

**CITY COUNCIL WORK SESSION**  
Tuesday, August 21, 2018 6:00 p.m.  
Community Recreation Center  
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Jenney Rees, Mayor, Presiding  
Councilmembers: Denise Andersen, Ben Bailey, Ben Ellsworth, Mike Geddes,  
Brian Mile  
Chandler Goodwin, City Manager  
Charl Louw, Finance Director  
Greg Gordon, Recreation Director  
Jeff Maag, Public Works Director  
Colleen Mulvey, City Recorder

This work session of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 6:06 p.m. by Mayor Rees.

Chandler Goodwin, City Manager, turned the time over to Charl Louw, Finance Director, to present updates on Harvey Park. Mr. Louw stated staff received engineering plans last week that were 75% completed. Mr. Louw said he would present the changes that had been made to the plan. Once finalized, the City would need to notify Mr. Harvey of the City's intention to begin construction. Mr. Louw said Mr. Harvey was fine with this timeline as of the beginning of July, so staff did not foresee any issues.

1. Update on Harvey Park

Mr. Louw displayed a picture that was presented to the Council last October. Since then, several changes had been made: (1) parking went from parallel to signed; (2) the maintenance building was originally going to be in center of the roundabout but had since been moved to the side; (3) the sports courts had changed to include more pickleball courts. Mr. Louw explained the increase in pickleball courts was result of a recent tournament wherein 140 participants attended. He presented an aerial map of the park and identified where staff initially sought to situate the courts and associated parking. However, the location changed after a neighboring resident raised concerns with the noise.

Mr. Goodwin mentioned Orem City didn't address noise before installing pickleball courts, and they had received similar noise complaints. In the case of Cedar Hills, they were only dealing with the complaints of one resident. Mr. Louw said the pickleball courts were moved so they are at least 300 feet away from residents. In the case of the citizen previously mentioned, they were 500 feet away from the nearest court. Mr. Louw then presented images of an area that would be entirely open grass for small fields. He stated that the courts were moved as far as possible without impacting the playground and splash pad area. In addition, the basketball court was also moved farther away. Mr. Louw showed a drawing depicting elevation changes and stated there were about 20 feet from the street to the Murdock canal. He also showed slopes on the subject property, noting that they were not more than 2%. He noted staff would be meeting with the engineer and architect on Monday.

C. Ellsworth asked if the maintenance building could be moved to the west by 30 to 40 feet so that it wouldn't be in line of sight. Mr. Louw said it was possible a corner could be cut out, but they would need to determine whether or not the change would still allow sufficient space to accommodate the park equipment. Mr. Louw explained that staff did not foresee the City providing its own park maintenance right now, but this was something they could discuss in the future. Jeff Maag said staff could talk about putting in a compound or structure in the existing easements on the property. He noted that he would speak to the water district on the matter.

C. Geddes asked if the City had an estimate on the project cost. Mr. Louw said the original estimate from February 9<sup>th</sup>—which had a contingency of 10%—was \$5.7 million. He said typically when the City bid out projects, phasing occurred for amenities such as lighting. Mr. Goodwin stated by law, they were required to have some park lighting. Mr. Louw said at first it would be a daylight park only, because the costs of installing all of the lighting ran at approximately \$700,000. C. Geddes asked if this could be done in the future. Mr. Louw answered affirmatively and explained the idea was to have the other amenities installed first. In the summer it remained light outside until late anyway, and the splash pad would not be turned on until it was warm. C. Geddes said he was willing to explore all options, including bonding.

Mr. Louw said the goal was to get the RFP out around October, provided there were no further delays. Based on the bids that the City would receive, the City could decide what to do with the available funding. He mentioned delays had taken place due to the changes that had been made throughout design process. He then presented several images of other similar parks around the State.

Mr. Goodwin mentioned that the all-abilities park in Orem had ADA swings, etc. There was a lot of demand for this type of park. The park in Orem, in addition to a similar park in St. George, had hundreds of kids there at all times. He believed the residents of Cedar Hills would love this type of park in their community.

In response to a question from C. Andersen, Mr. Goodwin said bids would go out in October, and usually staff gave bidders 45-60 days to put together a bid package. The Council needed to decide if they planned to phase over time; if so, then they need to prioritize. If not, then they need to bond for the cash that was not available. After subsequent discussion, Mr. Louw said staff's goal was to give the contractor some flexibility which would help get a more reasonable price for the project. Mr. Goodwin concluded that once the park was in, the City would hold events there.

## 2. Oak Road Parcel

It was noted that a public hearing would be held on this item in an upcoming meeting. Mr. Goodwin stated that the Planning Commission felt they needed to explain their vote to the Council. He explained that in many land use decisions the hands of the Commissioners were tied because they had to follow the code; all the Council did was give a final stamp of approval. In this case, the Council had a lot of leeway to determine what was best for the community. The Planning Commission felt strongly about the current proposal which was why they offered the solution that they did. Mr. Goodwin said this had been an ongoing issue for a long time due to

encroachments, fencing, steep slopes, and retaining walls. He presented aerial maps of the area to further describe some of the existing issues with the property.

Mayor Rees said when making land use decisions as a Council, it was really important to let applicants make their presentations. If the Council makes decisions before presentations are made, then applicants aren't given a fair hearing. Mr. Goodwin concurred, and said he would also try to be as non-biased as possible as well when presenting staff reports. In response to a question from C. Miller regarding the trail, Mr. Goodwin said the City needed to own both pieces of a particular piece of property. One question raised with the Planning Commission was what type of precedent would be set if this proposal were to be approved. Mr. Goodwin said no precedent would be set, because the Council could do what was best for the City. Furthermore, he stressed that future Councils were not bound by the current Council's decisions.

C. Ellsworth said these encroachments were something of which the homeowners were aware at some point. Mr. Goodwin said this became a civil issue between landowners. He said if the proposal was denied tonight, there was nothing to prevent a new proposal from being submitted tomorrow. C. Bailey asked if the Planning Commission addressed encroachments at all and how they should be resolved. Mr. Goodwin said no and explained that the encroachments were a separate issue. C. Bailey asked what the Planning Commission expected the Council to do with those encroachments. Mr. Goodwin did not know that there was any kind of expectation. He said there was some surprise on the part of the Planning Commission when they found that many of the people that were saying "protect our open space" were encroaching into that open space and treating/using it as if it were private property. He said this open space needed to be open for all.

Mayor Rees added there was at least one of the existing homeowners that had stated that they would like the City to acquire the land, and then they would like to purchase that land from the City for personal use. Mr. Goodwin said something the Planning Commission was going to bring up tonight was across the issue of the Hazelbaker lot straddling two lots, one of which was open space. The home in question was approved in 1984. Mr. Goodwin said the difference here was that density was being added. C. Andersen said she used to live on Oak Road and as a resident, she was told this was master planned as open space. The residents in this area cared about this a lot because of what they were told by the City, and they were intent on preserving open space.

This meeting was adjourned at 6:40 p.m. on a motion by C. Ellsworth, seconded by C. Andersen, and unanimously approved.

Approved by Council:  
September 18, 2018

/s/ Colleen A. Mulvey, MMC  
City Recorder