

**COUNCIL MINUTES**  
**SEPTEMBER 8, 2021**

The City Council held a meeting on Wednesday, September 8, 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 (electronic participation); 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 Marshal Mike Shurtz; Leisure Services Director Ken Nielson; Water superintendent Robbie Mitchell.

**OTHERS PRESENT:** Garth Green, Tom Willis, Laura Henderson, Peggy Green, Teri Kenney, Dustin Langston, Tom Jett, Rob O'Brien, Mike Babcock, Betty Babcock, Ronald Riddle, Chris Uchman, Derek Morton, Carter Wilkey, Jeff Richards, Wendy Green, Brad Green.

**CALL TO ORDER:** Tyler Romeril gave the invocation; the pledge was led by Jason Norris.

**AGENDA ORDER APPROVAL:** Councilmember Isom moved to approve the agenda order moving item #5 to consent; second by Councilmember Adams; vote unanimous.

**ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF**

**COMMENTS:** ■Phillips – we have wide streets in Cedar City, but someone cut close at 400 North Main, the light pole is bent leaning into parking lot at Mountain America Credit Union. Also, I want to shout out to Parks Division, the flowers on Main Street look beautiful, I see them watering twice every day, it makes a difference. ■Isom - Ridge Road up the hill from Center about a block on the left is a house that has weeds as big as the trees. Paul – we got a nuisance complaint, and the Police Department is working on it. Adams – I brought that up a few weeks ago. ■Adams – another question on Ridge Road, a little higher there is a sink hole. It started to bump on the other side of the road. Robbie Mitchell – we had a water leak last Wednesday, we pulled a new connection, we put flowable fill and the sink hole happened on the other side. We like the flowable fill to be there about a week before we patch. We hope to work on that tomorrow or the first of next week. ■Mayor – for the community, our Run the Canyon Half Marathon is on Saturday, it always causes a few angry individuals trying to get up the canyon. Also, the September 11<sup>th</sup> event at SUU on Friday. SUU started classes today; there will be a number of unfamiliar drivers in the city over the next few days. In addition to half, the Rotary and Cedar City Events is doing a 9-11 moment of silence at 8:20 a.m. and will tie into the Half Marathon. That is at Veterans Park. ■Chief Darin Adams – there is a group this Friday that will put together a 1<sup>st</sup> and 2<sup>nd</sup> amendment assembly, they will be armed, and they plan to peaceably assemble go from Cal Ranch to 200 North to Veterans Park and do a program. We will have officers involved to prevent any problems. We want you to be aware. ■Mayor – others have said we have a lot of



yard sale signs out again, can we enforce that? Darin – yes. I have noticed, many have tried to be better and put them on boxes instead of poles.

**PUBLIC COMMENTS:** ■Tom Willis – I would like to thank the City Council, Ken and Chris for the dock at the Lake, it is awesome, kids also use it. I appreciate council approval and the work of Ken and Chris. Yesterday I went to the Lake and DWR was stocking 5,000 trout. The water has been really low, and I know you had the pumps on and it brought the level up, but it is still 4' low. I went back and trout were already dying. DWR took 8 trash bags of trout they scooped up and more this afternoon. I talked to Robbie yesterday and he did get the pump running. It is not the city's fault, it is DWR's for putting fish in at this time. They normally stock in November, this is the last stock of the year. I hope we can bring the water level up. I know they water all the parks to the Cemetery. Mayor – they communicated with DWR that it was not a good time to stock, but it happened anyway, and they knew fish would be dying. Phillips – was it because of the drought or what? Tom – the hatchery called DWR and wanted them out of the hatchery. Ken Nielson, Leisure Services – I talked with DWR they manager the fish in the Lake. My question to them is why not wait until October or November, they said they had to come out of the hatchery, so it was now or never. Two or three more weeks would have made a big difference. These are coming from Hatch with 56-degree water. DWR will continue to come each morning to clean up, we will do our best to clean up also. Mayor – it is not anything in the water, it is just that it is too warm. Robbie Mitchell – when the lake is full is 18 feet at the deepest end. It doesn't take long for the water to get hot. The cement structure is culinary water. We can add culinary when the demand is not up, but I can't afford to do that now. The power company reads the meter each month; it costs \$8,000 to \$10,000 each month to fire up the pump, so we try and do that once a month. We started and it has come up 2 feet. If the demand goes down, we can add the north system and put some culinary water in. ■Garth Green – Saturday is 9/11 and I am sponsoring a Freedom Festival at City Park 10-3, program at 11:50 a.m. flags at 12:00, a few speakers. There is no cost, food is provided and there will be inflatables. There will be a dunking pond also. Chenille will be singing at 11:00 a.m. for an hour and do a tribute to the military service. Brenn Hill will take over at 1:00 and sing for an hour. It should be a good time. ■Tom Jett – we have beautiful artwork again. It is attractive artwork; thank the artist for the use.

**CONSENT AGENDA: (1) APPROVAL OF MINUTES DATED AUGUST 18 & 25, 2021; (2) APPROVE BILLS DATED SEPTEMBER 3, 2021; (3) APPROVE PROPOSAL FROM CIVILSCIENCE IN THE AMOUNT OF \$38,792 FOR THE DESIGN OF THE CEDAR CITY PICKLEBALL COURTS COMPLEX. LISA BENSON; (4) CONSIDER ENTERING A DEVELOPMENT AGREEMENT WITH CHOICE BUILDERS LLC ON 60 ACRES OF PROPERTY LOCATED IN THE VICINITY OF 2700 S., 2800 S., AND 2900 S. TIPPLE ROAD. CHOICE BUILDERS/TYLER ROMERIL:** Councilmember Phillips moved to approve the consent agenda items 1 through 3 as written above; second by Councilmember Hartley; vote unanimous.

**AN ORDINANCE REPEALING CEDAR CITY ORDINANCE NO. 0623-21-1 ANNEXING 40.02 ACRES OF PROPERTY IN THE VICINITY OF 2300 WEST 3000**