

CITY COUNCIL MEETING
Tuesday, February 4, 2021 3:00 p.m.

NOTICE OF ELECTRONIC PARTICIPATION

This meeting was held electronically pursuant to Utah Code 52-4-207(4), and Mayor Andersen's January 20, 2021 written determination that conducting an electronic meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location.

Participants: Denise Andersen, Mayor, Presiding
Councilmembers: Ben Ellsworth, Mike Geddes, Brian Miller, Kelly Smith
Chandler Goodwin, City Manager
Charl Louw, Finance Director
Greg Gordon, Recreation Director
Jeff Maag, Building Official
Kevin Anderson, Public Works Director
Hyrum Bosserman, City Attorney
Gretchen Gordon, Deputy City Recorder
Others: Lt. Josh Christensen

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 3:00 p.m. by Mayor Andersen.

2. Approval of Meeting's Agenda

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

Yes	-	C. Ellsworth	
		C. Miller	
		C. Smith	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 comments.

CONSENT AGENDA

4. Approval of the minutes from the January 5, 2021 City Council meeting
5. Approval of Resolution No. 02-04-2021A, appointments to the Planning Commission
6. Approval of Resolution No. 02-04-2021B, appointment of Richard Catten as the Hearing Officer for the City of Cedar Hills
7. Approval of Resolution No. 02-04-2021C, City Council and Staff Assignments

MOTION: C. Ellsworth —To approve the consent agenda, with the resolutions having today's date. Seconded by C. Smith.

.	Yes	-	C. Ellsworth	
			C. Miller	

CITY REPORTS AND BUSINESS

8. City Manager

Chandler Goodwin reported the Jr. Jazz season had been successful, and other than a couple issues with parents who refused to wear face masks, most people had been very appreciative that the program could go on during such a difficult time. Soccer and karate registration was now open, and the ski bus activity would begin to run the next week. There was also an after-school science club that would begin in April. He also reported that a new events coordinator, Mary Brinley had recently been hired and said that they were excited to have her on board.

9. Mayor and Council

Mayor Andersen reported the Legislative Policy Committee had a meeting earlier that week, and they had discussed two bills they found concerning. One was HB-82, which mandated that the state allow all residents to be able to have an ADU, regardless of the residential zone that they lived in. She said the proposed bill was contentious, since not all the developments in their city and other cities allowed for this, and as the bill stood now, it required that each resident be allowed to have one off-street parking space. She was concerned about this and had written a letter to state representatives and encouraged the Council Members to do the same. She reported that HB-98 would impact building inspections. It would allow a developer to select their own site inspector, and they would not have to use the site inspector provided by the City. She encouraged the Council Members to keep an eye on those bills.

C. Geddes joined the meeting at 3:09pm.

SCHEDULED ITEMS & PUBLIC HEARINGS

10. Review/Action on Appointment of Mayor Pro Tempore

MOTION: C. Geddes —To appoint Councilmember Miller as Mayor Pro Tempore, who shall have all the powers and duties of the mayor during Mayor Andersen’s absence, disability, or refusal to act according to State and City Codes. Seconded by C. Smith.

Mr. Goodwin suggested that Council Member Miller be appointed to the position of Mayor Pro Tempore in the event that Mayor Andersen was ever unable to attend a meeting.

Yes - C. Ellsworth
C. Geddes
C. Miller
C. Smith

Motion passes.

11. Review/Action and Public Hearing on a Resolution adopting Fiscal Year 2021 Budget Amendments

Mr. Goodwin stated the monthly sales tax revenue for the City for the year had increased in comparison to the sales tax revenue of previous years. He explained this was good news for the City, since they had not budgeted for that revenue. He also noted when they had prepared the budget

for 2021, they had anticipated a downturn due to COVID-19, but spending had been increased due in part to the stimulus checks people had received.

Mr. Goodwin next discussed four streams of revenue for the City. The first was motor vehicle taxes, which had decreased from \$68,000 last year to \$60,000 for the current year. He attributed the decrease in car sales to COVID-19. He also stated that the telecom taxes had been in a sharp downturn for the last ten years. The City did not get a percentage of tax from things like web browsing or the use of data, and so as technology had changed, the amount of tax received had dropped significantly. He explained that the parks, arts, and recreation tax had been added to sales tax which was about \$43,000. He noted both sales tax and property taxes were on par with what they expected them to be.

Mr. Goodwin proposed the sales tax revenue be adjusted to account for the additional revenue that they City received. He also recommended they make an adjustment to building permits, and he noted that construction had not decreased as had been expected due to COVID-19. He added the demand for renovation and home construction as still very high and recommend an increase. He also suggested they increase the fee of passport issuance, and commented that in the last two weeks, they had been inundated with requests for passports. He suggested they make an amendment to the recreation programs and said the Recreation staff had done a great job during such a challenging time and explained the suggested increase would put the budget to close to what it would be in a normal year.

Mr. Goodwin said for expenditures, he wanted to increase the postage and office supplies fund and wanted to increase the wages of some hourly workers who were currently underpaid for the tasks that were a part of their job. He clarified the range for the part time, hourly employees was \$13 to \$23 an hour, and currently the workers were paid less than \$14. There was consensus among the Council Members that the increase was warranted. He suggested an increase for several line items, an increase to tree maintenance, library fees, and an increase in the fund for the Family Festival. Mr. Goodwin next reviewed the proposed budget amendments to the golf fund. He also proposed some transfers from the General Fund, in order to take on some road projects.

Mr. Goodwin discussed the work the City had put into their parks and announced they had awarded a contract for Bay Hill Park. Over the next few weeks, they would work on improvements to the playground, and remove some of the native fauna and plant trees and shrubs. He discussed making improvements to Heritage Park and wanted to find a way for the park to better meet community needs. He said the park needed upgrades to the bathroom facilities, and there needed to be additional parking and ADA parking, as well as storm drain improvements. He also thought they needed to improve the trail and include connectivity to the new amenities and listed some of the proposed amenities to Heritage Park. He said Heritage Park was the cornerstone of parks in the City and served the community, so they needed to keep it updated.

Mr. Goodwin explained the proposed budget had allotted \$250,000 for the Parks fund, and they proposed another \$200,000 be allotted for the renovation of both Bay Hill Park and Heritage Park. C. Smith asked where the money would come from to deal with the vandalism damage, and pointed out the more amenities that were installed, the more damage could occur. She asked what was being done to combat the vandals. Mr. Goodwin replied the camera system was being installed at Harvey Park, and acknowledged that some things might not get fixed. He added that pickleball courts typically did not get vandalized, and they now locked the bathrooms at night to avoid damage. He said vandalism was kept in mind as they added new amenities, and he did not want the threat of vandalism to keep them from creating a park that was fun and enjoyable for people. C. Smith commented she did not want to spend money on things that would constantly need

repairs, and said they needed to solve the vandalism problem before they continued to build and enhance the parks. Mr. Goodwin pointed out that sometimes, it was helpful to leave some of the damage to the parks so that the public could see what was happening. He thought it might incentive people to call the police when they saw that something unlawful take place in the parks.

Charl Louw discussed the water and sewer bond. He explained they proposed that half of 2009 bond be paid off that year, and they wanted it to be paid off in full the next year. He explained they were being aggressive with it, but still would have reserves in case of an emergency. Mayor Andersen asked if there was any advantage in the early repayment of the 2009 bond. Mr. Louw explained that the bond had 3% interest, so they would save about \$30,000 if they paid it off early.

PUBLIC HEARING

There were no comments.

MOTION: C. Ellsworth—To approve Resolution No. 02-04-2021D, a resolution adopting the amended 2020-2021 Fiscal Year budget for the City of Cedar Hills, Utah. Seconded by C. Geddes.

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

12. Review/Action on awarding the contract for Financial Audit Services

Mr. Goodwin explained they had been with their current audit company, Keddington and Christiansen, for about five years, and were now in the last year of their contract. The City budgeted \$15,000 annually for them to prepare and present the yearly audit. He reported they had reached out to the firm in order to renegotiate and renew the contract and the bid they came back with was lower than their original bid five years ago. He said they did not want to reach out to get other bids, because they already knew the firm produced high-quality work and was cost-effective for a city of their size. The Councilmembers briefly commented on the fact that Mr. Louw's preparedness for the audits was part of the reason that the audit firm was able to do such a good job.

MOTION: C. Ellsworth—To approve a professional services agreement for Financial Auditing Services to Keddington and Christensen CPAs, based on the new proposed fee schedule, and authorize the Mayor to execute said agreement. Seconded by C. Smith.

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

13. Review/Action on awarding the contract for the 2021 Street Overlay Project

Mr. Louw reported that seven contractors had bid on the project. The lowest bid for the contract was from Black Forest, and this was an invitation of bid. This meant that as long as they met the qualifications, they could either go with them, or they could reject all bids and not continue with the project. If the contractor for some reason decided to not sign the contract, then they could

move on to the next lowest bid.

C. Ellsworth clarified that the numbers in the bids were based on estimates, and the actual amount might vary. Mr. Louw said the price might change based on certain things, for instance if they found subgrade issues and needed to do a total reconstruction of the street. He went through the line items to show that asphalt and edge mill had fixed prices, and some subgrade repair was covered in the contract, but the price for that might increase if they found more issues than anticipated.

MOTION: C. Ellsworth—To award the bid for general contracting services to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids, and to authorize the Mayor and City Staff to negotiate and sign a contract based on the provisions outlined in the bid proposal to the lowest bidder or the next to lowest bid, if the lowest bidder withdraws. Seconded by C. Miller.

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

14. Review/Action on a Resolution adopting a Storm Water Management Program for the City of Cedar Hills

Mr. Goodwin explained they needed to adopt a new storm water management program every five years, and they would have to do so this year. He said the City would need to show the six criteria of best management practices. The criteria included things like public outreach and education, and he commended Public Works Director Kevin Anderson for his work to show the public that storm water maintenance was important to the City. He noted the new storm drain master plan was in compliance with EPA regulations, and was very similar to what they already had.

MOTION: C. Ellsworth—To approve Resolution No. 02-04-2021E, a resolution adopting the City of Cedar Hills Storm Water Management Program, including modifications based on an annual review by the program administrator. Seconded by C. Geddes.

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

15. Review/Action on an Ordinance authorizing the Mayor to execute a Franchise Agreement with Rocky Mountain Power

Mr. Goodwin stated their franchise agreement, which had begun in 2007, was set to expire in the next month. He explained the agreement had been redlined and sent to Rocky Mountain Power for their review, and all the items had been agreed upon except for one, which was about the notification to Rocky Mountain Power in the event that emergency work needed to be done near their facility. The City had agreed they would notify. Mr. Goodwin confirmed there were no significant changes from the old franchise agreement.

MOTION: C. Geddes—To approve Ordinance No. 02-04-2021A, an ordinance establishing a franchise agreement with Rocky Mountain Power, and to authorize the Mayor to execute the agreement. . Seconded by C. Smith.

Yes - C. Ellsworth
C. Geddes
C. Miller
C. Smith

Motion passes.

ADJOURNMENT

This meeting was adjourned 3:51 p.m. on a motion by C. Smith, seconded by C. Geddes, and unanimously approved.

Approved by Council:
March 16, 2021

/s/ Colleen A. Mulvey, MMC
City Recorder