

CITY COUNCIL MEETING

Tuesday, August 4, 2015 7:00 p.m.

Community Recreation Center

10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Mayor Gary Gygi, Presiding
Council Member: Rob Crawley, Mike Geddes, Jenney Rees, Daniel Zappala
Absent/Excused: Trent Augustus, David Bunker
Chandler Goodwin, Assistant City Manager
Greg Gordon, Recreation Director
Jeff Maag, Public Works Director
David Shaw, City Attorney
Colleen Mulvey, City Recorder
Others: Lt. Sam Liddiard, Chris Fowler, LoriAnne Spear, Ken Cromar, Mr. & Mrs. Stovall, Mr. & Mrs. George West, Ben Bailey

COUNCIL MEETING

1. This meeting of the City Council of the City of Cedar Hills, Utah, having been properly noticed, was called to order at 7:00 p.m. by Mayor Gygi.

Invocation given by C. Zappala.

Pledge of Allegiance led by Chandler Goodwin.

2. Approval of Meeting’s Agenda

MOTION: C. Rees—To amend the agenda by moving item #7 before item #4 agenda.

Seconded by C. Zappala.

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

3. Public Comment

Ken Cromar: Mr. Cromar stated his address as 9870 North Meadow Drive, and noted that he served on the City Council from 1994 to 2000, and is a researcher for Cedar Hills Citizens for Responsible Government. He requested that the City publish a year-by-year analysis of taxpayers' subsidies for the golf course. This information has never been published, and the request has been made several times. Furthermore, Mr. Cromar requested that C. Crawley's efforts to research the facts regarding the golf course also be published. He explained that if the City continues to hide and withhold pertinent information that relates to the most critical financial and manageable issues of the community, then the citizens will unknowingly continue down the same path. Lastly, Mr. Cromar recounted for the record an altercation that took place between himself and Mr. Matt Rees on April 23, 2013.

SCHEDULED ITEMS

4. Review/Action on Approval of Lot 23 Canyon Heights Plat D Drainage Easement Modification

Greg Stovall: Mr. Stovall stated his address as 9058 Silver Lake Drive, and explained that he was unaware that there was a drainage easement on part of his property, as well as on the Lot next door. He requested that the Council lift the easement. Mr. Stovall indicated that he is not the original builder of the home.

Chandler Goodwin presented the plat map and identified a 30 foot drainage public utility easement in between Lots 23 and 24 on the east side. The 30 foot easement is comprised of 15 feet on each side of the property line. Mr. Stovall currently resides on Lot 23 and Lot 24 is currently vacant. The home on Lot 23 encroaches on the easement by approximately five feet. The City is proposing that a document be filed with the County Recorder which recognizes the placement of the home as a legal encroachment on the easement. C. Rees asked if the easement would be large enough for future utilities and drainage, and Chandler Goodwin answered affirmatively. He also added that filing this document with the County would not prevent the City from utilizing the easement in the future. In response to a question from C. Geddes, Chandler Goodwin stated that there are no pipes or structures on the easement.

MOTION: C. Rees—To approve the vacating of approximately five feet of the 15 foot drainage and utility easement on Lot 23 of Canyon Heights, Plat B, leaving approximately ten feet as a public utility and drainage easement, and directs staff to prepare the associated documents as needed. Seconded by C. Zappala. Vote taken by roll call.

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

CITY REPORTS AND BUSINESS

5. City Manager

Chandler Goodwin reported that the Harvey Well is up and running, and will be put back into operation in about a week. The bacteria tests have since come back, and the well is currently operating at approximately 1200 gallons per minutes. Chandler Goodwin also reported that food truck nights are every Thursday at Heritage Park from 5:00 pm to 9:00 pm. C. Zappala stated that he noticed that cars have been parking at the school rather than on the street. Chandler Goodwin responded that parking is an issue that needs to be addressed. Lastly, the Beautification, Recreation, Parks and Trails Committee would like to have the City Council participate in the City Breakfast on August 15, which will take place between 7:45 am and 10:30 am.

6. Mayor & Council

C. Zappala: C. Zappala explained that his students have a working model of an app to report issues for the City. The next step for the project is to elicit input from residents, and the students

will have residents test the app and provide their feedback. Once this information is gathered, they will determine a solution for moving forward.

C. Rees: The Planning Commission met last week and they approved allowing animal rights in the R1-15,000 zone. Furthermore, they also approved changing the zone along Canyon Road from R1-20,000 to R1-15,000, as well as changing Doral Park, Cottages Park and Cedar Run Park to the Public Facilities Zone. These items will come forward to the Council for approval in the next meeting. The Planning Commission also discussed signs in the public right-of-way and asked staff to research what other cities have adopted as their policies. A recommendation on this item will be made to the Council at a later time.

Mayor Gygi: The Mountainland Association of Governments (MAG) will be meeting this Thursday evening, and Mayor Gygi will be attending. The Council of Government will meet afterwards, and Mayor Gygi will report back in the next City Council meeting.

C. Crawley: C. Crawley indicated that he has been preparing for the upcoming Golf Course Finance Committee Meeting.

C. Geddes: C. Geddes reported that there is still an ongoing issue with Utah Valley Dispatch trying to negotiate with bidders to bring the building project into the budget. He made additional comments regarding the upcoming Community Breakfast on August 15. Lastly, C. Geddes stated that the Beautification, Recreation, Parks and Trails Committee have finished their proposal for the roundabout, which will be reviewed by the Planning Commission prior to being reviewed by the Council.

7. Review/Action on Use of the Community Recreation Center

Greg Gordon explained that staff is looking for feedback and direction regarding usage of the Community Recreation Center, and listed several activities that are currently taking place. In response to some questions raised by C. Rees during the Work Session, Greg Gordon reviewed a list of various community events that have taken place in the past and/or are being planned for the future. Events include the Santa party, the Community Breakfast, an Arts Festival, 4th of July activity and collaborations with other committees, to name a few.

In the Work Session, the Council also discussed setting aside Mondays and Tuesdays for resident use at deeply discounted rates. In the past 12 months, there have been ten rentals on Monday nights, nine rentals on Tuesday nights, and 16 rentals on Wednesday nights for wedding receptions. With regards to the Vista Room, the rental rate was increased for non-residents, whereas the rental rate remained the same for residents. Furthermore, there is also a discount on resident rates for reservations made at least 45 days in advance. Staff also sent out a certificate for a free round of golf this spring, and on the backside there was a coupon for \$100 off a rental fee in addition to the resident rates. Residents had the option of choosing to use one of those two offers.

Staff has worked with Diane Farr on some IFA community classes, as well as with C. Rees for a suicide prevention class. They have solicited help for other activities and classes because from a

budget standpoint the City relies on volunteers. Children's reading activities have also been a huge asset to the community. A seven week program called "Step Up" which teaches seniors how to keep their balance and is taught by the Utah County Health Department, was recently booked for next February. A suggestion was also made to host a book club in the conference room or basement. Greg Gordon stated that staff is willing to take whatever direction is given by the City Council.

C. Zappala stated that as a Council he would like to see very clear direction given to staff. He explained that he would like to see more community-wide events, and feels that this is what the residents would also like to see. He stressed the importance of ensuring affordable rates for residents. C. Zappala commented that he would like to have the downstairs decorated in order to make it a more attractive space. He would also like to see better advertising of the resident rates, especially if the rates and building schedule are modified. A long term goal can be to identify a space that is available to residents all of the time, not just a certain number of days per week. The current grill space could potentially be re-purposed. C. Rees echoed C. Zappala's comments, and stated that the usage of the building needs to be aligned with the goals that were set in the Planning Retreat earlier this year.

C. Crawley referred to comments that he made during the Work Session, and suggested that rates be significantly lowered Monday through Wednesday. C. Geddes also reiterated his points from the Work Session. He would like to ensure that the City does not take away opportunities for golf tournaments that need the Vista Room for a reception. He stated that the building should be used to its full capacity. Staff and Council discussed an appropriate motion to make on the matter.

MOTION: C. Zappala— To table this item and assign several Council Members at the Mayor's discretion to work with staff to come back with a proposal for a later Council Meeting. Seconded by C. Rees. Vote taken by roll call.

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

8. Discussion on Communication with the City Attorney

Mayor Gygi stated that Cedar Hills has a new City Attorney, David Shaw. As a City, Mayor Gygi explained that they need to be cognizant of what they can afford in terms of legal expenses. C. Zappala commented that when the City negotiated their contract with Mr. Shaw, it was with the understanding that they would work with him for a couple of months and then revisit the terms of the contract. He feels that they need to reevaluate the contract very soon. Mayor Gygi agreed, and stated that running the City and political items should be kept separate from one another. C. Zappala added that there have been times when members of City Council have emailed Mr. Shaw with legal questions, without any consideration to the costs. He suggested that the Council work through the Mayor, who can then prioritize which issues to send to Mr. Shaw in order to maintain lower legal bills. He likewise suggested that staff direct all of their legal questions through David Bunker.

C. Crawley stated that the City expected higher bills in the first two months of working with a law firm, and he does not feel that this is indicative of what it will be like moving forward. He does not feel that it is a bad idea to have a gatekeeper to the City Attorney; however, he doesn't think that this should be a set policy. Council Members should have a right to approach the City Attorney, but should do so more responsibly. He suggested that if there is to be a gatekeeper, the City Manager, David Bunker, would best fulfill this role.

C. Zappala asked Mr. Shaw if the City is being billed for questions that are being asked by residents. David Shaw answered that he has been asked by David Bunker and/or Mayor Gygi to contact those residents in particular. He is happy to respond to any residents who call, but will only bill according to legal matters that he has been asked to weigh in on by the City. C. Rees agreed with the points that have been made, and stated that a written policy should go into place so that everyone is operating under the same rules.

9. **MOTION: C. Zappala—To go into a Closed Session located at the Community Recreation Center pursuant to Utah State Code 52-4-204 and 52-4-205(1)(a) to discuss the character, professional competence or physical or mental health of an individual.**

Seconded by C. Rees. (7:40 p.m.)

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

CLOSED SESSION

10. **MOTION: C. Zappala—To adjourn Closed Session and Reconvene City Council Meeting.** Seconded by C. Geddes. (8:42 p.m.)

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

ADJOURNMENT

This meeting was adjourned at 8:43 p.m. on a motion by C. Zappala, seconded by C. Geddes and unanimously approved.

Approved by Council:
September 8, 2015

/s/ Colleen A. Mulvey, MMC
City Recorder