

COUNCIL MINUTES
JANUARY 27, 2021

The City Council held a meeting on Wednesday, January 27, 2021, at 5:30 p.m. in the City Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Maile Wilson Edwards; Councilmembers: Ron Adams; Terri Hartley; Craig Isom; W. Tyler Melling; Scott Phillips.

STAFF PRESENT: City Manager Paul Bittmenn; City Attorney Tyler Romeril; City Recorder Renon Savage; Finance Director Jason Norris; City Engineer Jonathan Stathis; Police Chief Darin Adams; Fire Chief Mike Phillips; Leisure Services Director Ken Nielson; Project Engineer Don Davis; Economic Development Director Danny Stewart; Public Works Director Ryan Marshall.

OTHERS PRESENT: Teri Kenney, Laura Henderson, Jonathan Pyne, Ryan Talbot, Garth Green, Maridon Nielsen, Jim Rushton, Spencer Jones, Ryan Talbot, Curt Nielson.

CALL TO ORDER: Police Chief Darin Adams gave the invocation; the pledge was led by Fire Chief Mike Phillips.

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

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF

COMMENTS: ■Phillips – with the passing of the holiday I wanted to make sure and ask about our Christmas tree bins, some were overflowing. Do we need more in the future? Ryan Marshall, Public Works Director – we did not have complaints, we had people wanting them left out longer. Periodically they push the trees down to give more room. We have 4 locations; it was in the Mayor’s Newsletter and on the Website. Phillips – I saw a few postings saying they were full. Phillips – would it be possible for someone to come and give us an update on the vaccination information from the SW Health Department? Mayor – we will contact the Health Department. I had a gentleman email me that was a veteran and disabled and I referred him to the Health Department, and he called me and said he is scheduled to have his vaccination on February 4th. People that were vaccinated yesterday were impressed with how smooth the process was and how little the needle was. They said it ran better than expected. Phillips – Happy Anniversary to the Mayor and her husband on their 3rd year. ■Mayor – there are two things we have seen a lot on social media, one related to the VA Cemetery, there was a rumor that it was going away. Paul – we got in touch with a project manager and he said they encountered some extreme environmental conditions, they have cancelled the current contract and are hiring a new geo tech and will have a new plan and let a new contract and hope to be back on site late summer/early fall 2021. Mayor – if you see that on social media, let them know the rumor is not accurate. The other is the cemetery. Chief Adams – a few days back we had vandals go through the cemetery and knock monuments off the large headstones, they will try and put those back with an adhesive, they can be repaired easily. ■Ken Neilson, Leisure Services Director – a follow up, I talked with Wade and there is a company that will donate time and supplies to put those back in

place. ■Tyler Romeril – as the Council is aware, we have the R-3-M high density. We allow mobile trailer parks in the I&M and the R-3-M zone with a conditional use permit. That is something we have not seen for quite some time. It came to light during some ordinance changes in the Planning Commission. Some expressed concerns with the R-3-M zone, if you are concerned in putting high density housing in the high-density zone you can bring it to me. It requires a conditional use permit (CUP) that says the use has an impact on surrounding uses and we will put some requirements in to lessen the impact. If you have a concern get with me. Phillips – are mobile home parks considered high density? Yes.

PUBLIC COMMENTS: ■Jonathan Pyne – I live on College Way. Is the R-3 and R-3-M zones different? Tyler - No they are the same. Jonathan – I want to talk about the College Way beginner town homes and now they want to build apartments with 76 beds. Instead of the trees Mr. Phillips wanted there is more asphalt. Two sides are R-1, in R-3 they can build what they want. There is a long history in denied to R-2, 2013 the developer wanted 8 units for 2 bedrooms, they would build married student housing. Owners fall short on their promises. I met with Jonathan Stathis with the new proposal, he talked with Mr. Romeril, who asked what I was after, and it is accountability, if the parameters are not met the vote should be null and void. This is the least our government could do. Mr. Isom when it went through for nice town homes, the original had 6 lots, they then wanted 8 lots, you said the rug had been pulled out a few to many times. You still voted for the 8 which is ok, I was even ok with what the builder was going to build. While that was acceptable, 76 beds are not acceptable. With the recent vision survey citizens don't want to see large apartments. Maridon Nielsen pleaded to let this be the end. We are here with another owner. If the school wants to continue to grow, they need to come up with their own solution. Also, the dirt road was discussed and were on the verge of agreement it needs to be closed. It is 6-12 feet above three property owner houses, and at 76 beds the traffic, safety and privacy of that many beds are too high.

Isom – has it changed hands again? Jonathan Pyne – no, it is the same person. Jonathan Stathis – it came to sketch as apartments. They can apply for a building permit without coming to another meeting. Phillips – when it was approved last time, the vicinity plan showed 8 townhomes, can it skip the vicinity plan process as long as it meets zone. Tyler – the purpose of vicinity plan is it was a PUD, they are not doing that now, they have to just meet zoning requirements. Phillips – there was concerns about parking calculations, so they have issue. Tyler – parking and density are both at issues and they have to still meet city ordinance. Jonathan – that is at construction. Phillips – 45 North and traffic is a concern, we as a City either close the road or we improve the road, it cannot set in limbo, we are doing a disservice to the community and the citizens. Melling – I agree with that on the road. I think it will be safer to close it. If there will be 36 units or however calculated. I recognize the issues if you subdivide you go through the process. This highlights the general plan feedback where people want more affordable housing but not apartments, we need to look at our zoning to allow small homes on small lots again instead of mansions or big apartments. We need to look at the economic impact. When approved in August it was part because of economic impact. I would like to talk with the developer, what has changed where 8 is not viable. Mayor – Drew and Jonathan and our building friends have started meeting to look at engineering standards, building codes that are out of date and work with industry to be a