

**COUNCIL MINUTES**  
**OCTOBER 12, 2022**

The City Council held a meeting on Wednesday, October 12, 2022, at 5:30 p.m. in the City Council Chambers, 10 North Main Street, Cedar City, Utah.

**MEMBERS PRESENT:** Mayor Garth O. Green; Councilmembers: Terri Hartley; Craig Isom; W. Tyler Melling; Scott Phillips; Ronald Riddle.

**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; Public Works Director Ryan Marshall.

**OTHERS PRESENT:** Laura Henderson, Ann Clark, Nathan Bracken, Wendy Green, Tom Jett, David Woods, Dallas Buckner, Kara Conrad, Carter Wilkey.

**CALL TO ORDER:** Father Lee Montgomery of St. Jude Episcopal Church gave the invocation; the pledge was led by Councilmember Hartley & Booklyn Hartley.

**AGENDA ORDER APPROVAL:** Councilmember Isom moved to approve the agenda order; Hartley – can we move item #4 to action. Isom amended the motion to move item #4 to action; second by Councilmember Phillips; vote unanimous.

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

**COMMENTS:** ■Mayor – we were in Salt Lake at ULCT and Mr. Phillips was selected to the Board of Directors of the Utah League of Cities and Towns. Phillips – I look forward to making the area represented. Mayor – I noticed a track hoe on Center Street and some drillers picked up proposals for the test wells, we hope to get some bids. ■Phillips – Mayor, thank you for the shout out. I am concerned about the weeds at the Cedar Reserve PUD on 1600 N. Lund, they are 4' high. Can we make contact and get some enforcement, I know it is under construction. Jonathan – there is also an irrigation ditch, we will coordinate with the irrigation company and developer. ■Riddle – I have on two occasions had people mention that political signs are in the wrong spot and at the stop sign you cannot see to get on the road, do we have rules or suggestions. One on Cove Drive, one on Airport Road & Industrial Road and one in the northern part of town. Could we suggest that they be moved a little, there are spots you can't see. I thought we were slowing down with traffic, but I think there is an increase. Chief Adams – we will work with Code Enforcement to work on that. Riddle – I appreciate people running, but they are too close to the corners. Phillips – you still need to follow the laws. Riddle – I had 9 people call on some of my signs and I did move them when I was running. ■Swear in Corporal Zach Banz – Chief Adams – Corporal Dane Glazier left for a new adventure, and we needed to back fill a spot and Zach Banz was part of the last recruitment. He has been with us quite a while. Zach – I have with me tonight my wife Erin, two boys and my mom and sister surprised me from Syracuse. I have been here 12 years; I started as Animal Control and have moved my way up. I love it and don't plan on going anywhere. Renon Savage administered the Oath of Office.

**PUBLIC COMMENTS:** ■ Ann Clark – I want to thank Scott Phillips because it was fun, Laura called and said they were decorating Main Street for harvest, it was really fun. You have the respect of the people in the community. I want to thank the others to, you put in thousands of hours with the City. I have always said we have a zoning problem, it is called by a representation problem, voting, one council person votes for the people and the rest vote for the developers. If you look at the evidence of that, we have 51 votes for the developers and one for the people, although it was on Ridge Road. I am keeping counts. I watched over the last 10 month and watched so many people beg, by the arts building, 200 South, please don't change the zone and each time the developers were voted yes and people no. I saw that with Spencer Jones, he knows he owed fees, but every time he gets a pass. It seems so off balance. We need a council that represents everyone, not just the Leavitt's or Spencer Jones, we need people that the people want. I hope we will take a step back. Sometimes we vote in isolation and then the big picture is what we don't have. I will be back next week on the SHD zone. I am not against development but what they have torn down. ■ Laura Henderson – I want to give a shout out to the firefighters that came and helped decorate, to make it look festive. ■ David Woods – I am concerned with 800 West, but it has come to my attention that our interchanges, where do we go to get the State to upkeep them and keep them beautified and make Cedar City more appealing. Is there a way or someone that we can contact at the State to figure out how to clean up the interchanges? Paul – UDOT doesn't maintain the interchanges, Cedar City has that responsibility. David – is it something we could get a service project going for, are we permitted to do that? Yes. Phillips – it has to be worked through the Parks Department. Mayor – we had groups do the one on 200 North for two days. David – they get overgrown quick. I am sure the P&R are stretched thin, that is why I am asking. What can I do as a citizen to help? Mayor – all that you will. Phillips – it would be a great service project. David – I want the area to look good. I am still concerned with 800 West and understand that the judicial process works slow. He keeps building the fence up instead of cleaning up. Hartley – who does he coordinate with? Paul – Ken Neilson or you can call me. Hartley – I didn't ask permission; I weeded the south interchange by myself.

**CONSENT AGENDA: (1) APPROVAL OF MINUTES DATED SEPTEMBER 14, 2022; (2) RATIFY BILLS DATED SEPTEMBER 30, 2022; (3) APPROVAL VICINITY PLAN FOR THE CANYON CREST PUD LOCATED AT 360 WEST 2100 NORTH. PLATT & PLATT/DON BOUDREAU; (4) APPROVE A WATER AND SEWER REIMBURSEMENT AGREEMENT BETWEEN SHURTZ CANYON OZ LLC AND CEDAR CITY FOR THE INSTALLATION OF A WATER AND SEWER LINE UNDER THE I-15. NICK RIPANDELLI/TYLER ROMERIL:** Councilmember Hartley moved to approve the consent agenda items 1 through 3 as written above; second by Councilmember Isom; vote unanimous.

**APPROVE A WATER AND SEWER REIMBURSEMENT AGREEMENT BETWEEN SHURTZ CANYON OZ LLC AND CEDAR CITY FOR THE INSTALLATION OF A WATER AND SEWER LINE UNDER THE I-15. NICK RIPANDELLI/TYLER ROMERIL:** Hartley – what notification do we have to charge a developer the money, and would we be required to pay if we didn't catch it? Tyler – it goes through the Engineering Department when development comes. We don't give final plat