

CITY COUNCIL WORK SESSION
Tuesday, February 19, 2019 6:00 p.m.
Community Recreation Center
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Jenney Rees, Mayor, Presiding
Councilmembers: Denise Andersen, Ben Bailey, Mike Geddes,
Ben Ellsworth (6:08 p.m.)
Absent/Excused: Brian Miller
Chandler Goodwin, City Manager
Charl Louw, Finance Director
Colleen Mulvey, City Recorder
Others: Lt. Gregg Ludlow, Marc Watterson

This work session of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 6:01 p.m. by Mayor Rees.

1. Tobacco 21 Ordinance

Mayor Rees explained that staff had drafted an ordinance regarding the age change to obtain tobacco products. Mr. Goodwin explained their goal was to keep tobacco out of the hands of minors. He explained they did not want to criminalize 21-year-olds sharing tobacco with 20-year-olds. They worded the document to prohibit the sale or distribution of tobacco products. The document further defined what was considered tobacco and tobacco products. Mr. Goodwin further described the details of the ordinance.

Mayor Rees clarified that anyone younger than 18 was still not allowed to use tobacco; everyone ages 18 and older were allowed to use tobacco products. Mr. Goodwin continued by explaining how the City could enforce these regulations and penalties. There were portions of the code they removed because they felt the language was too harsh. Mayor Rees agreed.

C. Andersen said she was pleased with the changes made.

Mayor Rees asked if Mr. Goodwin would discuss the violations. Mr. Goodwin suggested they follow what was stipulated by State Code. He said it was easier because the City contracts out their police services and they were the ones issuing the violations.

C. Ellsworth asked if they knew American Fork's plan for the ordinance. Mr. Goodwin responded in the negative, noting that this was a legislative bill. Mayor Rees said it had been discussed for a long time at the State level. Mr. Goodwin added that it was still a new idea.

C. Geddes said it was a good idea. C. Ellsworth suggested they match whatever American Fork did as they were tied together by a common police force. Mayor Rees noted any civil penalty would be enforced by the Health Department.

Marc Watterson with the American Heart Association explained that the Health Department worked with law enforcement. They did two compliance checks a year to ensure retailers were following regulations. He explained they supported the municipalities having their own regulations on tobacco products.

Mayor Rees asked about the penalties. Mr. Watterson recommended they use the penalties in the State Code. C. Geddes asked what the penalties were. Mr. Watterson responded the penalties were Class A Misdemeanors. He further explained the consequences for repeat offenders. He noted all this would be enforced by the health department.

It was explained that drivers' licenses changed rotation for residents turning 21. This made it easier to determine age.

Mr. Watterson explained these changes came about because this legislation could not be passed at the State level. The health department reached out to help create legislation on the City level. They felt this was necessary because of the rise of flavor tobacco products and vaping. Mayor Rees noted this was not unprecedented because some cities throughout Utah had stricter alcohol regulations than the State.

Mr. Watterson concluded by explaining this was new a process and they were trying to create the ideal ordinance for each city. Mayor Rees asked what they would do if the County passed legislation on tobacco and tobacco products. Mr. Watterson responded that he did not know the answer at this time and would contact the Mayor with information in the future.

2. Cedar Canyon Subdivision Agreement

Mr. Goodwin explained they were working with Cedar Hills Farmland LLC for a settlement agreement. He explained the resolution was different from what was in the packet. He explained all the land would be sold and Cedar Hills Farmland would retain their portion.

C. Andersen asked if Cedar Hills Farmland wanted to develop the land. Mr. Goodwin responded in the affirmative. C. Geddes asked if this item had to be brought before the Council in the future. Mr. Goodwin responded by explaining what the applicant would ask the Council to approve.

Mayor Rees commented that any change would have to be brought before the Council.

This meeting was adjourned at 6:39 p.m. on a motion by C. Ellsworth, seconded by C. Andersen, and unanimously approved.

Approved by Council:
April 16, 2019

/s/ Colleen A. Mulvey, MMC
City Recorder