

warms my heart to get a nice email. ■**Wilkey** – Renon’s husband and I are first cousins, and Renon was so welcoming to my wife and I when we moved here. It is great to work with her, good job. ■**Schmidt** – I appreciate Renon, she is a first-class lady, and I am thankful to know here and good luck. ■**Galan** – I still remember you waited for me to put in my papers for this post. We had a great conversation, and I came to appreciate you for who you are and what you represent, integrity and incredible exactness in your job and a face in the community you can trust. I am glad that Amber is stepping into your shoes and we are here to support you in what you need as a council and the community. I get a lot of comments from you about how the city is changing. I had the privilege of spending time with a couple of citizens, and the community is safe with you and no one coming from the outside can change that. ■Update on the Torus Energy Agreement. Paul Bittmenn – you considered an agreement in the last round of meetings to install some battery backups and give us evened up power flow and small savings. Between action meeting and this work meeting, they called me Friday, the offer changed a little and it will be coming back to you. Rocky Mountain Power has changed how they will pay for the capital, the facilities will change from behind the meter to in front of the meter. We don’t get battery backup component, but we will get a lease payment for their component. We will get less headache.

PUBLIC HEARING TO CONSIDER WAVING A WATER BILL LATE FEE.

DEBBIE FORSYTH/RHEAN CARLSON: Paul – Debbie manages Asset Management, according to her letter she put in a bunch of checks in the drop box in the parking garage, she said she put a check on in for Country Meadows HOA. Our staff opens the envelopes, scans them and puts them in the bank. Staff looked through their stuff, they had several checks from her, but not one for Country Meadows HOA, she asked staff to waive the late fee, staff said they could not. **Schmidt** – has she had one before? **Paul** – we don’t know. **Wilkey** – I can’t think of a time when we have waived one. **Phillips** – it appears that she had good intentions, but she forgot to put the check in the envelope. I think we have a hard time waiving it. **Cox** – I see when we have a leak when we have waived it. **Paul** - we get more requests on a staff level. You had Seven Brothers come before you a few months ago and asked you to waive a business license late fee. **Cox** – it becomes a slippery slope. **Paul** – we have detailed records of what we receive and what we deposit each day. **Galan** – after the investigation the check was not turned in on time, she contacted us after she got the penalty. Stuff happens; they need to be more thorough.

Mayor opened the public hearing. There were no comments. Hearing closed.

Councilmember Phillips moved to put this item on the action agenda; seconded by Councilmember Galan; vote unanimous.

DONATION ADVERTISEMENT ON CITY EQUIPMENT. CEDAR CITY FIREMAN RELIEF ASSOCIATION. ERICK COX/LANOR WARBY:

Erick Cox – we are seeking approval to put these stickers on our apparatus to receive donations. We want it easier for people to make donations. The Fireman’s Association put in ice machines. Help purchase fire prevention supplies for the second graders. We participate in gifts for the retiring fire fighters. We do as much as we can as an association to defray those costs. **Phillips** – are they vinyl stickers? **Erick** – yes. **Phillips** – what apparatus? **Erick** – all the fire trucks. They are 3”. **Galan** – I know the Fireman’s Association is related to the Fire Department, does it open

the door to other non-profit to put on our vehicles? **Randall** – yes, but you can say no, if you have an organization linked to the department.

Councilmember Wilkey moved to put this item on the consent agenda; seconded by Councilmember Schmidt; vote unanimous.

PUBLIC HEARING TO CONSIDER AN ORDINANCE MODIFYING CITY ORDINANCE 26-V-18 REGARDING DRIVEWAY REQUIREMENTS.

PERASIC/RADIANT BLUE CONSTRUCTION/KENT FUGAL: Schmidt – what is the difference between 4 & 5. **Randall** – there is 2 parts, section 5 in Engineering Code has the length and there is another section in the engineering code. **Wilkey** – the width and length of the driveway.

Jonathan – 4 is the ordinance and #5 is Engineering standards. The city was approached about changing the driveway requirements. It is now 34', the proposal is to increase the width in the RE zone to 50'. This was brought up because a property owner constructed a driveway about 48 feet. They went to Board of Adjustments (BOA) and were denied so they are asking for the ordinance change. **Wilkey** – this is before the certificate of occupancy (C of O), there are hundreds of homes in the town wider. **Jonathan** – it is the driveway to the setback. **Don Boudreau** – the maximum curb cut is 34 feet. The ordinance says you can't park in the front setback without a driveway. You can taper and then park in the side yard. **Wilkey** – what if a person adds a driveway after C of O? **Randall** – they are in violation. **Wilkey** – I have 60' of driveway before my C of O, I just had to cut out 15' for the mailbox. **Don** – it is drainage and safety issues. People don't want their neighborhood to look like a parking lot. **Cox** – was water conserving considered when they wrote this ordinance. Weeds don't grow in concrete. I don't have a problem. **Wilkey** – where I live, every neighbor touching me has a pad added, all but one with rocks and they have weeds. It can't be 50% of the front yard. I don't know why? **Don** – I think the 34' was the original zoning ordinance. Some minimum lot sizes are smaller. **Randall** – what is before you is what the Planning Commission gave a recommendation of 34' minimum, up to 50 with 33% of your frontage, not to exceed 50 feet. **Cox** – does that work with smaller lots? **Randall** – you always have the 34' **Wilkey** – what is the minimum in RE zone? **Don** – 10,000 square feet. **Wilkey** – with a half-acre I don't have a problem with 50 feet.

Jonathan – In the RE zone most driveways put in culverts, and they get plugged up that cause's problems with the drainage. **Cox** – I understand where cars come on and off the curb. If I angle off the curb I can do the entire thing in concrete. **Jonathan** – the frontage is 120 feet so it would allow them a 40-foot driveway. **Galan** – all the measurements are on RE zoning or in general? **Jonathan** – I think just residential. **Wilkey** – I have a friend in Equestrian Point, and he has a 4-car garage. **Randall** – what is proposed he could get a 50-foot driveway. **Phillips** – this discussion is on the frontage of the property; we have a photo with a very wide driveway on a side yard. **Mayor** – if you have an ADU or detached garage in the back. **Wilkey** – homes have got bigger. If you have 3 teenagers, you can park cars in the driveway instead of on the street. if we allow 50' driveway and wider curb cuts. I own trailers and cars that I want to park them in my driveway.

Mayor Nelson opened the public hearing. **Tom Jett** – we talked about this in Planning Commission, this is an absurd rule, if you have RV's try and back it in an RV garage with an

angle. I have a lot in R-2 that is 140 feet long and I can only do a 24-foot driveway, this should not just be for RE zones. Why not look at 50% in all lots, legal counsel said we couldn't discuss it because it wasn't posted on the agenda. I don't think it should be limited. **Wilkey** – if we want to look at other zones should we post that and take it back? **Randall** – yes. **Brittany Fisher** – I am chair of BOA, but I am here on personal issue. When I looked back at this ordinance it was created in 2013 and 2 car garages were common. Now 3 car garages are standard, and 4 car garages are preferred. It is hard to maneuver into an RV garage. We had to have our side yard desert because we wanted grass in the back yard. This is a reoccurring thing; there are more and more 3 and 4 car driveways. My preference would be a percentage. **Mike Adamson** – I started this event in the RE zone. I agree that trying to maneuver is almost impossible. The hearing closed.

Councilmember Phillips moved to put this item on the action agenda; seconded by Councilmember Schmidt; vote unanimous.

**PUBLIC HEARING TO CONSIDER AN ORDINANCE MODIFYING
ENGINEERING STANDARDS SECTION 5 REGARDING DRIVEWAY**

REQUIREMENTS. KENT FUGAL: **Jonathan** – the first part goes along with the previous item. If the ordinance is changed to be increased, there is a detail in the Engineering Standards that needs to be updated. C3 to add that language in the Engineering Standards also if the ordinance is approved. **Schmidt** – I like it for all zones.

Jonathan – this part applies to all zones. In Planning Commission (PC) there were proposed changes to the curb and gutter and discussion about it. that portion was tabled. The city has a 7" face, the proposed change is a 6", the standard has 9.5" concrete and that increases the cost. PC said engineering department needs to look at that closer and bring it back. **Schmidt** – did you look at the spacing of the expansion joints going in? **Phillips** – why was this change brought forward? **Jonathan** – the current standard is 7" face, this change is more of APWA standard, and the hope is for cost savings. One issue that was brought up is the height of the curb face we decrease the carrying capacity. **Phillips** -what if you change it in a current area of town? **Schmidt** – feather it out. **Jonathan** – this also helps get in line with ADA requirements.

Jonathan – the driveways is to meet ADA requirements. Currently our driveways are quite steep and do not meet ADA requirements for the approach. Change detail C3 to meet APWA standards. Note 1 would be allowed under all circumstances, Note 2 must be approved by city engineers. #215 drops down and then comes back up. 221.1 is in the area of planter strips, it is similar to what we do now. **Wilkey** – doesn't a rolled curb stop that? **Jonathan** – yes. **Paul** – there are areas of town where you wouldn't want rolled curbed because of the carrying capacity. **Jonathan** – 221.2 the sidewalk goes back around the drive approach and pushes the sidewalk back on private property. **Wilkey** – that wouldn't change the setback, would it? **Jonathan** – no. Pushing it back allows people to park and if there is a long truck it would hang over. **Randall** – PC did not allow this to be an automatic allowance; it must be approved by the City Engineer. **Jonathan** – 222 is similar to the one with the planter strip, shows the curb cut. (See attached Exhibit "A") **Schmidt** – if these are adopted, what if someone wants to change their driveway, especially if their house is 4 or 5 feet above the driveway. Could they replace them with what they have, or would they have to change to this, it would make it steeper. If we make these changes we need to adjust setbacks, if you

have a steep lot you will have to move your house back. **Randall** – if they pull a building permit they have to bring it into compliance with ADA. **Phillips** – the ADA laws have been around since 1991, we have tried to make reasonable accommodations, I am not sure it is something we have to do. **Paul** – Kent would say the newest guidance from the Federal Government. **Mayor** – there are challenges to make it ADA compliant on a hill. **Jonathan** – mountable curb, what we called rolled curb, the cement has to be thicker, but rebar is not required. There is also an option for planter strips, it must be allowed by City Engineer. The bridge type drive approaches with deep irrigation ditches. **Schmidt** – I am not a fan of these; will we allow medal plates? They are easier and hold up better. **Jonathan** – they are not now, I will have to bring that up with Kent.

Mayor Nelson opened the public hearing. **Dallas Buckner**, Go Civil – the 7” curb, a way to make driveways ADA compliant and the curb face can remain 7”. What 7” does, it allows you on 45’ rights-of-way to have a cross section that over tops the crown so you have a lot more carrying capacity in the roads. If you go to 6”, I don’t believe you are going to be able to over top the crown, so you are going to you will reduce the capacity of the road substantially, which is going to introduce more storm drain. When we talk about development and the maintenance burden that is put on the city, the more storm drain, the more maintenance. In the flatter areas of the valley, when you drop the water into a pipe and your road slopes are at the minimums, those pipes don’t carry much water so you have to go to bigger pipes to carry the water, and then you are pushing basins down and there is no storm drain infrastructure to discharge to. That is a substantial change that is going to cascade. **Wilkey** – a 45-foot road, the slopes that are needed from the crown of the road, if we go to the 6”, the crown of the road is going to higher than the 6” curb. **Mayor** – so the idea of saving money on the curb will actually cost more money on the storm drain. **Dallas** – for the developer and the city as far as cost on the maintenance on the storm drain. **Schmidt** – plus you are going to lose an inch on your hood so your catch basin hoods going to be an inch shorter. **Dallas** - the curb cost is negligible, but when you put the pipes underground, and the carry capacity of the pipe based on the road slope on an 18” pipe isn’t much, but 30”, 34” and 36”, that is pushing your basins down. This change would substantially impact storm drain. The hearing closed.

Wilkey – are we just doing the driveway, or all the curb and gutter? **Jonathan** – the proposal here is just the driveway. The curb and gutter will be coming back through. The proposal is to do a mountable curb. **Schmidt** – if you have a steep slope you have to do a L curb, you shouldn’t do a rolled curb. It depends on the slope of the road You have the option of a modified curb now. I would like to table this item.

Councilmember Schmidt moved to table this item for further discussion, all but the Item C3 on the driveway width; seconded by Councilmember Phillips; vote unanimous.

Item C3 will go with the above item next week.

CONSIDER APPROVING AN ORDINANCE FOR A RESIDENTIAL DEVELOPMENT OVERLY (RDO) AND 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 – the only update on the map was the Pod densities and added note 13 that said this

RDO is subject to a development agreement. The density changed in Pods 2 and 3 from 50 to 20 and from 100 to 80, the total density is 350. We have been back and forth all week on the language. **Galan** – I had a brief conversation with staff; there are things I am still hopeful for.

Dallas – See Exhibit “B” to see the language. (d) is a clarification on the public utility easement. (h) we proposed something and Randall proposed something, it was the apartment in Pod 1, in the ordinance apartments are 4 unrelated with separate kitchens, the fear is it wouldn’t allow us to do 4, 5 or 6 plex. We are trying to not clip it to 4 units. **Galan** – is this restricted to one Pod? **Dallas** – just Pod 1. **Wilkey** – it says phase 1, should it say Pod 1? **Randall** – yes. **Dallas** – yes, 15 single family homes on Cody Drive and to the south we could have a 4 plex or town homes. **Paul** – is there not a common understanding of an apartment in Building Code. **Lester Ross** – building code does not recognize a difference between an apartment and town home. **Galan** – we need to be very specific because of the input from the community. We want to make it a viable proposition for the developer and maintain the integrity of everything surrounding it and the community at large. **Randall** – I would strike the last sentence in (h). **Phillips** – the blue is the owner’s response back? **Dallas** – yes. **Phillips** - On (i) what is it to discourage overnight parking? **Randall** – this is aspirational, a goal more than a detail. I can add a detail; we can only require more parking or require ones like the 15 single family home. **Mayor** – right now we count tandem parking as parking, no one does that. We require 1.33 per bedroom. To me change the parking requirements to 3 and not allow tandem parking. **Phillips** – we can put no overnight parking on Cody Drive. **Mayor** – as long as you allow tandem parking, we will have that problem. **Schmidt** – I don’t want a bunch of parking on Cody Drive. **Galan** – what would you recommend we change this to. **Randall** – having the single-family homes closer to the road will help. The next thing is to prohibit overnight parking along there, they can park their during church or during their lunch hour or require additional parking within the subdivision which costs the developer more. **Mayor** – my idea will work, require 3 parking spaces instead of 4 and no tandem, it forces the natural development to take care of its parking. **Wilkey** – this is a concern I had, a struggle I still have, we are using all the best parts of all the different zoning to make one Pod work. Lot size in RN, no guest parking out of the R-1 zone, setbacks out of a different zone, all the best things to make this one Pod work. In R-3 we require guest parking. We don’t require 1.3 parking spaces in R-1, only 2 parking spots. **Randall** – that is by use. **Don** – that is correct because they have wide enough streets to absorb the parking. The 1.3 does apply with the tandem, all Americans like to buy stuff and fill their garages. If you don’t allow tandem you can drop the requirement to 1 spot per bedroom. **Cox** – there are concessions on both sides. **Dallas** - you say we are cherry picking through a bunch of zones. The things we incorporated are suggestions from council. **Wilkey** – I just wish we would do it on the ordinance side, not for a project. **Schmidt** – on single units are they one or 2 car garages, that determines the width of the driveway? **Dallas** – that is up to the developer, what we can fit, and if it is patio homes, number of bedrooms. **Mayor** – it is a challenge on how to address it. **Dallas** – we don’t have layouts, we anticipate having guest parking beyond the single family south of the single family. **Mayor** – you are saying you are not going to continue with single family. **Dallas** – we don’t know, it depends on the layout and how the market allows us. **Galan** – you will have to design the space one way or another. The if word worries me. **Mayor** – we approve densities, we don’t see the design. **Cox** – they design after we give the parameters, if the single family doesn’t sell, they have to pivot. We have already agreed they cannot go above a certain number of homes in a Pod.

Mayor – they can determine the product type in the Pod. **Dallas** – if the developer wants to push the single family through the entire pod we may only end up with 100 homes. We still have the ability to develop in the R-3. We will start with the single family in Pod 1. **Wilkey** - on (j), what is the trigger, is it the final plat of the final phase. **Randall** - My recommendation is something sooner than that. We have town homes south of Spirit Fitness that the amenities never happened, one by the hospital that never did the final phase. **Dallas** – initially it was proposed to have the amenities in Pod 1, that is the single-family homes, that is not doable. **Wilkey** – that is only 15 units, I don't see that happening. **Dallas** – we don't know how many phases it will be. **Mayor** – it needs to be on the number of doors. **Schmidt** – I don't like percentages; I like the number of doors. **Mayor** – would you require the amenities if they were all single-family homes? **Schmidt** – they are nice. **Wilkey** – some open space needs to be done because it is a PUD. **Randall** – if you say doors, they can set what will happen with each number of doors, we may not get them all, but we will get some. **Wilkey** – on Pod 2, are we taking the open space? I don't like it. **Mayor** – if they do the fire prevention first, I am ok with it. **Schmidt** – I agree, a lot of people use that space. **Wilkey** – that doesn't qualify for their open space, does it? **Randall** – no, it is not within their PUD. **Galan** – the detention pond and engineering will be done by you Dallas? **Dallas** – yes. Pod 3 is full R-3. We added it would be developed by PUD ordinance and will have a single access. If we do the design and build, we took out protect. **Paul** – what is different in your thinking than any other subdivision? **Dallas** – I have not done a project where we had to do a regional pond, I worried about or protect on the dike if it was to protect our development. **Paul** – why would we not have you do that? **Dallas** – because it is everyone from above water. They are both subject to interpretation. Just figure out what the reimbursement would be. **Dallas** – a proportionate of what we drain to it versus what is up stream. **Randall** – nothing is precise. Ordinance is vague, they are required to do a 24" minimum. The ordinance covers pipes well; we just don't know what is required. **Dallas** – when we know our hard surface is, it will be easier to know what our portion would be. **Paul** – reference the drainage study and the proportion would be based on that. On infrastructure from a developer there is typically a one-year warranty, we should have that coverage there. **Dallas** – yes. Before we broke the amenities out, so a portion of vi was struck out. **Galan** – these will be modified and we can go through this individually next week. When will we get a copy? **Justin Wayment** – I sent a text to the developer and he just responded, on the single-family homes, the garages will be two-car. **Randall** – with the 6' site obscuring fence, last week there was a split on the fence normal default is 10' back. Council was ok with that. We didn't want the trails blocked off by the PUD, hopefully they will allow that. **Paul** – there may need to be language for public access through the Pods for the trails.

Ann Clark – this is why I don't like RDO's you don't know exactly what you will get. We will get 15 single-family homes, and I bet you will get the rest multi-family. If they had gone and asked to rezone to R-1 to Henley it would have been no, but the developer wants it changed from R-1 to higher density it is allowed. For future thought, we need to look at that. Citizens don't have the same right as the developer. The developers are the winners, and the losers are the citizens.

Mary Watkins – thank you for being so responsive and responding to emails. I have some confusion that we are not increasing density, but we are with the RDO density bonus from 310 to 350, which is 40 more than we are zoned for. I prefer owner occupied units in Pod 1, the pride in ownership factor is real. On parking and traffic, Cody already has parking issues,

and when I brought up parking issues in the past, Cody is a concern because my home will be on Cody. Is it still in the proposal for two accesses on Cody. Dallas mentioned the intention on Pod 2 to maintain the character of Wildflower Neighborhood; we want the same for the Sunset Canyon neighborhood. Many people bought in Sunset Canyon thinking that it would continue as R-1.

Scotter Williamson – I emailed each of you, thank you for your response and thanks to Dallas for serving his client, I am sure it is challenging. I live in Sunset Canyon, and the community is in one camp and the developer in another. At the end of the day when this property is sold, it needs to be valued at the current capacity, rather than create value by changing the neighborhood. We are not obligated to create value for this sale. Parking is greatly reduced if we do single family throughout Pod 1. Initially we wanted the entire thing R-1 and that will not happen, R-1 and R-2-1 in Pod 1. I have lived in apartments, then in townhomes and now put ourselves in a different demographic and it is hard to change that again. I appreciate it is close to your heart. Try and place yourself in our shoes and don't rush the decision.

Jelisa Robinson – when I built in June 2018, we did because Sunset Canyon was R-1 and single-family homes that were safe and stable and residents take pride and our children could be safe. We lived in Gemini Meadows, which is an R-2, and it declined to rentals with crowded streets and people not taking care of their homes and so we moved to a better environment. In recent the Cross Hollows corridor has grown, 52% of high-density homes now without this and we already see the parking congestion, and it is affecting the original character. The number of multi-family does not feel fair. My preference is to preserve R-1; however a compromise is fair, we would prefer R-1 against Cody and feather it down and keep Pod 3 as R-3. We know growth is inevitable. Affordable housing is also important, but my concern is about responsible growth that respects the expectations of existing homeowners and preserves the neighborhood character and creates a balanced development throughout the city instead of concentrating additional high density housing into an area that has already absorbed a disproportion, in my opinion, share of high density housing. I respectfully ask the city council to consider a solution that protects the beauty, the safety and family-centered atmosphere of Sunset Canyon while being fair to the developer also.

Dan Camp – if you find a football, or baseball or a basketball on that lot the developer has to return it to me. I'm probably the closest house to this place. Cedar City general plan emphasizes the importance of transitional standards when bordering low density residential subdivisions. I see only a few of my neighbors here tonight. Ten years ago, an RV park was added across the street from Sunset Canyon. Our neighborhood rallied together and asked the city council to reconsider; the city didn't listen. The commercial property directly across from the LDS Church on Cody Drive was requested to be changed to R-3, our neighborhood asked the city to reconsider, and these apartments now share fences with R-1. Over 500 doors have been added in less than a ¼ mile from our neighborhood in less than 2 years. Does 350 more doors sound acceptable and reasonable. It would be close to 900, if you approve this plan. It that's two cars per household; 1,800 cars added to our access roads in 36 months. Is that reasonable to anyone? What does the transition from low to high density look like for our council? There is a reason the city recommended and approved the wording as part of the city plan. One of my colleagues says, "If we're always going to make an exception to the rule, why have the rule at all?" me and hundreds of my neighbors that signed the petition

that I sent to the city council and asked the council to follow their own plan and consider transitions from low density to high density housing, and allow those who built, bought, and invested in R-1 neighborhoods and bought at R-1 prices and pay R-1 property taxes and you are lowering our property value. I think it is interesting that there is land trade here. Working at Southern Utah University, I know a lot about land trade. However, standards, zoning, city standards, shouldn't be bought or considered, if they want to give it up because there's no use to it, fine, but it should not be considered because those things shouldn't be bought. Things should be considered for the people that bought there. It was R-1 when we bought there, there should be a transition, not just here's a little line of homes and then here's all this. I ask you to reconsider this.

Katie Berry – we are grateful for the conversations we have had. I echo what Scooter said, it deserves a lot more time and merit. Another concern, in Pod 2, I appreciate the fire modification, I worry about the residents on top of that hill. When developers come to our town, they look at R-1 property and say hurray, we can go to the city and change it because the city council will change that for the developer. We will lose if there is not more time.

Tonya Payne – I don't live in that area; I have a concern in Pod 2. **Paul** – it is a maximum. **Wilkey** – 32 – 49 acres. **Tonya** – the city is losing tax money. The upkeep and the lawsuits like the water park, the city is self-insured, we don't know what will happen, the liability is unknown. Why would the city want that liability. Let the owners have the liability. It could have a fire and there could be a crime. Why not let the owners take that responsibility.

Brittany Fisher – when we first moved to Cedar City, we moved to Sunset Canyon and it was one of the most sought-after neighborhoods, take careful consideration and look at one of the most sought out neighborhoods and take it into consideration.

Wilkey – it is hard, lets keep working on this was said. At the end of the day it is not our job to say change your plan to this, it is either a yes or no. Each councilmember is trying to design a subdivision, if we say no they can redesign. At some point we just have to say yes or no. **Mayor** – the email I sent earlier, any validity to shift some of the doors to Pod 3? **Dallas** – I responded to that earlier. To tie roads together, the challenge is on paper it is easy, but with the standards, it would take work like on the large bend on Cross Hollow, it is like Carmel Canyon and Cody, and it is steep slopes and you completely redo the hilltop. **Wilkey** – the 80-lot rule, is it our city rule or state? **Jonathan** – it is a city standard. **Wilkey** – it is rare to have access on a major access. Maybe the 80-lot rule could be bent a little. **Dallas** – there is commercial frontage, when we exceed the 80, we intend to tie it to the commercial, the way engineering is trending, we could have a sub road. Pod 3, to what extent do you want the hillside demolished? **Schmidt** – you have power lines also. It is also fire access, if a fire blocks the road everyone is trapped, I don't want to go over 80. **Phillips** – do we feel the changes we talked about, do you feel confident it is ready to be moved on. **Mayor** – I agree with Carter, we work through it or say yes or no, it has to be voted on. **Cox** – I have lived in Cedar City 30 years and 5 neighborhoods and the first was a doublewide trailer. What makes neighborhoods is the people. We have wonderful people in all kinds of housing.

Councilmember Phillips moved to put this item on the action agenda; seconded by Councilmember Wilkey; vote unanimous.

CONSIDER A FRANCHISE AGREEMENT WITH FORGED FIBER 37 LLC.

GARRETT MARSHALL/RANDALL MCUNE: **Phil Hammond**, Forged Fiber 37 – I am here to answer any questions you may have. I am not here to speak legally. **Galan** – what infrastructure are you buying and what other work do you need to do tearing into current infrastructure. **Phil** – AT&T was purchased by Forged Fiber; it is everything within the subdivision for high-speed internet. We have a market here. We want to grow the market here and bring more fiber to Cedar City. Once you decide on the franchise agreement, we can set up meetings. **Wilkey** -you are purchasing current infrastructure; you are purchasing CenturyLink. We have seen multiple fiber; some do it better than others. What can we expect to see on how they replace and fix roads. **Phil** – we use directional drill; Cedar City has issues with boulders so at time we have to cut rolls and jack hammer. We don't do that very often; we will do that with permitting. **Galan** – what you are purchasing already in the system is 100% of what is already done. What will you do in addition? **Phil** – I have been doing construction for 24 years. We will go into new subdivisions and overbuild areas we are not currently in and provide fiber there. You have other providers here also. **Galan** – every fiber optic supplier has cut their own trench and fiber; you can't tap into that can you? **Phil** – we are in a temporary service agreement with Lumen, under this agreement I am using existing Century Link cable with copper facilities, sometimes pulling that out and putting fiber in. **Cox** – you can pull the copper and put the fiber in? **Phil** – yes. We just did that in Hurricane. We use Fugal Construction and if you have issues we will go to them. **Phillips** – Lumen service in Cedar City is terrible, we had issues and couldn't get a hold of them on overhead lines. In this process in the transition, will there be local people on the ground? **Phil** – we have a team in St. George; we don't have anyone in Cedar. I am the construction manager for the State of Utah. I have a good team and good inspectors. I can get an email with my work email and my cell phone for you. **Mayor** – it is difficult to get a hold of people for Century Link, Forge Fiber, AT& T. The other three companies we can walk into an office and talk with someone. **Phil** – Lumen sold the only yard we had here. **Schmidt** – we deal with fiber companies all the time, Century is the hardest one to work with. **Phil** – new development, we have bought internally, I have to be there when a trench is open. **Schmidt** - we have a project coming up and I would love your contact information. **Phil** – we are working to be in every subdivision. If you want to set up a meeting I am willing to come here. **Wilkey** – with the acquisition, have there been talks of expanding to the area to fix these things? **Phil** – AT&T just announced that they are investing in the fiber industry alone \$250 million in the next 4 years. I have more open requisitions; they are not afraid to hire or build. **Wilkey** – if I build a development, do I have to let them all in? **Mayor** – they all have the opportunity. **Phil** – it is if they make it with the open trench.

Councilmember Phillips moved to put this item on the consent agenda; seconded by Councilmember Cox; vote unanimous.

CONSIDER BLANKET CONTRACTS FOR FY 2027. ERIC WITZKE: **Eric** – April 5, 2, 9 and 12th we advertised, and opened on April 29th. **Paul** – we have a lot of public works things we do every year; to speed up the process we use the blanket contracts, so we don't have to bid things out. **Phillips** – has it been approved in the 27 budgets? **Eric** – it is a figure we use as an estimate to use. **Paul** – you set the budget; this is a quantity price they pay. **Eric** – Straights Stripe. Small Concrete – Southern Utah Paving is low bidder. Installed Asphalt, Ashdown is usually the only bidder. **Wilkey** – if we put in a trail do we put to bid or use them? **Paul** – we move faster by using the unit price. **Eric** – Street material supply, is

broken up by actual material. Crack sealant, Chip seal oil – we are in line with all of them. Asphalt Street Crack Seal Project – Spencer does the work and Signature striping out bid them. We have never used them. **Schmidt** – I don't think anyone has. They did our striping last year, and it was not a good experience. Spencer has been doing, and for the little difference I would go with Spencer, we have had good experience, and you don't have to worry about him. **Paul** – you can use the local bidder preference and see if he wants to match. Tree Trimming – only one bid from Roots 2 Leaves, he does a good job. Towing Kwick Towing. Agri Spray, they are a third-party vendor. **Schmidt** – are you looking at it in house right now. I am not thrilled at how this is working. It could be combined. **Wilkey** – were there big increases? **Eric** -not really.

Councilmember Phillips moved to put this item on the Action agenda; seconded by Councilmember Cox; vote unanimous.

CONSIDER DECLARING THE OLD CEDAR CANYON WATER TANK AS SURPLUS PROPERTY. MATT BAKER: **Matt** – we want to make the old tank surplus.

Councilmember Wilkey moved to put this item on the consent agenda; seconded by Councilmember Schmidt; vote unanimous.

CONSIDER A RESOLUTION TO AMEND THE CONSOLIDATED FEE SCHEDULE. LESTER ROSS: **Lester** – the current fee schedule is not close to how the building permits are figured. How Hope figures permits are on a base value, then we calculate the electrical, plumbing and mechanical fees. We want to go to industry standards on how 90% across the state do permits, a valuation table and run it through a formula, get the value and that is how we come up with the fee, and that is how we are currently doing it. Going from electrical and plumbing would go to a flat 30% percentage for a plan review. Some permits go up and some go down, overall, I am trying not to change the cost of permits. **Mayor** – it is simplification of the process. **Lester** – right now it takes Hope a lot of work, this will make it easier and now people can run their own numbers. **Schmidt** – it makes her job easier.

Councilmember Schmidt moved to put this item on the action agenda; seconded by Councilmember Wilkey; vote unanimous.

Councilmember Wilkey moved to amend the agenda at this time and address item 16 now; seconded by Councilmember Cox; vote unanimous.

CONSIDER RELEASING KEITH NAYLOR AND APPOINTING DAVID WESTWOOD TO THE BOARD OF ADJUSTMENTS AND CONSIDER THE APPOINTMENT OF DONNA CHRISTENSEN TO THE CROSS HOLLOW ARENA COMMITTEE. MAYOR NELSON: **Mayor** – Keith Naylor served well, but he applied for our building inspector position, and he had to vacate that roll. David was gracious to accept that roll. **David** – I have known Steve a long time and told him I was happy to help. I am an attorney, estate planning, probate, and contracts. I did a lot of real estate work and court room, but I don't do that now. I know the way the laws work. My father was on the council and my father-in-law Alan Hamblin also served. **Mayor** – second is an appointment to the

Cross Hollow Committee, someone that served a long time, so we will put Donna Christensen on that board.

Councilmember Wilkey moved to put this item on the consent agenda; seconded by Councilmember Schmidt; vote unanimous.

CONSIDER BIDS FOR THE FIDDLERS PARK PROJECT. BILL MAXWELL:

Jonathan – low bidder is PRT Builders, they constructed the pickle ball courts. This is for infrastructure and site work. The playground will be purchased separately. Total funding \$3.1 million. With the expenses we are at \$2.7 million including playground. This also includes site work on the north side of the channel and the south side and the restroom. It also includes landscaping on the south side. In does include some landscaping on the north side, but the playground equipment is not included.

Councilmember Schmidt moved to put this item on the consent agenda; seconded by Councilmember Galan; vote unanimous.

Wilkey – what is the timeline? **Jonathan** – I think it is September. That doesn't include the playground.

CONSIDER BIDS FOR THE 600 S/1100 W TRAFFIC SIGNAL PROJECT. SHANE JOHNSON:

Jonathan – we did a warrant study, and this intersection it did warrant for a signal. There is a four-way stop there now. We received two bids; Cache Valley Electric is the low bidder. They did Airport Road and will do Kitty Hawk and Bulldog Road also. We feel like they will do an excellent job. \$492,000 in the budget, the bid is \$457,000. We are going to push and try and get it done before school. We are getting materials from UDOT, and they are 90 days out. School starts August 12th. They must have all the other work done before school starts so they only have to set the signals.

Phillips – have we had conversations with the two neighbors on the south? **Jonathan** – we have public utility easements on the properties; we have not talked to them. **Phillips** – we need to talk to them.

Councilmember Phillips moved to put this item on the consent agenda; seconded by Councilmember Wilkey; vote unanimous.

CONSIDER PROPOSALS FOR ENGINEERING DESIGN OF THE CEDAR CANYON SPRINGS FILTRATION TREATMENT PLANT PROJECT. JONATHAN STATHIS:

Jonathan – this is in Cedar Canyon where the State ordered additional treatment. We did a pilot study and found that it will work with multimedia and cartridge filters. We now need to hire a consultant to do the design work. We received two proposals for the engineering work. Hansen Allen and Luce is teaming with Stantec for filtration and chlorination had the highest points and were the lowest proposals. **Schmidt** – are they within budget? **Jonathan** – there is about \$2 million that can be used, but it is proposed to be bonded for. **Wilkey** – everything that has been spent has been paid. **Jonathan** – we have only done the pilot study, and it was paid by a supplier. We now need to do the heating, plumbing, stie work, etc. **Schmidt** – will this be construction? **Jonathan** – design. **Wilkey** –

we talked about a pump to pump to the users, is this part of that? **Jonathan** – yes, this is part of that. **Terri** – is that general fund money? **Jonathan** – no.

Councilmember Wilkey moved to put this item on the consent agenda; seconded by Councilmember Cox; vote unanimous.

CONSIDER AWARDING ENGINEERING CONTRACT FOR AIP 055. TYLER

GALETKA: Tyler – Wolpert has the master engineering contract. This is the same as the grant application \$784,411, lower than we requested on the grant from the FAA. We want to sign this. **Phillips** – is that the aprons also? **Tyler** – yes. **Ryan** – it is not just engineering, they have to meet with the EDO and get the funding, do the design and take it to the FAA and get it approved and get the environmental stuff done and watch the project management and report to the FAA and do the grant management.

Councilmember Phillips moved to put this item on the consent agenda; seconded by Councilmember Cox; vote unanimous.

CONSIDER FIRE DEPARTMENT POLICY MANUAL CHANGES REGARDING COMP TIME. MIKE PHILLIPS: Mike

– the Fire Department is authorized to have policies different that the other city policies and compensation is one that requires your approval, we are allowed to have 480 hours of comp time. Six years ago, we reduced it to 400 and I told my employees we would reduce it again. With other municipal agencies they don't allow what we have, St. George allows 80 hours comp time. We took the new employees last July and only allowed 100 hours of comp time. **Mayor** – this is why I brag about him; he is focused to save money. **Phillips** – you want to get buy in from the Department. Most employees get 240 hours, why not take it to 240? **Mike** – that is what the law allows, and I intend to drop it again in the future. **Schmidt** – he is not taking their money away; he is making them use it. I applaud it. **Natasha Hirschi** – it also differs from the City policy, the other Public Safety can carry 480 hours, and all other employees only get 240. It is hard to have different sets of rules. Maybe we should look at all the employees. **Wilkey** – can you bring that? **Schmidt** – it is not a loss of money; they just have to use it. **Paul** – there are ramifications, we still have to staff and there could be increased overtime when we reduce comp time balances. We have used comp time in lieu of overtime. Mike has volunteers he can lean on that other departments can't. **Natasha** – it is something that Mike can do is use volunteers, the Police Department can't do that. I don't think it is a bad thing. **Cox** – can public safety do more? **Natasha** – they are already different; they can carry 480 hours. **Mayor** – when people retire, they have to be paid out. **Paul** – they earn the comp time at a different rate than what we pay them out. **Natasha** – we budgeted \$22,000 to pay out a fire fighter that is retiring. **Phillips** – we appreciate you bringing it to us.

Councilmember Schmidt moved to put this item on the action agenda; seconded by Councilmember Cox; vote unanimous.

CONSIDER AN AMENDMENT TO CITY ORDINANCE 35-10(B) TO ESTABLISH NO PARKING ZONES IN THE VICINITY OF 200 NORTH AND 100 EAST. KENT FUGAL/ RANDALL MCUNE: Jonathan

– this is a project to include crosswalks at 200 North 100 East, we need to add no parking on the north side of 200 North, it is already no parking on the south side. We are adding RRFB signs where a pedestrian can push a button

and it will flash. With the events at Main Street Park, it will improve public safety. It will cost \$16,000 to do that and improve the ADA ramps. I talked with Eric Witzke, and the amount is in the budget. We are asking to add the no parking. **Phillips** - the buttons, will the overhead light flash? **Eric** – no, bright lights flash on the sides. We hope to stripe on June 20th. **Paul** – why no cross walk on the east side? **Eric** – we don't need it. **Phillips** – are we losing any parking? **Eric** – 2 spaces.

Councilmember Phillips moved to put this item on the action agenda; seconded by Councilmember Schmidt; vote unanimous.

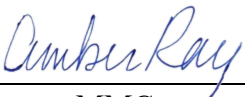
CONSIDER IMPROVEMENTS OF CHIP SEAL AND STRIPING TO CITY OWNED VACANT LOT AT 270 N 100 E. PHIL SCHMIDT: We have the property behind the Elks Lodge, Troy has made a few layouts, Eric has some money in his budget to do that. With all the events, this adds 159 stalls, this has 1 access to 200 East, and two on 100 East. We want to chip seal and stripe. **Eric** – I don't have the capital to do the entire thing. **Jonathan** – it would cost \$61,500. **Eric** – we could do it in July, but not now. **Phillips** – could we front it enough to get it moving. **Terri** – you could amend the budget next month. **Paul** – we have enough money to add it to the operating budget. **Cox** – if we amend the budget can we get it done before July 4th? **Eric** – I only need to order oil. **Wilkey** – we need to not have it vagrant parking. No overnight parking signs will be installed.

Councilmember Phillips moved to put this item on the consent agenda; seconded by Councilmember Cox; vote unanimous.

CLOSED MEETING – PROPERTY NEGOTIATIONS: Councilmember Phillips moved to go into closed meeting at 8:45 p.m.; seconded by Councilmember Schmidt; roll call vote as follows:

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

ADJOURN: Councilmember Phillips moved to adjourn at 9:00 p.m.; second by Councilmember Schmidt; vote unanimous.



Renon Savage, MMC
City Recorder