

COUNCIL MINUTES

APRIL 27, 2022

The City Council held a meeting on Wednesday, April 27, 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: Craig Isom; W. Tyler Melling; Scott Phillips; Ronald Riddle.

EXCUSED: Councilmember Terri Hartley.

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; Airport Manager Nick Holt; Public Works Director Ryan Marshall.

OTHERS PRESENT: Reverend Lee Montgomery, Roger Thomas, Laura Henderson, Elizabeth Woodward, Dan Brummer, Tom Jett, Phil Schmidt, Alysha Lundgren, Elizabeth Eastep, Bob Platt, Briget Eastep.

CALL TO ORDER: Father Lee Montgomery of St. Jude Episcopal Church gave the invocation; the pledge was led by Jonathan Stathis.

AGENDA ORDER APPROVAL: Scott – I have a question on item #10, I want to make sure it won't impede golfers to get from one portion of the golf course to another. Paul – the path of Hovi Hills Drive is the new road developed through the Golf Course and we are relocating t-boxes. There is a playable, small par 3 hole, there is a little trail by the t-boxes that goes to the east. The trail is still on Cedar City property. They don't have a right to encroach on Cedar City property.

Councilmember Phillips moved to approve the agenda order; second by Councilmember Isom; vote unanimous.

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF

COMMENTS: ■ Mayor - I put a map in front of you, a preliminary rough drawing for the catch basin at Cross Hollows. We are interested in a few things; one we need to put a culvert under the parking lot and it will be the walking trail. We would like a park with a restroom, gazebo, viewing areas. There are 3 bike paths in the basin, one more difficult, medium difficulty and one figure 8 for children with tricycles and scooters. Parents can watch the kids. The idea we have come up with is to route the water to the north end and create a basin so 95% of the time the water will not cover the bike track. When it does fill up, we have the big plugs to release the water and then we will have to clean it up. That is a rendering we had done. I presented it to the Armbrust family, they have some questions, they will come next week maybe via zoom, and they will have things to say. They want to meet the council and are interested in knowing we are ready to build a park and make it something better than it has been and it benefits them by their subdivision with a small city park. We would like them, if possible, to offer the land to do the top portion. It will be during public comments next week, nothing to vote on. He will tell us part of the history and he wants some assurances that we will do a park. They have been very generous with the city. Melling – the city has an obligation at that property to do some recreation. Mayor – when the development

reaches 30%, we have the obligation to put in the park. Now is a good time. Melling – I want that to be clear on the record that it is not just for their property, but we have an obligation. Phillips – hasn't the basin been deeded already? Mayor - yes, but not to top portion. We have an easement for the culvert, we are concerned about that. We have done improvements on the east side; we would like to take the grate off. Phillips – does the color indicate something specific? Mayor – the yellow is shrubs with drip irrigation, small area of grass, the tracks will be built out of dirt, it will be similar to the one in St. George. The blue is a pond for minor storms to collect in that area and weep out of the system. ■ Mayor – I have been impressed and amazed with the spring cleanup. In Springville they allow one truck load to a transfer station without charging you. Other cities ask why we do this, it costs a fortune. I say it is a gift to the citizens. I appreciate the efforts. The Fire Department had a busy week with a plane crash and helping others. I would suggest the intersection of Kitty Hawk and Airport Road is a mess, it may be time for a traffic light. Jonathan – we are in the process of a traffic study. Melling – did we put a conduit in? Paul - no, that is Bulldog Road. ■ Phillips – a follow up question, have we had any follow up on the demolition of the hotel? Chief Adams – we have not, they are still waiting on a permit. Phillips – what can we do to expedite that? Adams – we can threaten with legal action. Melling – can we clean up and send a bill? Tyler – yes, there are a number of steps, we can start. Riddle – what is the permit? Phil Schmidt - Asbestos and State notification, which takes about 10 days, also contact the gas company.

PUBLIC COMMENTS: ■ Elizabeth Eastep sophomore at Launch High School. I want to provide a solution for light pollution, it is caused by manmade light. It causes less sleep which leads to depression, anxiety and harms birds and harms animals. 35% of light is wasted in about \$3 billion in wasted energy. Cedar's light can be seen by Cedar Breaks and Bryce Canyon and people come here to see the milky way. If we provided a darker sky it could increase tourism. We could put motion sensors, timers and dimmers so lights are only used when needed. Also, can make them be downward lights. Launch is project based and students could be involved in drafting an ordinance. Phillips – do you have examples from other cities? Elizabeth – the City of Flag Staff became a dark sky city, increase in wildlife and people could see the night sky. 99% of people in US and Europe have not seen a dark sky. Phillips – we are transitioning all city lights to down direction. We have to protect the safety of the people here also. Elizabeth – shielding helps with safety and the night sky. ■ Melling – I have had several people contact me since the grading permit came up. There are several that have begun dirt work. I wanted to have a discussion with Council and staff to see if in the meantime there is adjusting to be done in the ordinance, maybe a stiffer penalty for stubbing utilities but less for grubbing. While working through that I would like to see about permitting staff to issue grading permits even if grading has been done and note the stage it is at when the request is made. Are the surveying, over excavating, etc. Tyler – ideally the city is consistent in how we have done it. We have not issued the permit. If the Council wants us to change direction, we can but it is inconsistent as has been done in the past. Melling – in the process see when requested. It will only be a month or two, if we could make note when requested or give staff direction to issue permits with that note. Paul – what would that accomplish? They have already violated the ordinance. Melling – it would note that the grading after the request was ok. The current ordinance it is subject to penalty. I want to look at adjustments need to be made if any and judge requests in the future based on that. Jonathan – we can do that with the understanding that they have already started work before the permit was issued. The question becomes when the fee needs to be paid is it