

COUNCIL WORK MINUTES
SEPTEMBER 15, 2021

The City Council held a meeting on Wednesday, September 15, 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.

OTHERS PRESENT: Chapman Greenier, Randal Cagle, Garth Green, Laura Henderson, Betty Babcock, Mike Babcock, Derek Morton, Peggy Green, Whitney Uresk, Gary Uresk, Lois Uresk, Robert Nims, Leslie Nims, McKenzie Nims, Ashley Starr, Rob O'Brien, Tim Watson, Tom Jett, Chris Uchman, Tim Bonzo.

CALL TO ORDER: Father Komar of Christ the King Catholic Church gave the invocation; the pledge was led by Councilmember Hartley.

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: ■ Mayor – Friday morning there is a POW/MIA Recognition Day, there will be a program in front of the City Office at 8:00 a.m. ■ Swear in Tyler Uresk as Corporal – Chief Adams – first, the property on Ridge Road there has been major progress, we will continue to work on that. Also, the email we are working on investigation on at Fort Cedar Monument, we will get it cleaned up. Jett – Code Enforcement Officer Carpenter was out cleaning that up today. Chief - With the departure of Corporal Carter going to Enoch we have promoted Tyler Uresk. Tyler Uresk – I have been an officer for 9 years, 3 here in Cedar. Here with me tonight is my wife Whitney daughters Everly and Audrey, my parents Gary and Lois, my in laws and sister-in-law. Renon Savage administered the Oath of Office. Uresk's wife pinned his badge on him. Chief – he has taken an active issue with the homeless in the park. Mayor – thank you to your family for their support.

PUBLIC COMMENTS: ■ Randy Cagle – two things, thanks to the city for helping clean up the mud and debris in Flying L Subdivision. The General plan update is progressing slowly and will take months. The property at the northeast corner of 2000 North 2300 West is not part of the City, your Master Plan shows medium density residential. Since it is not in the city and staff will not propose an amendment until City Council gives direction. I would suggest City Council do that and change to Ranch Estates or low density residential, this would allow the property owner and the owners in the area to speak to the appropriate land use that way they wouldn't have to wait until the general plan is amended, and it would help avoid issues when annexation comes back. ■ Tim Watson – I want to give the Council a

heads up. A few months ago, we worked on a Development Agreement for Choice Builders in Shurtz Canyon. As we were going through the vicinity plan, we came across a minor detail in the Agreement that we would like to work with Tyler to modify. We have not changed lot size, or number. Section 3A (1) Developers Obligation, states that the residential portion may only contain single family dwelling units built in compliance with R-2 standards. With no changes we are in violation on the frontage. Most lots are over 10,000 and 3.6 under per acre and under the 175 units in the development. When presented that agreement we overlooked that item. Most of the frontage is 66 feet, not 70 feet. We will be working with Mr. Romeril to bring that back for consideration. If we adjusted things of the 130 lots, we would lose 12-14 lots if we widened those out 4 feet. We did request a R-2-1 medium density, everything in place exceeds the R-1 density. The reason for the 66 feet is the style of home he wants to build and still meet side setbacks. Phillips – the 66' frontage, is it on most of the lots or limited number of lots? Tim – it will affect 60-70% of the lots. We lose that because of the street layout. Phillips – are the majority laid out at the 66 feet? Tim - Yes. The layout was done about 3 months ago before the Development Agreement and zoning. Melling – if a PUD in R-2-1 zone can you do 66' frontages? Tim – my understanding is no, but I don't know for sure. We may have different setbacks in the PUD, but frontage must meet that. Tyler – that is my understanding thinking back to a recent PUD, we went back to the original setback distances. Phillips – when approved we did it at R-2-1 standards, when we look at vicinity, we are looking at the general layout. It is a matter of wait and see what comes of it. Tim – we will bring it back the first meeting in October. Phillips – the rest is as presented? Tim – yes. Tyler – we may need to bring this before the Planning Commission, the ordinance says it comes to Planning Commission first. Tim - will there be public notice? Tyler – yes, but we have time. Melling – it is only single-family homes but there is common area and building. Does the agreement permit a club house? Tyler – it calls for recreational amenities as provided in the vicinity plan. We will look at that. Tim – I will be more thorough. As we talked with staff in the past, we may need to present to Planning Commission and City Council the parking requirements for the recreational amenities. The closest thing is by the Catholic Church in the 55+ community, there is a common building. We are not aware of anything in the ordinance to reduce the parking stalls. It may come in after the subdivision plat is approved, we are working out details. ■Anthony Greenier – my issue is the beautiful, magnificent cottonwood tree on Hwy-14 across from the foot bridge. There is so much rubbish and trash in the form of shoes, sneakers, pumps, you name it. The tree was made by God, only God can make a tree, but everything a man puts his hand to defiles it. If he picks a flower the flower is dead. That is a disgrace, a slap in the face to this City and to me and I want to behold the tree that was made perfect, it is not perfect anymore because it has a bunch of stinky sneakers in it. I also told the Fire Chief that I think it is a fire hazard. I saw a guy throw a sneaker in it with a cigarette in his mouth, if an ember would have got on the sneaker it could have caught on fire, it could have burned the sneaker and it could have traveled up the tree and burned the tree. I saw a kid up there on his bike with a stick in his had trying to take the sneakers out of the tree. I said what do you think about the shoes in the tree, he said to me in makes my heart sad, I don't like it, I said I don't like it either. This kid is still pure. I would like shoes taken down by the Fire Department, they have the equipment. I would like a sign put up, official, sanctioned by the City. I can pick up trash and rubbish off the ground because I can reach it, I can't reach the shoes in the tree. I would like you to consider that issue. Read the poem by