

**CITY COUNCIL MEETING MINUTES OF THE  
CITY OF CEDAR HILLS  
Tuesday, November 15, 2022 – 6:00 p.m.  
Community Recreation Center  
10640 North Clubhouse Drive, Cedar Hills, Utah**

**Present:** Mayor Denise Andersen, Presiding  
Council Member Laura Ellison  
Council Member Alexandra McEwen  
Council Member Kelly Smith

**Absent:** Council Member Geddes  
Council Member Miller

**Staff:** Chandler Goodwin, City Manager  
Charl Louw, Finance Director  
Kevin Anderson, Public Works Director  
Jeff Maag, Building Official  
Hyrum Bosserman, City Attorney  
Colleen Mulvey, City Recorder

**Others:** 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 6:01 p.m. by Mayor Andersen.

The Pledge of Allegiance was led by Council Member Smith.

The Invocation was offered by Council Member McEwen.

**2. Approval of Meeting Agenda.**

**MOTION: Council Member Ellison moved to APPROVE the meeting agenda. Council Member Smith seconded the motion. Vote on motion: Council Member Ellison-Yes, Council Member Geddes-Absent, Council Member McEwen-Yes, Council Member Miller-Absent, Council Member Smith-Yes. The motion passed unanimously.**

**3. Public Comment.**

*Laura Johnson* gave her address as 10312 North Forest Creek Drive and expressed concern about Eric Dowdle and the sale of City puzzles. She suggested some kind of competition for the youth to come up with artwork of the City to unleash hidden talent and utilize those resources. She also addressed the sign ordinance. She was in favor of it but did not like having temporary signs such as political signs, that never seem to go away. She would like to see some regulation of the ordinance.

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

## **REPORTS/PRESENTATIONS/RECOGNITIONS**

### **4. Presentation – UDOT, Robert Clayton.**

Utah Department of Transportation (“UDOT”) Regional Director, Robert Clayton, reported that he meets regularly with cities and towns across the state to answer questions they have. They have not yet met with Cedar Hills, and he wanted to introduce himself and see if there was anything the City needed help with or had questions about. Mayor Andersen expressed thanks for the reflective posts installed on the center divider on Timpanogos Highway. She commented that Cedar Hills is unique in that it is 2.73 miles long with one County road running through it. She appreciated the support the City receives from UDOT.

Mr. Clayton described the process for a project to occur and specifically referenced a new stoplight that was recently installed. He noted that the Transportation Commission is generous with funds for traffic signals because they are safety issues. At the mouth of the canyon, there was concern about how the signal will function. So far, it appeared to be functioning well. Mr. Clayton reported that traffic signals take approximately one year from conception to installation. Intersection improvements may take two to three years due to budgeting, engineering, utility clearances, environmental clearances, and other issues.

Eric Mason was introduced as UDOT’s Region Project Manager.

## **CONSENT AGENDA**

### **5. Approval of the Minutes from the September 29, 2022, Special City Council Meeting and the October 4, 2022, City Council Meeting.**

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

## **CITY REPORTS AND BUSINESS**

### **6. City Manager.**

City Manager, Chandler Goodwin, reported that sign-ups for Junior Jazz were underway. It is the biggest program of the year, and the spots fill up quickly.

Mr. Goodwin stated that the Events Department has been busy preparing for the holiday season with many events planned.

Golf was winding down for the year, but progress was being made on different projects. There will be proposals made tonight in terms of budgets and projects on the golf course. He commented that staff has done a great job.

UTOPIA and secondary meters continued to be installed throughout the community. Residents with concerns or questions were encouraged to reach out to the City. Those with questions directly related to UTOPIA should be raised with them directly. It was noted that they have been very responsive and helpful.

Mr. Goodwin asked residents to not leave cars parked on the streets, especially when there are snowstorms, as it makes it difficult and dangerous for plows.

## **7. Mayor and Council.**

Council Member Ellison reported that the Youth City Council (“YCC”) put on a well-executed Halloween event. Unfortunately, it was a very cold night, so the turnout wasn’t what they had hoped for. The planning and execution, however, were great. On December 5, 2022, a family event was scheduled with Santa who will come in on a Fire Truck. There will be hot chocolate, activities, and a food drive.

Mayor Andersen reported that in her capacity on the Mountainland Association of Governments (“MAG”), she serves on the Aging Council. The Aging Council gave its Annual Caregiver’s Conference recently. They are creating a pilot program on digital navigation for seniors and how to use technology. It will help seniors understand how to use their phones and computers to keep them engaged and included in society. Another program that MAG sponsors is Meals on Wheels. During the pandemic, the need for Meals on Wheels increased to the point that there is a \$400,000 to 500,000 deficit in the program at this time. They are creating a fundraising opportunity for the community.

Recently, the Mayor took a tour with Mary DeLaMare-Schaefer, Utah Transit Authority (“UTA”) Regional General Manager for Utah County, and Mayor Merrill from Alpine. They traveled using different modes of transportation UTA offers throughout Utah County. She found it fascinating to see all of the transportation options that are now available through UTA.

The Mayor expressed appreciation to UTOPIA for how they are installing their equipment and cleaning up afterward. Residents have also been impressed that their yards have been put back together so well.

## **SCHEDULED ITEMS AND PUBLIC HEARINGS**

### **8. Review/Action and Public Hearing on Preliminary Plan Approval for Starbucks located at 9946 North 4800 West in the SC-1 Commercial Zone.**

Mr. Goodwin stated that the request is for Preliminary Plan Approval for the Starbucks located on North County Boulevard in the SC-1 Commercial Zone. He commented that these are the types of businesses the City would like to see along the perimeter of a development. The Site Plan includes additional parking to the west, if necessary. The queue for Starbucks will accommodate 11 cars. The manner in which the City interacts with commercial businesses has changed in the last two years. Prior to the pandemic, people would go inside stores to order and pick up food. There are now dedicated stalls for online orders. Drive-thrus are a critical element for these types of businesses as well.

The layout of Starbucks is traditional with 25 stalls, two of which are Americans with Disabilities Act (“ADA”) compliant. The dumpster enclosure location is convenient with easy access for the

garbage trucks. The sidewalk is already in place, the storm drain collects runoff onsite and is stored in an underground chamber. No other improvements were required. Unless the City can identify specific nuisances that will result from approval of the project, there was nothing to mitigate for the Conditional Use. Traffic studies were conducted for the area previously and still apply. It was acknowledged that the addition of Starbucks will not impact the traffic flow.

Mr. Goodwin reported that the applicant would like to begin construction early next year with the expectation that it will be a six-month buildout. There was discussion regarding drive-thrus in the area and plans for queuing. Mr. Goodwin stated that a new restaurant is typically quite busy for the first month or two. The queue will have to wrap around the drive aisle and will be enforced by Starbucks management. Once it becomes established, it was not expected to be a problem. Mr. Goodwin presented the elevations which are standard and in line with what has been built in the area.

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

**Council Member Ellison moved to APPROVE the Preliminary Plan for the Starbucks Coffeehouse, located at 9946 North 4800 West, Cedar Hills, Lot 2 of the Cedar Hills Gateway Subdivision, subject to the following conditions:**

- 1. Final Engineering Review.**
- 2. Final Zoning Review.**
- 3. Submission of an approved Landscaping Plan.**
- 4. Demonstrate the intent to convey water rights to the City.**

**Council Member McEwen seconded the motion. Vote on motion: Council Member Ellison-Yes; Council Member Geddes-Absent; Council Member McEwen-Yes; Council Member Miller-Absent; Council Member Smith-Yes. The motion passed unanimously.**

**Council Member Ellison moved to AMEND the agenda and address Agenda Item 13, after Agenda Item #9. Council Member McEwen seconded the motion. Vote on motion: Council Member Ellison-Yes; Council Member Geddes-Absent; Council Member McEwen-Yes; Council Member Miller-Absent; Council Member Smith-Yes. The motion passed unanimously.**

The Council next addressed Agenda Item #13 after which they returned to the agenda as printed.

**9. Discussion on Future Capital Projects, Heritage Park, Golf, and Recreation Center Improvements.**

Finance Director, Charl Louw reported that the City has been working with Range Architecture and the Creekside Theatre Group to prepare plans to go out to bid. He presented renderings of the amphitheater and changing rooms and identified the various functions and access points. He noted that it follows the original footprint of the stage, however, there is now a hallway access behind the stage. Mayor Andersen mentioned that the location of the amphitheater was moved slightly to the south to avoid the sewer and water lines. It was confirmed that it has not yet gone out to bid. If the bids come back higher than the amount budgeted, the City was prepared to wait. The project can also

be modified or scaled back. In response to a question raised, it was confirmed that the amphitheater will be rented out. With this type of structure with lights and sound, it will be more desirable and rentable throughout the year. That was not the primary reason for the City building it, but it was an advantage.

Mr. Louw commented that at the last City Council Meeting questions were raised regarding a toddler playground at Heritage Park as the other playground is under construction. It was reported that the toddler playground could be located in the old playground area, however, after giving the matter more thought, it was determined to be better to have the playgrounds closer together. He presented conceptual drawings of what could be included in a toddler playground. He also showed options for carousels for toddlers. He presented ADA-accessible options. He invited feedback from the Council on which options they preferred.

Council Member McEwen liked the ADA-accessible carousel that children could operate themselves. Mr. Louw indicated that the prices range from \$20,000 to \$40,000. The preferred carousel was identified. There was further discussion regarding the location and playground layouts including walkways and fencing. Council Member Ellison expressed concern that the playgrounds are too close together and the toddler area will attract older children. Mr. Louw stated that the equipment will be quite small. Moving the toddler playground to the proposed location would be beneficial in reducing noise for the neighbors. He presented options for additional playground equipment, including ‘abilities’ options.

Mr. Louw reported that the total estimated cost for Heritage Park is anticipated to be approximately \$300,000. The swings in the toddler area were projected to cost \$20,000 plus installation. The cost of the Tangle was estimated at \$58,000 and the carousel is \$20,000. Each pine climber will cost around \$10,000.

The Landscape Architect will review the space to get an idea of what will work after which it will go out to bid. One way to save money is with wood fiber, even though it has not been popular. The City can also wait a few years to put it in.

Mayor Andersen asked what kind of fencing is proposed. Mr. Louw responded that nothing has been proposed. Chain link was an option. Wood beams with ropes are more attractive and fit the theme of the park. Mr. Goodwin stated that another option would be the wooden posts and adding thick-gauge chicken wire-type fencing to keep the children inside the play area. He explained that there are cost-effective fencing options that could be installed by the City without having to go out to bid.

The equipment has a six-month lead time from the date it is ordered. Slides and swings were determined to be high in importance. It may be necessary to choose between the carousel and swings depending on the space available. The Council was divided on what they would prefer. Mr. Louw commented that the restroom is ready for the timber accent once the roofing and siding are installed.

Council Member Smith asked if it would be beneficial to get input from the community as to what elements would be most desirable. Mr. Louw stated that he has completed surveys and performed other community outreach as he researched the features of different parks. Council Member Smith suggested that an email be sent to residents to elicit feedback. Mr. Goodwin stated that a survey could be done through Survey Monkey, but timing is an issue with a six-month lead time. Before the equipment can be ordered, it must be designed. If it doesn’t work, it will have to be redesigned. Mayor Andersen stated that the City has a working model that shows what is used most in the existing

parks. Discussion continued regarding whether to conduct a survey to get additional feedback from the residents. It was determined that the playground construction can be announced in the newsletter and emails, however, because the matter has been on the agenda and announced those interested in specific equipment have had ample opportunity to give input.

Mr. Louw addressed fencing around the golf course 18<sup>th</sup> tee boxes and stated that with the Short Course opening next year, the golf staff has been able to acquire netting to keep people from getting hit with golf balls next to the tee boxes. The cost was approximately \$2,000 for the netting. They arranged a trade for the posts in the amount of approximately \$4,500. As people walk behind the 18<sup>th</sup> hole toward the Short Course, 200 feet of fencing has been proposed. A bid for the fencing was necessary. It was mentioned that money has been set aside for golf improvements such as these.

Mr. Louw presented drawings for the Clubhouse Deck. There will be a contemporary roof that matches the building style and eventually a railing. He noted that the drawings are early concepts. Mayor Andersen asked if the Events Department will be able to rent out the space. Mr. Goodwin stated that it will be up to the golf entity and noted that it is not being paid for out of the General Fund. The Golf Course has some reserves and there are two items in the budget adjustments. One is to allocate some of the funds from Golf Reserves to purchase the deck.

Event Staff has been researching various types of landscaping for the Pavilion area. Mr. Louw displayed additional renderings of the current landscaping and conceptual drawings of what could be done. He explained that this is a significant investment to make weddings more appealing although they are not the primary function of the area. The City could fund it over several years. By phasing it, the City would have to start with grading, which is all that could be done now based on the currently available funds. The City can choose to phase the project or merely update the Pavilion and add a path. If the latter is chosen, the grading will not get improved. Anything that is added after that will have to utilize the existing grading. Mayor Andersen asked if there was a benefit to upgrading the existing grading or stretching it out over a longer term with the path, landscaping, and other improvements. It was noted that with a better setting, more money can be charged for events.

Council Member Ellison commented that the area is not very large. Mr. Louw stated that fill dirt would have to be brought in on both sides and a retaining wall built, which is a big investment. It would be a slow process but in the end, would create a nice area. The pavilions are used a great deal, which should be considered. It was also noted that as a Community Center, they want to keep prices reasonable. There was discussion regarding how to proceed. Mr. Louw shared the summary of expenditures for finishing the Fun Decking and Public Safety Building updates prior to any improvements being made. He noted that if there is sufficient funding remaining, they can assess what remains and prioritize the funds appropriately.

#### **10. Discussion on City Sign Ordinance.**

Mr. Goodwin presented the City's Sign Ordinance and stated that the discussion pertains to the use of City property and not residential property for posting signs. The current Code does not allow City property to be used for posting signs. In the past Staff has removed the signs and notified the owner. The owner has a certain amount of time to pick them up from the City offices before they are discarded. Mr. Goodwin asked Staff not to throw the signs away so he could show the Council what signs are being pulled.

City Attorney, Hyrum Bosserman reported that the law is to determine if a sign is content-based or content-neutral. He shared a case that went to the Supreme Court that has become the standard. It dictates that if a sign is content based, it is protected by the First Amendment. Time/Place/Manner sign regulations state that signs can be posted between certain times and for specific purposes. The content is primarily to advertise specific events and is deemed content neutral. He next addressed commercial speech regulations and explained that the Public Forum Doctrine identifies specific areas in the City for signs or public debate. Other areas can be restricted. The Supreme Court has determined that commercial speech is less protected. This means that when regulating commercial speech, intermediate scrutiny is applied. As long as it isn't misleading or false, there must be a substantial interest to regulate it, regardless of whether the regulation directly advances that interest and if there are no less restrictive means of regulating that speech. Traffic and aesthetics typically meet the substantial interest test. Commercial speech is defined as an expression related solely to the economic interest of the speaker and its audience.

Council Member McEwen asked about garage sale signs. It was determined that they can be considered commercial speech. She proposed that the City establish rules regarding garage sale and open house signs based on aesthetics. Council Member McEwen asked if regulations could be imposed to regulate the use of these types of signs. Mr. Bosserman stated that the Sign Ordinance needs to be carefully worded. It cannot favor commercial speech over non-commercial speech by allowing certain signs in specific areas and disallowing other types of signs in that same area. Doing so would be unconstitutional.

Government speech states that government entities can be exempt from its own ordinances. This would occur if, for some reason, the City needs to post a sign stating that there will be a public meeting or other critical information that needs to be disseminated rapidly. They are general guidelines to consider as the sign ordinance is revised.

In response to a question raised by Council Member Smith, Mr. Bosserman stated that Section 1983 of the Federal Code incentivizes lawsuits from residents by allowing people to recoup attorneys' fees. As a result, he suggested that the parameters remain narrow. There was discussion regarding where and what types of signs are permissible. It was reported that Highland has changed its ordinance to disallow signs on public property. One of the biggest concerns with that was free speech. Council Member McEwen asked if temporary sign placement would be considered unconstitutional. Mr. Bosserman stated that as long as there is no mention of content with the restrictions, it would be acceptable. Monitoring of the ordinance was discussed at length. It was noted that people are not allowed to advertise through City mechanisms and placing signs on public/City-owned land falls under that category of Code. Today it is not necessary to have directional signage to guide people to events.

Council Member McEwen considered allowing the City to take down signs that belong to members of the community to be a violation of free speech. Mr. Bosserman stated that he has not conducted a comprehensive analysis of the Sign Ordinance to identify whether it is constitutional or not. If the City were to allow some types of signs, it would have to allow all types so that free speech is not jeopardized. He recommended that the City follow the content-based rule. Unfortunately, it has become all or nothing with this law. Surrounding cities have implemented sign ordinances that disallow all signs on public property. The current sign policy for the City is no signage. Mr. Goodwin said that in his opinion there are the following three options:

1. Maintain status quo.

2. Change the administrative enforcement of the current status quo.
3. Change the ordinance as it pertains to temporary or permanent signs.

Mayor Andersen stated that some Council Members who were not present had comments about the Sign Ordinance. Council Member Miller stated in a written response to the ordinance that he supports the prohibition of signs to maintain the aesthetics of the City. He would, however, like to find a solution that would support temporary and portable signs. Council Member Geddes wanted the ordinance to remain as-is. It was his opinion that due to alternative advertising; temporary signs are not necessary and clutter the City.

Mr. Goodwin stated that there are some areas in the Sign Ordinance that need attention, specifically pertaining to signs on private property. If it needs to be changed, it will require Planning Commission review.

Panhandling falls under the same ordinance as signs. Banning it also bans certain types of speech. The other issue pertained to homelessness. The current City Code prohibits overnight stays in City Parks and can be changed to include all City properties.

Lieutenant Josh Christensen stated that the ordinance specifies that no hand-to-hand transactions with pedestrians in the roadway are allowed due to safety and traffic concerns. There are issues on the Walmart property, however, because it is privately owned, it is out of the City's jurisdiction.

The City Council took a 10-minute break.

#### **11. Discussion on Eric Dowdle Commissioned Artwork for the City of Cedar Hills.**

Mr. Goodwin reported that Dowdle Studios reached out to him regarding a 32" x 40" painting of Cedar Hills in the Dowdle style. He saw a similar painting of Pleasant Grove at the Utah League of Cities and Towns Conference last month. He showed the puzzle he purchased of Pleasant Grove City. A few surrounding cities have contracted Dowdle Studios to create a painting of their cities. He explained that this is a discussion item only. No decisions have been made. Based on the proposed contract, the City would own the art; however, Dowdle Studios would retain the ability to determine how the artwork could be marketed. The reason for that is to ensure that the original color and presentation match the intent of the art. It would be a total cost to the City of \$150,000. It would include two installments of \$37,500 each for the commission and the remaining \$75,000 when 6,000 puzzles are received.

Mr. Goodwin was concerned that in Cedar Hills where there are only 2,500 households, 6,000 puzzles seemed like a lot. He wondered who they would market it to since the customer base extends beyond the geographical confines of Cedar Hills. It was noted that there would be interest from children of residents who have moved away, collectors of Dowdle puzzles, former residents, and residents of neighboring cities. He still thought that seemed like a lot of puzzles. He asked the Dowdle representative what other surrounding cities have done and how they have sold their puzzles. He was told that Pleasant Grove sold 3,000 puzzles in 10 days. The next 3,000 were sold over a period of time and they have about 100 left. There are approximately 10,000 households in Pleasant Grove. American Fork sold 3,000 puzzles in 43 days and has about 35,000 residents. They ordered an

additional 3,000 and have about 1,500 remaining. They unveiled theirs in April 2022, so it has not been a full year since they started selling them.

Spanish Fork did theirs in November 2021 and went through the original 3,000 in 46 days. He wasn't sure how many they had left of the 2<sup>nd</sup> 3,000 puzzles. The representative offered to lower the requirement to 3,000 puzzles after which they could purchase additional puzzles if needed. The cost breakdown for the different amounts was not available.

If the City were to pursue this option, timing will be critical. Unveiling it to the public in conjunction with the Family Festival would be a great idea. Also, in terms of payments, spreading it over two fiscal years will be better than absorbing it all at once.

Mayor Andersen asked what Dowdle Studios does to promote the puzzles and the unveiling of the picture. It was reported that they create an actual event for the City with promotions. The Mayor felt it would be a great kick-off to the Family Festival in 2024.

Mr. Goodwin stated that with the budget amendments there is a proposed \$75,000 set aside for the project. Amending the budget would not automatically approve the purchase of the puzzles but would earmark the funds if and when the City decides to move forward.

Mayor Andersen stated that it may be beneficial to get input from the residents via a survey to determine which landmarks they would like to include in the picture. The City will have exclusive rights for one full year to sell as many of the puzzles as they can. After that, Dowdle can sell the puzzles as well. Most of the sales occur when the puzzles are released. Mr. Goodwin explained that after the first year, the City has rights to the artwork for use in other products. Mayor Andersen stated it was intended to recoup all of the money they put toward it. She said that some cities have made extra money on the puzzles. It was clarified that 6,000 puzzles was the breakeven point.

Council Member McEwen asked if the limits of use include limiting the use of the website or digital marketing. Mr. Goodwin stated that some of the items in the contract are unclear. He agreed to ask for specifics on the rights and use of the image.

Council Member Smith stated that because Dowdle is such a big name it would be good to contract a known artist and still be able to recoup some or all of the monies spent. She reported that both American Fork and Pleasant Grove had theirs done and unveiled them in conjunction with city celebrations. She would like Cedar Hills to do it around the City's 50<sup>th</sup> Anniversary or during some other major City event. Mr. Goodwin stressed the importance of timing and stated that Dowdle is changing the way they are doing things and is only taking on three more cities before they launch a larger project.

Council Member Smith asked if there was an urgency for the budget amendment. Mr. Goodwin stated that the monies will be set aside in the event it is authorized in the future. If the project is not authorized, the monies will be used for something else. Council Member Smith was interested in knowing the cost of ordering fewer puzzles. Mr. Goodwin stated that they could do that, but they would not be able to recoup all of the monies spent. Another way to look at it is to consider that they are purchasing a work of art for the City. Council Member McEwen could see the value of that. She asked if Dowdle would be negotiable on the exclusive rights. Discussion continued regarding the various models used by surrounding cities and what might be included in the puzzle. The cost of the puzzles was also discussed.

Council Member Smith stated that the end goal is important and getting input from the residents will be critical as this is a non-essential item.

**12. Review/Action and Public Hearing on a Resolution Adopting Fiscal Year 2023 Budget Amendments.**

Mr. Louw reported that often items the budget need to be adjusted due to rising costs from the time of budget completion to adoption. Insurance was one of these items as was cybersecurity. Christmas Lighting is an annual cost and this year, although still below the market rate, it increased by \$2,000. The down payment for the puzzle project was included in the amendment, as well as a transfer to the golf course funds. Because the golf course did so well this past summer, the \$50,000 that was allocated to them will go back into the General Fund. Mr. Goodwin stated that this was a good year for the golf course and should not be indicative of future years. Additionally, there is the property tax levy to be paid. The General Fund is no longer subsidizing the maintenance and operations of the course.

Mr. Louw reported there was a purchase for a mower for the course that did not arrive until last month. As a result, the monies used were reflected in the updated budget. There will be a transfer out of the Golf Fund of \$250,000 for the Deck Project.

In the Capital Projects Fund, there was additional funding of \$250,000 for the Deck Project, which will alleviate the overlap between event set-ups. The Water and Sewer Fund has insurance adjustments. There is a safety project in process that is shared with American Fork and Highland. Each city has contributed \$240,000. The Engineer estimated a total cost of \$720,000. Cedar Hills still needs to fund its portion. The project includes reinforcing the road between SR-92 and the golf course and building a ramp to assist in the elimination of debris in the waterway.

There are three projects in the Water and Sewer Fund. These include the Well at a cost of approximately \$900,000, and the Secondary Meter Project in the amount of \$700,000, which includes a 70% match. The Water Board and the State will meet in December to approve the request for funds as the City will need to secure a loan to pay for the equipment and professional fees. Mr. Goodwin reported that this is a good example of why the City has been choosy about projects that are done in the Water and Sewer Fund. The Well and Secondary Water Meters are necessary and need to be resolved. He addressed the need to obtain bonds for the debt. While not ideal, the interest rate on the loan is 1% and it is necessary to have funds in reserve to address potential future issues. Mr. Louw stated that in addition to the bid price, there needs to be additional for contingencies.

Council Member Smith asked about obtaining bids for Christmas Lights and asked at what point the City stops putting up lights due to cost. Mr. Louw stated that the Council can discuss it when the budget is prepared.

Council Member Smith asked for clarification as to why Cedar Hills is required to pay the same amount as Highland and American Fork for the Waterway Cleanup. Mr. Goodwin stated that the City entered into an Interlocal Agreement for the debris basin in 2001. This agreement is still in effect and specifies that the costs will be divided equally between the cities. The debris that comes from the canyon needs to be pulled out of the debris basin to clear the waterway. It is not safe to do this based on the current condition of the basin. The proposal was to create a system that will make it safer for City employees to do their job.

Building Official, Jeff Maag, reported that the City has one-third ownership of the Debris Basin property. The dam protects the golf course. If the basin backs up and flows over the dam, it will destroy Holes 9 and 10 at the golf course. The dam protects much of the City infrastructure as well. The amount received from the State for the Secondary Water Meters was \$1.5 million. In 2016, the cost of the meters was estimated at \$2.5 million, and the current cost is less than that. Mr. Louw added that the City is also facing inflation. Because it is a State mandate, all cities are in the same position and installation and acquisition of the meters are two years out. Cedar Hills has the equipment and is currently installing it. As a result, they have saved the potential inflation that could occur over the next two years. It was noted that the City's cost was locked in before the inflation increased.

Council Member McEwen asked if the Council wanted to keep the earmark for the Dowdle artwork or remove it. The decision was made to remove it from the budget amendments.

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

**MOTION: Council Member Smith moved to APPROVE Resolution No. 11-15-2022A, a Resolution adopting the July 1, 2022, to June 30, 2023, fiscal year budget amendments for the City of Cedar Hills, excluding the \$75,000 earmarked for the Dowdle commissioned artwork. Council Member Ellison seconded the motion. Vote on motion: Council Member Ellison-Yes; Council Member Geddes-Absent; Council Member McEwen-Yes; Council Member Miller-Absent; Council Member Smith-Yes. The motion passed unanimously.**

**13. Review/Action on a Resolution Adopting the Water Conservation Plan.**

Mr. Goodwin reported that the City is required to adopt a Water Conservation Plan periodically. This same plan has been used by the City for a number of years with updates regarding the need for secondary water meters, which was discussed earlier in the meeting. The City anticipates a savings of 30% by metering the water. The Code requirements regarding water-wise landscaping and installation have also been addressed.

Council Member McEwen asked for additional information regarding water-wise landscaping and what the City is doing to address it. Mr. Goodwin stated that the City has addressed residential landscaping requirements and has offered several alternatives and solutions to residents. Park strips have been addressed as well to eliminate the requirement for grass. Commercial landscaping has also been reduced from 30% to 23%, which will encourage functional landscaping in other areas.

Council Member McEwen clarified that the City is not restricting certain landscaping but is also not requiring it. Mr. Goodwin confirmed that that is the case. Deficiencies in the Code are addressed regularly to ensure compliance with the State legislation. There is nothing that needs to be reported specifically other than what is metered. Mr. Goodwin addressed water conservation incentives. It was noted that the conservation draft was submitted to the state in July. An Interlocal Agreement was entered into with surrounding cities that needs to be formalized.

**MOTION: Council Member Ellison moved to APPROVE Resolution No. 11-15-2022B, a Resolution adopting the 2022 Water Conservation Plan for the City of Cedar Hills, Utah. Council Member Smith seconded the motion. Vote on motion: Council Member Ellison-Yes;**

**Council Member Geddes-Absent; Council Member McEwen-Yes; Council Member Miller-Absent; Council Member Smith-Yes. The motion passed unanimously.**

**14. Discussion on Amendments to the City’s General Plan Land Use Element.**

Mr. Goodwin reported that this is only a discussion item and can be addressed more in the future. The current Land Use Element zones that are identified do not match the established zones. The intent of what has been revised in the document is to provide brief and adequate descriptions of the residential zones. Zoning is assigned throughout the community and is broken down into open space/parks, public facilities zones, residential, and commercial zones. The breakdown of the various residential zones is followed by the commercial zone. It is explained in detail in 10-6A of the City Code. The intent of the Commercial Zone is to promote economic development in the community which will provide a more stable tax base while minimizing impacts on the residential nature of the City. Areas for commercial development were identified on the zoning map. He described the purposes and intent of the commercial zones and how they are laid out.

The Public Facilities Zone includes public buildings, the Fire Station, well houses, and well storage tanks. Parks and Trails are also included in the Public Facilities Zone. The value of each is reflected in this portion of the Element. Open Space is undeveloped land that is preserved as-is and falls under the Public Utilities Zone.

Mr. Goodwin reported that the Planning Commission reviewed the Land Use Element for one year and discussed it in great detail. He felt that the Planning Commission had done a good job of revising the document. He encouraged the Council to review it, redline it, and bring it back to the next meeting. The next discussion will also focus on the General Plan and redevelopment in Cedar Hills and will be more in-depth.

**ADJOURNMENT**

**15. Adjourn.**

**MOTION: Council Member Smith moved to ADJOURN the City Council Meeting. Council Member McEwen seconded the motion. Vote on motion: Council Member Ellison-Yes, Council Member McEwen-Yes, Council Member Smith-Yes. The motion passed unanimously.**

The City Council Meeting adjourned at 9:37 p.m.

Approved by Council:  
December 6, 2022

/s/ Colleen A. Mulvey, MMC  
City Recorder