



**CITY COUNCIL MEETING
OF THE CITY OF CEDAR HILLS
Tuesday, January 22, 2019 7:00 p.m.**

Notice is hereby given that the City Council of the City of Cedar Hills, Utah, will hold a **City Council Meeting on Tuesday, January 22, 2019, beginning at 7:00 p.m.** at the Community Recreation Center, 10640 N Clubhouse Drive, Cedar Hills, Utah. This is a public meeting and anyone is invited to attend.

COUNCIL MEETING

1. Call to Order Pledge led by C. Geddes and Invocation given by C. Miller
2. Approval of Meeting's Agenda
3. Public Comment: Time has been set aside for the public to express their ideas, concerns and comments (comments limited to 3 minutes per person with a total of 30 minutes for this item)

CONSENT AGENDA (Consent items are only those which require no further discussion or are routine in nature. All items on the Consent Agenda are adopted by a single motion)

4. Minutes from the December 18, 2018 Special City Council Meeting

CITY REPORTS AND BUSINESS

5. City Manager
6. Mayor and Council

SCHEDULED ITEMS & PUBLIC HEARINGS

7. Review/Action on a Resolution adopting Amendments to the Cedar Canyons Subdivision Agreement
8. Review Action on the American Fork Public Safety Agreement
9. Review/Action on Directing Staff to Negotiate with Keller Construction to move forward with the Baseball Diamond in Harvey Park Phase 1
10. Discussion on Utility Billing for Suspended Services

ADJOURNMENT

11. Adjourn

Posted this 18th day of January, 2019

/s/ Colleen A. Mulvey, City Recorder

- Supporting documentation for this agenda is posted on the city's website at www.cedarhills.org.
- In accordance with the Americans with Disabilities Act, the City of Cedar Hills will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at 801-785-9668 at least 48 hours in advance of the meeting.
- An Executive Session may be called to order pursuant to Utah State Code 54-4-204 & 54-4-205.
- The order of agenda items may change to accommodate the needs of the City Council, the staff, and the public.
- This meeting may be held electronically via telephone to permit one or more of the council members to participate.



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manager
DATE:	1-22-2019

City Council Agenda Item

SUBJECT:	Review Action on Resolution and Amendments to the Cedar Canyons Subdivision Agreement
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, City Manager

BACKGROUND AND FINDINGS:

The Cedar Canyon subdivision was approved based on a Settlement Agreement and a Development Agreement. Cedar Hills Farmland LLC is party to those agreements and wishes to consign their rights and obligations outlined in the agreements to a third party developer, Weekly Homes LLC. In order to make this change legal per the Development Agreement the City Council must take a legislative action. Additionally, Weekly Homes wishes to make some alterations to the requirements found in the Settlement and Development Agreements.

PREVIOUS LEGISLATIVE ACTION:

Settlement Agreement and Development Agreements were approved in 6/19/2018 and 7/17/2018

FISCAL IMPACT:

None

SUPPORTING DOCUMENTS:

Final Cedar Canyon Plat, Settlement Agreement, Development Agreement, List of Proposed Changes To Agreements, Proposed Resolution

RECOMMENDATION:

Review the proposed changes and adopt the Resolution

MOTION:

To adopt/not adopt Resolution No. _____, amending the Settlement and Development Agreements for Cedar Canyon Subdivision, subject to the following changes and conditions: {LIST ANY CHANGES OR CONDITIONS}.

List of Deliverables from Cedar Hills City

(As Referenced in Cedar Canyon Settlement Agreement and Development Agreement)

Settlement Agreement

- 2.1.6.2,3,4 - City to outline process by which it will take ownership of, and maintenance responsibility for, all electric and irrigation water meters for the following "Buffers" around the Cedar Canyon project:
 - Cedar Hills Drive
 - 4600 West Street
 - 4700 West Street
- City to allow wording on the plat for the vacation of the ditch along 4600 West Street and the old detention pond on Lots 56 & 57 to read "hereby vacated" with arrows pointing to both
- 2.1.9 – City to clarify specifics of the arrangement by which the specified portion of the costs associated with Developer's construction of the west half of 4700 West Street will be calculated and reimbursed to Developer (City to coordinate with Rhinehart Oil or other land owners, if necessary)
- 2.1.10 – City to provide specifics on the cost sharing arrangement for Developer to install grass and irrigation in Retention Basin instead of "rock"
 - City to maintain and take ownership of all electric and irrigation water meters
- 2.4 - City to confirm it has all water rights and the process is complete (100% of the required water rights have been approved, no longer subject to appeal, been conveyed, deeds recorded, Reports of Conveyance filed, title policy issued)
- 4.4 - City to provide temporary construction easement for any work required by Developer on property owned by the City (including the Retention Basin and 4700 West Street)
- 4.4 – City to provide executed agreement allowing Cedar Canyon project ("New Development Proposal") to utilize the Retention Basin
- City to sign letter indicating that all items in Settlement Agreement & Development Agreement are complete (except those relating to constructing the lots, recording the plat, and building the homes)

Development Agreement

- 2.3 – City to provide approval of proposed product and materials meeting Design Guidelines
- 3.3.4 – City to provide evidence that all Development Application fees have been paid
- 13 – City provides consent to allow Rights of Developer (Cedar Hills Farm Land, LLC) to be assigned to Buyer (David Weekley Homes)

Design Guidelines

- 3.3 – City to provide written permission that:
 - A foam-core fencing product (such as Rhino brand fencing) will meet the definition of "concrete walls"
 - Other than on the lots where the project perimeter fencing/walls are already designated, the "open fence" requirement will only apply to fencing that is visible from the front of the lot as well as side-lot fencing visible from the street on corner lots. Otherwise, fencing installed on rear and side lot lines may be non-open fencing.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENTS TO THE SETTLEMENT AGREEMENT AND DEVELOPMENT AGREEMENT WITH CEDAR HILLS FARMLAND LLC. RELATED TO THE DEVELOPMENT OF THE CEDAR CANYON SUBDIVISION.

WHEREAS, The City of Cedar Hills desires to amend the Settlement Agreement and Development Agreement between the City of Cedar Hills and Cedar Hills Farmland LLC., to allow for consignment of the agreement with all rights and obligations being transferred to a third party, David Weekly Homes, LLC.

NOW THEREFORE, The City Council of Cedar Hills resolves to approve the consignment of the Settlement Agreement and Development Agreement to David Weekly Homes LLC., with the understanding that David Weekly Homes LLC. assumes all duties, rights and obligations expressed therein.

PASSED AND ORDERED RECORDED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH, THIS 22ND DAY OF JANUARY, 2019

APPROVED:

Jenney Rees, Mayor

ATTEST:

Colleen A. Mulvey, City Recorder



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manager
DATE:	1-22-2019

City Council Agenda Item

SUBJECT:	Review Action on Adopting a Public Safety Contract with American Fork Public Safety Services
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, City Manager
BACKGROUND AND FINDINGS: Cedar Hills City Council awarded the bid for public safety services for both police and fire/EMS to American Fork. This change of service is scheduled to take effect July 1, 2019; as of that date, Cedar Hills will no longer be a member of the Lone Peak Public Safety District. American Fork is planning on using the Cedar Hills fire station until their planned station can be built. The new AFFD station will be located on North County Blvd and Harvey Blvd. The Cedar Hills attorney and the American Fork attorney have both reviewed the proposed agreement.	
PREVIOUS LEGISLATIVE ACTION: Public safety bid was awarded to American Fork for both police and fire services on 9/18/2018	
FISCAL IMPACT: See proposed agreement	
SUPPORTING DOCUMENTS: Proposed Public Safety Services Agreement between American Fork and Cedar Hills	
RECOMMENDATION: Review the proposed Public Safety Services Agreement and make any necessary changes for adoption.	
MOTION: To adopt/not adopt the Public Safety Services Agreement between American Fork and Cedar Hills, subject to negotiating the following modifications to the agreement {LIST ANY CHANGES NECESSARY FOR ADOPTION OF THE AGREEMENT}.	



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manager
DATE:	1-22-2019

City Council Agenda Item

SUBJECT:	Review Action on Directing Staff to Negotiate with Keller Construction to Move Forward with the Baseball Diamond in Harvey Park Phase 1
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, City Manager

BACKGROUND AND FINDINGS:

The baseball diamond was removed from the initial phase of Harvey Park due to resident concerns about safety. Staff has since reviewed the proposed layout of the baseball diamond, and proposed fencing, and is recommending including the baseball diamond as part of the Phase 1 development in Harvey Park. Staff has received bids for foul ball fencing along the third and first base lines that will serve to mitigate many of the foul balls being hit outside the field area, thereby giving additional protection to cars parked in the parking lot and children playing on adjacent fields.

PREVIOUS LEGISLATIVE ACTION:

Keller Construction was awarded the bid for Harvey Park Phase 1 on December 18, 2018, and the baseball diamond was removed as part of that motion.

FISCAL IMPACT:

The backstop fencing was not included in the original bid, and would cost approximately \$20,000 for backstop and 60' of fencing along first and third base lines.

SUPPORTING DOCUMENTS:

Harvey Park Layout

RECOMMENDATION:

Review the proposal and direct staff to include the baseball diamond as part of phase 1

MOTION:

To approve/not approve the inclusion of the baseball diamond as part of Harvey Park Phase 1 development, subject to the following conditions {LIST ANY NECESSARY CONDITIONS}.



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manager
DATE:	1-22-2019

City Council Agenda Item

SUBJECT:	Discussion on Utility Billing for Suspended Services
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, City Manager

BACKGROUND AND FINDINGS:

Staff has been asked to research our utility billing practices as it relates to suspended services. Suspended services occurs when the occupant leaves for an extended period of time, usually at least a few months, and requires their water meter to be turned off and other services suspended. During that time, it has been the practice of Cedar Hills to continue to bill for base rate services. The rationale behind this billing practice is that although the dwelling is not being occupied, and certain services may be suspended, the City is still required to meet our obligations in maintaining the system and paying any required debt services associated with the system. For example, the fire/paramedic charge continues to be billed throughout an absence, even though an occupant is not living in the residence. In the event of a fire, the service will still be provided. For other services, the City has a debt service obligations and debt covenants that must be met in order for bond ratings to be maintained. The budget is based on each utility connection paying a certain allotment throughout the year; the budget is set up to meet these debt obligations and covenants. Staff would like direction from the City Council on if any of these policies need to be updated or changed.

PREVIOUS LEGISLATIVE ACTION:

N/A

FISCAL IMPACT:

N/A

SUPPORTING DOCUMENTS:

None

RECOMMENDATION:

Review issue, and be prepared to make recommendation to staff on how to proceed.

MOTION:

No motion necessary, discussion item only.