

**CITY COUNCIL MEETING MINUTES OF THE
CITY OF CEDAR HILLS
Tuesday, March 1, 2022 – 7:00 p.m.
Community Recreation Center
10640 N. Clubhouse Drive, Cedar Hills, Utah**

Present: Mayor Denise Andersen, Presiding
Council Member Laura Ellison
Council Member Mike Geddes
Council Member Kelly Smith

Staff: Chandler Goodwin, City Manager
Charl Louw, Finance Director
Gretchen Gordon, Deputy City Recorder
Greg Gordon, Recreation Director
Jeff Maag, Building Official
Craig Hall, City Attorney

Others: Mark Nelson
John Condie
Sheri Condie
Emily Morris
Jesse Mecham
Dan Wilson

Excused: Council Member Alexandra McEwan
Council Member Brian Miller

CITY COUNCIL MEETING

1. Call to Order, Pledge, and Invocation.

The City Council Meeting of the City of Cedar Hills, having been properly noticed, was called to order at 7:03 p.m. by Mayor Andersen.

The Pledge of Allegiance was led by Council Member Ellison.

The Invocation was offered by Council Member Geddes.

2. Approval of Meeting Agenda.

MOTION: Council Member Smith moved to APPROVE the meeting agenda. Council Member Ellison seconded the motion. Vote on motion: Council Member Ellison-Aye, Council Member Geddes-Aye, Council Member Smith-Aye. The motion passed unanimously.

3. **Public Comment: Time has been set aside for the public to express their ideas, concerns, and comments.**

Dan Wilson gave his address as 10040 North Lakeshore Drive and identified himself as the developer of the Lakeshore and Mountaintop Trails Subdivisions. He wished to propose a speed bump for the center point of the connection between the existing subdivision and the new subdivision going in. Once the road goes through, many cars will be using it and a speed bump will help slow traffic. He also asked for clarification on who will be responsible for finishing the sidewalk at the junction of the two subdivisions.

Sheri Condie gave her address as 4221 West Oak Road North and stated that the lake restoration solutions were proposed to dredge Utah Lake and create artificial islands. They claim to be able to comprehensively transform the cloudy and nutrient-rich lake into a cleaner body of water. She was skeptical of this type of project and asked the City to pass a resolution similar to Provo and American Fork cities to advocate for science-based preservation and remediation of Utah Lake. She thanked Mayor Andersen for contacting her about the Utah Lake Authority bill in the Senate. She hoped the legislators know that losing their voice on the Utah Lake Commission is not in the community's best interest. She reported that Council Member Smith serves on the Commission and will be made aware of the many successful remediation projects that are working.

Ms. Condie stated that Utah Lake is impacted by harmful algae blooms, which is something that is happening more throughout the United States. Toxic blooms get a lot of media attention but when they disappear, people never hear about them again. Continuing what is already being done was the best way to reduce the blooms and clear up the lake. She questioned the report from the Army Corp of Engineers and stated that they have been researching the lake and gathering information for a short period of time, which would not have resulted in enough comprehensive data. Utah Lake is a water storage facility, and they should not take the risk of negatively impacting what is there. She pleaded with the Council to take a stand and not allow the lake to be disfigured with artificial islands.

Emily Morris gave her address as 4252 West Sumac Court. She supported Ms. Condie on the Lake Project and wanted to make sure that her comments are not ignored. She pleaded with the City to take a stand for several reasons including the health of surrounding wildlife and infrastructure that will be required for dredging. She was concerned that the lake is a landmark and represents a part of Utah's history that should be preserved. This is a topic that people should be educated about. She asked that the Council educate the residents and protect the future of the community and Utah County.

There were no further public comments. Mayor Andersen closed the public hearing.

CITY REPORTS AND BUSINESS

4. **City Manager Report.**

City Manager, Chandler Goodwin reported that Jr. Jazz season is wrapping up and the Recreation Department has done a masterful job of navigating the logistics of 1,000 children playing

basketball in a Jr. High School. He thanked all of the volunteers, the scorekeepers, and officials. He stated that the program would not be possible without the participation of the Alpine School District.

There were numerous upcoming events and staff has been very busy. Some staff members have left employment with the City for various reasons and staff will be actively working to fill the vacancies.

The golf course was slated to open on March 13, 2022. There will be temporary tee boxes due to construction taking place on the short course. Weather permitting, the short course will be completed by the end of April and open to the public by July or August.

A Double-Shotgun Golf Tournament was scheduled for March 23 for Brigham Young University (“BYU”) Football Coach Kalani Sitake and Kansas City Chiefs Coach Andy Reed who will speak at the event.

The Annual Spring Clean-Up will take place on April 23 and 30 at St. Andrews Subdivision area. Information will be included in the newsletter and as part of the weekly updates.

5. Mayor and Council.

Council Member Smith reported that she serves on the Lake Commission and thanked those who came to speak on the topic. She stated that each city in the valley has a seat on the Utah Lake Commission. She was concerned about a proposal to downsize the Commission and exclude some cities that border the lake. They are looking at resolutions and have had similar concerns to those expressed in the public comments. They have been in contact with other cities in an effort to achieve the best possible outcome. She expressed appreciation to the public who were present to comment.

Council Member Ellison reported that the Youth City Council is preparing for the Easter Egg Hunt on April 16 at Harvey Park. Photos can be taken with the Easter Bunny at 10:00 a.m.

Mayor Andersen stated that nine people have volunteered to serve on the Beautification Committee. Angela Free heads up the committee and has recruited a good group. The Yard of the Month Program was to commence soon.

The Legislative Session was wrapping up this week. The City has been watching HB-462, which has to do with Affordable Housing. HB-282 pertains to Water-Wise Landscaping legislation.

Mayor Andersen reported that she serves on the American Fork Hospital Outreach Council and the following week Hospital Administrator, Jason Wilson, will speak to the Council during the Work Session.

Council Member Geddes asked if the grass for the greens at the golf course will be grown off-site or if they will be seeded. Mr. Goodwin responded that some will be seeded and will be sod. Council Member Geddes confirmed which tee boxes will be temporary. He commented that he

would like to have all of the facts regarding the Utah Lake Project before signing anything in opposition or in support.

SCHEDULED ITEMS AND PUBLIC HEARINGS

6. Review/Action and Public Hearing on the Preliminary Plan for the Lakeshore II Subdivision Plat A located in the H-1 Residential Zone.

Mr. Goodwin identified the location of the 12-unit Lakeshore II Subdivision on a map displayed. The current zoning is H-1, however, given that it is larger than 20 acres, it is eligible for development under the Planned Unit Development (“PUD”) Code. The developer is required to provide a slope analysis to identify the existing slopes. Mr. Goodwin explained that the developer is granted a certain density for each area with the highest density coming from flatter areas. For example, 2.5 units per acre are allowed in the red area while only .2 units per acre are allowed in the purple area. Taking into account the slopes of the property as a whole, they would be permitted to build 28 units. They will be clustering the homes on one side of the parcel and dedicating the other side to the City for open space to meet the requirements under 10-6B. Because the slopes make it difficult to develop, they will limit the project to 12 units.

The minimum lot size requirement is 10,000 square feet and each of the proposed lots is approximately one-third acre in size, which exceeds the requirement. The setbacks meet the PUD requirements of 30 feet front and back and 12 feet on the sides. The street slopes will be the most problematic as the requirement must be a slope of 8% or less. The turning radius is currently under review by the Fire Marshal to ensure that it will not be a blind turn and is able to accommodate emergency vehicles.

The most significant challenge was how the project interfaces with existing infrastructure from other agencies. The property line runs north to south. Directly behind the property line is the Metropolitan Water District of Salt Lake’s Sandy Easement that extends 100 feet from the property line into the hillside. It is generally a flat area, which is why they placed the pipe there nearly 100 years ago. There are, however, challenges with development in the area. Mr. Goodwin explained that the dashed line on the map indicates the location of the pipe. To cross the easement, the road needs to be perpendicular to the pipe. The problem then becomes the 30% slope. Putting a road through will be challenging. Therefore, it was likely that access to the project will have to be relocated. Termination of Heisets Hollow Drive and at Boxelder Drive both have access to the proposed property.

As part of the project there is an open space dedication requirement. It will be located east of the proposed development. As it is on the east side of Canyon Road, it falls under the Wildland Urban Interface (“WUI”) Area, which has certain requirements that the City must meet, particularly in terms of slopes of driveways. Currently, driveway slopes under the Fire Code are only allowed to be up to 10%, however, in the WUI, they can be up to 12%. This is important in emergencies if the roads are icy. It was requested that the developer follow the WUI requirements.

Several concerns were raised regarding the storm drain at the recent Planning Commission Meeting. Currently, the site has a natural hillside drainage swale that comes through the

northernmost portion of Lot 10 and wraps around where the road is and then enters the City's storm drain system. The determination needs to be made as to whether the City is planning for adequate capacity for off-site drainage for the 100-year flood requirements per City standards. The matter was currently under review with the City Engineer. The City needs to ensure that whatever storm drain system is in place takes into account new impervious surfaces that are added to the project and that the water can be accommodated within the project.

With regard to a speed bump, Mr. Goodwin had no objection to it but stated that it must meet City specifications.

A question was raised regarding the crossing of Bayhill Drive at Canyon Road. Mr. Goodwin stated that the City does not control Canyon Road as it is a County road. When there is an actual traffic issue warranting the discussion of a traffic light at the intersection they will address it with the County. The project will tie into existing utilities and Staff will ensure that is all done properly. Mr. Goodwin will need to look into the sidewalk completion issue and report back.

Mayor Andersen opened the public hearing.

Sheri Condie gave her address as 4221 West Oak Road North and asked for clarification of the open space designation where the Bonneville Shoreline Trail exists. She was unaware that there is a legal entity called the Bonneville Shoreline Trail to receive the dedication. She asked if the parcel would belong to Cedar Hills. She commented that there is a Bonneville Shoreline Trail Committee that helps municipalities work on their portion of the trail. They have entered into a Memorandum of Understanding ("MOU") to ensure that everyone is of the same understanding. The MOU specifies that the trail is for non-motorized use only, so keeping it unpaved would be a good way to discourage motorized bikes. A central and convenient access point to the Bonneville Shoreline Trail had been lost with this project. For decades, the community has used the uphill trails to enjoy hiking in the foothills. Ms. Condie asked if there should be some sort of Impact Fee for the loss of this recreational resource. She also mentioned her concern with children crossing Canyon Road to get to the park and the ball field. She asked if the developer would work with the County and the City to install a crosswalk at the intersection. She was concerned that buildings and walls going up on the mountainside will distract from the beauty of the City. She also had concerns about the number of sump pumps that will be required and asked if they should be monitored by GSH Geotechnical Consultants.

Dan Wilson gave his address as 10040 North Lakeshore Drive and stated that when he developed the Lakeshore Subdivision he worked with the City to create a trailhead to allow people to access the Bonneville Shoreline Trail off of Lakeshore Drive. It was paved at that time and connects to the trail behind the City building. The City considered continuing the trail to Timp Cove Park and he wondered which trail it would follow. His preference was that it follow the flatter trail and that it be paved.

John Ahlander gave his address as 3840 West Mountaintop Circle and he asked what the open space designation means for the City.

Emily Morris gave her address as 4252 West Sumac Court and stated that the access to the trails is of concern because it feels intrusive to park in someone's neighborhood. It would be nice to have a place designated as a trailhead with plenty of parking. She also stated that she would like to see the trails remain unpaved.

Jesse Mecham gave his address as 10057 North Lakeshore Drive and stated that the trail access is underutilized. There is a parking lot on Bayhill Drive at the trailhead and occasionally there is a car there, but it is usually someone accessing the park. There is a restroom and approximately 10 parking spaces. He stated that it is a great place to enter the trail.

There were no further public comments. Mayor Andersen closed the public hearing.

Mr. Goodwin stated that there are designated trails that are recognized by the U.S. Forest Service and the City and there are other trails that have been created over the years. The Bonneville Shoreline Trail is recognized by several organizations including the City of Cedar Hills. What currently serves as the trailhead off of Cedar Hills Drive is not a recognized trailhead. The previous owner of the property placed temporary barriers to keep people from accessing the trail through the property. The City recognizes the need and desire of the residents to preserve and enhance the trails system, so this topic is worthy of further discussion.

Impact fees must be tied to a City service and a study needs to be conducted that will establish the Impact Fee. The City is currently working with Zions Corporation Finance on an Impact Fee Study for transportation and culinary water systems. There is not an Impact Fee for the trail systems and establishing one now is not feasible as the City is 95% built out. There are Recreational Impact Fees, but they are tied to qualified City expenditures that have been made or are projected to be made. In this case, the City has not spent any money on a project at this location, however, there is a need for further discussion on the topic. Mr. Goodwin was in favor of a crosswalk on Canyon Road and will pursue it with the County.

It was noted that the vertical heights of the buildings were out of the City's control. The City has maintained that it does not protect viewsheds. It recognizes that a development like this one will have an impact on views. Building heights are measured from the highest grade on the front of the property up to 35 feet.

In response to comments regarding the trail access, Mr. Goodwin stated that there are several recognized trailhead access points with plenty of parking, including a new trailhead the City will be constructing and putting in at Heisets Hollow Park.

Mr. Goodwin explained what it means to deed open space and stated that with slopes like the ones on the subject property, it will remain as-is. It is a measurement to preserve what currently exists. The topic also came up during the surveys and many were interested in maintaining open spaces and keeping a natural, undeveloped portion of the City intact. The City owns a significant amount of land on the hillside as a result of deeded property and they have done nothing to disturb the area. They also do not perform weed abatement in these areas. While there are currently no plans to do anything with the property, it does not preclude the City from establishing open space or a park.

Mr. Goodwin explained that when an application is filed, it must adhere to the existing City Code at the time of filing. Changing the Code during the process becomes problematic; however, asking for a speed bump as a condition of approval is within the jurisdiction of the City Council.

MOTION: Council Member Geddes moved to APPROVE the Preliminary Plan for the Lakeshore II Subdivision, subject to the following conditions:

- 1. Final Engineering approval.**
- 2. Final Zoning approval.**
- 3. Engineering review.**
- 4. Approval of the storm drain system.**
- 5. Installation of a speed bump, as requested.**

Council Member Ellison seconded the motion. Vote on motion: Council Member Ellison-Aye, Council Member Geddes-Aye, Council Member Smith-Aye. The motion passed unanimously.

7. Review/Action on a Resolution Authorizing the Mayor to Execute an Agreement with Timpanogos Special Service District.

Mr. Goodwin reported that the Timpanogos Special Service District (“TSSD”) is the wastewater treatment plant located near Utah Lake. He noted that they discharge into Utah Lake. They currently process approximately 20 million gallons per day. With the growth in the area, they expect to expand the capacity to nearly 40 million gallons per day over the next 10 years. TSSD cleans the sewer lines in the event of an emergency. The City is responsible for the repair and maintenance of the pipes. TSSD does not carry liability for damage resulting from the proper cleaning of the sewer lines and the City strives to maintain the lines in accordance with TSSD provisions. The City is responsible for the construction and upsizing of the lines.

Years ago, the City paid American Fork City to upsize its lines so the City could buy capacity through American Fork into the TSSD system. The issue raised during the Work Session was that the agreement specifies that the collection system is a protected record. While the City recognizes that it is a protected record, some entities need access to it, such as developers. Therefore, revising the wording in the contract with TSSD would be prudent so that the City remains in compliance with the contract while accommodating developers.

MOTION: Council Member Ellison moved to APPROVE Resolution 03-01-2022A, Adopting the 2022 Amended and Restated Sewer Treatment Services Contract and Collection Maintenance Agreement between the City of Cedar Hills and Timpanogos Special Service District, subject to modification of Section 403. Council Member Smith seconded

the motion. Vote on motion: Council Member Ellison-Aye, Council Member Geddes-Aye, Council Member Smith-Aye. The motion passed unanimously.

8. Discussion on Fiscal Year 2022-2023 Budget.

Finance Director, Charl Louw presented the proposed budget and stated that one of the key focal points in the City is the roundabouts. The upper roundabout at Bayhill Drive is a project that the Beautification Committee will focus on going forward. This project can also serve as a template for future projects as they exchange grass for other drought-resistant vegetation. As this is a small project, the Landscape Architects that the City has used in the past were not interested in submitting a bid. PKJ Design Group was the firm chosen to do the work. An initial cost of \$2,200 for the Design and Irrigation Plan was approved.

There are easements that go through the center of the roundabout, which present challenges. The direction that the City gave the Architect was to cluster drought-resistant plants in the center and then add crushed rock with scattered plants in the perimeter. The ultimate goal was for it to be attractive and require little maintenance. \$40,000 was included in the Preliminary Budget for improvements and was a placeholder to allow work to begin on the project.

Mr. Louw reported that Heritage Park is an ongoing project. The parking lot and new fencing on the west side of the basketball court are already under contract. The Architectural Coalition is working on a design for a new eight-foot bridge. G Brown Design was contracted to do the overall landscape and site layout. The City contracted with Earthscape Play for the playground design and the large pavilion. Work was to begin on April 1. The Architectural Coalition presented a basic eight-foot-wide bridge concept that will replace the existing bridge and be constructed of composite decking with piers.

Western Timber Frame has been working on concepts for a structure over the stage to match the new pavilion. Mayor Andersen asked if the shell will be for aesthetic purposes or if it will be functional. Mr. Louw stated that it will be both. A lighting system could be installed to protect the stage and the performers. It would be functional to use as a backdrop, décor, and electrical in lieu of using the surrounding trees as has been done in the past.

Mr. Louw stated that he would have pictures of the paths, trees, and shade structures around the playground area. A question was raised regarding the swinging log and if that had been ordered. Mr. Louw confirmed that it had been ordered. Existing paths will remain as they are, and new paths will be concrete or crushed granite. Mayor Andersen asked about the bids for the separate items in the park such as bathrooms and pavilions. Mr. Louw responded that it could work in different ways. The parking lot will be the biggest item followed by bathrooms and other items that may come in as part of the landscaping contract. Mayor Andersen preferred to receive bids on the individual items.

Mr. Louw reported that \$100,000 was set aside for building improvements including the Public Safety Building and the Community Center renovation.

Mr. Louw stated that the golf course has been around for about 20 years and when it first opened, it had over 40 sand traps. It currently has approximately 20. Many of the traps have been grassed over and need to be blended into the landscape better. Other minor refinements need to be made so that the course functions at an optimal level.

The building for the short course was discussed. Mr. Louw displayed renderings of possible alternatives. Mayor Andersen wanted to spend as little as possible but have something that looks nice. There was discussion regarding the shed and the potential contractor that may do the building.

The Motor Pool Fund showed the last three vehicles that were purchased for the City and the monthly cost for each. The City's policy was to keep vehicles for three years. In return they get a fleet price and do not pay taxes. Currently, it is very difficult to purchase vehicles, so some of the vehicles will wait until the summer before being replaced. Mayor Andersen thanked Mr. Louw for his efforts.

9. Motion to Go Into Closed Session Pursuant to Utah State Code 52-4-205(1)(c) to Discuss Pending or Reasonably Imminent Litigation.

MOTION: Council Member Geddes moved to go into Closed Session Pursuant to Utah State Code 52-4-205(1)(c) to discuss pending or reasonably imminent litigation. Council Member Smith seconded the motion. Vote on motion: Council Member Ellison-Aye, Council Member Geddes-Aye, Council Member Smith-Aye. The motion passed unanimously.

The City Council was in Closed Session from 8:50 p.m. to 9:09 p.m.

10. Motion to Adjourn Closed Session and Reconvene Council Meeting.

MOTION: Council Member Smith moved to adjourn the Closed Session and reconvene the City Council Meeting. Council Member Geddes seconded the motion. Vote on motion: Council Member Ellison-Aye, Council Member Geddes-Aye, Council Member Smith-Aye. The motion passed unanimously.

ADJOURNMENT

11. Adjourn.

MOTION: Council Member Smith moved to adjourn. Council Member Geddes seconded the motion. The motion passed with the unanimous consent of the Council.

This meeting adjourned at 9:12 p.m.

Approved by Council:
April 12, 2022

/s/ Colleen A. Mulvey, MMC
City Recorder