

CITY COUNCIL MEETING
Tuesday, June 26, 2019 7:00 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 Miller
 Chandler Goodwin, City Manager
 Greg Gordon, Recreation Director
 Gretchen Gordon, Executive Assistant/HR
 Charl Louw, Finance Director
 Jeff Maag, Public Works Director
 Joel Wright, Legal Counsel
 Others: Lt. Gregg Ludlow, Nate Miller

1. Call to Order

This meeting of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 7:00 p.m. by Mayor Rees. The Pledge of Allegiance was led by C. Miller and the invocation was given by C. Bailey.

2. Approval of Meeting's Agenda.

MOTION: C. Miller—To approve the agenda. Seconded by C. Geddes.

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

3. Public Comment: Time has been set aside for the public to express their ideas, concerns and comments. Comments are limited to three minutes per person with a total of 30 minutes for this item.

There were no public comments.

CONSENT AGENDA

4. Minutes from the April 16, 2019, May 7, 2019, and the May 21, 2019, City Council Meetings.

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

Yes - C. Andersen
 C. Miller
 C. Bailey

C. Geddes
C. Ellsworth Motion passes.

CITY REPORTS AND BUSINESS

5. City Manager

Mr. Goodwin reported that the Golf Course had a great month and had received positive feedback on many tournaments. The Creekside Theater would put on plays this next week. The road resurfacing of Canyon Heights would begin soon and would cause short-term road closures. Lastly, he welcomed Kevin Anderson, the City's new Assistant Public Works Director.

6. Mayor and Council

C. Andersen said she attended the Central Utah 911 meeting. A new program was presented to increase efficiency.

Mayor Rees said she attended an American Fork Town Hall meeting about installing fiber internet. She reported the City would install a speed sign indicator on Canyon Heights Drive. She also attended the Pleasant Grove Ditch meeting to review water pumped through Heritage Park to provide water to the trees. Lastly, she attended the Utah Lake Commission where they received proposals for algae treatments.

Mayor Rees reported that the County was working on the form of government change. Senator Romney had a new outreach specialist in the area. The Councilmembers were invited to attend the Tobacco 21 Roundtable.

SCHEDULED ITEMS & PUBLIC HEARINGS

7. Review/Action and Public Hearing on Amendments to City Code Title 10, Chapter 3, Regarding Removing the Open Space and Non-Buildable Lot Provisions Identified on the Canyon Heights Plat Map, Plat G Lot 14

Mr. Goodwin presented the staff report and explained that the City sold Lot 14 to Mr. Miller in 2015. There were easements on the lot and it was designated as non-buildable. Mr. Miller wanted to combine his home lot, Lot 13, with Lot 14 and expand his home to the south. The concerns from staff had been addressed by the engineer. There would be limits to the expansion of the home to avoid conflict with the easements. The neighbors were concerned about the drainage swale being blocked or compromised. Mr. Goodwin and staff did not think the applicant's request would cause any problems. The open space provisions were reviewed by staff and would be met.

Mayor Rees opened the public hearing. No comments were made, so she closed the public hearing.

MOTION: C. Ellsworth—To approve the removal of the open space and non-buildable lot provisions identified on the Canyon Heights Plat Map, Plat G, Lot 14. Seconded by C. Bailey.

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

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

Mr. Louw presented the following Fiscal Year 2019 Budget Amendment highlights:

- Cedar Canyon Subdivision Development reviews, including additional building permits, fees, engineering adjustments. Mr. Louw stated there was an offsetting revenue showing reimbursement from the developer. C. Geddes raised a concern about the expense being billed from Bowen Collins & Associates (BCA). There were items outlined in the City Code that required oversight by the City Engineer. Mr. Louw explained that the City needed assistance from BCA in order to complete the projects.
- Mr. Louw suggested the City investigate its code to ensure that the majority of projects were being handled by staff rather than a third party, explaining that this would help the City save money.
- Street Light Operations
- Recreation/Family Festival Growth
- Transfer to Capital Projects Fund for Harvey Park

Mayor Rees opened the public hearing. No comments were made, so she closed the public hearing.

MOTION: C. Andersen—To approve Resolution No. 06-26-2019A, a resolution adopting Fiscal Year 2019 budget amendments for the City of Cedar Hills, Utah. Seconded by C. Ellsworth.

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

9. Review/Action and Public Hearing on a Resolution Adopting the Fiscal Year 2020 Budget

Mr. Louw discussed a few items on the upcoming 2020 Fiscal Year Budget beginning with the budget priorities. He noted technology updates were a large portion of the items in the budget. Most of the capital improvements were related to water. He discussed some of the economic trends in Utah, explaining that housing costs were up and unemployment was low. He noted that the City should prepare for a possible recession in the future. Using the aid of a PowerPoint presentation, he reviewed the budget revenues and expenditures.

Note: C. Bailey was excused at 7:44 pm.

Mr. Louw continued by discussing sales tax growth and property taxes, noting there was growth in both areas. He then discussed the waste management market and explained that the cost of

recycling and garbage had risen due to China refusing to accept the same amount of recycling. Next, Mr. Louw explained the golf debt service fund and stated that the subsidy was reduced to \$135,000. \$20,000 of the fund balance was reserved for trails and path repairs. Lastly, the City's CIP fund was reviewed and the main items pertained to Harvey Park and the PARC Tax funding.

Mayor Rees opened the public hearing. No comments were made, so she closed the public hearing.

MOTION: C. Ellsworth—To approve Resolution No. 06-26-2019B, a resolution adopting the Fiscal Year 2019-2020 Budget for the City of Cedar Hills, Utah. Seconded by C. Andersen.

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

10. Review/Action on A Resolution Certifying the Calculated 2019-2020 Real and Personal Property Tax Levy

MOTION: C. Andersen—To approve Resolution No. 06-26-2019C, a resolution setting the total property tax levy assessed upon real and personal property for general governmental purposes for the 2019-2020 tax year for the City of Cedar Hills, Utah. Seconded by C. Geddes.

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

11. Review/Action on Release of Durability Bond for Amsource/Cedar Hills Retail Center Professional Legal Services

Mr. Maag explained that Cedar Hills Retail/Amsource developer has requested the release of the durability bond upon completion of the one-year durability period. Inspections were completed and certified by the City Engineer. Staff is requesting that the Council accept improvements and release the durability retainer.

MOTION: C. Ellsworth—To approve acceptance of the public improvements construction related to the Cedar Hills Retail Center (Amsource) development and release the associated durability retainer. Seconded by C. Miller.

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

12. Review/Action on Directing Staff to Prepare a Request for Qualifications (RFQ) for Professional Legal Services

Note: Joel Wright was excused at 8:09 pm.

Mr. Goodwin explained that the City went out to bid for legal services. Kirton McConkie, the City's current legal service provider was requesting an increase of 20% for their monthly retainer. Mr. Goodwin said the request was reasonable for the work they provided. If desired, the Council could review the other bids the City had received. C. Ellsworth and C. Geddes agreed it was prudent to review other bids.

MOTION: C. Ellsworth—To direct staff to prepare and issue a Request for Qualifications for legal services. Seconded by C. Geddes.

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

Note: Joel Wright returned at 8:19 pm.

13. Discussion on the Appeal Process and the Board of Adjustment

Mr. Goodwin explained the City was required by State law to have an appeal authority to review variances. The City had an increase of variances over the last few years and staff was interested in pursuing a change in the appeal authority for variances. The Board of Adjustment would serve to hear appeals for zoning interpretations. He noted Pleasant Grove, Highland and Alpine all used hearing officers/attorneys.

Mr. Goodwin suggested they update the code because land use law had changed significantly over the last few years. Mayor Rees noted the residents could not be expected to stay current on the land use law and the Board of Adjustment was necessary. There was general discussion about how this would be funded. Mr. Goodwin suggested that applicants pay for the hearings rather than the City.

The Council agreed this item warranted additional discussion.

ADJOURNMENT

This meeting was adjourned 8:32 pm on a motion by C. Geddes, seconded by C. Miller, and unanimously approved.

Approved by Council:
August 6, 2019

/s/ Colleen A. Mulvey, MMC
City Recorder