

PUBLIC HEARING AND CITY COUNCIL MEETING  
Tuesday, May 3, 2011 7:00 p.m.  
Public Safety Building  
3925 W Cedar Hills Drive, Cedar Hills, Utah

Present: Mayor Eric Richardson, Presiding  
Council Members: Scott Jackman, Ken Kirk, Stephanie Martinez, Jim Perry (7:44 p.m.)  
Absent: Marisa Wright  
Konrad Hildebrandt, City Manager  
David Bunker, City Engineer  
Greg Holindrake, Assistant City Manager  
Rebecca Tehero, Finance Director  
Kim Holindrake, City Recorder  
Courtney Hammond, City Meeting Transcriber  
Others: Lt. Sam Liddiard (Police Department), Troop 1271, Wendie Edwards, Ted Edwards, Dianna Andersen, Natalie Barrett (Daily Herald), Diane Kirk

COUNCIL MEETING

1. This meeting of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 7:15 p.m. by Mayor Richardson.

Invocation given by C. Jackman.

Pledge of Allegiance led by Troop 1271.

2. Public Comment (7:16 p.m.)

Wendie Edwards: Ms. Edwards proposed that when the subject of small animal rights comes up next week, the Council consider the facts rather than the rhetoric or emotional statements and that they compare apples to apples. In the Planning Commission it was stated that the City's small animal rights ordinance is comparable to Highland's and Alpine's. Ms. Edwards contacted Highland and Alpine and found that there are no lots in those cities as small as some in Cedar Hills. Provo and Orem have more comparable lot sizes. She asked that the City Council consider their ordinances for comparison. It is hard to refute the statement of angry neighbors. Ms. Edwards invited the Council members to come to her house to see and check the smell for themselves. There is an urban sustainability movement across the nation. She feels that neighbor complaints should have been brought to her, rather than to the City. She is willing to put up a fence to address neighborhood concerns.

PUBLIC HEARINGS

3. Amendments to the City Code, Title 10, Chapter 2, Definitions, Regarding the Definition of Dwelling, Single-Family (7:25 p.m.)

No comments.

4. Amendments to the City Code, Title 10, Chapter 2, Definitions, Regarding the Definition of Land Surface Slopes (Slope) (7:25 p.m.)

No comments.

CONSENT AGENDA

- 5. Minutes from the April 5, 2011, Regular City Council Meeting (7:25 p.m.)
- 6. Minutes from the April 19, 2011, Special City Council Meeting (7:25 p.m.)

**MOTION: C. Kirk – To accept the consent agenda, minutes from the April 5, 2011, Regular City Council Meeting, and the April 19, 2011, Special City Council Meeting as written and amended.**

Seconded by C. Martinez.

Yes - C. Jackman  
 C. Kirk  
 C. Martinez Motion passes.

SCHEDULED ITEMS

- 7. Review/Action on a Resolution Adopting an Interlocal Cooperation Agreement with North Pointe Solid Waste Special Service District (7:25 p.m.)

See handouts.

Staff Presentation:

Konrad Hildebrandt stated that this is a resolution and interlocal agreement. Both were prepared by North Point Solid Waste Special Service District. All cities north of Orem in Utah County belong to North Point Solid Waste SSD. North Point is asking the member city to agree that all city waste be brought to North Point for the next twenty (20) years.

Council Discussion:

- Mayor Richardson stated that he feels that overall this agreement is a good idea. He has few concerns, mainly that the time frame is too long and it obligates the City to a Special Service District that the City doesn't have much control over. County controls the number of members, etc., in the Special Service District. He would like a stronger opt-out clause.
- C. Kirk stated that as it is presently constituted, the North Pointe Solid Waste SSD board has all the cities' best interests in mind, but there is the chance that the county can change the make up and direction of the board. He would like to see the agreement executed as long as the board is not changed by the county. He wants to see this agreement expedited. It is a crucial time for North Point.

**MOTION: C. Kirk – To continue this item until the May 17 City Council meeting, between now and then have the City Attorney look at the agreement and add stipulations that protect the City in the way of outs for tonnage if it drops below a certain amount, and that the board of directors remain as it currently exists with each municipality having one vote.** Seconded by C. Jackman.

Yes - C. Jackman  
 C. Kirk  
 C. Martinez Motion passes.

- 8. Review/Action on Amendments to the City Code, Title 10, Chapter 2, Definitions, Regarding the Definition of Dwelling, Single-Family (7:38 p.m.)

See handouts.

Staff Presentation:

Greg Robinson stated that this item was discussed in conjunction with accessory apartments. Planning Commission reviewed this definition and made a recommendation to define single family dwelling unit as "A detached residence designed for or occupied by one family, but not

including hotels, motels, or bed and breakfast facilities. Single family dwellings may include accessory apartments.”

**MOTION: C. Jackman – To approve Ordinance No. 5-3-2011A, amending Title 10 of the City Code of the City of Cedar Hills, Utah, amending the requirements relating to definitions, for dwelling, single family, as stated.** Seconded by C. Kirk. Vote taken by roll call.

Yes	-	C. Jackman	
Yes	-	C. Kirk	
Yes	-	C. Martinez	Motion passes.

9. Review/Action on Amendments to the City Code, Title 10, Chapter 2, Definitions, Regarding the Definition of Land Surface Slopes (Slope) (7:40 p.m.)

See handouts.

Staff Presentation:

Greg Robinson stated that the amendment is in the definitions so that it applies to all zones, not just the hillside zones.

David Bunker stated that the exceptions to the slope stipulations are for collector roads and natural drainage ways. One example is the planned collector that connects Morgan with Heiselt’s Hollow. One section of that roadway will need to cut through an area that exceeds 30%. In that case the City Engineer, Planning Commission and City Council would need to approve the exceptions.

Council Discussion:

- Mayor Richardson stated that this amendment clarifies the definition for how a slope is determined.

**MOTION: C. Jackman – To approve Ordinance No. 5-3-2011B, changes to the City Code 11-4D-10, an amendment regarding Slope Determination Criteria.** Seconded by C. Perry. Vote taken by roll call.

Yes	-	C. Jackman	
Yes	-	C. Kirk	
Yes	-	C. Martinez	
Yes	-	C. Perry	Motion passes.

10. Budget Presentation for Fiscal Year 2012 (7:50 p.m.)

See handouts.

Staff Presentation:

Rebecca Tehero presented the Fiscal Year 2012 expenditures, which is less than a 2% increase from FY 2011. Gas and oil expenditures need to be increased across the board.

Greg Robinson stated that he is proposing a new telephone system. The current system is no longer supported. This system is a VOIP system and very transferrable and can be easily expanded. The cost would include service for four years.

Council Discussion:

- Mayor Richardson stated that he would prefer to not decrease the garbage fees at this point because of the high possibility of fuel surcharge. He does not want to see the rates decrease only to increase in the future.
- C. Perry suggested looking into Skype. He stated that Cedar Hills renovated the Public Safety Building to house public safety staff. The Lone Peak Public Safety District (LPPSD) is holding a public hearing tomorrow (May 4) at 7:00 p.m. Some members are proposing taking away staffing at the Cedar Hills building. He also suggested that the City look into outsourcing mail exchange management.

**MOTION: C. Kirk – To adopt a tentative Fiscal Year 2012 budget as required by law, even though the tentative budget means nothing, is superfluous, and a waste of time, but because it is required by law, move to tentatively adopt this budget.** Seconded by C. Martinez.

Further Discussion:

- C. Perry stated that he finds the need to adopt a tentative budget superfluous and ridiculous. For that reason he will vote against the tentative budget.

Yes	-	C. Jackman	
		C. Martinez	
No	-	C. Kirk	
		C. Perry	
Yes	-	Mayor Richardson	Motion passes.

- Mayor Richardson stated that he didn't want to vote affirmatively, but needed to because it was in the best interest of the residents.

11. City Manager Report and Discussion (9:40 p.m.)

- The spring clean-up dumpsters are advertised for Saturdays, but are there from Friday until Monday.
- There is a Lone Peak Public Safety District public hearing on Wednesday, May 4, at 7:00 p.m. at the Highland City building.

MAYOR AND COUNCIL REPORTS

12. Board and Committee Reports (9:43 p.m.)

- C. Jackman reported that the Planning Commission met and discussed small animals and the sign ordinance.
- C. Martinez will ask Detective Anderson to be the Grand Marshal of the Family Festival.
- C. Kirk reported that this week is Silver Star Week.
- Mayor Richardson has met with a developer about purchasing the golf course and received a soft offer, which includes St. Andrews, the Cottonwood land, the driving range, and the golf course. The offer was \$2.25 million. The Council considered the offer too low to consider.

EXECUTIVE SESSION

13. Motion to go into Executive Session, Pursuant to Utah State Code 52-4-204 and 52-4-205
14. Motion to Adjourn Executive Session and Reconvene City Council Meeting

No Executive Session.

ADJOURNMENT

15. Adjourn

This meeting was adjourned at 9:54 p.m. on a motion by C. Perry, seconded by C. Jackman, and unanimously approved.

Approved by Council:  
May 17, 2011

/s/ Cathy D. Larsen  
Cathy D. Larsen, Deputy Recorder