

CITY COUNCIL MEETING

Tuesday, March 6, 2018 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, Brian Miller
Absent/Excused: Mike Geddes
Chandler Goodwin, City Manager
Joel Wright, City Attorney
Greg Gordon, Recreation Director
Jeff Maag, Public Works Director
Charl Louw, Finance Director
Colleen Mulvey, City Recorder
Others: Lt. Gregg Ludlow, Jenny Peay, Mr. Wardell

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 Boy Scout Josh Lewis, and the invocation was given by C. Miller.

2. Approval of Meeting’s Agenda.

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

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

3. Public Comment: Time has been set aside for the public to express their ideas, concerns and comments.

There were no comments.

REPORTS/PRESENTATIONS/RECOGNITIONS

4. Report from Lone Peak High School Principal, Scott Sumner

Mr. Goodwin said the high school administration contacted the City and asked to be moved to the next agenda.

5. Recognize Kylee Wunder, Recipient of the Prudential Spirit of Community Award

Mayor Rees said Kylee Wunder was not able to attend tonight’s meeting. She said she was a student in Cedar Hills and they recognized her efforts in the community.

PUBLIC HEARING

6. Preliminary Approval for the Wardell Subdivision, located at approximately 9730 N

Canyon Road

There were no comments.

7. Amendments to the City Code Title 10, Chapter 6A: Planned Commercial Development Projects Related to Conditional Uses in the SC-1 Commercial Zone

There were no comments.

8. Amendments to the City Code Title 10, Chapter 4B7 4F Related to Accessory Structures in the R-1-15,000 and the RR-1-20,000 Rural Residential Zones

There were no comments.

CONSENT AGENDA

9. Appointment of Jill Olsen to the Family Festival Citizens Advisory Committee and Jennifer Lamoreaux and Jordan Long to the Cultural Arts Citizens Advisory Committee

10. Minutes from the January 2, 2018, the January 16, 2018, the February 6, 2018 Work Session & City Council Meetings and the February 20, 2018 Special City Council Meeting

Mayor Rees proposed a change to the January 2nd minutes on page 12 to correct Senator Hemmert’s name.

MOTION: C. Miller—To approve the consent agenda with the stated correction to the minutes. Seconded by C. Bailey.

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

CITY REPORTS AND BUSINESS

11. City Manager

Mr. Goodwin reported that Ernie’s Deli would be opening on April 1st. He reminded the Council Members there was a meeting for the Lone Peak Public Safety District in the Highland City Hall. He noted the staff would watch the end of Legislative Session and report anything applicable back to the City. He said the Recreation Department was currently running the Junior Jazz program. He noted that if the weather permitted the golf course would open next week.

12. Mayor and Council

C. Miller

C. Miller said the Cultural Arts Committee was looking for volunteers and a chair member. He also reported that the theater was growing.

Mayor Rees

Mayor Rees gave an update on the Lone Peak Public Safety District meeting, where discussion ensued regarding lockboxes in the City. She reported that she was following SB 189 regarding wireless companies, in addition to HB 462 and SB 235 regarding affordable housing. Both would penalize cities without a homeless shelter or without low income housing. She noted that

Cedar Hills had neither of those and they needed to prepare for the consequences. They were following SB 136 which outlined the structure of UTA. She asked Andrew Jackson from MAG to speak at a Council Meeting and Work Session regarding this bill's impact. She noted that MAG and UDOT would have regional transportation meetings.

C. Ellsworth

C. Ellsworth reported the Family Festival Committee was looking for volunteers and sponsors.

13. Review/Action on Preliminary Approval for the Wardell Subdivision, located at approximately 9730 North Canyon Road

Mr. Goodwin presented the staff report and an aerial map of the subject property. He explained that the Wardell subdivision is located at 9730 North Canyon Road. The subdivision is a two-lot subdivision with both dwellings having previously existed. One building will be retrofitted to comply with building and zoning code to allow for occupancy. The owner, Martin Wardell, worked with Utah County on getting his second driveway access approved as part of the approved set of plans for the upcoming Canyon Road reconstruction project.

In response to a question from C. Miller, Mr. Goodwin identified where a garage would be built and said it would be constructed per zoning code.

MOTION: C. Andersen—To approve the preliminary subdivision proposal for the Wardell Subdivision. Seconded by C. Miller.

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

14. Review/Action on Authorizing the Mayor to sign a Contract for Residential/Municipal Waste and/or Recycling Services

Mr. Goodwin presented the staff report. He explained that in April 2018 the City's contract with Waste Management was set to expire with no provisions for additional time to be granted. As such, a request for proposals was issued through the State's bidding process called SciQuest. Bids were submitted by Waste Management (current provider), Republic Services, and Ace Disposal Inc. Each provider was planning on hauling the municipal waste to the North Point Solid Waste Transfer Station, of which Cedar Hills is a member. Two types of proposals were solicited: (1) the contractor maintains responsibility for the containers, including both providing for and maintaining the containers and (2) leasing containers where at the term of the contract Cedar Hills would own the containers.

Mayor Rees asked if there was anyone at the meeting from Waste Management. There was no one present.

C. Ellsworth asked about options with the trash cans. Mr. Goodwin said the City was deciding between the City leasing the trash cans or eventually purchasing the trash cans. He said staff was more comfortable with a lease option because it would be a lower cost to the residents. He said they would need to clarify the purchase option in the motion.

Mayor Rees said in the RFQ, Waste Management had an option to connect to a website with a Cedar Hills logo. She asked if this was something they could do to provide information on the internet. Mr. Goodwin said that was a possibility and he noted that Waste Management was always preaching recycling. This would give the residents better information about their programs. Mayor Rees remarked that the website was a great resource.

C. Miller said they should reward good service because Waste Management had done a good job. He said he was in favor of the lease option, and explained there was potential for change in business or technology.

C. Andersen added that their proposal included Christmas tree disposal and City dumpsters.

MOTION: C. Ellsworth—To authorize the Mayor to enter into an agreement with Waste Management for municipal solid waste and recycling collection based on the amount presented in the request for proposal with the leased container option. Seconded by C. Miller.

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

15. Review/Action on an Ordinance Amending Title 10, Chapter 6A: Planned Commercial Development Projects Related to Conditional Uses in the SC-1 Commercial Zone

Mr. Goodwin presented the staff report. He explained that as part of working with the Openshaw Properties proposal, they had asked the Council to consider a change to the subdistricts of the SC-1 Commercial Zone to alter the boundaries of the retail and mixed-use subdistricts, and by allowing for a use that was currently not listed (indoor climate controlled storage). The proposed alteration to the subdistricts would allow for an overlay zone of both the retail and mixed-use subdistricts from the residential property lines. The proposed code would allow for indoor climate controlled storage; however, the use would only be allowed in the overlay zone and not in other areas of the retail or mixed-use subdistricts.

Mayor Rees said it made sense to have narrow language to specify what was appropriate for the area, and Mr. Goodwin concurred. Mayor Rees noted the developer wanted to create an office complex and these amendments would keep that project in line. Mr. Goodwin subsequently reviewed the language of the amendments as follows:

- “An overlay zone of the Retail and Mixed-Use is shown exists in areas within three hundred feet of certain residential property lines.”
- “The Retail/Mixed Use Overlay zone is intended to provide a buffer zone between residential properties and commercial development, while at the same time allowing for additional flexibility for development. Uses in either Retail or Mixed-Use subdistricts are allowed per their classification in Section 3 of this title. Certain uses identified in the table as being designated as conditional uses in the Retail/Mixed Use Overlay shall only be allowed in the Overlay portion of the zone, and not the individual subdistricts.”

MOTION: C. Bailey—To approve Ordinance No. 03-06-2018A, amending Title 10, Chapter 6A; related to planned commercial development projects, and creating a

Retail/Mixed Use Overlay sub-district, subject to the change of allowing only indoor climate controlled storage units. Seconded by C. Ellsworth.

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

16. Review/Action on an Ordinance Amending Title 10, Chapter 4B & 4F related to Accessory Structures in the R-1-15,000 and the RR-1-20,000 Rural Residential Zones

Mr. Goodwin explained based on resident input, it had been suggested to raise the allowable height for an accessory structure for lots that meet certain requirements. The proposal was for lots that exceeded the minimum square footage requirement by a factor of two, would be able to install a taller accessory structure than was currently permitted. Current code only allowed for accessory structures to be built 20 feet high. However, these lots that were able to be subdivided could end up going through the subdivision process and then having a home that was 35 feet high built on the property. After reviewing the proposal, a system could be devised that established a setback for taller accessory structures that would place them similarly to a structure used for a single family dwelling. These structures could be converted into single family residences in the future, should the property owner choose to subdivide. For this reason, the accessory structures should be placed similarly to a residence. The proposed code allowed for an accessory structure to be built up to a maximum of 25 feet should the proposed building comply with the same setback requirements of the underlying zone.

In response to a question from Mayor Rees, Mr. Goodwin said they wanted to add “for lots exceeding a minimum square footage requirement by a factor of two” when referring to lots that could be subdivided.

MOTION: C. Andersen—To approve Ordinance No. 03-06-2018B, amending Title 10, Chapter 4B; related to dwelling requirements of accessory structures in the RR-1-20,000 and R-1-15,000 zones, subject to adding language: for lots exceeding the minimum square footage requirement by a factor of two, to the language in section C-1. Seconded by C. Bailey.

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

17. Discussion on the Capital Improvements Plan and Motor Pool Fund

Charl Louw reviewed the following:

- Using park impact fees to widen the street next to Deer Field Elementary, which would include sidewalk, curb, and landscaping.
- Outdoor recreation grant funding could be used for trail improvement projects.
- Junior Jazz funded 50% of the basketball court costs.
- Park survey questions (citizen responses):
 - *Why do you visit large parks?* (a place for children to play)
 - *What improvements would you do in a large park?* (trees, athletic courts, and bathrooms)

- *What items would you support with tax initiatives?* (mountain biking and tennis)

Mr. Louw explained that tennis and pickle ball courts were planned for Harvey Park. He showed a plan for the park and where the various items would be located. He said if they were to fund the park with what the residents were asking they had to prioritize the items. He noted the splash pad's water would be recycled to water the park. The splash pad would cost between \$1.3 million to \$1.7 million. He then reviewed estimated costs for the other items listed above.

C. Bailey said he wanted to make the restrooms a higher priority and explained that they were as important as the splash pad. C. Andersen asked if they could do the restrooms before the pickle ball courts, to which Mr. Louw responded in the affirmative.

Mr. Goodwin said in the past they had done stop gap measures for some parks. He said they were not ideal but they completed their projects. He noted that the park in Mesquite only had a restroom for the last two years, and explained there were other options they could explore as well if necessary.

C. Ellsworth said if there was a splash pad there should be a normal restroom; parents would expect this amenity. C. Bailey agreed. C. Ellsworth said they needed to have grass with a restroom before the splash pad.

A member of the audience asked if the City owned the property. Mayor Rees answered in the affirmative. Mr. Goodwin noted that the property in question was comprised of 12 acres, and was located east of Deerfield Elementary. The audience member asked if Cedar Hills owned the land up to Manila Creek, and Mr. Goodwin noted that the area in question was owned by Pleasant Grove.

C. Miller agreed with the other Councilmembers about the restrooms. He understood the splash pad was a high priority. He said the restrooms should be built within the year of the splash pad. Mr. Louw said it would not take more than a year and would be connected to the school. He then described the specific features of the splash pad and the playground. He explained that the City needed to plant trees and replace dead or dying ones, due to expectations set forth by the outdoor recreation grant. Mr. Goodwin explained that park development was a major focus of the Capital Projects Plan. He said they were anxious to develop and to deliver on the promise they had made.

Mr. Louw reviewed the Motor Pool portion of his presentation. Mayor Rees asked how much they were assuming would be received from the sale of the land. Mr. Louw said they could get something done without selling the land.

Mayor Rees explained to the Council the city's commercial nine acres would sell for \$700,000 and that had to be returned to the park land acquisition fund. She then asked why the PARC Tax revenues for 2018 were zero. Mr. Louw said the numbers could change; however, further discussion would take place during the Finance Committee meeting.

18. Discussion on a Golf Course Rates

Greg Gordon explained they were proposing to raise fees for the first time in five years. This would be for nine holes on weekdays and weekends, and discounted rates would be provided for residents. C. Andersen noted the City's rates were lower than other cities in area.

C. Ellsworth asked if having a valid driver's license was new. Mr. Gordon answered in the affirmative. C. Miller said it was hard to complain about the rise in rates happening once every five years. Mr. Gordon remarked that they were a destination course.

ADJOURNMENT

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

Approved by Council:
April 17, 2018

/s/ Colleen A. Mulvey, MMC
City Recorder