

**CITY COUNCIL MEETING MINUTES OF THE  
CITY OF CEDAR HILLS  
Tuesday, February 20, 2024 – 6:00 p.m.  
Community Recreation Center  
10640 North Clubhouse Drive, Cedar Hills, Utah**

**Present:** Mayor Denise Andersen, Presiding  
Council Member Mike Geddes  
Council Member Bob Morgan  
Council Member Kelly Smith

**Absent/Excused:** Council Member Laura Ellison

**Staff:** Chandler Goodwin, City Manager  
Charl Louw, Finance Director  
Greg Gordon, Recreation Director  
Kevin Anderson, Public Works Director  
Hyrum Bosserman, City Attorney  
Colleen Mulvey, City Recorder  
Lieutenant Kevin Doyle

**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 6:00 p.m. by Mayor Andersen.

The Pledge of Allegiance was led by Council Member Morgan.

The Invocation was offered by Mayor Andersen.

**2. Approval of Meeting Agenda.**

**MOTION: Council Member Smith moved to APPROVE the Meeting Agenda. Council Member Morgan seconded the motion. Vote on Motion: Council Member Ellison-Absent, Council Member Geddes-Yes, Council Member Morgan-Yes, Council Member Smith-Yes. The motion passed unanimously.**

**3. Public Comment.**

Mayor Andersen opened the public comment period. She explained that residents are welcome to share comments about any item on the agenda or anything that is not on the agenda. The presentations for the agenda items will occur after the public comment period. She clarified that Item 7 on the agenda is a discussion item and there will not be a vote taken on it during the meeting.

*Don Simons* gave his address as 3817 West Valley View Drive. He has enjoyed living in Cedar Hills over the years as it is a quiet community. His concern with what is contemplated in Item 7 is that it could be a steppingstone to a road. Appropriate fire access could easily be turned into a public road after the fact. He felt ingress and egress should remain in Pleasant Grove, as the access could overwhelm the street he lives on. It does not make sense to allow more vehicles there. Mr. Simons believed that allowing for an access will create more congestion and issues in the area.

*Marty Southworth* gave her address as 3805 West Valley View Drive. She explained that her home is located where the access would be. It was proposed to be between her property and the property of Logan Jones. Ms. Southworth reported that she has a letter from Mr. Jones, as his health did not permit him to attend the meeting. She asked to submit that letter as part of the record. Ms. Southworth informed the Council that there is a lot of congestion on Canyon Road and Valley View Drive due to the I Am Recovery facility. There are 18 people, including staff, who live and work there. In addition, there are multiple classes held throughout the day and night. Vehicles are constantly coming and going in that area. Adding to that is not a logical or safe solution.

*Dawn Wright* gave her address as 9425 North 3830 West. She explained that she and her husband live three houses away from the proposed new entrance from the school to Valley View Drive. They attended a meeting in Pleasant Grove last month when the matter was discussed. At that meeting, comments were heard from neighbors on the other side of the school, who stated that the traffic from the school made it difficult to access their driveways. Ms. Wright pointed out that when those residents purchased their homes, there was already an entrance to the school and a park. Both of those uses are known to bring additional traffic. It seems like this is a “not in my backyard” situation and there is a desire to push their existing traffic issues to another area. Ms. Wright explained that when her husband tried to speak at the Pleasant Grove meeting, he was told to sit down, because they did not live close enough to be impacted by the road and traffic.

On the corner of North County Road and Valley View Drive, there is the I Am Recover facility. The subdivision had no say about the addition of that facility in an area with family homes. However, residents were assured that there would never be more than six vehicles at the facility at any one time. She reported that there are at least that many vehicles from the facility parked on Valley View Drive between the new road entrance that is proposed and the corner of North County Road most days. Valley View Drive has already become a shortcut between North County Road and North 900 West. There are accidents caused by people speeding and not paying attention. School bus stops also take place on Valley View Drive. She asked the Council to consider the proposal carefully and think about safety. She reiterated her opposition to the access.

*Gerri Clements* gave her address as 3907 West Valley View Drive. She expressed appreciation that the City Council was willing to listen to residents who live in the area and are directly impacted by the proposal to open an emergency access. On her way to the meeting, Ms. Clements counted 17 vehicles on Valley View Drive and six vehicles in the parking spaces at I Am Recovery. That is a regular occurrence. Opening an emergency access will create an area where children will be picked up by parents who do not want to wait in a long line of vehicles. The access proposed could shift the traffic and lines of waiting vehicles into the neighborhood. With the I Am Recovery center and the Lincoln Academy traffic that comes through, it is already problematic. Ms. Clements asked the Council not to allow the emergency access to be opened.

*David Driggs* gave his address as 9645 North 3940 West Valley View Drive. He read the Development Agreement that was crafted before Canyon Grove Academy became owners and was shocked by how it was crafted. If a road went to Valley View Drive, that became the main road to the school and the existing road would shut down. Mr. Driggs reported that Pleasant Grove has the power to shut down the existing road and then Cedar Hills would have all of the school traffic. Mr. Driggs asked about the traffic studies that have been conducted. It is not the role of Cedar Hills to make an existing contract complete or fulfil a contract the City was never a party to.

*Nick Johnson* gave his address as 9448 North 3900 West. He noted that the actual agenda item talks about improving access from Valley View Drive to Canyon Grove Academy. It also talks about serving as a trail access to the Murdock Canal Trail and the Manila Creek Pond. There is also talk about pedestrian access. He pointed out that these are Pleasant Grove issues. He does not see them as being relevant to Cedar Hills. He agreed with the other comments shared.

*Jenney Rees* gave her address as 9466 North 3830 West. She thanked the Council, Mayor, and City Staff for serving the community and being willing to hear resident concerns. This was not the first time a similar request has come to the City. In the past, Cedar Hills has always been very opposed to the connection between Canyon Grove Academy and Valley View Drive. As previously mentioned, the property is in Pleasant Grove, and when they discussed different options, Cedar Hills was not a party to that, nor did Cedar Hills agree to any access from Canyon Grove Academy onto Valley View Drive. To expect Cedar Hills to solve a Pleasant Grove problem is unrealistic. As for the change to potentially make this an emergency access point, she agrees with others that it will open the door to make this a permanent road in the future.

Ms. Rees has heard discussion that there may be a request for a pedestrian access trail. If that is a desire that the school has, she believes the school can work with the current property owners to locate another strip of land for that purpose without it being on Valley View Drive. She is under the impression that the school has been working with Pleasant Grove on a variance. That is something she encouraged them to continue looking into. Ms. Rees reported that there is a lot of additional traffic created by the I Am Recovery facility. She does not want an access point to create further traffic problems in the neighborhood and reiterated her opposition to the proposal.

*Diane and Jim Godfrey* gave their address as 3867 West Valley View Drive. Their home is a few houses down from where the proposed access would be located. Mr. Godfrey explained that they are opposed to a road or an access point in that area. There has been a lot of mention of the traffic caused by the I Am Recovery facility. Mr. Godfrey stated that there is not a lot of area between the proposed access and Canyon Road. His concern is that if there are parents picking up their children there, the vehicles will back up onto Canyon Road as well. In terms of emergency access, there are concerns about pedestrian safety on the Murdock Canal Trail due to limited visibility.

*Brian Gibb* gave his address as 9463 North 3900 West. He explained that residents have been dealing with traffic on Valley View Drive for many years. Due to the easy access and wide road, Valley View Drive is used as a thoroughfare from Canyon Road to 4000 West. People come through that road at high speed. Adding more traffic to that area would be unfair to residents.

There were no further public comments. The public comment period was closed.

### **CONSENT AGENDA**

4. **Approval of the Minutes from the February 6, 2024, City Council Meeting.**
5. **Approval of Resolution No. 02-20-2024A, Appointments to the Planning Commission.**

**MOTION: Council Member Geddes moved to APPROVE the Consent Agenda. Council Member Smith seconded the motion. Vote on Motion: Council Member Ellison-Absent, Council Member Geddes-Yes, Council Member Morgan-Yes, Council Member Smith-Yes. The motion passed unanimously.**

Mayor Andersen reported that Robert Wallace has been appointed to serve as an Alternate on the Planning Commission.

### **CITY REPORTS AND BUSINESS**

6. **Mayor and Council, City Manager and Staff.**

City Manager, Chandler Goodwin, reported that design work has begun on the 4000 North/Harvey Boulevard rehabilitation project that was funded through the Mountainland Association of Governments (“MAG”) Transportation Improvement Program (“TIP”). Details will be made available as soon as possible. There will be outreach to impacted residents. As the project design nears completion, the City will hold an open house for those residents so there is full transparency. 93% of the funds come from TIP and the remainder is split between Cedar Hills and Pleasant Grove. The idea of the project is to rehabilitate that road so there is new asphalt as well as curb, gutter, and sidewalk on both sides. This will create a safe pathway for students to reach schools.

Cedar Hills will be participating in the Utah State Well Being Survey. A 10-minute survey will go out to residents who are 18 years of age and older. Mr. Goodwin reported that City Staff will be doing a service project on April 5, 2024, from 10:00 a.m. to 12:00 p.m. to clean up the trail and ditch areas. The idea is to give back to the community. Mr. Goodwin shared information about the mobile app. He encouraged residents to download that app to stay informed about the City.

Council Member Morgan believed that in the last couple of weeks, Legislators have gotten it wrong. There should not be any cyberbullying and it should not be possible for elected officials to belittle others, especially marginalized groups. He stressed the importance of reaching out to the Legislature. Council Member Morgan also referenced two concerning mining bills, Senate Bill (“S.B.”) 172 and House Bill (“H.B.”) 502. There are some unintended consequences of those bills that need to be considered.

Council Member Smith appreciated all of the residents who came out to attend the City Council Meeting. Cedar Hills is a member of the Utah League of Cities and Towns (“ULCT”), and Council Member Morgan carefully pays attention to what is happening there. She encouraged residents to

reach out to Legislators. Many of the bills currently impact local authority. The City believes that most decisions should be made at a local level rather than a State level.

Mayor Andersen shared additional information about MAG. MAG is the metropolitan planning organization that helps to share the State and Federal funds for road projects. All of the mayors in Wasatch, Summit, and Utah County sit on MAG and decide where the funds are spent. This project has been needed for a long time. If the road is widened and curb and gutter is put in, this will alleviate some of the existing traffic on Valley View Drive, because it makes a better thoroughfare.

Recreation Director, Greg Gordon, reported that Jr Jazz will finish soon. There is one week left and then the playoffs start. It has been a momentous year for the program. Mr. Gordon noted that the ski bus has started. It has been a success so far. He informed the Council that touch ups on paint will be done in the Vista Room. The golf course will open on March 4, 2024, depending on the weather. He added that the new golf carts previously approved will arrive in April or May.

Public Works Director, Kevin Anderson, reported that the rock work is done on the new sign for Heritage Park. The park is coming together, and everything is still on schedule. He explained that the water meters are still going in and the contractor is working on the irrigation meters.

## **SCHEDULED ITEMS AND PUBLIC HEARINGS**

### **7. Discussion on Canyon Grove Academy Access.**

Mr. Goodwin shared information about the proposed Canyon Grove Academy access. He explained that it is important to consider what role Cedar Hills has regarding this issue. From there, it is possible to think about what determination the City should make. Background information was reviewed. In 2009, the Development Agreement between Canyon Grove Academy, originally Quail Run, and Pleasant Grove was entered into. Under that Development Agreement, the developers are required to provide certain access points and easements to the school. It also states that Lot 1, which is the lot that the school is on, is to have two accesses. Both of the accesses are identified as temporary accesses. The Development Agreement stated that a permanent main access is to be constructed east of Quail Run and connect to Valley View Drive. The main temporary access from the south will revert to a secondary access. The secondary emergency vehicle access would end, and the new main access would be on Valley View Drive.

The developer responsibilities in the Development Agreement state that there is a commitment to install a roadway north across Murdock Canal to Valley View Drive. Once that connection is made, a temporary secondary access across Parcel A would be abandoned. Mr. Goodwin stated that the agreement runs with the land and is binding to all successors. He discussed the number of third parties the agreement relies on. There are many third parties who are not subject to the Development Agreement, but the agreement relies on their adherence. In conjunction with the Development Agreement, a temporary easement for emergency access was entered into between the developers of Quail Run and Robert Schow. That easement was granted and states that it should be terminated at a time that there is legal access to the Quail Run property via Valley View Drive, when the Murdock Canal is enclosed, and the street improvements are completed. The improvements have not been made and the temporary easement is still in place 15 years later.

In March 2022, there was a meeting with representatives from Canyon Grove Academy. Mr. Goodwin shared some of the City concerns at that time. His understanding is that there are a few spots that are steep, but a slope analysis was conducted and determined that it is possible to put in a road. A traffic study was mentioned during the public comment period, but the only traffic study he has seen was the one done prior to the construction of the school. It was based on assumptions of what that school would look like. Mr. Goodwin pointed out that the dynamic of schools have changed, especially for charter and private schools, because a lot is done online now. In the traffic study, it was identified that the level of service on the intersection to Valley View Drive would drop to a Level C. According to City Code, which is an unacceptable drop in standards. At that time, the City denied the request for access to the school from Valley View Drive. That has been the position of the City Council since 2009 when the Development Agreement was entered into.

In March 2023, Mr. Schow approached Cedar Hills to consider allowing Valley View Drive to become the new secondary access. Mr. Goodwin met with the Pleasant Grove City Administrator, Scott Darrington, and it was discussed as a possible alternative. However, the main concern was how to keep the access to Valley View Drive as emergency vehicle access only. There is not a desire to shift traffic patterns north, as intended by the original Development Agreement. Many of the concerns shared by residents in that neighborhood during the public comment period highlight the fear that emergency vehicle access will eventually turn into a primary access.

There were conversations between Cedar Hills and Pleasant Grove, but no proposal was ultimately drafted or discussed with the City Councils. On December 7, there was a Variance Hearing. Canyon Grove Academy applied for a variance in Pleasant Grove and asked that a variance be granted to Pleasant Grove City Code 11-3-5. He read that section of code to the Council:

- Second Access: A second access shall be required if a street with a single means of ingress and egress, and having a turnaround, exceeds a maximum average daily trip ("ADT") level of two hundred fifty (250). ADT studies shall be approved by the City Engineer.

Mr. Goodwin believed the variance request was to avoid the requirement for that second access. He next read from the variance request, which stated that Quail Run Primary School Foundation, operating as Canyon Grove Academy, presently accesses the school through a private lane extending to the south. The access was originally intended to be a second access and is built to that standard. Presently, no primary access exists, because the originally intended primary access is presently unattainable. As a result, a variance request was made for the installation of a secondary access after the planned primary access was complete since the planned primary access is not reasonably feasible. Mr. Goodwin reported that he attended the Variance Hearing and stated the position of Cedar Hills, which has been the same throughout the development. He explained that the variance decision has not been made at this time, so that decision is still unknown.

Mr. Goodwin reviewed some of the issues associated with the access. Pleasant Grove and Quail Run entered into a Development Agreement that relied on the willingness of third parties to comply. Cedar Hills has continually had the stance that a connection to Valley View Drive will push school related traffic into Cedar Hills neighborhoods as opposed to Pleasant Grove neighborhoods. No new traffic study has been submitted and there is no evidence that Cedar Hills

students are attending the school. The school is unable to comply with the provisions of their Development Agreement. Mr. Goodwin explained that the request from Mr. Schow is to end the temporary emergency access easement on his property and put a permanent secondary access to the north onto Valley View Drive. The access would only be accessible to emergency vehicles for through traffic. However, the concerns raised during the public comment period were valid.

Council Member Geddes believed the position of the City has been explained well. He asked to hear from the impacted parties. Mr. Schow gave his address as 3548 North 900 West in Pleasant Grove. Exhibit A of the Development Agreement was shared. He explained that there was previously an approved subdivision and construction had started there. The developer ran into financial difficulties and the development went into default. The Flinders' property was then returned to them. In the Development Agreement, the main access was intended to be 530 West, which would then go down 3300 North. The date on the Preliminary Plat was October 2009.

Mr. Schow explained that the proposal was to put in a 24-foot-wide roadway and then the access through his property would be eliminated. The proposal is now to increase the 24-foot access to a 32-foot access, but a secondary access is needed, unless the variance is approved. Mr. Schow wanted the agreement to be enforced. He shared information about the area in question. He noted that it is possible for the school to dedicate the ground from Valley View Drive to the Murdock Trail to the City of Cedar Hills. Mr. Schow discussed the advantages of having the road put in to Valley View Drive. There would be more unity in the neighborhood with a common trail system. If the variance is granted to the school, it will not be possible to build out that trail system.

Council Member Geddes asked who owned Lot 1. Mr. Schow explained that the land was bought from him. Specifically, raw farm ground was purchased from him. Council Member Geddes pointed out that Mr. Schow had benefited from the sale. Mr. Schow confirmed this but noted that the Murdock Canal was open at that time and a plan was in place to close the Murdock Canal. The developer went to the City and asked permission to not build any of that roadway structure there, because the cost of crossing the open canal was \$350,000. It was stated that the work would be done after the enclosure. He asked that the two communities work together to address the existing issues. He believed this is a way to bring the neighborhoods together and create more unity.

Mayor Andersen noted that Mr. Schow maintains the secondary access. She wondered whether he receives compensation for having that road on his property. This was denied. Council Member Geddes pointed out that in order for Mr. Schow to collect money for the sale of the property, there needed to be an easement in place. Mr. Schow denied this. He reiterated that a road was already under construction and there was access down to 3300 North. The school approached him and asked for a temporary access until the canal work was done, which he agreed to free of charge. He has maintained that access for 14 years, but it was not part of the compensation for the land sale. The contract stated that they had one year from the enclosure of the canal to put the secondary access in, which has not occurred. His temporary access was supposed to be relieved at that time. Council Member Geddes asked when the property was sold. Mr. Schow stated that it was 2009.

David Mortensen explained that he is the attorney representing Canyon Grove Academy. He expressed his appreciation for the time taken by the Council to discuss this matter. He apologized that Cedar Hills has been brought into a civic dispute between two parties. Canyon Grove

Academy is currently in a lawsuit with Mr. Schow and is also dealing with the variance request. Cedar Hills has unfortunately been brought into that. Mr. Mortensen explained that when Mr. Schow sold the property to the developer approximately 15 years ago, in order to close, he agreed at the time to give the school a temporary easement that went across to the west. He agreed to that easement and agreed that the easement would not terminate until certain things happened. Mr. Schow then accepted the risk that some of those things might not happen. For instance, that the road would not be completed or that some individuals would not sell properties. Now, it seems he is trying to force Cedar Hills and its residents to bear the brunt of the decision he made in the past.

The school has requested a variance, because it wants to avoid building a public road to Valley View Drive. Mr. Mortensen explained that in the variance proceedings, the argument was made that it is not possible to obtain the access. However, according to Mr. Schow, the access is something that Cedar Hills will likely allow. The arguments made by Mr. Schow are inconsistent. Ultimately, it is Mr. Schow who benefited from the sale of the land. There was a risk that the private property owners and Cedar Hills would not agree to the access road. Canyon Grove Academy has requested a variance in order to address the issue. Mr. Schow wants to switch the burden of the emergency access easement from his property to Cedar Hills and the individuals there. He requested that Cedar Hills carefully consider the comments shared by residents.

Council Member Geddes did not know all of the details previously, but this information solidified his position. He was not supportive of allowing the access. Council Member Smith asked about the number of students at the school. Mr. Mortensen was not certain but explained that the COVID-19 pandemic changed things significantly. This is not an everyday school, but a hybrid school, where students come sometimes, but not every day. Canyon Grove Academy representative, Kim Coates, reported that there are 700 students enrolled in the school. That being said, it is a hybrid school and students are not attending every day. Council Member Smith asked about the maximum number of students in the building. Ms. Coates was not certain of the exact number, but explained that the school was never at capacity. There are 120 students who are there all day every day and 70 who are bused in, so there are approximately 200 students there per day.

Council Member Smith discussed the trail. She noted that there has been some frustration about not being able to access the trail from the school property. While she liked the idea of connecting communities, that is not something that has been done through the school property yet. If the road were to go in, she wanted to understand who would be responsible to maintain that. Mr. Goodwin was not certain. It would need to be cleared in the event of a snowstorm. Given that it would be half in Cedar Hills and half in Pleasant Grove, he was not certain who would be responsible.

Mayor Andersen wanted to know who would pay for the road if it was approved. Mr. Goodwin explained that it would not be Cedar Hills, because the City is not part of the Development Agreement. Mayor Andersen noted that if the burden is shared by the school, it is a huge financial obligation. Mr. Mortensen stated that this was part of the reason for the variance request.

Council Member Smith wondered whether students currently walk through the temporary access. This was denied because there is a crash gate there. Council Member Smith asked why the school does not have access to the trail. Mr. Mortensen believed the school was encouraged to put a fence



there in order to provide safety and security for the children. That is not likely to change as there is a desire to protect children from harm. Council Member Morgan believed there is a lot of benefit for Mr. Schow if what is proposed moves ahead, but there is not for residents.

Council Member Smith reported that there was a written comment submitted ahead of the meeting from David and Taralee Jackman. Their comment echoed what has already been heard at the City Council Meeting. Both are against the access due to traffic concerns in the neighborhood.

Mayor Andersen stated that Council Member Ellison was unable to attend the City Council Meeting. However, she sent an email and asked that it be read into the record. Council Member Ellison is opposed to the use of Valley View Drive to access Canyon Grove Academy. There is no advantage for Cedar Hills or Cedar Hills residents to allow this. She does not believe this is a Cedar Hills issue and asked that Mr. Schow work with Pleasant Grove to reach a solution.

Mayor Andersen shared additional comments about the proposal. She understood the idea of connecting the two neighborhoods, but there are concerns about the amount of traffic. There is already a lot of traffic on Valley View Drive with the I Am Recovery facility. She apologized for what was happening in that neighborhood, because that was not at all what was anticipated. As a result of the current conditions, she does not want to do anything else there that will increase traffic. If a road went through and connected to Valley View Drive, parents would likely line up there until their child took the trail and met them at their vehicle. The access road would increase traffic in the neighborhood. In addition, she was concerned about creating another area where there was potential traffic that could go over the Murdock Canal Trail. Safety in that area is essential.

Mr. Goodwin discussed the I Am Recovery facility. The City is working with the owner and the hope is that the amount of traffic will be reduced on the street. He is aware of the existing issues and there is a desire to address them, while being sensitive to the needs of all involved. People are allowed to park on the street, but the facility is having a significant impact on the neighborhood.

Mayor Andersen stated that the City has the authority to prohibit access from Valley View Drive. It is her opinion that the access should be prohibited. Council Member Smith said this is an unfortunate situation for many involved, but she does not think this is a situation for Cedar Hills to address.

The City Council took a short break from 7:35 p.m. to 7:43 p.m.

## **8. Review/Action on Awarding the Bid for the Harvey Wellhouse Project.**

Mr. Goodwin presented the Staff Report and explained that Cedar Hills issued a request for proposal ("RFP") to obtain proposals from companies interested in providing services for the Harvey Wellhouse project. The intention is to get the wellhouse running. Mr. Goodwin reported that previously, due to some supply chain issues, the expected timelines did not match with what the bidders suggested as a feasible timeline. A new proposal was submitted with a new timeline, now that there was a better understanding of the supply chain issues. The project entails rehabilitation of the building itself as well as generator, concrete pad, and electrical work inside.

Four bids were received. Mr. Goodwin referenced the Excel sheet that includes the bid information. It has the total bid prices and the proposed timeframes. Those factors were considered in the decision making process. He appreciated that Mr. Louw and Mr. Anderson took time to contact references and determine who came highly recommended. City Staff is suggesting that the City choose VanCon. The bid is \$1,332,500, but their timeline is the most accelerated and VanCon has the best references. Mr. Goodwin reviewed the evaluator scores. VanCon was the highest ranked by all four evaluators.

Mr. Louw reported that the City went out to bid before and the second lowest bid last time was \$1.2 million. There was a shift to an RFP, which make it possible to ask for things besides price. He noted that the lowest bid received also had the longest timeframe. Mr. Louw explained that the VanCon proposal was the most professional. The company has a lot of experience in the area as well. Mr. Goodwin agreed that the VanCon proposal was the most professional. Given their experience, it is clear that there is an understanding of what the project work will actually entail.

Council Member Geddes discussed change orders and asked about the electric proposal. There is a significant difference between what was proposed by VanCon and the other bidders. Mr. Louw stated that their two largest fees are management fees and the electrical system costs. It is still possible to discuss the number with VanCon, but there is no guarantee they will lower the price. Mr. Anderson confirmed that he will speak to VanCon about some of the costs. Mr. Goodwin noted that it is possible to award the RFP, contingent on further discussing the electrical costs. It is possible to award everything but the electrical and state that the electrical portion is still under negotiation.

Council Member Smith had some concerns about the timeframe. Mr. Louw explained that with the competition, the scores would be lower the longer the timeframe was. He shared information about the penalties related to the timeline. The intention is to incentivize the work to move ahead quickly and correctly. Hansen, Allen, and Luce will be on site to monitor. They will ensure that what was designed is being installed. Council Member Smith asked about the additional \$18,000 for a metal roofing system. That seems standard, so she wants to know about the difference in cost. She also wanted to know if there is anything the City is asking for that can be compromised on. Mr. Louw explained that the only thing he could think of was the discharge piping. Additional discussions were had about the timeline and the work that was proposed. Mr. Anderson noted that there is some water banked, but the timeline is still an important factor to focus on. Council Members asked whether it is possible to allow City Staff to negotiate. This was confirmed.

**MOTION: Council Member Smith moved to APPROVE awarding the bid for the completion of the Harvey Wellhouse to VanCon, for the amount up to \$1,332,500, subject to the following condition:**

- 1. Staff shall negotiate the above stated items and try to get the amount to \$1.2 million.**

**Council Member Geddes seconded the motion. Vote on Motion: Council Member Ellison-Absent, Council Member Geddes-Yes, Council Member Morgan-Yes, Council Member Smith-Yes. The motion passed unanimously.**

**9. Discussion on Fiscal Year 2025 Budget.**

**MOTION: Council Member Geddes moved to AMEND the Meeting Agenda and TABLE Item #9. Council Member Smith seconded the motion. Vote on Motion: Council Member Ellison-Absent, Council Member Geddes-Yes, Council Member Morgan-Yes, Council Member Smith-Yes. The motion passed unanimously.**

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

**MOTION: Council Member Geddes moved to go into CLOSED SESSION Pursuant to Utah Code §52-4-205(1)(d) to discuss the purchase, exchange, or lease of real property. Council Member Morgan seconded the motion. Vote on Motion: Council Member Ellison-Absent, Council Member Geddes-Yes, Council Member Morgan-Yes, Council Member Smith-Yes. The motion passed unanimously.**

**11. Motion to Adjourn Closed Session and Reconvene Council Meeting.**

The City Council was in Closed Session from 8:11 p.m. to 8:26 p.m.

**MOTION: Council Member Geddes moved to ADJOURN the Closed Session and RECONVENE the Cedar Hills City Council Meeting. Council Member Smith seconded the motion. Vote on Motion: Council Member Ellison-Absent, Council Member Geddes-Yes, Council Member Morgan-Yes, Council Member Smith-Yes. The motion passed unanimously.**

**ADJOURNMENT**

**12. Adjourn.**

**MOTION: Council Member Geddes moved to ADJOURN the Cedar Hills City Council Meeting. Council Member Smith seconded the motion. Vote on Motion: Council Member Ellison-Absent, Council Member Geddes-Yes, Council Member Morgan-Yes, Council Member Smith-Yes. The motion passed unanimously.**

The City Council Meeting adjourned at 8:27 p.m.

Approved by Council:  
March 19, 2024.

/s/ Colleen A. Mulvey, MMC  
City Recorder