

CITY COUNCIL MEETING

Tuesday, May 3, 2016 7:00 p.m.

Community Recreation Center

10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Mayor Gary Gygi, Presiding
Council Members: Ben Bailey, Rob Crawley, Mike Geddes, Jenney Rees, Daniel Zappala
David Bunker, City Manager
Chandler Goodwin, Assistant City Manager
Greg Gordon, Recreation Director
Charl Louw, Finance Director
Others: Craig Gardner, Reed Bromley, Lt. Sam Liddiard, David Driggs

COUNCIL MEETING

1. This meeting of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 7:01 p.m. by Mayor Gygi.

Invocation given by C. Rees

Pledge of Allegiance led by C. Zappala

2. Approval of Meeting’s Agenda

MOTION: C. Geddes—To amend the agenda and put item 14 after item 8 and leave everything else the same. Seconded by C. Rees.

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

3. Public Comment

No comments.

PUBLIC HEARING

4. Amendments to the General Plan of the City of Cedar Hills

No comments.

5. Amendments to the City Code, Title 10, Chapter 6 Related to Planned Commercial Development Projects

No comments

6. Amendments to the City Code, Title 10, Chapter 5, Related to Conditional Use Permits

No comments.

CITY REPORTS

7. City Manager

David Bunker met with Peter Quitner, the County Emergency Management Coordinator, to talk about Everbridge, a mass notification system. The county would like every city in the county to be on the same system. The city is not currently on the system and wants to explore options to get better service at a low price. Everbridge is a better platform and has additional features than the current system. The city is looking into whether Everbridge can easily convert the city's data into its system. The cost would be \$500-\$600 less per year. C. Zappala would like the city to look into email subscription options with Everbridge.

Cedar Hills is a member of the Utah Water Users Association. Their recent newsletter featured a resolution passed in the state senate encouraging use of universal water metering systems. It encourages all cities to implement universal metering, including pressurized irrigation.

Recreation programs are up and running. Soccer leagues are full. Teen soccer is going well, with a slight decrease in numbers. T-ball registration and computer coding class registration is open. Cedar Hills got an award from the Utah Jazz for having 821 participants in the Jr. Jazz program. At the beginning of the year, the city gave a free round of golf coupon to each resident, which 22 residents have used so far this year.

8. Mayor and Council

C. Zappala: He has been busy helping revise the city's zoning ordinances. The Planning Commission met and had a good discussion on revisions to the general plan, commercial zoning ordinances and conditional use permits. They also talked about Walmart's outdoor storage of seasonal supplies. He attended the Beautification, Recreation, Parks and Trails Committee meeting, where they discussed the service day on May 14, yard-of-the-month prizes and Christmas lighting at the roundabout.

C. Bailey: Open burn season continues through the end of this month. Anyone that wants to burn is required to get a permit.

Mayor Gygi: The Lone Peak Public Safety District adopted a preliminary budget with the proviso that they meet again in two weeks. Highland City would like to change the way the cities are charged for fire and EMS services.

C. Rees: The Family Festival is in three weeks and still needs a lot of volunteers. The council will help serve dinner during the Dinner and Movie event. They will also rotate to other assignments. Service Day is on May 14 and volunteers are needed for that as well.

SCHEDULED ITEMS

14. Discussion on the City's Participation with the Utah League of Cities and Towns

C. Crawley stated that he likes the training he has received from Utah League of Cities and Towns (ULCT), but he became concerned when he heard that the ULCT was promoting the gas tax. He felt that, in this instance, the ULCT was trying to influence the voters. Residents in his area have hired him to represent them and be efficient with the city's money. He is fiscally

conservative, as are the people who voted for him. It bothers him that with the city's participation in ULCT, money is going to what he views as a lobbying organization that made great efforts to raise taxes. ULCT also worked on getting Proposition 1 passed, telling elected officials how to work to get the proposition passed. He does not feel that his job is to tell residents how to vote. In his opinion, this is what is wrong with government; it should be getting directions from those who hire it, not the other way around. ULCT gets \$1.5 million from city's fees and is viewed as one of the most powerful lobbying groups in Utah, supporting efforts that aren't in line with what the general Cedar Hills community wants. The ULCT is out of touch with the needs of Utah County, placing heavy emphasis on the Utah Transit Authority (UTA). He would like to look into the possibility of using the \$5,000 fee that the city pays in a way that is more beneficial for Cedar Hills' residents, such as with the Beautification, Recreation, Parks and Trails Committee. He feels that the goal of government isn't to get as much money as possible, but rather how to be as efficient as possible.

Ken Bullock, executive director of Utah League of Cities and Towns, said that ULCT works hard to make sure that training is applicable to everyone. There was enthusiasm during the business session for the gas tax, for which he is not apologetic. The last time the gas tax was passed was 17 years ago. Seventeen years of losing inflation and other costs is a long time. The gas tax will go to road budgets for the cities. No money goes to UTA from the gas tax. Sometimes taxes need to be raised when it costs money to provide services. ULCT was a significant part of the gas tax, and that it benefits the cities of the state. An important stipulation was placed in the gas tax; specifically that money spent has to go to funding roads. It cannot supplement general funds. He was critical and vocal of Proposition 1 because he feels that UTA has not been forthright in its dealings with communities. He felt that the money should be given directly to the cities for their unique transportation needs. That didn't happen, but ULCT did not promote Proposition 1 for UTA. ULCT asks cities to pass resolutions and the like, but cannot ask cities to raise funds. The intent of ULCT is to provide cities with information that can be passed on to residents. No ULCT money was spent promoting Proposition 1. ULCT does not contribute to campaigns. The ULCT municipal task force funds a consultant that specializes in issues that arise from societal changes, technology and municipalities. ULCT employees are dedicated to the league and do not do outside consulting work. ULCT also uses a few highly specialized outside consultants. The economy is shifting. Businesses want growth. Government is looking to grow revenues. He does not think it is his job to say what city governments can and can't do. That is the job of city representatives. Sales tax used to be one of the major forms of tax. Property taxes were frowned upon. With technology and growth, fees cannot be passed along. Some communities used to be overly dependent on fees. Now there is more accountability for fees, which will have a significant impact on fee revenue. There was a bill introduced that has an impact on state and local government that will have an impact on money distributed to municipalities. Many people believe services don't cost money because they are used to fire, safety, garbage, water, etc. They all cost money, and people do not want to pay more taxes. Taxes need to be increased, or services decreased. That is not the decision of the ULCT, but it can provide information to those that do make those decisions. Top issues for the ULCT include land use planning, water and infrastructure funding, justice court reform and transportation. The ULCT is made up of 246 municipalities. The ULCT board is elected via a nominations process. Representation from each of 8 different districts is required, ensuring small towns are represented. The appointment is a 2-year appointment. One challenge is to keep all members of

the league informed. City representatives have many responsibilities and sometimes the league business is not at the top of their priority list. About 20 years ago, UTA helped with some bussing issues for a local official's day at the capital. Now ULCT does not receive any free services or donations from UTA. He foresees UTA being a major component of the future of public transportation, but not the only component, and future public transportation plans will differ from one community to the next. He foresees some changes to public transportation, particularly as it relates to active lifestyles with more walking, biking and the like.

C. Crawley feels that ULCT is a result of the overgrowth of government in its desire to gather income, which he feels is counter to what residents want. He feels representatives often forget the goal of representing their constituents and being efficient with money. In this way he feels the ULCT is part of the bad part of government. He has no problem with the trainings, but does not agree with any type of lobbying.

C. Zappala stated that C. Crawley seems to be suggesting that this representative committee drawn from all over Utah all have the same agenda of growing government. The fight over Proposition 1 in Utah County seemed to be a fight over public transportation in the county.

C. Rees stated that she appreciates C. Crawley bringing this to discussion. It is always important to look at every budget item and ensure it is valuable. She feels that the city does receive a benefit from being a member of ULCT. She has found the league to be very responsive to her questions. She appreciates the training and specialized access the city receives to land use experts and municipal law experts. She suggested that more representatives from the city attend the legislative policy meetings.

9. Review/Action on Amendments to the General Plan of the City of Cedar Hills

Chandler Goodwin stated that the Planning Commission looked at this document last week and made some minor adjustments. Changes were primarily in updating the zones. Chapter 2 deals with density. It appears that over the years, the density requirements as stated in the code were not strictly adhered to. The Planning Commission recommended removing the economic element from the general plan because it outlined goals that are already listed in the Design Guidelines.

Mayor Gygi stated that this has been reviewed by legal.

C. Zappala would like the General Plan to be revisited on a more regular basis.

MOTION: C. Rees—To approve Resolution 05-03-2016A, a resolution adopting amendments to the Land Use Element of the Cedar Hills General Plan. Seconded by C. Zappala. Vote taken by roll call.

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

10. Review/Action on Amendments to the City Code, Title 10, Chapter 10, Related to Planned Commercial Development Projects

Chandler Goodwin stated that this amendment moves the Design Guidelines into the code. This document has been reviewed on a number of occasions.

C. Zappala stated that adjustments need to be made to the zoning map. He will fix the yellow boundary that covers some homes and was noticed by a resident. He wants to add language that says that the City Council is the land use authority for conditional uses in the SC-1 Commercial Zone.

C. Geddes stated that the landscaping seems really specific. He would like to see a sentence added that says “or approved alternatives.” As new products come out, the city can get stuck with older products.

MOTION: C. Zappala-To approve ordinance 05-03-2016A, an ordinance adopting Title 10, Chapter 6A, of the Cedar Hills Municipal Code regarding Design Requirements for Planned Commercial Development, subject to: fixing the map showing the office district boundaries as outlined in this meeting and specifying that the City Council is the land use authority for conditional uses in the SC-1 Commercial Zone in 10-6A-3 and direct staff to amend the zoning map and code to reflect these changes. Seconded by C. Rees. Vote taken by roll call.

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

11. Review/Action on Amendments to the City Code, Title 10, Chapter 5 Related to Conditional Use Permits

Chandler Goodwin stated that currently all conditional uses require approval by the Planning Commission. This amendment gives approval authority to different bodies depending on whether it is a new or expanded structure, to be approved by the Planning Commission or an existing structure to be approved by staff in the planning department.

C. Rees stated that she would like to see the section of code that was added to the Design Guidelines stating that the City Council is land use authority for the SC-1 Commercial Zone in this amendment.

C. Zappala stated that conditional uses for all large scale development has come to the City Council because it is in 10-6. One solution is to make a conditional use table that lists the land use authority for all conditional uses in the city.

MOTION: C. Zappala—to table and direct staff and C. Zappala to work on putting together a table for various conditional uses and list who will be the land use authority for the uses. Seconded by C. Crawley. Vote taken by roll call.

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

12. Review/Action to Adopt the Tentative Fiscal Year 2017 Budget (July 1, 2016 to June 20, 2017)

Charl reviewed the tentative budget, which covered the emphasized budget priorities, pricing for pending projects, General Fund revenues, sales tax revenue, franchise fee trends, community services, Family Festival, library, Youth City Council and other revenues, event center, recreation, and concession revenues, construction related revenues, and public safety actual and estimated expenditures.

MOTION: C. Geddes—To approve the tentative Fiscal Year 2016-2017 budget. Seconded by C. Bailey.

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

13. Review/Action on a Resolution Notifying the Utah County Commission of the City’s Intent to Submit to the Voters an Opinion Question Regarding a Possible Imposition of a CARE Tax

David Bunker stated that city voters voted on the CARE Tax in 2008 and it was enacted in 2009. Per state code, the tax may be reauthorized at the end of an 8-year period. The CARE Tax is a local sales and use tax of 0.1% on particular transactions to fund cultural arts and recreation. The first step is to pass this resolution and then pass it along to the county commission for approval. As long as the county is not planning on enacting their own CARE Tax and approves the city’s resolution, the city can move forward and put the opinion question to the voters.

C. Zappala stated that in 2008 the voters approved this by a 2 to 1 vote.

MOTION: C. Zappala—To approve Resolution 05-03-2016B, a resolution notifying the Utah County Commission of the City of Cedar Hills’ intent to submit an opinion question to Cedar Hills residents regarding the possible imposition of a citywide tax to fund botanical, cultural, recreational, and zoological organizations or facilities in the City of Cedar Hills. Seconded by C. Rees. Vote taken by roll call.

Yes - C. Bailey
C. Crawley

C. Geddes
C. Rees
C. Zappala Motion passes.

ADJOURNMENT

15. This meeting was adjourned at 9:00 p.m. on a motion by C. Zappala, seconded by C. Bailey and unanimously approved.

Approved by Council:
June 21, 2016

/s/ Colleen A. Mulvey, MMC
City Recorder