

**CITY COUNCIL MEETING**

Tuesday, December 2, 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  
Charl Louw: Finance Director  
Greg Gordon: Recreation Director  
Jeff Maag: Public Works Director  
Courtney Hammond: Transcriptionist  
Others: Lt. Sam Liddiard, Jodi Hoffman, Emily Cox, Marisa Wright, Smarts, Corey Shupe, Ann Perkins, Nicole Allen, Diana Cannelle

**CITY COUNCIL MEETING**

1. This meeting of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 7:07 p.m. by Mayor Gygi.

Invocation given by C. Crawley

Pledge of Allegiance led by Boy Scout Talon Smith

2. Approval of Meeting’s Agenda

**MOTION: C. Rees—To accept the agenda as is.** Seconded by C. Zappala.

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

3. Public Comments

No comments.

**REPORTS/PRESENTATIONS/RECOGNITIONS**

4. Presentation by the Cultural Arts Citizens Advisory Committee

Ann Perkins, vice chair, stated that the Cultural Arts Advisory Committee has met and has many ideas. They are going to continue with concerts in the park, publicizing them heavily during the Family Festival. They are also planning on hosting Shakespeare in the Park. They are looking into partnering with the Highland Arts Council to do some cross promotion. Other programs they would like to start include a summer musical theater production, day hikes in the canyon, a kite

festival, slip and slide day, date night, a sledding day, and a gallery night with local artists. They will be coming back in early spring to ask for some budget money.

C. Zappala suggested that the city choose and purchase a piece from a Cedar Hills artist at the local Junior High School art contest.

#### CONSENT AGENDA

##### 5. Minutes from the November 5, 2014 City Council Meeting

**MOTION: C. Rees—To approve the consent agenda.** Seconded by C. Geddes.

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

#### CITY REPORTS AND BUSINESS

##### 6. City Manager

Timpanogos Special Service District had a board meeting and amended the 2014 budget to meet the final year-end budget numbers. They also approved the upcoming FY2015 budget, which included setting aside money to decrease debt. They will be looking to decrease fees.

The recreation department has several things going on: Jr. Jazz registration closed with 739 participants. The ski bus has 24 participants, with room for 24 more. Four more chaperones are needed. A karate class will be added in January. Demand for karate has been high. Indoor golf clinics will be held in February and March. The golf course will be closing for the season in a week or two. The Youth City Council is getting ready for their Sub for Santa program.

##### 7. Mayor and Council

C. Zappala: Utah Valley Dispatch is working towards purchasing and building a new building

C. Rees: The book mobile will start in January at the LDS church by the roundabout.

Mayor Gygi: Utah Transit Authority has asked to meet with him about possible bus routes through Cedar Hills. Questar Gas needs to expand the gas pipe. They have a plan laid out. It will come to the city in January. He will be making new council assignments at the beginning of the year.

C. Crawley: Next Monday is the annual city Santa Party from 6-8 p.m. The Beautification, Recreation, Parks and Trails Committee met and discussed Bayhill Park and landscaping plan changes to the roundabout.

#### SCHEDULED ITEMS

##### 8. Review/Action on Conceptual Plans for the Rosegate at Cedar Hills Development, located at approximately 4600 West and Cedar Hills Drive in the SC-1 Commercial Zone

Chandler Goodwin stated that the proposal for the Smart property has gone through the Planning Commission and has received conceptual approval. Corey Shupe of Blu Line Designs is seeking directions on moving forward. The current proposal is for assisted living. There has been renewed interest from the Planning Commission and some City Councilmembers about

congregate care. Mr. Shupe seeks a determination on whether congregate care is similar in nature to an assisted living facility.

Corey Shupe stated that one of the items brought up in the Site Plan Review Committee and the Planning Commission is congregate care. Their application is to move forward with assisted living, which is listed as a permitted use in the Design Guidelines. He has been asked to consider congregate care. They are prepared to move forward with either assisted living or congregate care. The Design Guidelines state in section 3.2 that the purpose of the list is not to be conclusive. It states that "if a proposed use is not listed in the use table below, but it can be shown to be substantially the same as an item in the chart, than it can be considered as a listed item in the chart." They want clarification about what congregate care is and whether it is allowed. In pulling the building forward to mitigate impact to residents, they have overlapped into a more highly commercial subset of the zone. If needed, they will push the unit back keeping them well within the building setback. The zone allows for up to 50 feet of occupied space. They are at 33 feet. The building could be 44 feet from the property line, and that is where the building would sit if it needed to be pushed back. A congregate care facility can provide all the services of assisted living but in an a la carte structure as needed. Units provided for congregate care come in one, two or three bedroom units with kitchens and laundry. It is designed for an active senior who wants to age in the same unit where a la carte options are available as their needs change. Assisted living units are designed like a hospital room. No kitchen, laundry or extra room.

C. Zappala stated that he has read several definitions of congregate care in communities where they are developed. The definitions include the goal of allowing independent living, with the ability to provide meals, care, etc. either on or off site. The building as currently designed sits over two sub districts, one of which allows assisted living, the other does not. He feels like what has been proposed in the past is more like residential apartments, though he would personally prefer congregate care to assisted living. He would like to go back to the Planning Commission to revise the Design Guidelines to allow congregate care with a clean definition, which would then be allowed. Though he feels this is not commercial in nature, he also feels that a congregate care is best for the community. He likes public input and is uncomfortable doing this without knowing what residents would prefer.

C. Crawley stated that he feels that this proposal is more akin to high density apartments than assisted living. He suggested going through the process of rezoning the area as residential.

C. Augustus stated that he feels that the congregate care is providing the same services, just in a different arrangement. He feels that makes it substantially the same. He prefers tying them down to a substantially similar use through the development agreement and then changing the code for the future.

C. Rees stated that her preference is for congregate care, but feels that the traffic of a congregate care facility will have more of an impact.

C. Geddes stated that an assisted living would have a higher demand on public safety than a congregate care facility would.

**MOTION: C. Geddes—To approve a finding of fact that a congregate care facility is similar in nature to an assisted living facility and shall be treated as an assisted living facility or convalescence care center in interpreting the Guidelines for the Design and Review of Planned Commercial Development Projects.** Seconded by C. Augustus.

Further Discussion:

C. Rees stated that Eric Johnson wanted to make it clear that this does not bind the Council in a future vote.

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

9. Review/Action on Signage on the Amsource Property, located at 4800 West and Cedar Hills Drive in the SC-1 Commercial Zone

Chandler Goodwin stated that the Planning Commission sent the monument sign back to Amsource for redesign. Planning Commissioner Jeff Dodge drew up what the Planning Commission felt was an attractive sign that followed the Design Guidelines. That is what is proposed tonight. It is located on 4800 South about 100 feet from the corner. It meets all Design Guidelines.

**MOTION: C. Zappala—To approve the proposed sign elevations for the Amsource monument sign to be located on 4800 W Cedar Hills Drive with the caveat that the lumens at site boundaries need to be in accordance with city code.** Seconded by C. Augustus.

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

10. Review/Action on the 2014 Fiscal Year Audit

Charl Louw stated that last year the debt service was moved into a different fund. See handouts.

Diana Cannell of Allred Jackson stated that she was impressed with finance department. She reviewed the FY2014 Audit. See handouts. There are no findings this year, which is remarkable.

**MOTION: C. Augustus—To accept the 2014 annual financial audit report.** Seconded by C. Crawley. Vote taken by roll call.

Yes	-	C. Augustus	
		C. Crawley	
		C. Geddes	
		C. Rees	

C. Zappala Motion passes.

11. Review/Action on a Resolution Adopting the Municipal Wastewater Planning Program

Jeff Maag stated that this report is required by the Utah State Department of Environmental Quality. This process gives the city additional points that are used to allocate funds under the wastewater grant and loan program.

**MOTION: C. Augustus—To approve Resolution 12-02-2014A, a resolution adopting the Municipal Wastewater Planning Program for the City of Cedar Hills, Utah.** Second Geddes. Vote taken by roll call.

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

12. Review/Action on an Ordinance setting the Time and Place of the regular City Council meetings for 2015

Chandler Goodwin presented the proposed schedule for 2015. There is just one meeting in November and December.

C. Rees mentioned that April 7 is spring break for the Alpine School District.

**MOTION: C. Augustus—To approve Ordinance 12-02-2014A, an ordinance setting the time and place of the regular meetings of the City Council of the City of Cedar Hills, Utah.** Seconded by C. Geddes. Vote taken by roll call.

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

13. Review/Action to Approve the Dispatch Building Agreement with the Utah Valley Dispatch Special Service District

David Bunker stated that the Utah Valley Dispatch Special Service District would like to have this agreement signed by all participating entities. It would give notice that Cedar Hills would participate in the estimated capital payment for the new facility. Cedar Hills' portion would be approximately \$62,279. Participating cities can pay part in 2015 and the second part in 2016 (by December 2015). Alternatively the city can pay upfront.

C. Zappala stated that the cost may go down if they are able to do a low cost lease on county land. The new facility is very much needed.

Charl Louw stated that the fund balance is at its maximum. This type of unexpected one-time expense is what the fund balance is for. He recommends using the fund balance from the general fund for this. He would prefer paying it all at once in one fiscal year.

**MOTION: C. Rees—To approve the Dispatch Building Agreement with the Utah Valley Dispatch Special Service District for the construction of a new dispatch center and appurtenances with an approximate cost to the City of Cedar Hills of \$62,279.00 with the addendum that our legal counsel first reviews it.** Seconded by C. Zappala. Vote taken by roll call.

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

ADJOURNMENT

14. This meeting was adjourned at 8:45 p.m. on a motion by C. Augustus, seconded by C. Zappala and unanimously approved.

Approved by Council:  
January 20, 2015

/s/ Colleen A. Mulvey, MMC  
City Recorder