COUNCIL MINUTES
JULY 27, 2022

The City Council held a meeting on Wednesday, July 27, 2022, at 5:30 p.m. in the City Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Pro Tem Craig Isom; Councilmembers: Terri Hartley; W. Tyler Melling; Scott Phillips; Ronald Riddle.

EXCUSED: Mayor Garth O. Green.

STAFF PRESENT: City Manager Paul Bittmenn; City Attorney Tyler Romeril; City Recorder Renon Savage; Finance Director Jason Norris; City Engineer Jonathan Stathis; Police Lieutenant Jimmy Roden.


CALL TO ORDER: President Tyler Romeril of the Canyon View Stake of the Church of Jesus Christ of Latter-Day Saints gave the invocation; the pledge was led by Jason Norris.

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

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF COMMENTS: • Isom – it seems so festive to have the trees lighted coming from the parking garage. • Hartley – Jonathan, prior to you taking over as the Engineer, the intersection by the south Maverick, Mo’Bettahs and Swig, Kit was waiting for the intersection to get paved to put in cross walks. There are a lot of people walking, and the trail ends in the weeds. Can we get that back on the radar and finished up? Also, there is a lot of complaints about the traffic coming from the west running the stop sign, can we paint stop ahead in the road or something to alter drivers to stop. There will be another business there. Jonathan – I know public works paints stop bars, that can make a difference, I will work with Public Works to get that done. • Phillips – I have had 3 occasions the past week to call the Parks Division to get weeds on City property taken care of. Anthony Pearson has been very attentive, and they have responded very well. • Swearing in of: Lieutenant Clint Pollock, Sergeant Zac Adams, Corporal Eric Heaps, and Officer Justin Hatch. Lieutenant Roden – we have promotions and a new hire. The promotions came with Lt. Evans retiring we have had some back fill, we promoted Lieutenant Clint Pollock, he has been with the department for 17 years and is well qualified; Sergeant Zac Adams to fill Pollock’s his position and Eric Heaps to replace Adams as a Corporal.

Clint Pollock – I have a lot of family, wife and 3 kids, my parents, father-in-law, my two sisters and a niece. Zac Adams – my wife is here, my mom is on facetime, my son Kayger and daughter Piper, as well as my mother and father-in-law. Eric Heaps, my wife Kari, son Lewis, daughter Ceci and my mother Jodi are here.
Lieutenant Roden - Justin Hatch comes from the Sheriff’s Office in Corrections. Justin Hatch, I am originally from Henderson, but grew up here. I have a ton of family here, my wife Anna, mother Elaine, brother and sister-in-law, brother and fiancé, Aunt and uncle, in-laws, sister and husband and her daughter. LT. Roden – Hatch missed his POST graduation because of COVID.

Renon Savage administered the Oath of Office. The spouses pinned on their badges.

PUBLIC COMMENTS: Shelley Schneider, I am the director of Liberty Camp for Kids and have been here for 6 years. I want to introduce you to what the camp is. Utah Patriot Camp is a Utah camp started 12 years ago up north and branched out in 12 locations and people from Colorado and Wyoming are calling asking about the camps. I attended one in Bountiful with my son and loved it. The first year here we had 40 participants, it is a weeklong camp, and it takes all year to prepare. The purpose is to inspire our children on what patriotism is. It is not a classroom, we use Frontier Homestead Park, it is hands on to teach liberty principles. We were in the parade and won first place. We had a trailer we found the night before, we had teenagers, our youth leaders for the elementary kids, it is 100% volunteer based, parents and organizations come together. The teenagers were dressed as historical characters, Cicero, natural law, absolutes, people that influenced founders. Hanks and Horas from angle land (England), Jefferson studied their law, he found it was based on Jethro and Joseph law and this is what we are teaching the youth leaders. I want to say thank you for your contributions and for being representatives. This is an awesome cause, and we invite everyone to be involved. Phillips – when is the camp held? Shelley – every June or July, we know the date by February. Isom – your passion is heartfelt.

CONSENT AGENDA: (1) APPROVAL OF MINUTES DATED JULY 6 & 13, 2022; (2) APPROVE BILLS DATED JULY 22, 2022; (3) APPROVE A VARIANCE TO CITY ENGINEERING STANDARDS FOR FRONTAGE IMPROVEMENTS ON 45 NORTH STREET. PLATT & PLATT/JONATHAN STATTHIS; (4) APPROVE ACCEPTING THE PETITION TO ANNEX 24.37 ACRES OF PROPERTY LOCATED AT 1860 N. 3100 W. GO CIVIL ENG./TYLER ROMERIL; (5) APPROVE THE FINAL PLAT FOR THE POINTE WEST SUBDIVISION PHASE 1 LOCATED AT 1175 N. LUND HIGHWAY. GO CIVIL ENG./TYLER ROMERIL; (6) APPROVE A SINGLE EVENT ALCOHOL PERMIT FOR THE CANYON CREEK SERVICES FUNDRAISER ON OCTOBER 4, 2022, 105 N. 100 E. I/G WINERY/CHIEF ADAMS; (7) APPROVE THE REAPPOINTMENT OF JOHN APPEL TO THE AIRPORT BOARD. MAYOR GREEN; (8) APPROVE BID FROM PERCO ROCK IN THE AMOUNT OF $29,827.00 FOR THE KITTY HAWK IMPROVEMENTS PROJECT (LOCATED AT ANIMAL SHELTER). SHANE JOHNSON; (9) APPROVE BID FROM PERCO ROCK IN THE AMOUNT OF $461,501.10 FOR THE CROSS HOLLOW/OLD SORREL TRAIL PROJECT. CHRISTIAN BENNETT: Councilmember Hartley moved to approve the consent agenda items 1 through 9 as written above; second by Councilmember Melling; vote unanimous.
CONSIDER A RESOLUTION APPROVING THE ALLOTMENT OF RAP TAX FUNDS AS RECOMMENDED BY THE ARTS ADVISORY BOARD. JOANNE BRATTAIN/ TYLER ROMERIL: Tyler – no changes from last week.

Councilmember Phillips moved to approve the resolution approving the allotment of RAP Tax funds as recommended by the Arts Advisory Board; second by Councilmember Melling; vote as follows:

AYE: 4
NAY: 0
ABSTAINED: 0

CONSIDER A RESOLUTION APPROVING THE ALLOTMENT OF RAP TAX FUNDS AS RECOMMENDED BY THE PARKS AND RECREATION ADVISORY BOARD. CHAD WESTWOOD/ TYLER ROMERIL: Tyler – based on last week’s discussion I amended the trap club allotment to $1,800 and moved the rest to Leisure Services.

Councilmember Melling moved to approve the resolution approving the allotment of RAP Tax funds as recommended by the Parks & Recreation Advisory Board with the one change of $1800 to trap club and the excess to LS; second by Councilmember Phillips; vote as follows:

AYE: 4
NAY: 0
ABSTAINED: 0

CONSIDER AN ORDINANCE AMENDING THE ZONE FROM GENERAL COMMERCIAL (GC) TO DWELLING MULTIPLE UNIT (R-3-M) FOR PROPERTY LOCATED AT 483 N. 300 W. PLATT & PLATT/ TYLER ROMERIL: Councilmember Melling moved to approve the Ordinance amending the zone from GC to R-3-M for property located at 483 North 300 West; second by Councilmember Hartley; roll call vote as follows:

Terri Hartley - AYE
Tyler Melling - AYE
Scott Phillips - AYE
Ronald Riddle - AYE

CONSIDER BID FROM SUNROC CORPORATION IN THE AMOUNT OF $422,982.50 FOR THE LUND HIGHWAY WIDENING PROJECT (SMEAD BLVD. TO 1600 NORTH). SHANE JOHNSON: Jonathan – last week I discussed that we applied with the FAA for approval to go ahead with the project. We talked with the contractor and timing should line up. We have also been in discussion with the utilities, Rocky Mountain Power, TDS and South Central, they should have them moved by the time we get approval. Phillips – is the work currently being done in preparation for this widening? Jonathan – that is on the west side, Rocky Mountain Power is moving their powerlines underground, when
that is done, they will take the power poles down on the east side. This should be contingent on FAA approval. Hartley – I noticed on County Commission they were talking about an overhead solar power line on Lund Highway, you may want to check with them, we don't want everything underground and have that across the road.

Councilmember Phillips moved to approve the bid from SUNROC in the amount of $422,982.50 for the Lund Highway Widening project; second by Councilmember Hartley; vote unanimous.

CONSIDER BID FROM SUNROC CORPORATION IN THE AMOUNT OF $398,359.00 FOR THE 1600 NORTH/LUND HIGHWAY INTERSECTION PROJECT. SHANE JOHNSON: Phillips – the southeast portion? Jonathan – yes, where the City owns property.

Councilmember Melling moved to approve the bid from SUNROC in the amount of $398,359.00 for the 1600 North/Lund Highway Intersection project; second by Councilmember Hartley; vote unanimous.

CONSIDER QUOTES FOR THE CODY DRIVE STORM DRAIN IMPROVEMENTS PROJECT. JONATHAN STATHIS: Melling – these were quotes, not bids? Jonathan – correct. Melling – anything new? Jonathan – no, we discussed holding off and bidding in winter or spring. Melling – we had Water Board meeting here last week and were discussing similar type of issues, part of that confirms my thought to hold off and rebid later this year or earlier next, especially with the measures we have taken. Phillips – are the quotes in what we had projected? Jonathan – the EPOC estimate of projected cost was $644,000, so it is close, the quotes are higher, but the estimate is on the bidding environment we are in. Phillips – we can't get it done for this year anyway. Melling – that is why we took the other measures. Phillips – what projection are you looking at winter so ready for spring or what? Jonathan – rebid in January or February and begin in March. We want it done in the paving season. Isom – you are ok with the deferral? Jonathan – yes, we are already in the monsoon season, so I am ok to wait.

Councilmember Melling moved to not move forward with quotes at this time but put it to bid in January or so for the Cody Drive Storm Drain Improvement project; second by Councilmember Phillips; vote unanimous.

Isom – we are shorthanded next week. Melling – should something arise, I may be able to appear telephonic.

ADJOURN: Councilmember Phillips moved to adjourn at 6:03 p.m.; second by Councilmember Hartley; vote unanimous.