

**DRAFT**

**Cedar Highlands, Ut Town Council Meeting Minutes**

**Date 5/23/2019**

**Location: Cedar City Public Library Cedar City, Utah**

**Call to Order:** by Mayor Swann

**Call to Order at: 6:30 pm**

**Pledge of Allegiance**

**Roll Call of Council Members:**

<u>Council Members</u>	<u>Present</u>	<u>Declaration of Conflict of Interest</u>
Steve Swann, Mayor	Y	None
Susan Allman	N	None
Beth Gaines	Y	None
Paul Starks	Y	None
Linda Stetzenbach	Y	None

**Approval of Minutes**

February 28, 2019 - Beth Gaines motioned to approve with requested changes. Steve Swann 2nd. Motion passed unanimously.

April 28, 2019 - Beth Gaines motioned to approve. Paul Starks 2nd. Motion passed unanimously.

Beth Gaines motioned to approve expenditures, (noting that she is opposed to the delayed billing by Sunrise Engineering) Hero Services, Utah League of Cities & Towns, legal fees, water, Pelorus, Sunrise Engineering, Cedar City Corp. Linda Stetzenbach 2nd. All in favor, motion passed unanimously.

**Public Speakers**

**Jim Byler -**

Would like to ask questions about lot cost:

- 1) What were the closing costs? Answer: Approximately \$3700
- 2) Who signed the closing documents? Answer: Steve Swann
- 3) Who signed the checks? Answer: Zelpha Taylor requested cashier's checks as per required by lender.
- 4) When were the contracts on the agenda? Answer: Steve Swann will have to look back at previous minutes and/or listen to the meeting recordings.
- 5) Was Reed made aware of the appraisal amounts? Answer: Yes, all documents were submitted at the time of request. Mr. Byler would like Reed to confirm that he was aware of the appraisal amounts.

**Larry Miracle -**

States that we all need to be personally responsible for our actions. He wants to know were all invoices pre-approved prior to work being done or property being purchased? If it wasn't he thinks the person who approved the work or purchased property should be personally responsible for the cost.

Question to Mayor Swann - What was discussed at the water commission? Answer: Additional hydrants and springs system upgrades.

**Robert Shelton -**

Wanted to announce that elections for town council will be June 3 - 7, 2019. He would like the election dates to be advertised or at least published on the web site.

**Phyllis Irvine -**

There is a drainage issue that impacts access to her property and into her neighbors. She wants to know how she can fix this. Answer: Steve Swann - Roads are titled by the HOA, she will need to work with the HOA Board. Answer: Mike Brask - He will go survey they property to see what is needed, it might be possible for HOA with the help of volunteers to fix on June 15.

**Tawny Thomas -**

Her #1 concern is road improvement, the roads need to be improved for the safety of drivers and vehicle damage. She would like reliable data on the scope and cost for improvements. Steve Swann stated that Sunrise Engineering did a assessment, the most expensive cost for main road only was approximately 6.8 million dollars.

**Regina Tashjian -**

States that in her opinion the May 9, 2019 are incorrect and incomplete. Believes that the residents who are not able attend meetings have the right to be fully informed. She also believes that executive sessions are being held illegally/improperly.

## **Reports**

**Steve Swann**

There was a case of road rage that escalated to weapons being brandished. He wants to stress the importance of respect towards all town residents and visitors.

The back hoe is on site. Paul Starks, Rob and Steve Swann will be receiving operating certification on Saturday, May 25, 2019.

2019/2020 Budget has been presented, he is requesting that all council members review and make suggestions. A work meeting is scheduled for June10, 2019 from 6:15 to 8:00.

Steve was wondering is trash service should be changed from HOA to town, due to the illegal dumping happening. It was decided that at this time HOA will possibly purchase a sign stating “ Area is under surveillance”.

Town recorder was approached by a new resident to obtain a business license for a home based business. Paul Starks will send the ordinance he wrote and submitted approximately 1 year ago for the council to review.

**Beth Gaines**

Notes that the check issued to Jim Newberry has still not been cashed, she requests that town recorder contact him to confirm correct address.

Wants to know why Sunrise Engineering invoice is for services provided in fall are being invoices in May. Steve Swann asked for delayed billing, so that property taxes could be collected first.

Wants to go on record stating that the legal fees are out of control and the hours must be reduced.

**Linda Stetzenbach**

No report at this time.

**Paul Stark**

Firewise held on May 4, 2019 was very successful. Wants to let everyone know, please don't take twigs to landfill as they are charging a fee to dispose of them. He and Steve will contact city to request a fee waiver. In the mean time, he is suggesting a possible "burning man" event or possibly renting a chipper.

He would like to survey the area that volunteers will be cleaning up on June 15. He wants to make sure safety equipment be used and that blue stakes be contacted.

**Action Items**

Subdivision Ordinance - Tabled so that it can be re-written with suggestions made at the hearing on May 22, 2019.

HOA Road Contract - Mike Brask states that HOA will not be signing the contract. The HOA will not "transfer" liability insurance or offer an indemnification. They will however give a permission letter to the town that will permit them to maintain roads according to road ordinance.

Steve Swann motioned that the council will create a new a road ordinance to include cooperation between the town and the HOA. Then once the permission letter is received from HOA, the town will present it to the insurance company to confirm that it is sufficient for coverage. Paul Starks 2nd. Motion passed unanimously.

Prohibition of Short Term Rentals - Linda Stetzenbach motioned to table due to HOA letter sent to all residents, stating that CCR bylaws will be enforced and a fine schedule is being drafted. Paul Stark 2nd. Motion passed unanimously.

Linda Stetzenbach motioned to adjourn at 8:25. Beth Gaines 2nd. Motion passed unanimously.