

**CITY COUNCIL MEETING MINUTES OF THE
CITY OF CEDAR HILLS
Tuesday, June 13, 2023 – 6:00 p.m.
Community Recreation Center
10640 North Clubhouse Drive, Cedar Hills, Utah**

Present: Mayor Denise Andersen, Presiding
Council Member Laura Ellison (arrived at 6:11 p.m.)
Council Member Mike Geddes (left at 6:55 p.m.)
Council Member Alexandra McEwen
Council Member Bob Morgan
Council Member Kelly Smith

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

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 6:07 p.m. by Mayor Andersen.

The Pledge of Allegiance was led by Council Member McEwen.

The Invocation was offered by Council Member Geddes.

2. Approval of Meeting Agenda.

Council Member Geddes informed those present that he would need to leave the meeting early.

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

3. Public Comment.

Mayor Andersen opened the public comment period.

Mark Nelson gave his address as 4075 West Eucalyptus Court. On behalf of numerous citizens, he wanted to thank everyone involved in the Family Festival. It was a wonderful event. There seemed to be a consensus that the drone show needed to continue every year moving forward.

Mayor Andersen noted that there were discussions about rescheduling the fireworks show. The actual date would depend on the wind conditions. She appreciated the comments about the drones.

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

CONSENT AGENDA

4. Approval of the Minutes from the May 16, 2023, City Council Meeting and the May 26, 2023, Special City Council Meeting.

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

CITY REPORTS AND BUSINESS

5. Mayor and Council, City Manager and Staff.

City Manager, Chandler Goodwin shared comments regarding the Family Festival. It was an amazing experience and he recognized Staff efforts. He also thanked the volunteers for their dedication. Mr. Goodwin reported that the fireworks were scheduled to take place on Saturday night but that was still dependent on the weather conditions at that time.

Council Member Morgan noted that someone complained that the tables were dirty at the Family Festival. He went over to clean them, but Council Member Smith was already taking care of the issue. He thanked her for making that effort. Council Member Morgan also thanked Recreation Director, Greg Gordon, for working hard to make sure the Family Festival was a success.

Council Member Ellison reported that the Youth City Council did a phenomenal job during the Family Festival. Pictures were sent to her as well as feedback about the event. There will be a year-end party for the Youth City Council. She noted that the Youth City Council applications were already posted online. Anyone interested in applying for next year was invited to do so.

Mayor Andersen praised the Youth City Council for their efforts at Family Festival. There were Rec Hour activities that the youth assisted at. Mayor Andersen noted that she and Mr. Goodwin met with a family whose son was hit by a golf ball in their backyard. The family wanted the City to place nets along their fence, but the Homeowners Association (“HOA”) does not allow them. She wanted to know if the Council would be willing to petition the Cedars HOA to change their Covenants, Conditions, and Restrictions (“CC&R”) and allow residents who live along the golf course to place netting in their backyard to protect their families from errant golf balls. There had been enough incidents that she felt this was something that should be allowed. The City has a fund that helps take care of broken windows and damage, but netting is also needed.

Mr. Goodwin clarified that the request was to allow residents to install private netting. It would be at the cost of the resident and not be covered by the City. Council Member McEwen was supportive of making the request to the HOA. Council Member Geddes supported the petition to the HOA. Council Member Smith noted that to change the CC&Rs, there would need to be a vote.

That means the homeowners would need to work to address the matter. The vote would be based on the percentage of the owners and not the percentage of votes submitted. Mr. Gordon noted that a meeting was scheduled for June 28, 2023, where it would be discussed. The management company was looking into options because there might be a way that a vote of the homeowners would not be needed. He pointed out that there would need to be some netting specifications written. Mayor Andersen believed that a letter from the City should be submitted to the HOA before the meeting takes place.

Council Member Smith reported that she attended a lot of the Family Festival events. All were amazing. She praised the Staff and volunteers for their efforts. Residents had been very supportive of the different events, even the new ones. Since she serves on the Flag Ceremony Committee, she wanted to recognize Tom Proctor, who did a lot of work related to the ceremony. Council Member Smith also thanked the Youth City Council for attending all of the events.

Council Member McEwen expressed gratitude for the Family Festival, and everyone involved. It was noted that the Beautification Committee was looking for new volunteers. There had been discussions on focusing more on the ongoing water conservation efforts. For instance, yards that are aesthetically pleasing also use native plants or conserve water in some way.

Council Member Geddes echoed the comments made about the Family Festival. He knew that a new season of planning was underway, and he wanted to let everyone know that he received a lot of comments from people about the location. Many residents wanted to keep it at Harvey Park because there is more room and better parking. It was something to be considered.

Lieutenant Josh Christensen reported that the first Youth Citizen Academy classes finished recently. It went well and there were approximately 10 participants. It was also the final week of Citizens Academy. There would be another held in the fall. As for Family Festival, everything went well on their end.

Recreation Director Greg Gordon asked that any Family Festival feedback be submitted. There will be a wrap-up meeting within the next few weeks. He thanked Rob Olson for going above and beyond. He dedicated a lot of time and effort to the festival. Mr. Gordon reported that the Recreation Summer Camps started earlier that week. Those camps had been moved to Harvey Park. The Slugger Golf Tournament kicked off the Family Festival the previous week and both days were sold out. The Rec Hour was a success as well. He reported that there are at least five events held in the Vista Room each week. As far as the location of the Family Festival, there might be a survey sent out to see what the majority of residents preferred. Mr. Gordon said that the drone show was well received, and some people preferred it to a fireworks show. Mr. Gordon reported that June 27, 2023, would be the soft opening for the short course. The cost was \$12 or \$10 for juniors and seniors.

Public Works Director, Kevin Anderson reported that the Harvey Well Project was going well. Most of the old screens have been removed which will increase the water flow. The pump testing should start within the next two weeks. He had been pushing for the work to be completed soon so that the well could be back in service. Mr. Anderson noted that work on the pressure zones would start in August and be done by October. Mr. Anderson shared information about the Pine Hollow playground.

SCHEDULED ITEMS AND PUBLIC HEARINGS

6. Review/Action and Public Hearing on Preliminary and Final Plan for Property Located at 9561 North Canyon Road in the R-1-15,000 Residential Zone.

Mr. Goodwin reported that the proposed subdivision would split the lot located at 9561 North Canyon Road into two buildable properties. The project was within the R-1-15,000 Zone so each lot was required to be at least 15,000 square feet in size. The proposed split would leave Lot 1 with 21,367 square feet and Lot 2 with 21,577 square feet. The proposed subdivision was found to meet the required setbacks and all utilities were available. There were limited public improvements required as part of the project. The existing structures would be removed. Mr. Goodwin reported that the lot meets the City requirements in 10-5-14 related to the distance from the centerline of Canyon Road.

The Planning Commission recommended Preliminary and Final Approval on May 23, 2023. One resident voiced concern at that meeting and purchased their property because they wanted to live near a horse property. Unfortunately, that was not the way property rights work in the State. Property owners have the right to subdivide their property when in compliance with the zoning requirements. The application was found to comply with the zoning. Mr. Goodwin identified a corner piece that the applicant was interested in purchasing from the City. That was something he would like to sell but not at the price proposed. Discussions will be ongoing. It was not critical to the development of the subdivision that it be sold in conjunction with approval. As a result, it did not need to be done in tandem, but it was something that could be considered.

Mayor Andersen opened the public hearing. There were no comments. The public hearing was closed.

MOTION: Council Member Geddes moved to APPROVE the Preliminary and Final Plans for the proposed Evans Lot Split, located at 9561 North Canyon Road in the R-1-15,000 Residential Zone. Council Member Smith seconded the motion. Vote on Motion: Council Member Ellison-Yes, Council Member Geddes-Yes, Council Member McEwen-Yes, Council Member Morgan-Yes, Council Member Smith-Yes. The motion passed unanimously.

7. Review/Action, and Public Hearing on a Resolution Adopting the Fiscal Year 2023 Budget Amendments.

Finance Director, Charl Louw presented the 2022-2023 Budget Amendments document. He reported that Cedar Hills continues to budget conservatively. There were some adjustments, however, that needed to be recognized in the 2022-2023 budget. Mr. Louw recognized some of Staff's efforts in 2022-2023 that included the following:

- Public Works:
 - Provided timely snow removal during a record-breaking winter;
 - Helped the Golf Staff assemble the new short course building;
 - Took apart the golf bridge to avoid flood damage;
 - Responded to damage created by UTOPIA while energizing the water system; and
 - Coordinated the electrical and irrigation improvements at Heritage Park as well as the meter implementation and Harvey Well renovation.

- Administration and Planning:
 - Continued to expand efforts with communication; and
 - Absorbed the Building Official position tasks and coordinated the transition with Sunrise Engineering.
- Community Services:
 - Short course and putting green refinements; and
 - Significantly improved revenues for golf and recreational programs.
- Finance:
 - Continued to offer reliable billing, payroll, and accounts payable services;
 - Prepared nationally recognized annual comprehensive financial statements and budget presentation documents;
 - Coordinated and managed the procurement of several contracts (Harvey Well renovation, lower Cedar Hills Drive repaving project, Bayhill roundabout and median landscaping design and installation, event center pavers and landscaping design and installation, Heritage Park playground, trees, irrigation, restrooms, bridge, path, pavilions, shade, surfacing, and amphitheater design and install); and
 - Helped coordinate grant and financing activity for ARPA, meters, forestry, and Arborist Master Plan.

Mr. Louw reiterated that there had been a lot of Staff efforts over the last year. As a result, the budget amendments included a recommendation for some bonuses. There were adjustments for other items as well. For instance, the full legal budget was not spent. He thanked the City's legal counsel for their work. Most of the adjustments outside of Staff were within the Building Department. Mr. Louw noted that the Golf Fund transferred \$250,000 to the Capital Projects Fund but he believed an additional \$50,000 could be transferred as well. There could also be a transfer from the General Fund of up to \$900,000 for capital improvements. Mr. Louw reported that it was one of the best years Cedar Hills has had financially. Mr. Goodwin referenced the \$1.1 million listed under the Golf Fund. In 2014, the City had a goal that between golf, events, and recreation, the building could clear \$1 million. Golf was now doing that on its own, which was excellent.

Council Member Smith asked for additional information about the Golf Fund. Mr. Goodwin reported that for a long time, there was a transfer from the General Fund to the Golf Fund for operations and maintenance. It typically ranges between \$130,000 and \$200,000. That was not the property tax levy. It was still in place and would remain in place for another 10 years. That was going toward paying for an asset. While golf was successful the way it is currently, it was not being subsidized out of the General Fund revenues. Council Member Smith noted that the original bond was voted on by voters in Cedar Hills. It was an asset that was maintained as were parks in the community. Mr. Goodwin noted that the City had tried to share this information in the past. The fact that there was not a General Fund transfer was important for residents to know. Council Member Geddes offered to write a newsletter article about that. He was heavily involved with the Golf Course Committee previously and praised City Staff for what has been done. Mr. Goodwin noted that there was speculation in the past that it would not be possible to avoid a General Fund subsidy. For a municipality the size of Cedar Hills to have a golf course that is solely owned and operated by the City without a General Fund subsidy was impressive. The golf course was an asset.

Council Member Geddes was excused at 6:55 p.m.

Mayor Andersen opened the public hearing. There were no comments. The public hearing was closed.

MOTION: Council Member Smith moved to APPROVE Resolution No. 06-13-2022A, adopting the July 1, 2022, to June 30, 2023, Fiscal Year Budget Amendments for the City of Cedar Hills, Utah. Council Member Ellison seconded the motion. Vote on Motion: Council Member Ellison-Yes, Council Member Geddes-Absent, Council Member Morgan-Yes, Council Member McEwen-Yes, Council Member Smith-Yes. The motion passed unanimously.

8. Review/Action and Public Hearing on a Resolution Adopting the Fiscal Year 2024 Budget (July 1, 2023 to June 30, 2024).

Mr. Louw shared the Fiscal Year 2024 Budget and noted that the economy has been more resilient than anticipated. For instance, in May 2023, 339,000 jobs were added nationally. A recession was still possible, but the situation has not been as bad as expected. In Utah, the Department of Workforce Services reported that 90% of industries are adding jobs. Some industries have been negatively impacted but most are still hiring. While inflation is improving, it is still high, and sales taxes are higher than before.

A chart titled Monthly Sales and Use Tax Revenue was reviewed. It included a four-year average. The current year was shown in blue and the prior year was shown in green. The blue was higher than the green in every month except for one. In most years, there are a few months that are lower than the prior year. This could be caused by timing differences or weather. Mr. Louw reported that the weakest area was in Building Permit revenue as that had decreased. May 2023 was a much higher month for Building Permit revenue overall. Council Member Smith asked how many empty lots there are in the community. Mr. Goodwin estimated that there are still a couple hundred. The difficulty was developing lots on hillsides. The cost to develop those lots was prohibitively expensive given current construction costs.

Mr. Louw reviewed the Monthly Revenue from the Green Fees chart. It showed the four-year average for green fees. Although the November and March numbers were not great, the overall numbers were better than last year. The Monthly Pro Shop Revenue Chart was shown, which was impressive. There was discussion regarding who decided what to sell. Mr. Louw noted that the biggest change shown was in the Monthly Season Passes Revenue chart. Those numbers had increased significantly. Mr. Louw reviewed the Decision Survey Top 3 Priorities with the Council:

- Beautification and Preservation of Open Space (56%);
- Maintain Small Town Feel (53%); and
- Public Safety (31.46%).

Resident, Staff, and Council Priorities Funded information was shared. Mr. Louw explained that the chart included priorities for those groups. It was important to have a responsive public safety contract. He reported that American Fork has been a great partner. He stressed the importance of the beautification of open space. That was being invested in heavily within the community. There was also a desire to finish existing projects and focus on necessary road repairs in Cedar Hills. Mr. Louw discussed Fire Station 52 and shared images of the landscaping proposed for Heritage

Park. He shared an image of the amphitheater seating, grading, and new structure. The amphitheater was scheduled to be done by October.

Mr. Louw shared information about the multi-purpose meeting room. He explained that \$1.3 million was set aside for improvements in the Capital Projects Fund but it was estimated that \$1.8 million would be needed to bid. Cedar Hills could go to bid and state that the budget was \$1.2 million with \$100,000 for contingencies. That might not include furniture. That being said, he thought it was unlikely that any bids would be received at that price. Given the number of rentals that are taking place, the building was something that could offer community services and generate revenue. Mr. Louw explained that the intention was to create a win-win scenario where there are City Council Chambers, but the room could also be rented out for other uses. Mr. Louw referenced the Multi-Purpose Room rendering that was included in the presentation materials. Council Member Smith noted that the room would generate revenue. She wondered if it was possible to borrow what was needed. Every time the work is delayed, construction costs increase. Mr. Louw confirmed that the approach could be considered.

Information about road maintenance was shared. The HA5 High-Density Mineral Bond was a seal that will be used. Cedar Hills was one of the first cities to try it out and it had been beneficial in the past. The General Fund and Class C Road Revenues were shared. Mr. Louw reported that when he first began working for the City, sales taxes were approximately 20% of the budget. They are now closer to 40%. Licenses and Permits were not as susceptible to downturns in building because it was not a significant portion of the City budget. For elements that can be more volatile, the City did a three-year average in the event of a downturn. Some Budgeted Revenue Highlights were:

- The City continued to have a strong demand for services with higher revenues for general and program revenues;
- National and State level was still adding jobs, but growth slowed in building and auto sales due to higher interest rates making purchases less affordable;
- Revenues prone to volatility were budgeted based on three-year averages;
- Sales tax represented 38% of the total General Fund budget revenues versus building-related revenues which were only 2%; and
- A fee increase of \$1.00 for Storm Drain/Flood Prevention costs, a \$0.23 increase to help offset the garbage contract, and \$0.05 to offset the recycling contract with Waste Management.

Mr. Louw reviewed some of the Budgeted Expenditure Highlights, which were as follows:

- 2% Public Safety contractual increases for Fire and Police, plus building adjustment, dispatch, and animal control (\$104,000 overall);
- Admin/Planning coordinating Building Official tasks with Sunrise Engineering and absorbing some duties;
- Waste Management increase of \$40,000. The City absorbed \$32,000 in ongoing costs;
- Resident communications software allocation of \$10,000;
- Staff and City Council merit increase of 2.75%;
- Cost of living increase of \$2.20 an hour to match the recent public education adjustment;

- Road maintenance for lower Cedar Hills Drive. Various roads would have the HA5 treatment and there would be repairs on upper Cedar Hills Drive for \$600,000;
- Capital Projects Fund included: trail repaving, tree planting, an amphitheater, the landscape at Heritage Park, and a reserve for the future multi-purpose meeting room;
- Water and Sewer Fund included: meter implementation for culinary and secondary water, Harvey Well completion, and pressure reduction valve installations; and
- Motor Pool Fund included: pool vehicle replacement, one Public Works truck replacement, and a larger truck for snow plowing.

Mr. Goodwin discussed the resident communications software allocation expenditure. He explained that if the City was going to move the communication efforts forward there needed to be a change. It is not possible to do the same thing over and over again. This was a shift toward a more technology-based communication format that made it possible to directly communicate with residents through an app on their phones. The specifics would be discussed at a later date, but this allows the City to set aside money for that purpose.

Mr. Goodwin explained that the reason the budget numbers were not being reviewed line by line was because most of them were not changing year after year. The PowerPoint presentation reviewed the highlights and major changes in revenues and expenditures. However, if there was a specific line item that the Council wanted to discuss further, that could be done. Mr. Louw noted that there was a proposal to increase the Library reimbursement from \$50 to \$60 next year. Council Member Smith loved the user-based model the City has in place. Residents in American Fork pay \$100 for their Library regardless of whether they use it or not. There was additional discussion regarding the Library reimbursement. Mr. Louw noted that it had not been raised for a few years.

Mayor Andersen opened the public hearing. There were no comments. The public hearing was closed.

Council Member Ellison referenced the Community Services section. She wanted to add a line item for Santa Night. She also wanted to see the Youth City Council budget increased. Mr. Goodwin noted that a budget amendment was proposed to increase the Youth City Council item to include the new training. Council Member Ellison proposed that it be \$4,200 and include leadership training and the Halloween event. The Egg Hunt and Santa Night would be separate. She saw the Egg Hunt but did not see the Santa Night event listed. Mr. Louw suggested changing the Egg Hunt line item to the Holiday line item. Mr. Goodwin clarified that some costs came from other line items. Anything during the Family Festival should be paid for out of the Family Festival line item. Council Member Ellison thought \$2,500 for holiday-related events and \$3,000 for Youth City Council made the most sense for the year.

Council Member Morgan noted that \$300,000 less in revenue was budgeted than last year. He wondered if that was a conservative estimate. Mr. Goodwin confirmed this. Mr. Louw noted that in the past, Coronavirus Aid, Relief, and Economic Security (“CARES”) Act funds were received. That was a one-time revenue. In 2022, there were fire and paramedic fees, but they were no longer being collected. The revenues being collected currently were doing better. He reiterated that anything that is volatile in nature uses a three-year average.

MOTION: Council Member Ellison moved to APPROVE Resolution No. 06-13-2023B, a Resolution adopting the July 1, 2023, to June 30, 2024, Fiscal Year Budget for the City of

Cedar Hills, Utah, including the Youth City Council holiday line item of \$2,500 and the Youth City Council operating line item of \$3,000. Council Member Morgan seconded the motion. Vote on Motion: Council Member Ellison-Yes, Council Member Geddes-Absent, Council Member Morgan-Yes, Council Member McEwen-Yes, Council Member Smith -Yes. The motion passed unanimously.

9. Review/Action on a Resolution Certifying the Calculated 2023-2024 Real and Personal Property Tax Levy.

Mr. Louw reported that new growth in the City for commercial and residential was generating \$8,645. The Certified Tax Rate was the rate that would provide the same amount of property tax revenue as was charged the previous year, excluding the revenue generated by new growth. The City was not proposing an increase from the base rate and was asking approximately \$58,000 less for the debt levy than it was eligible to receive. Mr. Louw explained that what someone pays in property tax might not be the same as the year before because that number is based on the property assessment. While the City received the same amount, what a resident pays will depend on the assessed value of their property.

MOTION: Council Member McEwen moved to APPROVE Resolution No. 06-13-2023C, a Resolution setting the total Property Tax Levy assessed upon the real and personal property for general governmental purposes for the 2023-2024 Tax Year for the City of Cedar Hills, Utah. Council Member Ellison seconded the motion. Vote on Motion: Council Member Ellison-Yes, Council Member Geddes-Absent, Council Member Morgan-Yes, Council Member McEwen-Yes, Council Member Smith-Yes. The motion passed unanimously.

10. Review/Action on a Resolution Adding, Amending, or Deleting Certain Fees to the Official Fees, Bonds, and Fines Schedule for the City of Cedar Hills.

Mr. Goodwin reported that there was a proposal to increase the Storm Drain/Flood Control amount by \$1.00. It would go toward increased operations and maintenance costs. It was necessary to maintain a healthy balance. Another change would be for the Vista Room. Those rates were proposed to increase and change. The Vista Room rental fee Monday through Thursday would increase from \$1,800 to \$2,000. For Friday, Saturday, and Sunday, it would increase from \$2,150 to \$2,400. The resident rates were proposed to change as well, with it being \$150 per hour. The Monday and Wednesday wedding rate was proposed to be \$1,000. The Monday through Thursday resident rate would increase to \$1,700. The Friday, Saturday, and Sunday resident rate would be \$2,100. For an outside ceremony, it was proposed that there be a \$300 fee. An early arrival would be \$100 per hour and a late fee would be \$300 per hour. He shared comparison numbers with other areas. It was noted that the Vista Room was still an affordable option for people to consider.

Council Member Smith asked about the hourly rates for renting the room. For instance, a meeting or similar. Mr. Goodwin explained that if there was a wedding, there would be a different fee. Renting the room for a holiday party or something similar would be by the hour. Resident nights were Monday and Wednesday nights. Council Member Smith noted that there had been a lot of Council discussion about how many nights should be resident nights. Mr. Goodwin noted that the Vista Room is not booked every Monday and Wednesday. Some groups want to book the room every month but as a resident, that can be done once per calendar year. The intention was to limit the use but still keep it as a viable option for residents who need a place to host events. Council

Member Smith did not want to take that away but wanted to know how it is impacting wedding rentals. Mayor Andersen noted that if the resident nights are not all being used, it indicates that there are too many resident nights available. Changes could be made to the nights as a result.

Mr. Gordon believed that one resident night per week was adequate. Mr. Goodwin pointed out that there are 104 possible days but 20 to 30 resident events per year. That was low utilization of the available resident nights. Mayor Andersen suggested reducing the availability to Mondays only. Mr. Gordon noted that the resident nights tend to be more difficult. There are a lot of demands and the payment is much lower. Mr. Gordon explained that for \$150, there is an expectation that the residents will do their own setup, take down, and clean up. Often that is not the case. Council Member Morgan thought that one day per week was appropriate for resident nights. Mr. Goodwin offered to make the change to the resident nights that are available and report back to the City Council if there are complaints or issues.

MOTION: Council Member Morgan moved to APPROVE Resolution No. 06-13-2023D, a Resolution adding, amending, or deleting certain fees to the official fees, bonds, and fines schedule for the City of Cedar Hills, Utah, to include changing the resident rate night to Mondays only. Council Member Smith seconded the motion. Vote on Motion: Council Member Ellison-Yes, Council Member Geddes-Absent, Council Member Morgan-Yes, Council Member McEwen-Yes, Council Member Smith-Yes. The motion passed unanimously.

11. Review/Action on Acceptance of the Internal Audit Report.

12. Review/Action on Acceptance of the Fiscal Year 2023 Fraud Risk Assessment Report.

Mr. Goodwin reported that Items 11 and Item 12 would be discussed together. He explained that the State Auditor's Office required cities to complete an annual Fraud Risk Assessment Report. As part of that assessment, cities are graded on whether there is a Certified Public Accountant ("CPA") and certain internal controls that guide money management and reconciliation. The more compliance, the higher the score. One of the checkmarks was related to internal audits. Before the Fraud Risk Assessment, the City did not do that but to increase the Fraud Risk Assessment score, it was something Cedar Hills had begun to do.

An internal audit was done to test the public noticing. February 2022, May 2022, September 2022, and November 2022 were audited, and the required public noticing was examined to make sure the information was posted on the website and that all of the documentation went out appropriately. In addition, if a public hearing is held, the audit checks that the notifications went out. It was determined that the City complies with all public noticing requirements. The Internal Audit Report needed to be approved. The Fraud Risk Assessment was completed with the score being 350/395. It was noted that fraud risk is taken very seriously in the City. Mayor Andersen praised City Recorder, Colleen Mulvey, for her work on behalf of the City.

MOTION: Council Member McEwen moved to ACCEPT the Internal Audit Reports. Council Member Ellison seconded the motion. Vote on Motion: Council Member Ellison-Yes, Council Member Geddes-Absent, Council Member Morgan-Yes, Council Member McEwen-Yes, Council Member Smith-Yes. The motion passed unanimously.

MOTION: Council Member Morgan moved to ACCEPT the Fraud Risk Assessment for the Fiscal Year 2023 for the City of Cedar Hills. Council Member Smith seconded the motion. Vote on Motion: Council Member Ellison-Yes, Council Member Geddes-Absent, Council Member Morgan-Yes, Council Member McEwen-Yes, Council Member Smith-Yes. The motion passed unanimously.

13. Review/Action on a Resolution Adopting Specified Restrictions of Fireworks and Open Fires.

Mr. Goodwin reported that each year the City adopts a Fireworks Map. The Fire Department prepared a Sales and Discharge Dates document. Class C fireworks can be sold between June 24 and July 25. The same was true from December 29 through December 31 and two days before and on the Chinese New Year. The discharge dates were also listed. Mr. Goodwin explained that there were proposed changes to the Fireworks Map, which included Cedar Canyon. Now that it is built out and not a field, it was proposed that fireworks be lit there. Some open spaces and trail areas were also identified on the map.

MOTION: Council Member McEwen moved to APPROVE Resolution No. 06-13-2023E, a Resolution of the City Council of the City of Cedar Hills, Utah, adopting specified restrictions of fireworks and open fires in portions of the City. Council Member Smith seconded the motion. Vote on Motion: Council Member Ellison-Yes, Council Member Geddes-Absent, Council Member Morgan-Yes, Council Member McEwen-Yes, Council Member Smith-Yes. The motion passed unanimously.

14. Discussion on the Operation of the Splash Pad at Harvey Park.

Mr. Goodwin reported that he would provide an overview of how the Splash Pad system works and review the rules. If the City Council feels differently about the rules, modifications could be made. He shared information about the Splash Pad. There were a few sources of culinary water where water was pulled from. Those sources can feed the Splash Pad at Harvey Park. Water runs through the Splash Pad, is collected through a drainage system, is filtered, and then collected in a holding chamber where it can be pumped into the irrigation system for Harvey Park. It could also be pumped further into the Pressurized Irrigation (“PI”) system. At that point, it is not recycled back into the Splash Pad. It is used once and collected into the PI system. That works well because it minimizes the amount of Staff time that is needed to conduct chlorine tests.

Mr. Goodwin reviewed the rules related to the Splash Pad. The typical rules are that the Splash Pad operates Monday through Saturday from 10:00 a.m. to 8:00 p.m. At 8:00 p.m. it is still possible to hit the button. It shuts off sometime before 9:00 p.m. The system is scheduled to shut off if the temperature dips below 75 degrees, if thunderstorms are imminent, or if there are high winds. Staff can remotely shut off the system. Staff checks the filters every morning. Mr. Goodwin stated that dogs are not permitted on the Splash Pad. Staff is frequently asked if it is possible to reserve the Splash Pad. He reported that the Splash Pad cannot be reserved but the Pavilion by the Splash Pad can. The Splash Pad does not operate on Sundays.

Council Member McEwen wondered if it was typical to have Splash Pads turned off one day per week. This was confirmed. Mr. Goodwin explained that Sunday is the easiest day to shut down the Splash Pad as there is limited Staff availability. Last year, there were a lot of questions because of the Harvey Well, however, this year, it was operating well. He asked if the Council was comfortable with the hours of operation. Council Member Smith had looked at what other cities are doing, and many are allowing Splash Pads to operate from 12:00 p.m. to 8:00 p.m. She thought that would be preferable. Mr. Goodwin noted that the Splash Pad turns off automatically if no one is using it. There was discussion regarding the hours of operation. Council Member McEwen noted that some may want to enjoy the Splash Pad before the hottest hours of the day. It made sense to keep the hours of operation as initially proposed.

Mr. Anderson reported that the City tried a later start time when the Splash Pad first opened but there were complaints. Many people want the Splash Pad to be available earlier in the day. For that reason, the 10:00 a.m. start time was determined. The Council discussed the different types of Splash Pad systems that are available in other cities. Mr. Goodwin explained that Cedar Hills does not want the Splash Pad to run when no one is there.

15. Review/Action on an Ordinance Amending City Code 8-1-1 Related to the Chief Building Official.

Mr. Goodwin reported on changes in the Building Department. As a result, the Code needs to be modified to make sure that it accurately reflects the operations of the City. There is no Chief Building Official on Staff. The Chief Building Official is technically contracted out to a third party, Sunrise Engineering. The clause that was proposed to be added to City Code Title 8-1-1 would address that. Language was also added to state that the City Manager has the authority to select a qualified professional to immediately act as a Temporary Chief Building Official until a permanent Chief Building Official is formally appointed. This would add clarity to the process. Mr. Goodwin informed the Council that the City has been working with Sunrise Engineering for several years. It is nice working with them because they understand the City Code, processes, and standards. However, a change can be made if needed.

MOTION: Council Member Ellison moved to APPROVE Ordinance No. 06-13-2023A, an Ordinance amending Cedar Hills Code Title 8-1-1 related to the Chief Building Official. Council Member Smith seconded the motion. Vote on Motion: Council Member Ellison-Yes, Council Member Geddes-Absent, Council Member Morgan-Yes, Council Member McEwen-Yes, Council Member Smith-Yes. The motion passed unanimously.

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

The City Council was in Closed Session from 8:35 p.m. to 8:55 p.m.

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

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

ADJOURNMENT

18. Adjourn.

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

The meeting adjourned at 8:56 p.m.

Approved by Council:
June 13, 2023

/s/ Colleen A. Mulvey, MMC
City Recorder