



Rick Meinzer said he was excited about the park; however, he had some concerns. He suggested the City consider increasing the parking and noted there were major safety issues that needed to be considered. He was also concerned with the light pollution the park would cause.

### **CONSENT AGENDA**

#### 4. Minutes from the November 20, 2018, Work Session & City Council Meeting

Mayor Rees suggested two changes to the minutes.

**MOTION: C. Ellsworth—To approve the consent agenda.** Seconded by C. Andersen.

|     |   |              |                |
|-----|---|--------------|----------------|
| Yes | - | C. Andersen  |                |
|     |   | C. Bailey    |                |
|     |   | C. Ellsworth |                |
|     |   | C. Geddes    |                |
|     |   | C. Miller    | Motion passes. |

### **CITY REPORTS AND BUSINESS**

#### 5. City Manager

Mr. Goodwin reported the following:

- Jr. Jazz had completed registration and was the largest group in history thus far. Tickets to the upcoming Utah Jazz game were now on sale.
- The ski bus was currently full and the Vista Room was extremely busy.
- He thanked everyone who worked on the Christmas decorations throughout the City.

#### 6. Mayor and Council

C. Andersen reported that the City signed agreements with Central Utah 911 - Dispatch. Additionally, she attended the Utah County Commission meeting.

Mayor Rees reported that the County Commissioners approved the quarter cent sale tax. Utah County also came to an agreement on a representative to the UTA Board.

C. Miller reported that he spoke with Boyd Wilkins regarding Santa night at the community center. He said there was more attendance this year and asked for suggestions for next year.

#### 7. Review/Action on a Resolution stating that Cedar Hills Intends to Participate in the Municipal Alternate Voting Methods Pilot Project (Ranked Choice Voting)

Mayor Rees acknowledged Mr. Holdaway's attendance at the meeting, noting he was available to answer any questions. She stated that some cities in Utah County had chosen to implement Ranked Choice Voting.

Mr. Goodwin explained that West Jordan City passed a resolution to use Ranked Choice Voting. West Jordan officials were concerned that Salt Lake County and Davis County did not have the hardware and software to implement the process. In Utah County, they had the ability to implement the program. Another concern pertained to educating people on the change. He explained they would need to send out mailers and provide information before people voted.

C. Ellsworth asked what items on the next election ballot would be eligible for Ranked Choice Voting. Mr. Goodwin responded there were three Council seats up for re-election. He said he was not convinced this would save any money. C. Ellsworth asked if there were other items. Mr. Goodwin responded “yes” or “no” decisions would not be subject to Ranked Choice Voting.

C. Andersen stated she liked the idea of Ranked Choice Voting. She said her concern was educating people of the new process. She noted it did not take too much time to educate residents. Mr. Goodwin said this was the reason the withdraw date is important. He said they needed to coordinate with the County if they chose to adopt the program.

Mayor Rees stated that there was nothing stopping the City from implementing an education program for Ranked Choice Voting. She suggested having additional poll workers to help with the change. C. Ellsworth commented that Maine had some issues with Ranked Choice Voting. However, these issues would not necessarily apply to Utah.

C. Miller said education was his biggest concern. He noted a lot of people were complaining about the mail-in ballots from the last election. He said there was a new County Clerk who had not been in office yet. He was concerned about the mixed types of voting on the ballot, and the City would need to communicate these differences clearly. He suggested allowing the other cities test the process before the program was implemented in Cedar Hills.

Mr. Holdaway said the pilot was open until 2026. He said if there were no Council seats with more than two candidates, then this program would eliminate the need for a primary. The cost savings would occur because there was no primary. He noted a mixed ballot would be easy to navigate.

C. Bailey said he had studied this idea and liked the program. The problem was that residents waited to the last minute to cast their ballots. He noted they were already having problems with the current ballot and this would add to the confusion. C. Miller stated that as the larger cities implemented this program they could learn from their experience. He did not feel comfortable letting Cedar Hills be a part of the learning curve.

Mayor Rees said she received feedback on the matter from social media that was mostly positive. There would be challenges no matter when they implemented the process. C. Andersen stated that the residents would have to be engaged and involved. There would be a large portion of the voters that would not take the time to learn about the process until the election day.

C. Bailey said he did not like the idea of the County educating the residents. If Cedar Hills chose to implement the program, then it should provide its own education. Mr. Goodwin agreed, noting there were good resources they could provide to educate the residents. Mayor Rees said if

they waited too long, they would not have the money appropriated from the County/State to help implement the program. C. Andersen said she was in favor of the program if they started education now. Mr. Goodwin agreed.

Mayor Rees reiterated the deadline for deciding on this issue (January 1, 2019). They would have until May to create focus groups for educating citizens on the process; the deadline to opt-out is May 1<sup>st</sup>.

Joel Wright stated he had been involved in many Cedar Hills elections over the years. He noted there could be confusion over the Council seats to be filled. He explained there already was some confusion, and the Ranked Choice Voting would worsen the problem. C. Ellsworth asked how they would use Ranked Choice Voting to choose the Council seats. Mr. Holdaway clarified their process, and noted there was a Ranked Choice Voting resource center for education.

**MOTION: C. Ellsworth–To adopt Resolution No. 12-18-2018A, a resolution of the City Council of Cedar Hills, Utah, adopting the Ranked Choice Voting method and authorizing the Mayor to provide written notice to the Lieutenant Governor of the intent of the City of Cedar Hills to participate in the Municipal Alternate Voting Methods Pilot Project for the 2019 election, and authorizing and directing staff to take all other actions required for participation in the Pilot Program.** Seconded by C. Andersen. Vote taken by roll call.

|     |   |              |                |
|-----|---|--------------|----------------|
| Yes | - | C. Andersen  |                |
| No  | - | C. Bailey    |                |
| No  | - | C. Ellsworth |                |
| No  | - | C. Geddes    |                |
| No  | - | C. Miller    | Motion failed. |

#### 8. Review/Action on the Harvey Park Phase 1 Bid Award

Charl Louw explained the park concept plan, noting that staff received feedback from residents on this item. He noted the number one thing residents wanted was a splash pad. He explained that Phase 1 would cover the landscaping, trees surrounding the playground, and the splash pad. He said they considered pavilions, restrooms, concession stands, and pickleball courts.

Mr. Goodwin explained there was an ordinance issued for public buildings over \$400,000. The restroom/concession facility was bid over \$400,000. Therefore, they would need to re-engineer the building to come under this amount. Mayor Rees asked why the building cost was so high. Mr. Goodwin explained that the cost was due to the methods of construction. He said there were ways to make the cost more reasonable.

C. Geddes asked if they had adjusted the cost with inflation. Mr. Goodwin responded affirmatively; however, this was still over the amount they were willing to pay.

Mr. Louw explained the nature of the resolution and bidding process. He explained the two lowest bids allowed residents to use the facilities as they were completed. This would be beneficial if they held the Family Festival in the park this summer. He noted they could create some recommendations of project priorities. He then explained the road expansion and parking.

C. Rees asked how many parking spots were available at Harvey Boulevard. Mr. Louw stated there were 90 stalls and 40 parking spaces on the street. Parking was not planned for both sides of the street.

Mr. Goodwin said they did not plan on putting up a back stop on the baseball field as part of Phase 1. There was plenty of time to discuss concerns with the baseball field as well as parking. Discussions would take place with the neighbors, like the process that took place for Mesquite Park. Mayor Rees clarified there was no baseball field in Phase 1 and Mr. Goodwin concurred.

Mr. Louw said a backstop would be needed for the baseball field. This, along with the lights, would be a part of the last phase. The City would discuss the lights five or ten years from now. Mayor Rees asked about light policies in other parks. Mr. Goodwin stated they did not currently have any lights like these in the City.

Mr. Louw said the City could put the splash pad on a timer because they would not want to have children on the playground after dark. This discussion could take place in later phases. Mr. Goodwin briefly mentioned that the only official league the City had was T-ball, which was facilitated by Lone Peak Youth Baseball.

A resident expressed concerns with the foul balls from the baseball field hitting cars. Mr. Louw explained that the fields were situated in a way to where they avoided the sun. Mr. Goodwin added that the fields were a substantial distance to the road.

Mr. Louw explained that the City was trying to make a well-balanced park. There was plenty of funding available for widening the roads from the impact fees. Staff was not recommending spending every dollar. Mr. Louw then reviewed staff's recommendations for funding distribution.

C. Geddes asked if there would be three pickle ball courts. Mr. Louw explained that staff wanted to paint pickleball lines on the tennis courts to serve a dual purpose. Mr. Goodwin stated he received emails about pickleball courts and staff was trying to accommodate a lot of residents. Their goal was to host the 2020 Family Festival in the park. The pavilion was more of a priority than the pickle ball courts. Mr. Louw explained this was only a starting point and they would make changes as things progressed. C. Geddes said it was not the goal of the City to make money on pickle ball tournaments. Mayor Rees stated this was the last park to be developed in the city and they were trying to accommodate as much as possible for the residents.

Mayor Rees opened the floor for public comments.

Melissa Walker said she was concerned with the direction of the baseball field. She explained it was possible to change the direction of the field and felt there were better options.

Mr. Goodwin explained that changing the direction was not easy because they would have to change the grade of the field. He suggested foregoing the field if the residents thought it was too much of a risk. Mayor Rees asked if there was an option of putting up netting. Mr. Goodwin

suggested the City put in grass until the baseball field is built. Mayor Rees noted that the City currently had scheduling issues with its two existing baseball fields.

C. Geddes asked what the dimension was down the left field line. Mr. Louw stated it went down 20 feet to the road. He said there were major slopes on this side, which staff would discuss with the contractors.

C. Ellsworth suggested they consider safety issues of the field. He asked if the lighting would be synced with the curfews. Mr. Goodwin responded in the affirmative. Mayor Rees said she wanted the facilities to have a timer. Mr. Louw stated that the street light would be seen the most. C. Ellsworth asked if the baseball diamond was a part of Phase 1. Mr. Louw said no. Mayor Rees said if they did not want people to play on the field, they should not install lights.

Dustin Larsen, resident, said it did not make a lot of sense to put in sand if the field was used for children. The sand was expensive, and the City should just use sod.

C. Bailey said if they removed the baseball field, they would have a huge space. Mr. Goodwin said they should have a discussion with the contractor about the materials they would use on the baseball field. Mr. Louw explained the area was designed to have multi-purpose fields.

**MOTION: C. Ellsworth–To award the bid for general construction services to Keller Construction, and to authorize the Mayor and city staff to negotiate a contract based on the provisions outlined in the bid proposal, plus as discussed the changes of removing the additional concrete and removing the baseball diamond.** Seconded by C. Geddes. Vote taken by roll call.

|     |   |              |                |
|-----|---|--------------|----------------|
| Yes | - | C. Andersen  |                |
|     |   | C. Ellsworth |                |
|     |   | C. Geddes    |                |
|     |   | C. Miller    |                |
| No  | - | C. Bailey    | Motion passes. |

#### 9. Discussion on the Cedar Hills Parks Master Plan

Mr. Louw explained the City hired InSite Design to develop the Parks Master Plan. He recommended everyone read the plan which included an inventory analysis for every park. The biggest focus was on Heritage Park and Mesquite Park. He noted there was also a tree replacement plan included. He reviewed a few items recommended in the plan with the Council.

Mayor Rees asked when staff was expecting final approval from the Council. Mr. Louw said they expected it to be approved by the budget retreat in January, and Mayor Rees agreed this was a good time frame. C. Geddes asked about the cost estimates. Mr. Louw pointed out in the document where the estimates were located.

10. Review/Action and Public Hearing on a Resolution Adopting Fiscal Year 2019 Budget Amendments

Mr. Louw explained that up to \$800 was adjusted for the capital projects fund. C. Geddes said this was good news.

11. Public Hearing

When asked about the proposed budget for Phase 1 of the Harvey Park project, Mr. Louw responded they planned on approximately \$4 million. Mr. Meinzer asked if the land was acquired with debt service, to which Mayor Rees answered in the negative. She added that some of the money was received from impact fees.

**MOTION: C. Andersen–To adopt Resolution No. 12-18-2018A, a resolution adopting the amended 2018-2019 Fiscal Year budget for the City of Cedar Hills, Utah.** Seconded by C. Miller. Vote taken by roll call.

|     |   |              |                |
|-----|---|--------------|----------------|
| Yes | - | C. Andersen  |                |
|     |   | C. Bailey    |                |
|     |   | C. Ellsworth |                |
|     |   | C. Geddes    |                |
|     |   | C. Miller    | Motion passes. |

12. Discussion on Business Licensing and Home Occupations

Mr. Goodwin explained that Mr. Richards approached the City about using a part of his home for business use. Under the City's business license code, residents were limited on where they could operate their business. He said it was different for accessory buildings. Staff and Council should discuss how much they cared about people operating out of these buildings, including garages. He suggested they consider the offsite impact. He then proposed several language amendments. Mr. Goodwin said if this amendment was adopted, he suggested the residents obtain a building permit before a certificate of occupancy. There should be a measurable off-site impact for businesses operated out of an accessory building.

Mayor Rees said they currently allowed daycares and dance studios in residential zones. She asked why they cared if an accessory unit had a measurable offsite impact. Mr. Goodwin responded this was a way of preserving the status of the neighborhood. Mayor Rees said she did not understand why they were including this requirement. Mr. Goodwin explained that they were trying not to violate State Code. If the Council was comfortable without this requirement it could be removed.

Mayor Rees suggested the City enforce its nuisance ordinances. They needed to protect the property of the residents. She asked if they should care if they were enforcing what people did on their property. Mr. Goodwin stated that South Jordan listed prohibited businesses to be run out of homes. They also limited the number of trips a business could generate.

C. Bailey said he did not have any issues with people running businesses out of accessory buildings. Mr. Goodwin commented the businesses would impact neighborhoods. C. Bailey said he would agree if it caused a nuisance. Mayor Rees said it would be somewhat of an overreach to create an ordinance to limit these businesses. Mr. Goodwin said he understood the Council was not overly concerned. Mayor Rees said if there were major nuisances, they would handle them with existing City ordinances.

C. Andersen commented the economic situation was changing. People were getting creative and bringing their work home and the City needed ways to accommodate residents who needed these types of allowances. Mr. Goodwin said the code was drafted 25 years ago at which time the economy was primarily manufacturing. C. Miller said he was in favor of expanding personal property rights.

Joseph Wilkins said he appreciated City officials discussing the bigger issue. He noted that his personal studio was used three days a month and would have a minimal impact on the neighborhood.

### 13. Review/Action and Public Hearing on Amendments to the City's General Plan related to Adopting a Moderate-Income Housing Element

Mr. Goodwin said they did not want to enter the next legislative session without a moderate-income housing plan. He explained there was a lack of affordable housing in Utah County and the State. The State required every City to have a plan, and Staff was working with the Mountainland Association of Governments (MAG) to achieve this objective. He presented a handout detailing five items pertaining to this issue. Mr. Goodwin explained what was considered moderate-income housing. He noted the housing supply in the City was higher than what was considered moderate-income housing.

C. Bailey asked if moderate-income housing was considered for ownership or renting. Mr. Goodwin said it could be both. There were changes recommended by staff to improve moderate-income housing in the City. They had rezoned to make residential units available in commercial zones, accessory apartments, and changing the ordinances regarding single room occupancy.

Mayor Rees stated this was supposed to be done years ago. She said she had met with the Utah League of Cities and Towns (ULCT) and MAG about changes they could make. She thanked staff for their work and MAG.

Mr. Goodwin said there was a biannual report the City was required to supply to the State regarding the housing stock. Mayor Rees said she was working on a document to give to the legislators.

**MOTION: C. Andersen—To adopt the Moderate-Income Housing Element to the General Plan.** Seconded by C. Ellsworth.

Yes - C. Andersen  
C. Bailey  
C. Ellsworth  
C. Geddes  
C. Miller Motion passes.

14. Review/Action on a Resolution Authorizing the Mayor to sign an Interlocal Agreement with Pleasant Grove City related to the Valley Vista Trail

Mr. Goodwin said last year Pleasant Grove began developing Phase 2 of the Valley View Trail. Building into Cedar Hills was necessary for completing the project.

C. Andersen said she had spoken with Deon Giles of Pleasant Grove, who indicated they would not be going through Cedar Hills as they were trying to re-route the trail. Mr. Goodwin explained the agreement puts the maintenance cost on to Pleasant Grove. This would benefit the City because they would get the trail without the maintenance costs.

Mr. Goodwin stated the trail was well-maintained and well-groomed.

C. Geddes said bikers were good at self-regulation. He was not concerned with the trail running through a portion of Cedar Hills.

**MOTION: C. Ellsworth—To table this item.** Seconded by C. Andersen.

Yes - C. Andersen  
C. Bailey  
C. Ellsworth  
C. Geddes  
C. Miller Motion passes.

15. Review/Action on an Ordinance setting the Time and Place of the Regular City Council Meetings for 2019

Mr. Goodwin explained there were some changes in January due to the first Tuesday being a holiday. He noted the other changes throughout the year.

**MOTION: C. Geddes—To adopt Ordinance No. 12-18-2018A, an ordinance setting the time and place of the regular meetings of the City Council of the City of Cedar Hills, Utah.**

Seconded by C. Ellsworth. Vote taken by roll call.

Yes - C. Andersen  
C. Bailey  
C. Ellsworth  
C. Geddes  
C. Miller Motion passes.

ADJOURNMENT

This meeting was adjourned at 8:13 p.m. on a motion by C. Bailey, seconded by C. Andersen, and unanimously approved.

Approved by Council:  
January 22, 2019

/s/ Colleen A. Mulvey, MMC  
City Recorder