

CITY COUNCIL MEETING

Tuesday, October 7, 2014 7:00 p.m.
Community Recreation Center
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Mayor Gary Gygi, Presiding
Council Members: Trent Augustus, Rob Crawley, Mike Geddes, Jenney Rees,
Daniel Zappala
David Bunker, City Manager
Chandler Goodwin, Assistant City Manager
Courtney Hammond, Transcriptionist
Greg Gordon, Recreation Director
Jeff Maag, Public Works Director
Charl Louw, Finance Director
Others: Lt. Sam Liddiard, Marisa Wright, Glenn Dodge, Corey Shupe, Marc
Edminster, Ken Cromar, Bill Gaskill, Jeff Randall

COUNCIL MEETING

1. This meeting of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 7:03 p.m. by Mayor Gygi

Invocation given by C. Geddes

Pledge of Allegiance led by C. Crawley

2. Approval of Meeting’s Agenda

MOTION: C. Augustus–To approve the agenda with the changes that we move item 10 and 11 after 7, and move 8 to the end. Seconded by C. Rees.

Yes - C. Augustus
C. Crawley
C. Geddes
C. Rees
C. Zappala Motion passes.

3. Public Comment

Marisa Wright: Ms. Wright stated that C. Zappala contacted her about the architectural details on the Amsource development. She thinks that this council may not be as fussy as the council she was on. She suggested that they be careful about the color. The colonial look can be achieved by a deep red, true black and a really white white.

Ken Cromar: Mr. Cromar stated that he filed a GRAMA request for one month’s worth of emails between the mayor and city council members. He received an incomplete record. Mr. Cromar read a letter he drafted to Mayor Gygi in response to a Mormon Message on civility. He feels he has been maligned and slandered by the mayor and the city attorney resulting in a safety risk to

himself and his family. The city has yet to come clean on the full 10 years of tax subsidies to the golf course.

CONSENT AGENDA

4. Minutes from the September 16, 2014 City Council Meeting

C. Crawley stated that he would like the attorney's apology to C. Crawley included in the minutes. He would also like it stated that suggesting a bias because Eric Johnson lives in the same neighborhood as Ken Cromar was just one of the reasons C. Crawley apologized to Eric Johnson.

MOTION: C. Crawley—To accept the changes mentioned as I email them to City Recorder, Colleen Mulvey, and accept the minutes. No second. Motion dies.

MOTION: C. Zappala—To table the minutes until the next meeting when we can see the changes. Seconded by C. Geddes.

Yes - C. Augustus
C. Crawley
C. Geddes
C. Rees
C. Zappala Motion passes.

CITY REPORTS AND BUSINESS

5. City Manager

There are proposed changes to the gas main.

There will be a regional transportation meeting at the American Fork senior center on October 15th.

Lone Peak Public Safety District (LPPSD) notified the city that the EPA will allow open burn permits during October. The city can give feedback to LPPSD as to whether it wants to allow open burn permits. Any resident needs an open burn permit for open burns. Ben Bailey, Fire Marshal, stated that open burns go well. Any problems tend to arise from nuisance fires that cause smoke problems to neighbors. Those problems are few. Alpine decided to not allow open burns because of nuisances and possible hillside fires. The council would prefer not to issue open burn permits.

6. Mayor and Council

C. Geddes: The Planning Commission met and talked with Blu Line Designs about their upcoming proposal. They also recommended approval of the conceptual plan for a residential development in which he personally is involved, they also discussed accessory apartments.

C. Rees: The Youth City Council's pumpkin walk is in October. The YCC is also planning the first annual Cedar Hillbilly Day. The State of the City report is almost complete.

C. Crawley: The Beautification, Recreation, Parks and Trails Committee met and are excited to improve on the Christmas lights and decorations this year. They looked at potential plans for Bayhill Park.

C. Augustus: As the Planning Commission will be becoming more active in the next few months; he felt it was important to remind everyone that the Planning Commission is a recommending body only.

SCHEDULED ITEMS

7. Review/Action on a Resolution Authorizing the \$4,633,000 Utility Revenue Refunding Bonds, Series 2014 to Refund the City's Series 2006 Bonds at an Interest Rate Savings; Awarding and Confirming the Sale of the Series 2014 Bonds; Authorizing the Execution of a Fifth Supplemental Indenture of Trust, and Other Documents Required in Connection Therewith; and Related Matters

Marc Edminster stated that the city received four bids for direct placement bids. Chase Bank offered a great rate of 2.68% leading to a savings of \$402,203. Lewis Young Robertson and Burningham also sent out a RFP for underwriter responses. Not one of the five responses came close to the savings shown by Chase Bank. He recommended accepting the Chase Bank bid. The resolution before the council tonight is to accept Chase Bank's offer.

MOTION: C. Augustus—To approve Resolution 10-07-2014A, a resolution authorizing the \$4,633,000 for the Utility Revenue Refunding Bonds, Series 2014 to Refund the City's Series 2006 Bonds at an Interest Rate Savings, and Awarding and Confirming the Sale of the Series 2014 Bonds; Authorizing the Execution of a Fifth Supplemental Indenture of Trust, and Other Documents Required in Connection Therewith; and Related Matters with one minor change. On the resolution on page A-2, Certificate of City Recorder, the name needs to be changed to Colleen Mulvey rather than Kim Holindrake. Seconded by C. Zappala. Vote taken by roll call.

Yes - C. Augustus
C. Crawley
C. Geddes
C. Rees
C. Zappala Motion passes.

8. Review/Action on the Final Plan for the Cedar Hills Retail Center by Amsource, located at 4800 West Cedar Hills Drive in the SC-1 Commercial Zone

Chandler Goodwin stated that Amsource and American First Credit Union (AFCU) have both made many changes based on the feedback and recommended approval of the Planning Commission, including cross gutters and jersey barriers. AFCU is interested in slightly shrinking the building for efficiency, giving an additional 2 feet of access off of 140 North. The list of landscaping plants meet the design guidelines and the landscape plan is well within the requirements for landscaping percentages. The monument sign was submitted on Friday; the Planning Commission has not had a chance to review it yet. There are certain elements of the development agreement that City Code doesn't cover. That's the purpose of the development agreement. The development agreement covers removal of snow, guarantee of water rights, etc. The agreement was based on the Walmart and Harts development agreements, but there are

differences unique to the situation, such as delivery hours, overnight parking and sound requirements.

C. Zappala stated that he had asked for increased landscaping and crosswalks. He is content with the current landscaping plan. He hasn't yet seen renderings of the two other buildings. The credit union building could be improved by: (1) breaking up the solid bank of windows with thick white accents around each window; (2) dormer windows to break up the expanse of the roof; (3) decorative dental floss in triangular portions of the roof. (4) a deeper red brick; (5) dormers or eagles on the roof above the drive thru.

C. Geddes stated that he doesn't want every building in the commercial zone to look the same. He has spent a lot of time in Philadelphia, and has seen colonial designs that include tan and beige. He likes to see some variation.

C. Augustus stated that the additional buildings don't match the colonial that is in the area, particularly the split-face. He doesn't want everything to look the same, but he wants it to be tighter with the colors. The council didn't get a whole lot of information on the two retail buildings. They need to be more colonial, they are small buildings and can have peaked roofs. He would like to see generic signage on the retail building elevations to get a better sense of the façade.

C. Crawley stated that he wants to ensure that the upscale nature of the commercial center is maintained.

Jeff Randall, representative of Amsource and AFCU, stated that there is no problem with breaking up the windows on the buildings, enhancing the decorative wood moldings, and using a deeper red brick. AFCU wants to meet the colonial look, but does not want to look like Chase Bank. AFCU has had maintenance issues with dormers and cupolas. They will designate sign locations on the final plan. They can step the drive thru roofline to break it up, and they will look into eagles. The two retail buildings will be built first. The credit union will follow a year or two later.

MOTION: C. Zappala–To table for two weeks to see what Amsource is willing to do to address our concerns. Seconded by C. Augustus. Vote taken by roll call.

Yes	-	C. Augustus	
		C. Crawley	
		C. Rees	
		C. Zappala	
No	-	C. Geddes	Motion passes.

9. Discussion with Blu Line Designs for a Development in the SC-1 Commercial Zone, located at approximately 4600 West and Cedar Hills Drive

Public Comment:

Stephanie Martinez: Ms. Martinez stated that Cedar Hills has a small commercial district. AFCU is taking up another corner. Assisted living facilities bring in very little tax base. She would like to see a mixed use, similar to Blu Line's last proposal with commercial on the bottom level.

Chandler Goodwin stated that Blu Line presented to the Planning Commission and received great feedback.

Corey Shupe stated that after the previous project was tabled, Doug Young and the Smart's (property owners) got together to discuss options. They felt residents misunderstood congregate care facilities. They decided that since assisted living is a listed use, it would be easier for residents to accept an assisted living facility. Cedar Hills is an excellent place for an assisted living or congregate care facility. When Blu Line presented the idea of assisted living to the Planning Commission, they felt that assisted living was less desirable than congregate care because congregate care brings active, contributing adults to the community. Blu Line is in the process of trying to figure out how to bring together assisted living and congregate care with architecture that will fit the community. They are committed to using the Design Guidelines as a strict guide. Doug Young felt that one of the most productive parts of the previous process was the combined Planning Commission/City Council meeting. He would like to hold such a meeting together. The number, mix and size of units are market driven. Blu Line will be looking into developing commercial that will service the residents of the facility.

C. Zappala suggested the possibility of talking to the Smart's about swapping land with the Smarts' for the city's property, which would provide better retail property.

C. Crawley stated that he hears from many people who are glad that there is no senior living facility planned. He thinks Blu Line will have an uphill battle to get support.

C. Geddes stated that he has had many people express support for the building.

C. Augustus stated that he also hears support from people. Most people are not excited about assisted living. It is viewed as a drain on the community. Congregate care would add residents who will shop at the stores.

C. Rees stated that she attended the Planning Commission where it was stated that Blu Line isn't interested in developing the entire retail area because the market doesn't support it.

Break at 8:47 p.m.

Reconvened at 8:54 p.m.

10. Discussion on an Amended Interlocal Agreement for the Lone Peak Public Safety District, Related to Notice of Time Period to Leave the District p.m.

David Bunker stated that the LPPSD has proposed an amendment to change the withdrawal notice to the district from one year to four years. A one-year notice doesn't give the district

enough time to react to the change, specifically with regards to personnel, equipment and financial repercussions. The vote will take place at a LPPSD board meeting.

C. Zappala stated that this affects recruitment and retention. If there is a sense that job stability is poor in the district, experienced firefighters will go elsewhere.

Mayor Gygi stated that he will get clarification on how the voting process will work.

Chief Freeman stated that there are three issues: (1) hiring; (2) the district's interest rate is higher because of the greater risk; (3) if one city was to leave, it would cost the other cities significantly more, which would require prior planning.

C. Augustus stated that he is worried that with a four-year term, there may be a council that doesn't get a chance to have a say.

C. Crawley stated that he is generally in favor of being able to get out of a contract. He sees a benefit in a longer term in this case, but isn't sure what the magic number is.

11. Discussion on Continuing Participation with the Utah Valley Dispatch Special Service District

David Bunker stated that at the LPPSD there was a discussion of continuing participation with Utah Valley Dispatch Special Service District (UVDSSD). Both LPPSD and American Fork Police use UVDSSD. UVDSSD is proposing a new facility to adequately service the district. The proposed cost for Cedar Hills is \$62,279 with cash. Costs would increase with a bond. Most communities would like to fund with cash. LPPSD needs to decide whether it wants to continue with UVDSSD. Doing it alone would cost significantly more. There are other groups, but the service may not be any better, and the costs may increase. It seems to make sense to stay with UVDSSD.

C. Rees stated that she does not want to have different dispatch for fire and police.

C. Zappala stated that the council needs to decide how to finance the cost of the building. It can be done in one payment, split up over two years, or financed. All other cities are on board with building a new facility, and all are going to pay cash.

ADJOURNMENT

12. This meeting was adjourned at 9:13 p.m. on a motion by C. Rees, seconded by C. Zappala and unanimously approved.

Approved by Council:
October 22, 2014

/s/ Colleen A. Mulvey, CMC
City Recorder