

CITY COUNCIL WORK SESSION
Tuesday, June 15, 2010 6:00 p.m.
Public Safety Building
3925 West Cedar Hills Drive, Cedar Hills, Utah

Present: Mayor Eric Richardson, Presiding
Council Members: Ken Kirk, Jim Perry, Stephanie Martinez, Scott Jackman, Marisa Wright
Konrad Hildebrandt, City Manager
Kim Holindrake, City Recorder
Others: Cliff Chandler

This work session of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 6:27 p.m. by Mayor Richardson.

- Noticed agenda items for this Regular Council Meeting

Telecommunications Service Providers Tax

- Mayor Richardson stated that this item was addressed at the last meeting. The Council asked to have the City Attorney review the ordinance as to whether the Council has the ability to increase the amount without an election. The short answer is the Council has the discretion and power to increase it without an election. The first question is, can the Council do it; and the second question is should it be done. The budget would need to be amended because it included the rate of 3.5%.
- C. Kirk suggested adding to Section 3-2C-4, Rate Limitation and Exception, following “exceed” the wording “the amount authorized by Utah Code, Sections 10-1-203(4) and 10-1-401, which is rate is currently 3.5%” and then continue on, or use “the amount authorized by Utah Code” and end it. This rate increase will be charged to the providers who will then pass it on to City residents. Residents have asked him why everything can’t be lowered because the City now has Walmart. He would like to evaluate what the City received from Walmart and even things out. It needs to be explained to the residents.
- C. Jackman suggested deleting Section 2 and going with the Utah State Code. The rate is increasing by 5%, which is \$5,000 in the budget. The 3.5% and the tax levy can be adopted, or either one or both can be lowered and the budget cut.
- C. Perry agreed with deleting Section 2 because it redundantly restates Utah Code. The Council cut taxes two years ago and now the Lone Peak Public Safety District went up 80% because of the loss of transports.
- C. Wright stated that the Blue Ribbon Committee asked if a portion of the Walmart sales tax could be dedicated to a recreation center. She told them no because in the last two years, the State tax pool has dropped dramatically with the current economics. Without Walmart the City would be in a world of hurt.

2010-2011 Real and Personal Property Tax Levy

- Mayor Richardson stated that the County calculated tax rate is .001856, and last year the

Council adopted .00169. If the Council chooses to go with last year's rate, the budget would need to be reduced by about \$60,000. The Council can go with .00169 and cut \$60,000 from the budget or make a conscious decision to go with the new rate of .001856. The Council needs to find a rate and stick with it. There is certainly justification to increase the rate because of increased public safety costs. He would go with the .001856 because of the increase from the Lone Peak Public Safety District and keep that rate going forward whether property values go up or down.

- C. Wright agrees with Mayor Richardson. If you break it down, the proper role of government is providing public safety, roads, and some other things.
- C. Kirk stated that this is the way it has worked in order to provide services. It would be great if there wasn't a recession.
- C. Perry stated that another way to look at it is the City was subsidizing in the past with income from transports and can no longer subsidize.

Municipal Wastewater Planning Program

- Mayor Richardson stated that this is required by the State to be submitted every year. Previously it was due in September, but the date has changed and is now due in June. There are no changes to the wastewater program. There hasn't been any discharges, and the City has a good system.

Cutouts on Briggs Boulevard and Nielsen Boulevard

- Mayor Richardson stated that in 2008/2009 the City funded two previous cutouts in The Cedars West area to facilitate a more safe traffic flow. The residents through the HOA have asked for two additional cut outs and the issue was addressed by the Traffic Safety and Livability Oversight (TSLO) Committee. The response from the Committee was that funds weren't in the budget; but if the HOA wanted to pay for it, the City would help facilitate the project. Things were moving forward, but due to changes on the HOA Board and the planting of trees, the HOA is not in a position to pay for the cutouts. He recommended that the Council follow the normal process of going through the TSLO Committee and then prioritizing the project in the Capital Improvements Plan. The project would be adopted as part of the traffic safety plan and prioritized.
- C. Kirk stated that the TSLO Committee met and discussed this project with the HOA. The Committee, HOA members, and staff agreed that this wasn't a matter of safety but obeying the law. People just want to save a second or two driving down the street. It isn't a safety issue but a livability issue.

City Manager Report and Discussion

- C. Wright asked if a school crossing guard would be needed for the new Quail Run Charter School when the school is not in Cedar Hills.
- Konrad Hildebrandt will check into the issue.
- Motion to go into Executive Session, Pursuant to Utah State Code 52-4-205

- Motion to Adjourn Executive Session and Reconvene Work Session

This meeting was adjourned at 7:00 p.m. by Mayor Richardson.

/s/ Kim E. Holindrake
Kim E. Holindrake, City Recorder