

**COUNCIL WORK MINUTES**  
**AUGUST 18, 2021**

The City Council held a meeting on Wednesday, August 18, 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; Leisure Services Director Ken Nielson; Economic Development Director Danny Stewart; Public Works Director Ryan Marshall; City Planner Don Boudreau.

**OTHERS PRESENT:** Jon Whittaker, Kayleen Bundy, Wendy Jessen, Denny Segler, Lorayne Russo, Richard A Russo, Mike Babcock, Betty Babcock, ReAnne Reimschuessel, Randal Cagle, Derek Morton, Brandon Ragan, Nathan Anderson, Ronald Riddle, Mike Platt, Dallas Buckner, Chris Uchman, Teri Kenney, Tom Jett, Heather Conrad, Nick Holt, Eric Heaps, Joel Hansen, Ray Vance.

**CALL TO ORDER:** Councilmember Isom gave the invocation; the pledge was led by Councilmember Hartley.

**AGENDA ORDER APPROVAL:** Councilmember Hartley moved to approve the agenda order for both meetings; second by Councilmember Phillips; vote unanimous.

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

**COMMENTS:** ■Phillips – I want to thank our department that have been working on the weeds in the sidewalks. I want to reiterate what Councilman Isom spoke to; we have a fantastic community. My heart goes out to the staff, they are out at 4:30 a.m. trying to fix things. We have great employees and wonderful citizens. We all want moisture but want it in moderation. We are thankful for the staff. ■Mayor – I apologize for not being dressed professionally; I have been out with the Chief's on the flooding. I started getting texts at 4:30 a.m., it is a community effort as it has been before. ■Swear in Devin Mackelprang as a Patrol Officer I: Chief Adams - Devin comes to us from Enoch. Devin – I previously worked with Enoch City for 2 years. My wife Haley is here with me, she has been my rock and am glad to have her with me. Renon administered the oath of office. Chief – Devin is also one of our officers that serves in the military.

**PUBLIC COMMENTS:** ■Karen West – I presented a proposal for protecting life back in June. I want to see what the next steps are. I have more information for you. When will I hear from someone, it has been 2 months since I presented? I know you have been busy with elections and flooding. It may seem insignificant to you, but it isn't to some of us. ■Richard Russo, I live in Flying L Phase 1, a retired civil engineer with 40 years' experience, a good portion in municipal and land development. Flying L Phases 1, 2, and 3 were hit with the

flash floods. South of us Flying L Phase 3 was an overtopping of Coal Creek and it flowed through Phase 2 and 1. Then east of 2300 West it went over the road into the annexation property. Being an engineer, when I bought my home, I looked at the flood insurance study maps in the County and surprised to find Flying L in flood prone zone and north of 3000. From Illinois you don't see large tracks of land in a flood zone. I bought because my home was 2-3 feet above what the flood study maps showed it would reach. I have photographs showing the area of the proposed development and how it looked today at 1:00 with water over the top of the road. I am opposed to this project and annexation. I find it disconcerting that the board may consider zoning property that is prone to flooding. I know the civil engineering company will say they will build the homes up to get out of the flood prone area, that's what I would have said. It has to be done with a lot of study. When you do that, you are displacing water and will back more water into Flying L Phases 1, 2, and 3. We had several homes in phase 1 and I don't know how many in phase 2 and 3 with the sandbags I would say considerable. If the development is built, anything that builds up the road or build a wall of some sort around the perimeter will back more water into Flying Phases 1, 2, and 3 and cause us more problems in the future. Think about what you are doing seriously. Nature knows where it wants the water to go, and you have the opportunity to leave it as agriculture. There are a lot of areas in flood prone zones. You have an opportunity to not create a problem for the future. At the last meeting there was talk about the lack of notifications of the meetings regarding the annexations, I was one of them. There were 220 people that signed the petition. In the future I would ask all 220 owners be notified. I am sure the developers and engineers followed the letter of the law about advertisements; 300 feet only took in a small number of homes. I live two homes away from Randy and I didn't get one. Where the letter of the law was followed, I don't think the spirit of the law was. ■ Tom Jett – I was fortunate today to meet two new business owners who relocated from St. George, both in repair of technical items. They moved because St. George is not a business-friendly community and Cedar City is and I think that is a great statement of the community.

**CONSIDER A SINGLE EVENT ALCOHOL PERMIT FOR THE CANYON CREEK SERVICES FUNDRAISER AT FESTIVAL HALL ON OCTOBER 5<sup>TH</sup>. CANYON CREEK SERVICES/CHIEF ADAMS:**

ReAnne Reimschuessel of Canyon Creek Services – They provide services to survivors of domestic violence and sexual assault. The fundraiser will help support the people and the services. The alcohol will be in Festival Hall. IG Winery will provide the wine and Jaden will be providing the licensed bartenders to serve the alcohol. Hartley – what is the event? ReAnne – it is a musical/variety program to the general public, but a VIP upstairs before the event, 21 and older with wristbands and will follow the laws. Phillips – they are not paying for the alcohol? ReAnne - no, it is included as part of their ticket. Chief Adams – we did a background on Jaden, and we don't have any issues.

**CONSIDER VICINITY PLAN FOR TRAILSIDE PUD PHASE 2. PLATT & PLATT/DON BOUDREAU:**

Mike Platt, Platt & Platt – this is vicinity for Trailside Phase 2, 31 units, 2.10 acres, fronts on 75 East. Phillips – earlier in phase 1 they had issues with some settling or something. Do we have any issues with this? Mike – these will be on helical piers. We will follow geotechnical recommendations. The storm water has to get to a collection point, and we will take care of that. Phillips – Phase 1 is a good size complex. Mike –