

CITY COUNCIL MEETING

Tuesday, June 19, 2018 7:00 p.m.
Community Recreation Center
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Mayor Jenney Rees, Presiding
Councilmembers: Denise Andersen, Ben Bailey, Ben Ellsworth, Brian Miller
Absent/Excused: Mike Geddes
Chandler Goodwin, City Manager
Jeff Maag, Public Works Director
Charl Louw, Finance Director
Greg Gordon, Recreation Director
Jenny Peay, Planning Associate
Colleen Mulvey, City Recorder
Others: Lt. Gregg Ludlow, Bruce Baird, Cory Shupe, Principal DeMill

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. Bailey, and the invocation was given by C. Miller.

2. Approval of Meeting’s Agenda.

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

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. Comments are limited to three minutes per person with a total of 30 minutes for this item.

Ken Cromar explained there was a hearing at the State Records Committee recently wherein a request was denied. He noted the information about their request was not current or truthful. He then read a letter into the public record.

PUBLIC HEARING

4. Final Plan Approval for the Wardell Subdivision, located at approximately 9730 North Canyon Road in the R-1-15,000 Residential Zone.

There were no public comments.

5. Amendments to the City Code Title 10, Chapter 5-26 related specifically to School Signs in the PF Public Facilities Zone

There were no public comments.

6. Amendments to the City Code Title 10, Chapter 3 regarding the Creation of the PD-1 Planned Development Zone, and to Amend the Official Zone Map to Reflect Creation of this Zone

Abigail Hawkins stated that the reason they moved to Cedar Hills was for the lower density zoning. She said the higher density housing was problematic because the infrastructure could not handle the additional housing. She said if the Council allowed the higher density housing she would question their integrity.

Bruce Baird, legal counsel for the developer, Cedar Hills Farm Land, LLC, commented the zones were congruent with the rest of the City. He noted they had worked with the City to ensure the project met its requirements.

7. Amendments to the City Code Title 10, Chapter 3 regarding the Re-zoning of Certain Portions of Area Currently in the SC-1 Commercial Zone to the PD-1 Planned Development Zone, and to Amend the Official Zone Map to Reflect these Zone Changes

Abigail Hawkins said she was not aware the apartment complexes were no longer proposed. Mayor Rees clarified that a compromise had been reached.

8. Preliminary Plan Approval for the Cedar Canyon Subdivision located at approximately 4600 West and Cedar Hills Drive

There were no public comments.

9. Amendments to the City Code Title 10, Chapter 5-32 related to Accessory Apartments

Mike Penn asked if they could clarify the amendments to the new code. Mayor Rees responded they would go over the code later in the meeting.

Ms. Hawkins asked if there was a limit to the amount of families that could inhabit an accessory apartment. Mayor Rees responded they would also discuss this issue later in the meeting.

10. Fiscal Year 2019 Budget (July 1, 2018 to June 30, 2019)

There were no public comments.

CONSENT AGENDA

11. Minutes from the May 15, 2018 Work Session & City Council Meeting and the May 30, 2018 Special City Council Meeting

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

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

CITY REPORTS AND BUSINESS

12. City Manager

Mr. Goodwin reported the following:

- Coding Camp finished this week.
- Lego Camp was currently taking place as well as golf clinics.
- Lacrosse began this week. He said they were pushing for participants because their numbers had gone down the last few years.
- Bowling clinics were also currently available.
- Three responses to the public safety RFP were received and staff was currently reviewing the proposals. He said they would present these options in the next City Council Meeting.
- They were in the middle of the irrigation season and staff asked residents to find ways to reduce the amount of water they used. Information was posted on the City's website to help reduce water consumption.

13. Mayor and Council

C. Andersen reported she attended the ULCT meeting. She noted they were concerned about the moderate income housing in the City, and said she was pleased that staff was working on a plan to incorporate more in Cedar Hills.

C. Miller reported the Beautification, Recreation, Parks and Trails Committee would meet this week. He noted the residents were active in supporting this committee.

Mayor Rees reported on the social media technology presentation for youth and parents. She asked the Council for feedback on the presentation. She said she also needed some direction on how to proceed with the Utah Lake Commission. She noted MAG was working on developing their moderate income housing plan.

C. Ellsworth reported that the Family Festival was successful. He thanked everyone who was involved.

14. Review/Action on an Ordinance Amending Title 10, Chapter 5-26 related specifically to School Signs in the PF Public Facilities Zone

Mr. Goodwin explained the Planning Commission saw this item and recommended a code that would allow for digital signs in Public Facility Zones for schools. He noted that the current sign at Cedar Ridge was ineffective and old. There was concern about the illumination of the sign and the effects on the surrounding homes. He noted there was a limit to the type of information allowed on the sign.

C. Miller asked what types of animations were allowed. Mr. Goodwin said the text was allowed to scroll but not flash. C. Andersen asked if the School Principal had plans to change the smaller sign on the front of the school. Principal Poulton-DeMill answered in the negative. She also

explained the new sign would lessen the burden of the custodian. Another benefit to the new sign was pranksters could not change the letters as they did with the older sign.

Mayor Rees asked what types of messages the elementary school would display on the sign. Principal Poulton-DeMill said they would display public service announcements. They would not display any advertising.

MOTION: C. Andersen–To approve Ordinance No. 06-19-2018A, an ordinance amending Title 10 Chapter 5 of the city code of the City of Cedar Hills, allowing for digital signage in the PF Public Facility Zone. Seconded by C. Miller.

Vote taken by roll call.

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

15. Review/Action on Final Plan Approval for the Wardell Subdivision

Mr. Goodwin said the property was currently one lot and the applicant wanted to subdivide his property to two lots. He said they had received approval from the County for multiple driveways.

C. Miller asked how the secondary structure would be used. Mr. Goodwin stated that the structure would be used as storage. Building plans would need to be submitted and reviewed.

MOTION: C. Andersen–To approve the final subdivision proposal for the Wardell Subdivision, subject to final engineering review. 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 3 regarding the Creation of the PD-1 Planned Development Zone, and to Amend the Official Zone Map to Reflect Creation of this Zone

Mr. Goodwin explained this had been an issue for the City for six years. He said the facility received preliminary approval with 14 conditions. The developer challenged the conditions through the State Property Ombudsman and many of the conditions were overturned. The City would consider a rezone as a part of the settlement agreement. He then discussed the density and setbacks. He noted this was a unique zone created by the development agreement between the City and Cedar Hills Farm Land, LLC.

Mayor Rees commented the maximum density in this development was 80 homes. Mr. Goodwin noted the commercial piece of the development was still subject to city code 10-6-A. He said

they were not approving use tonight. Mayor Rees said there was one change clarifying the setbacks.

MOTION: C. Ellsworth–To approve Ordinance No. 06-19-2018B, an ordinance amending Title 10 Chapter 3 to reflect the creation of the PD-1 Planned Development Zone, and amend the Official Zone Map to reflect the creation of the PD-1 Zone, subject to the changes of the 3 foot minimum setback on one side with 7 feet on the other side to make the 10 foot requirement. Seconded by C. Andersen.

Vote taken by roll call.

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

17. Review/Action on an Ordinance Amending Title 10, Chapter 3 the Re-zoning of Certain Portions of Area Currently in the SC-1 Commercial Zone to the PD-1 Planned Development Zone, and to Amend the Official Zone Map to Reflect these Zone Changes

Mr. Goodwin explained the new zoning map would identify the property as the PD-1Planned Development Zone. City code required the Council to adopt the new map.

MOTION: C. Ellsworth–To approve Ordinance No. 06-19-2018C, an ordinance amending the Official Zoning Map to reflect the rezoning of a portion of the SC-1 Shopping Center Zone to the PD-1 Planned Development Zone, and amend the Official Zone Map to reflect these changes. Seconded by C. Bailey. Vote taken by roll call.

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

18. Review/Action on Preliminary Plan Approval for the Cedar Canyon Subdivision

Mr. Goodwin explained the Cedar Canyon Subdivision had 80 lots with a commercial component in the northwest side. The Planning Commission reviewed the plans and made recommendations to the Council. He noted there were some concerns about utility boxes, fire hydrants, turn radius, and a dead end street. He explained the developer complied with each of these concerns. He then identified where the retention would be located.

C. Andersen commented they had discussed this issue at length and did not have any more questions.

MOTION: C. Miller–To approve the preliminary plans for the Cedar Canyon Subdivision, located at approximately 4600 W Cedar Hills Drive in the newly created PD-1 Planned Development Zone, subject to final engineering review.Seconded by C. Ellsworth.

Yes - C. Andersen

C. Bailey
C. Ellsworth
C. Miller Motion passes.

19. Review/Action on an Ordinance Amending Title 10, Chapter 5-32 related to Accessory Apartments

Mr. Goodwin explained Jenny Peay had worked on this proposal with MAG. He noted the State required the City to have affordable housing. The accessory apartments were their best option for affordable housing.

Ms. Peay explained the current code regarding accessory apartments needed to be revised. She said the main goal was to make the code easier to understand. Mayor Rees asked Ms. Peay to go over the additions to the code. Ms. Peay explained that the registration fees had not been assessed and were up for discussion. She said the fees would be minimal and only a one-time fee.

C. Ellsworth asked how they would handle a situation where the home was owned by a trust. Additionally, he wanted to know what would happen if the owner was in the hospital for an extended period of time. Mayor Rees commented they did not have to approve the code tonight. Ms. Peay said she would have to go back through the code and address these issues with attorneys. C. Ellsworth said they needed to clarify these issues to make the code easier to understand.

C. Miller suggested they include language indicating that street parking was allowed up to 48 hours for tenants of accessory apartments. Mr. Goodwin suggested striking the first sentence rather than amending the entire section regarding parking.

MOTION: C. Ellsworth–To table this item to a future agenda. Seconded by C. Andersen.

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

Mayor Rees asked Mr. Goodwin the number of unrelated people allowed in the accessory apartment. Mr. Goodwin said they allowed four. C. Andersen asked about a hypothetical situation. Mr. Goodwin said they would evaluate such issues on a case-by-case basis.

20. Review/Action on a Resolution Adopting Fiscal Year 2018 Budget Amendments

Charl Louw explained that there were some items that required the City to increase legal and engineering expenses. Mr. Louw said the increases were offset with sales tax. He noted they needed to be careful not to have too much in the general balance and recommended transferring \$250,000 to the capital projects fund.

Mayor Rees asked if the \$6,000 for arts funding was pulled from the 2019 budget. Mr. Louw answered in the negative.

MOTION: C. Andersen–To approve Resolution No. 06-19-2018A, a resolution adopting the amended 2017-2018 Fiscal Year Budget for the City of Cedar Hills, Utah. Seconded by C. Ellsworth. Vote taken by roll call.

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

21. Review/Action on a Resolution Adopting the Fiscal Year 2019 Budget (July 1, 2018 to June 30, 2019)

Using the aid of a PowerPoint presentation, Mr. Louw reviewed the budget priorities and discussed the increases in expenditures by department.

Mayor Rees stated that the arborist saved many trees because of the aphid infestation. She said the money was well spent.

Mr. Louw continued and explained the majority of their funds came from the population. He reviewed the census numbers and the project sales tax revenues. He noted building revenues were down. He explained the costs for recycling had increased significantly. A list of capital projects was then presented. Mayor Rees asked how the master plan affected Harvey Park. Mr. Louw explained there were plans to draw up schematic designs.

Mr. Louw reviewed the concept designs for the splash pad. C. Andersen commented the scouts liked the space design. Lastly, Mr. Louw noted the budget was a living document.

MOTION: C. Andersen–To approve Resolution No. 06-19-2018B, a resolution adopting the 2018-2019 Fiscal Year Budget for the City of Cedar Hills, Utah. Seconded by C. Miller. Vote taken by roll call.

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

Mr. Louw requested feedback on the structures and pavilions and noted that images of the site design were included in the Council packet. He said their goal was to be unique. Mr. Goodwin added that they were also trying to be low maintenance.

Mayor Rees said her main concern was children playing around the main drive. Mr. Louw explained that at the roundabout there would be removable bollards allowing people to cross safely anytime. Mayor Rees clarified that people would not drive through the circle. The Council indicated that they were pleased with the design. There was subsequent discussion regarding community involvement and potentially forming a committee.

22. Review/Action on a Resolution Certifying the Calculated 2018-2019 Real and Personal Property Tax Levy

Mr. Louw explained the City was receiving \$400 in taxes from the average resident.

MOTION: C. Ellsworth–To approve Resolution No. 06-19-2018C, a resolution setting the total Property Tax Levy assessed upon real and personal property for general governmental purposes for the 2018-2019 tax year for the City of Cedar Hills, Utah.

Seconded by C. Bailey. Vote taken by roll call.

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

23. Review/Action on a Resolution Adding, Amending, or Deleting Certain Fees to the Official Fees, Bonds and Fines Schedule of the City of Cedar Hills

Mr. Goodwin explained that the City was updating its fee schedule to reflect the changes that were made. He said the changes were tied to the Bowen and Collins study.

MOTION: C. Miller–To approve Resolution No. 06-19-2018D, a resolution adding, amending, or deleting certain fees to the official fees, bonds and fines schedule of the City of Cedar Hills, Utah. Seconded by C. Andersen.

C. Bailey asked which fees were changing. Mr. Goodwin stated the biggest changes were paramedic and recycling fees.

Vote taken by roll call.

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

24. Review/Action on a Resolution Making Assignments to Members of the City Council and Staff to Certain Boards, Committees and Entities

Mr. Goodwin explained the resolution made assignment and board changes.

MOTION: C. Ellsworth–To approve Resolution No. 06-19-2018E, a resolution assigning members of the City Council and Staff of the City of Cedar Hills, Utah, to certain boards, committees and entities. Seconded by C. Bailey.

Vote taken by roll call.

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

ADJOURNMENT

This meeting was adjourned at 8:35 p.m. on a motion by C. Bailey, seconded by C. Andersen, and unanimously approved.

Approved by Council:
July 17, 2018

/s/ Colleen A. Mulvey, MMC
City Recorder