

**COUNCIL WORK MINUTES**  
**MAY 1, 2019**

The City Council held a meeting on Wednesday, May 1, 2019, at 6:04 p.m., in the Council Chambers, 10 North Main Street, Cedar City, Utah.

**MEMBERS PRESENT:** Mayor Maile Wilson-Edwards; Councilmembers: Ron Adams; Paul Cozzens; Terri Hartley; Craig Isom; Scott Phillips.

**STAFF PRESENT:** City Manager Paul Bittmenn; City Engineer Kit Wareham; City Attorney Tyler Romeril; Executive Assistant Onjulee Pittser; Finance Director Jason Norris; Police Chief Darin Adams; Fire Chief Mike Phillips; Economic Development Director Danny Stewart; Public Works Director Ryan Marshall; Leisure Services Director Ken Nielson.

**OTHERS PRESENT:** Ron & Darlene Shelley, Thomas Pugh, Ron Larsen, Rick Lunt, Lisa Natwick, Eric Natwick, Daryl Owen, Leigh Owen, Merritt Bruce, Riley Clark, Kathleen Clark, Brad Bassett, Jill Bassett, Lynn White, Andrew Milner, Pave Roccardt, Walt & Marilyn Kidwell, BreAn Buckner, Linda McGuire, Robert Rufener, Mark Foster, Jay Peake, Pat Tompkins, Jerry & Kay Schott, Robert Botts, Allison Bulloch, Albert Cheser, Kenny & Cherry Cook, Eddie & Patty Bledsoe, Jesse Sneddan, Paul Haider, Travis & Cathy Horton, Evan Turner, Mark & Jo Reynolds, Eric Giles, Tiffiney Christiansen, Jody Shaw, Chris Deller, Patrick Sawyer, James Ramirez, Leola Prestwich, Jene Carroll, Len Kulbachi, Janet McFarland, Elizabeth Pickett, Lynette & Jay Herzberger, Sue Harris, Terry Kenney, Bill & Jane Rope, Eddie & Patt Bledsoe, Carlyn Bedwell, Anne Jakus, Carter Wilke, Michael Radebaugh, Tom Jett, Carolyn Dellar, Chris Dellar, Roy Deller, Joel Hansen, Jody Shaw, Dallas Buckner, Joe Burgess, Susan Tyner, Vickie Graham, Jim Rushton, Dan Holmquist, Harold Pease, Reid Barlow, Wyatt Ihler, Asita Robeson, Robert Pritchert.

**CONSIDER WAIVING OR REDUCING A WATER BILL FOR THE  
SOUTHWEST WILDLIFE FOUNDATION. SUSAN TYNER:**

Susan Tyner – with SWWF; I'm not asking to waive the regular water bill City has been wonderful to get the restroom put up along the walking path at Coal Creek up the Cedar Canyon Nature Park. We ran in to an issue in March. We got a water bill for way over what we usually spend. According to the standard, we had very little water usage. Our March bill reflected a large bill and I called the City to see what was going on. Either they misread the meter, or we have a leak. We asked if we can we get someone to look at it to fix the leak. We got someone up there on March 11<sup>th</sup> and confirmed we had a leak. We had the water shut off and until we were able to repair it. Our normal bill is \$22.50 a month. The bill we received that alerted us to the leak was for \$260.50. We paid the bill, fixed the leak and turned the water back on. The \$260.50 bill we received in March was considered the billing cycle of February 1<sup>st</sup> to February 28<sup>th</sup>. They actually read the meters January 1<sup>st</sup> to Feb. 1<sup>st</sup> so that first bill, the overage \$260.50 was for the use during the month of January and we didn't know anything about it until March. We got it fixed. I got the next bill in April. It was an \$1,800.00. It said we used almost 2 million gallons of water. I thought

we didn't fix it right. I met the water guy up there and he said it's not leaking, it's fixed. They read the meter then the billing is off quite a way, about 2 months out. We had a water leak for 2 months and there was no visible sign. We're more than happy to pay our regular bills. We paid the \$256.00 overage. I looked at the bill for March, which will be mailed out this week, for May. We had our water turned off March 11<sup>th</sup>. For the \$1,800.00 bill, the water meter was read on March 4<sup>th</sup>, so just that one week between March 4<sup>th</sup> and March 11<sup>th</sup>, before we knew we had a leak and it was turned off we've got almost \$600.00 more in a water bill overage. I know its unusual request but I though seeing as the rest room facility is used for the community, we don't mind maintaining the building and the water. We have a cleaning service that takes care of things for us that's paid monthly. Maybe you can consider waiving some or all of the overage. Terri: Susan, what was the cause of the water leak? Susan: Next to where it hooks in there was a copper valve that hooks into the City water. They require us to have a certain type of copper valve and the valve failed. It was right after the water meter. Scott: I'm a little confused. Are we billing 3 months in advance on our water? Susan: No, behind. We're that far behind and we had no clue because we couldn't see where the water's going. Robbie Mitchell: Cedar Water Dept. So, what we do is we bill behind so what they're reading right now is the usage of last month. We're about a month behind in the reading and when they send them out and you get them, you're actually paying for water using 2 months ago. When we turned that off and they repaired it, they turned that water back on themselves. That's not permitted. Talking to my guys they said there was still another leak so when we would have turned that on, we would have seen that there was still water going through that meter, which probably would have prevented that 1.8 million gallons going through it. That's just one thing to consider. Paul Bittmenn: I know we've had some requests in the past to waive fees on the consumer side of the meter. My recollection is we've never done that. Mayor: And the reason it is before you is that staff cannot do this. Paul Cozzens: These are always hard ones. Susan: And I realize for the average person or business it happens. And I understand the City is busy and it takes them a while to get the data out. I guess that's why it's 2 months behind. Paul Cozzens: The history of this rest room is that you guys clean it and maintain it and get a lot of donations. Susan: Yes. We pay \$260.00 to clean it, we maintain it. And the City helps us with RAP tax money to help us build the restrooms. Paul Bittmenn: The reason it's open for public use is that it was part of the contract they signed when we give the RAP Tax money to them. Terri: Also, the connection outside of city limits wasn't that an issue? Susan: We're in the City limits. The 2 weeks it was shut down to get it repaired, the people were not happy there wasn't a restroom there. Paul Cozzens: I know a lot of people appreciate that restroom up there. Typically, I vote against them just so we don't set a precedent. I wonder in this circumstance where you're providing a great service if we can't figure out a way to work with them. Scott what is the total outstanding bill? Is it \$2,428.00? Is that correct? Susan: The bill that we rec'd in April we haven't paid yet. It was \$1,832.50 and the current bill hasn't come out yet, but it will be mailed out this week. And we will be getting a bill for \$596.13. Basically, because of the leak, it's costing us \$2,530.00. When we had the bill for \$260.00, I was thankful it wasn't worse. I had no idea how the billing cycles works. Scott: I'm going to make a proposal. Given the fact for the service you do provide, and the fact that we were behind, and you went

back and turned it back on anyway. Mayor: No matter what this is a work meeting, not an action meeting so next week, we'll have this on the action agenda.

**CONSIDER APPROVING THE FINAL PLAT FOR THE SOUTH MOUNTAIN ESTATES PHASE 1. WATSON ENGINEERING/TYLER ROMERIL:** Tim Watson, Watson Engineering -- Joel Hansen: We're coming back for final plat approval for 9 lots that we want to do on South Mountain Drive, West of Eagle Ridge and West of the Canyons that is going in now on the North side of South Mountain Drive. If you look at the vicinity map, this development will start in the corner because the drainage has to run to the West for sewer and storm drain. We're going to extend the utilities 1,100 feet from where the existing end is down Southbound Drive and work towards the east to fill in the 39-acre parcel with the estates at South Mountain sub-division. Tyler: So, this has come to me. All the plat checking fees, bonding is in place, the agreements have been signed. Everything is good to go on my side. Scott: What are the size of these lots? Joel: The smallest lots are ½-acre ranging to over an acre. I've got 41 lots on about 40-acres for that parcel. This is a project that we rezoned into the R-E zone. It's one of the first ones we're going to build in Cedar City. Our CC&Rs are leaning towards leaving a more natural landscape, not a half acre of grass. We'll have some natural trees and leave some of the natural scape. I hope to eventually build a house on this project myself. My objective is to leave the sage brush and the cedar trees. Water usage is something that what we are pushing for the neighborhood so we can conserve water even though we have a little more space in between lots. Craig: There's no legal reason not to proceed. Mayor: Are you good with that going on the consent? There's 10. Joel: So, we'll be on the consent? Mayor: Yes. So far, it's looking like that's the only thing that will be on the consent for next week.

**PUBLIC HEARING TO CONSIDER A GENERAL LAND USE AMENDMENT FROM INDUSTRIAL AND MANUFACTURING TO MEDIUM DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT 2300 NORTH 600 WEST. JOE BURGESS/TYLER ROMERIL:** Joe Burgess: This is on Northfield Road. It's under the freeway to the west of Northfield, about ¼ mile. It's on the East side of the Sunroc gravel pit. Sunroc owns property to the south. Windmill Plaza owns property to the East. Craig: Any plans for developing that? Joe: We're ready to go through the process as soon as we get the zone changed. Scott: Are you looking at twin homes? Joe: We're looking at single-family dwellings and twin homes. This property is not mine. This property is Northfield properties too. Ken Knudson's one of the principals there. This property is to the East of that which borders on Northfield Rd. The problem we have is that there is we have no sewer to our property, so we have to go through Ken's property to get to down to the City's sewer line, which is about 1,200 feet to the West of our property. In order to get the sewer in there we're going to trade him some of that property so that sewer borders on some of our property. We're going to develop some of those lots for him. There's going to be about 50 lots. We'll have about 40 lots and he'll have about 12 lots. By trading them, coming off of 2400 N., his property will be a lot deeper. That's the reason he wants to trade us so He can have property that's deeper, so he has more options to do things with it. Scott: Are you looking to develop it right away? Joe:

Yes. We have everything ready to submit to the City. As soon as we get this zone change in, we can submit it. We've been working on it for about 3-4 months.

Mayor Wilson Edwards opened the public hearing. There were no comments, the hearing was closed.

**PUBLIC HEARING TO CONSIDER A ZONE CHANGE FROM GENERAL COMMERCIAL (GC) TO DWELLING, TWO-UNIT (R-2-2) FOR PROPERTY LOCATED AT 2300 NORTH 600 WEST. JOE BURGESS/TYLER ROMERIL:**

Tyler: The general land use plan had this property as industrial manufacturing, so in order to rezone that, to build these twin lot homes, we had to change the general plan. And to accompany that we need to change the zone. This is the second part of the process to change the zone from general commercial to allow residential use.

Mayor Wilson Edwards opened the public hearing. Patrick Sawyer: Earlier I heard them talk about a problem they had with water and a problem with sewer. But you're turning it all over to residential. How is that going to affect the problems we already have? Scott: Agriculture uses more water than residential uses. Patrick: So, this is agriculture use now? I thought you said it was commercial. Scott: It's zoned that way right now. Patrick: What is the present use of it? Tyler: I think it's just vacant land. Patrick: So, it's not agricultural. It's something for you to consider. You keep approving all this low density/high density housing without the infrastructure to handle it. We're all going to be having issues. Mayor: We will close the public hearing and move this to the action agenda. The hearing was closed.

**PUBLIC HEARING TO CONSIDER A GENERAL LAND USE AMENDMENT FROM MEDIUM DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT 1022 SOUTH 860 WEST. INSITE ENGINEERING/TYLER ROMERIL:**

– Ron Larsen: Insight Engineering and I am representing the owners. This came before the Planning Commission. There was some discussion and the planning commission recommended not approving it bring it to City Council to see if they could get it approved. This property is located by Tagg-N-go Carwash and there's 2 more highway service parcels there, behind car wash. This property is currently master planned as medium density. The properties along behind the hotel were also master planned as medium density but they've been developed as R-3 because they were already R-3. We're proposing is to continue the R-3 that is a buffer between the commercial and residential and continue through the parcel. We would change to high density on the general plan and another item is to change the zone. A couple of things that were brought in planning commission was the drainage issues. Those issues concerned the hotel and it drains out the back and there's been flooding to the homes in there. The current project being built required to take water along drainage easement along street and dumps in street. Originally there was nothing there. It was just draining across it. That is being taken care of with this development. Kit: This development that is going in is putting in a detention pond. They're controlling their flows out. It's a lot smaller of a stream. Ron: The other thing that has been done in developing this is that there's two drainages that carried water from main street to

property. Part of the problem for developing is they installed cleanouts and drainage pipes to carry that water over to 860 so that water has been diverted and left some effect on this property. Scott: Where does it drain into 860? Ron: It drains into the curb. The way the slope going down pipe just drains into the curb. There's a storm drain near the high school and we determined that the road would handle the water in the curb. Scott: What's the plan for the development? Ron: It's not a piece you could easily go in and split off lots. It only has about 200 feet of frontage. This part of the property is difficult to do any type of typical subdivision. If it's R-2 you can go down to 70-foot frontage and get 3 lots across there. There's no road into it. It's not wide enough room for a cul-de-sac and lots. The best use is high-density apartments and townhomes. It's approx. 4 acres. It's large enough to be a PUD. They don't have any plans right now. They just want to get the zoning in place. They'll probably sell it I imagine. Scott: I think the difficulty that comes to my mind is having no ideas what plans are. Without any plans. There's a big difference having a twin home or something as opposed to an apartment complex. Ron: I'm sure it will be some type of multi-family housing whether it's apartments or townhomes or something. It doesn't lend itself to doing single family units. Scott: Kit, since this area is being developed has the hotel drainage issue being taken care of or continue to be a problem? Kit: The motel got a drainage easement when they came in. Lunt's gave them a drainage easement to drain where they're draining. Ron: The drainage easement goes across the back of the property to the street. It was always there. There was never a ditch. It just flowed to the back. The group that's building here is detaining their water on site and their outlet which would also be the outlet for water from the hotel will be down that easement and into street. It's my understanding is that the drainage from the hotel will be directed where it needs to go into the street whereas before it was just being directed into the ground.

Mayor Wilson Edwards opened the public hearing. Darrell Owen: I just wanted to point out in the meeting notes for planning commission about 7 people wanted to discuss this. All of them had drainage concerns as well as others. I think it's pretty unfair for the developer to come back here and ask for rezoning without these people being present for this hearing and hear what's going on. Mayor: All of the council has those and had a chance to review the planning commission minutes prior to this meeting. Just know that this group is aware of them. Darrell: What I would recommend to this council is to notify those residents that were here and discuss the problems they were having before a decision is made. Mayor: Nothing will be voted on tonight by the City Council. All of them will be voted on next week. No action will take place on any of the items we have a public hearing on. Kit: It was made fairly clear in planning commission when this was looked at that people are expected to follow this proposal through the process as it moves through City Council. They were notified and they would be here if they wanted to be here. Mayor Wilson Edwards closed the hearing.

**PUBLIC HEARING TO CONSIDER A ZONE CHANGE FROM RESIDENTIAL 1 (R-1) TO DWELLING, MULTIPLE UNIT (R-3-M) FOR PROPERTY LOCATED AT 1022 SOUTH 860 WEST. INSITE ENGINEERING/TYLER ROMERIL:** Ron Larson, Insite Engineering – The actual zone change of the property would be to R-3 because it is currently R-1.

Mayor Wilson Edwards opened the public hearing. Lisa Natwick: What is entailed in the R-3-M zoning as far as size of the building, height of the building, number of people that can live in the building? Mayor: As far as what does the ordinance allow? Tyler: R3M is high density so it will allow apartments and town homes. I could sit down with you tomorrow and go through the ordinance to get the exact specs. It just kind of depends. Lisa: What are the limits? I will be by tomorrow. Terri: Kit, one of the residents had mentioned an issue with water pressure. Is there an issue with water pressure in that area? Kit: We haven't heard any complaints. We don't believe there is. We can look at our water model and see but no complaints. The hearing was closed.

**PUBLIC HEARING TO CONSIDER A RESIDENTIAL DEVELOPMENT OVERLAY (RDO) FOR SITLA PROPERTY WEST OF THE PROVIDENCE CENTER. LEAVITT LAND/3 PEAKS ENGINEERING/TYLER ROMERIL:** Brent Drew - Leavitt Land and Investment. We're here to talk about our long-term development and requesting an RDO zone. The 1,450 acres of SITLA property. When the state was formed, the school trust lands were given different sections. All those lands from the beginning were to sell, lease and develop the property in order to make money for the schools. The property has always been under the ownership of SITLA. They've been trying to develop it for over 20 years. This is the original plan. The property was designed to have higher density. There was a golf course included at one point. They had normal subdivisions with extensive lawn areas and there was less public space. This was brought into the city. Kit was it approved at the time? Kit: I don't recall if it was approved at the time. Brent: They brought this map into the City and discussed doing this. They have gone through several things since then. We have added one thing because of questions from the planning commission. These are the new development objectives from this property. More than 70% of the sub-contractors and tradesmen on this project are local. There will be a rural feeling development with significant open space which respects and protects the vegetation. More than 500 acres of open space. Defined building areas for each lot. Building areas not allowed on peaks or ridges. Room for community amenities like schools, churches, neighborhood commercial, etc. CC&Rs to maintain a cohesive environment. Waterwise limited areas of non-native landscaping. Development will be less than allowable density. What we're saying is that we can build over 4,000 units but were asking to do 3,400 acres but probably only doing 2,000-2,500 units in this project. Public trails throughout the project. The areas bordering the existing subdivision will reflect that in the community. And then 25-30 years of development. The allowable units right now are 4,415 units or 3.2 per acre. Under this RDO request, we'll only be doing 3,508 or 2.4 per acre. Instead of asking for more density, we're actually asking for less. Ron: Some areas are sloped greater than 25% slope and will not to be developed. There's about 320 acres of that. In addition to that we believe there's almost 200 acres that cannot be built on. Some inside that cannot be reached. The pods that are shown here are representative of how they will be developed. Pod 1 by the middle school and Cove Drive. Pod 2 is above the Eagle Ridge. The development will be based on need and market. The speed on which it develops will depend on the market. The partnership between the Development Team LC that's partnered with SITLA, the deal they have with SITLA is that they don't require us to

have to do a certain number of lots per year. If there is a bad time, we wait, and nobody is penalized for it. It makes it a better deal than what has been asked in the past. There are no goals of how many lots per year. The 25-30 years is based on what may happen. Each pod is designated with zoning that meets the City zoning ordinance. Areas of R-1 are ¼-acre lots which will be built per City ordinance. Public roads. There are areas that are designated to be residential estate zones that will follow the residential estate zone ordinance as far as development goes. Blue areas are medium density. They would like to do R-2, some smaller homes and maybe twin homes. Red ones are commercial. We've designated some areas along the major roads that are on the City's master plan. We've determined along those roads would be the best spot for any commercial that would be done as to how many acres they can develop. Purple area is an R-E zone it will be more of a private neighborhood, like a PUD-type gated community. It will still be the R-E zone. Slope analysis map shows how steep the property is. The reddish color is the flattest slopes and purple/blue are the steepest slopes that are over 25% designated open space and will not be developed. There's a lot of property that is not even buildable. The plan for the residential estate zone areas is to do cluster-type homes. You would have the homes there where the density of the homes may be 1 per acre but they'll be clustered together for smaller lots and rest would be added open space. For the landscaping, in the CC&R's, it would designate a certain area to build the house to keep them from building at the back of the lot. They will be limited to non-native landscaping immediately around their house. The rest will have to be natural vegetation. There are master planned trails and community trails. The master planned trails will follow the City's master plan. There's about 4 miles of master planned trails across this property. The community trails would tie between the open areas. There's a total of about 44 acres to be built as trails. There will be 78 acres of designated office commercial areas. 44 acres of public parks and trails. Other amenities may include a clubhouse and some parks. The total allowed units based on ordinance is 4,400. We're figuring around 2,500 total units. Brent Drew: If there's questions on where the money comes from. On the roads, water and sewer lines and infrastructure, there's 187,500 linear feet that we know of so far in our design. That would be the \$84,371,000 paid by us. The impact fees for each unit \$8,343 estimated over \$16,687,000.00 in impact fees for water acquisition, water, transportation sewer, police, parks and rec. Just a minimum investment of \$101,000,000.00 in the life of this project. Scott Phillips: Can I get a clarification on the community trails? That's the community of this project connecting the bike paths and sidewalks and open spaces? It's not anything other than that other than this project. Correct? Ron Larsen: The discussions have been that all the open space will be deeded to the City. The City will be the owner and overseer of it all and include the trails. They'll all be public trails, public property. Scott Phillips: For all citizens to use. Ron: For everybody to use. There will be private areas. The clubhouse will be private that's provided by the H.O.A., but these other things would all be public. The difference between the masterplan and the community ones really is size. The master plan ones are bigger, they're usually paved and the community ones will be small trails. Ron Adams: What about the parks? Are you planning on doing those within your development and maintaining those? Ron Larsen: There's been discussion both ways. What the owners want to build is one big park and all the amenities, about a 3 ½ acre park, that's maintained by the H.O.A., but it will be a community park. We had talked about the City to take over but that's not come

to fruition. Ron Adams: Are the CC&Rs going to cover the entire development as a whole or are there just certain areas? Ron Larsen: There will be different parts for different areas. The residential estate areas will have different CC&R's than the R-1 areas, but it will all be covered under the CCN&R's. Ron Adams: So, the amounts to collect for maintenance could vary depending on which pod? Ron: Yes. The blue lines are the master planned trails. The main one goes right through the property, one goes around the base that goes to middle school, one follows cattle trail. The brownish-colored dash lines would be the community trails that connect the open spaces. Scott: How do you propose to develop the pods? Ron Larsen: It depends on where infrastructure is and how you're going to bring it in. Some of the infrastructure is already there in pod 1; the sewer, water, power, gas. It will be developed from the outside in. According to City ordinance once you have 80 units you have to have a second access. It would tie into the road by Home Depot. Kit: By the ordinance the concept of RDO was you do development pods and each one can be a different city zones, like an R-E zone, an R-1, or R-2. It defines an area of a city zone on those pods. Ron Larsen: The number of units is fixed in the long run. Scott: And SITLA is comfortable with sitting on acreage until the time it's developed? Ron Larsen: The biggest problem for them in the development is they wanted to sell it to somebody and have them take it over. If it just sat there, nobody would be penalized for it. Scott: Are there other examples of this in the state? Ron Larsen: I think this is the first one. Terri: What water comes into the city and how will that come in as each pod is developed? What year of water rights are we looking at? Brent Drew: We pay our water acquisition fees to the City. Terri: So, you're just paying it into the impact fee then. Kit: We'll go out and buy more water with those fees. Ron Larsen: SITLA has no water rights. Scott: About the road situation for the current and future roads, what kind of flexibility is there? I want to be sensitive to the neighbors in Eagle Ridge and impact them and where the traffic flow comes from and how it moves. Ron Larsen: Right now, we're showing a road that comes in and ties through and ties in at The Canyons subdivision all the way to Cross Hollow. That road is a master planned City road and we're required to show that. Not necessarily the exact location. And the one that comes up by Home Depot and the cemetery parcel. Those ones are the only two that are defined as they need to be. Everything else would be based on design, based on traffic, drainage. Other than that, in the private subdivision, everything will be public roads built to public standards. Scott: Is it the City's responsibility for the maintenance and snow removal? Kit: They'll all be built to City standards and City streets. Paul Bittmenn: For the public roads, but the private roads are not included. Ron Larsen: Once it's built it will be the City's responsibility. Once the process is done next step would be to change the zone that matches it and change it. Paul Cozzens: I just have a disclosure to make. Our company business has worked with Quantum Development over 25 years and there's a good possibility that we would be bidding and doing work for that.

Mayor Wilson Edwards opened the public hearing. One hour given for public comments. Ronald Shelly: I am a resident of Eagle Ridge. The traffic issue. This is a big concern for us. We already have Eagle Ridge, which is not entirely built out yet. Talon Point, which about 1/3 of homes are in. The Canyons are just being developed now. The estates sound like they're about to be approved. There's already a lot of existing lots

there. When South Mountain was placed in there as a second entrance, it created new traffic artery. Everyone to the West is commuting through this area. South Mountain Drive was posted at 45 MPH. The frontage road is posted at 45 MPH. I have actually clocked someone going through at 100 MPH in the area. When you turn from South Mountain to go onto the frontage road, there's not even a stop sign there. Traffic concerns need to be addressed before additional units are built. I am not against this RDO. I know the land will have to be developed. The road between Home depot by the cemetery needs to be in and functioning before anything else goes in. I would recommend a type of bypass road that can continue the 45 MPH area between the South Mountain and frontage road. We have already seen the impact with the existing homes. All these units are already being approved and now we're talking about adding more. I strongly recommend the traffic issues be addressed before we approve additional lots.

Joel Hansen: I am the property owner for all the stuff West of The Canyons. My only concern is that the slide earlier showed the development adjacent to the existing developments would be the same zoning, but that doesn't hold true. As development happens along the southern border, the parcels were R-E and the other part was medium-density. I've tried to make it an estate property and I would hate to have R-1 behind me. I have put 41 lots on there. Originally, I had 65 lots, but I told my planner that I don't want to build that many. I would like to make sure we follow that zoning. I don't have a problem with the RDO. I just would like it to be cohesive between the two properties.

Vicki Graham: I live in Eagle Ridge. The traffic concerns. If pod 2 is built where are those people going to go if there's no infrastructure? Scott Phillips: They'll have to build roads in there when they develop it. But your concern is which directions those roads go and where do they lead to. Darryl Owen: What we're really talking about is 3,500 houses, 1450 acres. About 44% growth. 14,000 people if you figure 4 people per house. Has there been enough planning for that growth in the City? In some respects, yes. Developers have done a great job of developing green spaces, etc., but no new sources of water. We're at about a 7,000-acre-foot deficit per year. The City aquifer level is going down. Again, no new sources of water. We know he has space planned for schools but is it adequate for 44% growth? We haven't heard from the school district. How will they be funded? What's the impact to class size? None of these questions have been answered. Another issue is fire. No plans in here for fire stations or police stations. How do we deal with that? We should have 44% more resources for us. We should write some sort of contract between the City and the developer that a certain portion of the labor in iron County. I think it should be closer to 90%, not 70%. Traffic starting at pod 7-8 will be the first road through pod 2. There's a public-school side on pod 5. A church location on pod 6. Miles of master planned trails and community trails. Miles of 16" water mains. A water storage tank, a new booster pump, storm drain. They didn't plan one road through West side. I asked developer about this today. He stated it's not time to plan this. It's done at different portion in the planning process and approval process. And yet it's being planned by the City. The City master planned road map for pod 15, 14, 13. Why would the City put a road that's 66-foot wide in planned community if this wasn't in place? I don't believe the planning committee and developer don't have this laid out. I think they do. I don't think public is being told the truth. You're planning a 55 ft. wide road all the way from the top to the bottom, unless there's already planned for 12-15 to access that's not on this RDO. You're not telling the public the truth. Scott

Phillips: That's simply not true sir. Darryl Owen: Why would a road be planned? It doesn't make sense. Scott Phillips: Nobody is holding out truth from the public. Darryl Owen: Why would you plan another road unless you needed access to this area? Ron Larsen: Those master planned roads are City's master plan. That is not our master plan. We are just following the City's master plan. Darryl Owen: I understand that. I'm addressing the City right now. Why is the City planning a road unless they're in cahoots with the developer? Terri: We have master planned roads all around the City. Tyler: The City looks at property to see where there's a lot of growth going and then we insert these going master plan roads that can change and possibly developing in the future as it develops. Then we have a developer come in and sees our master plan road and creates their development pursuant to our master planned roads. Isn't that a private subdivision and private road? How can we tie into a private road? Darryl Owen: It's on your map. Paul Roland: I talked with Reed Ericson, the Iron County planner. We live in the County, but we are on the annexation boundary of the City and will likely be annexed in the future but it's not a 100% thing. I asked how it works and he said that the County and City coordinate when they come up with a master plan, they all agree that this is a good idea. In this case, Reed knew nothing about it. We're feeling where we live in a community where 2-3 acre lots. Nice quite neighborhood, but we don't want a major road coming through community. We're concerned about the kind of lifestyle to enjoy and live growth around us. This road thing has everyone's attention. Are there going to be 2,000 units? 4,500 units? Paul Cozzens: The market will dictate that. Paul Roland: If this is a pod development and do it as the market calls for, can we have milestones that say we've used enough water and we're done? Paul Cozzens: Nope. We can't. Paul Roland: Why not? Paul Cozzens: We're planning for it. What if you own that property do you want us to tell you that you can't develop it? Paul Roland: If there's no water for it, yes. Paul Cozzens: There's private property rights involved here. You have a house here and you moved here from somewhere else probably. So, once you have your house built does that mean we shut everyone else off? Paul Roland? Does that matter? Paul Cozzens: I think it does, yes. Paul Roland: I'm interested in the quality of life for every resident in this community. There are certain things we have to provide for and if we say we're only going to allow the development which the market dictates, I think that's a good idea. Darryl Owen: We have heard the developer that he's going to develop from the outside inward. That's about 30% of the property in question. I'm very frustrated with how I see the City Council progressing. I'm mad we have a planning committee that has conflicts of interest, like architects, contractors, real estate agents. Personally I don't think they should be here. Paul Cozzens: Who do you want to serve on these committees? Everyone is going to have conflicts of interest. You can't get away from it. I disclosed that our company works in the construction field. I disclosed that because that's required. Darryl Owen: We found this out on the wayside, and I think they should be replaced. Scott Phillips: There's also a value that you have certain people for their expertise. Things come to the planning commission where you need an architect to know about a particular issue. You need a balance because you need people that understand the issues when things come up to them. Mayor: Remember, these committees are merely recommending bodies to the City Council. They don't have a binding vote. Everything still comes before the elected City Council that are elected by our communities. They send a recommendation, either positive or negative, that the City Council can take and

study the issue and have public meetings like this. Darryl Owen: Remove these people and replace them with unbiased people and do what's right for the community. I also think right now with the planning committee, you should send building projects back to them for review. I think these problems about water, school, first responders, and traffic flow needs to be addressed. Paul Cozzens: I have resigned recently but I served 7 years on the water conservancy district. We meet monthly. For over 7 years we have addressed water. We filed over 15,000-acre feet in Pine Valley and over 12,000 in Wah Wah Valley. We have been in a lawsuit with SITLA, with Beaver Co. and with Utah Alunite. It's been about a month ago the judge has signed off that it belongs to the Central Iron County Water Conservancy. It's ours. It can never be taken away from us. Right now, we're going through an environmental assessment board. We just got \$250,000.00 from legislature to start that assessment. The board will contribute another \$500,000.00. We've drilled wells out there; we've done pump tests. Hundreds of hours on that and on recharge projects. About 7 going and we're trying to replenish the aquifers through recharge. All the water coming down the mountain being wasted in Quichapa, we want to put it in the ground before it gets there. Lots of local businesses have contributed. Frank Nichols donated a D-10 CAT for free. We are working on this community. We got a \$220,000.00 grant from the state legislature to help farmers and agriculture. We're trying to buy more rights as a City. Through that program, we have enough money to outfit 20 pivots to where the agriculture community can be more 20% more efficient with the water they use by lowering the heads down closer to the ground. Between that and the recharge, I believe we can make up that 7,000-acre-foot deficit we have. We are working on it. Darryl Owen: I'm not disputing that. The developer is trying to build more without a solid solution to the water problem. Paul Cozzens: This is a 20 to 40-year project. Darryl Owen: Then, why are we rushing it through so fast? Why can't we get roads in our RDO's? Ron Larsen: I personally drew this whole plan. I have designed the roads you see on there. There has been no discussion to go to the West because it's all subdivision to the West. Darryl Owen: Per your words, you're building from the outside inward. Are you telling me you don't have a plan? Ron Larsen: We're going from top to bottom. Darryl Owen: I think we're not being told the truth. Mayor: Please submit your documents so we can have them with the minutes. Harold Peas: I would like to continue our concern about water. I learned after moving into the community, I cannot have the lawn I wanted because of water. I think I heard someone say that 40 years from now we would be a population of 77,136. Right now, we're at 31,223 as of 2017. Paul, you haven't convinced me that we will have enough for 77,000. Right now, we're looking for water. We're building and have no limitation on building and what I've heard here is that we're going to let nature take its course. Paul Cozzens: Jonathan has run the numbers and Cedar City owns 20,088 acre-feet and we're using 8,504 right now. The projected growth in 40 years is 77,136 and what we have now is enough to cover that. That doesn't count the west desert. But what I've also heard in this meeting is to conserve. Like lower the bubblers or whatever. I heard that in California for many years. What that meant we couldn't use water outside on odd days or even days based upon the laws. Tickets were given for using too much water. I don't think this is a ridiculous argument. I'm not convinced that you have enough water, but Paul is. Why is everyone saying to cut back because we don't have enough water? The project that was presented to us we're going to have 3,508 new units incorporated in the Iron Horse