

**CITY COUNCIL MEETING**

Tuesday, October 20, 2015 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  
Greg Gordon, Recreation Manager  
Jeff Maag, Public Works Director  
David Shaw, City Counsel  
Courtney Hammond, Transcriptionist  
Others: Lt. Sam Liddiard, David Driggs, Paul Sorenson, Cookie Harr, Delmar Ballas

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. Rees  
Pledge of Allegiance

2. Approval of Meeting’s Agenda

**MOTION: C. Rees—To adjust the agenda to move item 20 after item 9 since we have residents here for that item.** Seconded by C. Zappala.

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

3. Public Comments

No comments.

PUBLIC HEARING

4. Adjusting the Common Boundary between the City of Cedar Hills and Pleasant Grove City (Davies, Eagar, Taylor, Erickson and Meinzer Properties)

No comments.

5. Amendments to Title 10, Chapter 5, Regarding Driveways

No comments.

6. Amendments to Title 10, Chapter 5, Regarding Signs in the Public Right of Way

No comments.

CONSENT AGENDA

7. Minutes from the September 8, 2015 and the September 22, 2015 City Council Meetings

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

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

CITY REPORTS AND BUSINESS

8. City Manager

Timpanogos Special Service District is looking at information on sewer rates and updating the capital improvement plan and long-term-growth plan.

There will be a Golf Course Financial Advisory Committee open house meeting on October 28 at 7:00 p.m.

Flag football is wrapping up.

Jr. Jazz registration is open. Cedar Hills has one of the largest participation rates for cities of its size.

The annual ski bus registration is open.

The Youth City Council Haunted Creek is on October 26 at 7:00 p.m. Information is on the city website.

There will be a resident family night at the golf course on Monday evenings after 2 p.m. for free greens fees. The cost is just the \$7 cart fee.

Send any corporate tournament contact leads to the golf course.

The city is sending out a weekly update through the Parlant system.

9. Mayor and Council

C. Rees: heard positive feedback on the weekly updates. Planning Commission had special meeting on the Design Guidelines, and plan to have it complete by the end of this year. State of the City is in design stage.

C. Augustus: attended the Planning Commission meeting on September 29. Discussed driveways, signs on public right of ways and density of assisted living facilities within the city.

SCHEDULED ITEMS

20. Discussion on Resident Issues Regarding the Golf Course Driving Range

Public Comment:

Cookie Harr: Ms. Harr stated that she is moving to a house on Mesquite Way. She is concerned with the amount of golf balls coming onto their lot, the sidewalk and the park. One of the framers was grazed by a golf ball inside the house. She is concerned for her kids, the kids at the park and residents on the street. Riverside golf course has extended their poles. In the last 3–4 weeks their family has collected 200 balls.

Mayor Gygi stated that the first five poles were raised last year.

C. Geddes stated that one of the problems with the driving range is that those tending the clubhouse cannot see what is happening at the range. Video surveillance can handle that part of the issue. It will not address errant golf balls, but he has seen many of those balls hit purposefully over the net.

C. Zappala suggested a two-prong approach starting with installation of video surveillance. If that doesn't solve the problems, the second part of the solution could include prohibiting woods outside of lessons.

Greg Gordon stated that staff has discussed many things to mitigate the problem, including restricting woods, moving the tee boxes and new poles. Each solution can affect the golf course. Some players won't come if woods are restricted on the range.

C. Rees stated that she feels that the city has some responsibility to address the issue. She would like surveillance on the driving range. She is not opposed to restricting woods. She would like to see an estimate on the surveillance cameras, an employee and extending poles.

David Bunker suggested that the golf course marshals swing by the driving range more frequently.

10. Review/Action on a Resolution Creating a Golf Course Finance Citizens Advisory Committee

David Bunker stated that there was an oversight when the committee was dissolved in 2012. The city thought that the committee had been reconstituted, but it was not. This resolution will create the citizen's advisory committee.

**MOTION: C. Rees–To approve Resolution 10-20-2015A, a resolution creating the Golf Course Finance Citizens Advisory Committee as constituted with the following members: Rick Stewart, David Driggs, Mark Webb, Pricilla Leek, Rob Olsen, Brent Aaron, Mark Horne, Mayor Gary Gygi, Councilmember Trent Augustus, Councilmember Rob Crawley, staff members David Bunker, Chandler Goodwin, Greg Gordon and Charl Louw.**

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

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

David Shaw confirmed he reviewed this resolution.

11. Review/Action Acceptance and Approval of the Golf Course Finance Citizens Advisory Committee Findings and Recommendations



Grove is planning on putting in sewer on 4000 North. Those properties may be affected by that decision.

**MOTION: C. Augustus—To approve Ordinance 10-20-2015A, an ordinance adjusting the common municipal boundary between the City of Cedar Hills and Pleasant Grove City.**

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

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

**13. Review/Action on Adoption of an Ordinance Amending Title 10, Chapter 5, Regarding Driveways**

Chandler Goodwin stated that this was discussed in the Planning Commission last month. There are residents on corner lots that would like to have a circular driveway going from the side setback to the front back. Currently code only expressly allows a circular driveway in the front yard. Upon review, staff and Planning Commission see no issue in a circular driveway from the side to front setback as long as the sight triangle is maintained.

**MOTION: C. Augustus—To approve Ordinance 10-20-2015B, an ordinance amending Title 10, Chapter 5, Section 5 of the Cedar Hills Municipal Code regarding the development in required setback areas.** Seconded by C. Rees. Vote taken by roll call.

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

**14. Review/Action on Adoption of an Ordinance Amending Title 10, Chapter 5, Regarding Signs in the Public Right of Way**

Chandler Goodwin stated that current sign ordinance allows exemptions for signs in the public right of way for free speech purposes and governmental traffic purposes. This proposes a third exemption to allow for governmental signs that are informational in nature. When those signs are not allowed, participation in city activities goes down by up to 30%. The signs would be limited in the time that they may be placed prior to and after an event. There would also be size limitations. Staff has had discussions about ensuring that the signs look professional.

C. Geddes stated that he would like these signs to look professional, without leaning.

C. Rees stated that there have been concerns voiced by nearby residents about signs in the roundabout. She would like to see a compromise. Her recommendation would be to reduce the amount of time allowed to 14 days before and 3 days after the event. Also, that no more than one

sign allowed at a time and a two-week interval between the signs where there are no signs allowed.

C. Crawley stated that he has heard from residents that appreciate the signs. He thinks it adds to the small town feel. He does not agree about the 14-day restriction.

C. Zappala stated that he likes the idea of getting signs down right after the event. He also feels that the issue is the roundabout. Putting the signs by Lexington Heights would not be as big a problem for the residents.

Greg Gordon stated that there should be a stipulation on who can put up the signs.

Public Comment:

Delmar Ballas: Mr. Ballas stated that there should be a stipulation of the sign being removed the first business day after an event. Adding landscaping to the roundabout would not make the signs so visible and in-your-face.

Mayor Gygi stated that he is bombarded with opinions about signs in the roundabout. It can be a distraction to drivers. The city can do this, but he is not sure that it should. He would like to carve out the roundabout and make it off limits for signs.

**MOTION: C. Crawley—To approve ordinance 10-20-2015C, an ordinance amending Title 10, Chapter 5, Section 26 of the Cedar Hills Municipal Code regarding signs with the final additional provisions: to reduce the time to 14 days before and the first business day following the event and that we restrict it to no more than two signs.** Seconded by C. Augustus.

C. Zappala stated that he likes exemption of round roundabout and no more than one sign per public right of way.

Chandler Goodwin stated that the reduction in participation happened when signs were moved from the roundabout to an area adjacent to the roundabout.

C. Geddes stated that as long as the signs look good, he is okay with the roundabout.

C. Rees stated that she stands by the restriction of limiting the amount of signs to one sign and mandating a period of time where there are no signs in the roundabout.

C. Crawley stated that he trusts staff's discretion.

C. Augustus stated that this review was in good faith to respond to residents' complaints. If it needs to be adjusted, it can be adjusted.

**AMEND MOTION: C. Crawley—To limit it to one sign at a time in the roundabout next to Walmart.** Approved by C. Augustus.

C. Rees stated that she would like to have a break in between signs. It would go a long way for residents.

**AMEND MOTION: C. Zappala—To direct staff to try to avoid constant signs and allow for breaks.** No second. Amendment dies.

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

**15. Review/Action on Adoption of an Ordinance Amending Title 9, Chapter 1, Article C, Relating to the Board of Adjustment**

Chandler Goodwin stated that there are two proposed changes: to remove the ex officio member in order to avoid any appearance of impropriety; and stating that that decision of the board becomes effective when it is reduced to writing to comply with state code.

David Shaw stated that the Board of Adjustment is a quasi-judicial body. The decision is official when it is reduced to writing, similar to a court process.

**MOTION: C. Augustus—To approve Ordinance No. 10-20-2015D, an ordinance amending the Cedar Hills Municipal Code, Title 9, Chapter 1, Article C, Board of Adjustment, regarding mode of appointment and when decisions become effective.** Seconded by C. Crawley. Vote taken by roll call.

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

**16. Review/Action on a Resolution Authorizing the Execution of an Interlocal Cooperation Agreement with Utah County Regarding the 2015 November Election**

David Bunker stated that the city will be able to continue to vote by mail with the cooperation of Utah county. The city will need to enter into an Interlocal agreement and reimburse the county approximately \$7950. That is the approximate cost the city would spend if it were to do its own elections. The county will run the general election including counting and verifying.

**MOTION: C. Rees—To approve Resolution No. 10-20-2015B authorizing the execution of an Interlocal Cooperation Agreement between Utah County and the City of Cedar Hills, Utah regarding the 2015 November Election.** Seconded by C. Zappala. Vote taken by roll call.

Yes - C. Augustus  
C. Crawley  
C. Geddes

C. Rees  
C. Zappala Motion passes.

17. Review/Action on Approval of a Conditional Use Permit Allowing Food Trucks to Operate in the SC-1 Commercial Zone

Chandler Goodwin stated that this would allow the Genki food truck to operate in the Chase Bank parking lot every other week during lunch. Typically the Planning Commission would approve this, but the Chase Bank development agreement gives the City Council the authority to approve any outdoor sales. Chase Bank has plenty of room during lunch. This would be a conditional use permit. The potential negative is garbage. There have been no complaints from the food truck rally at Mesquite Park.

C. Zappala stated that the council has been told that the development agreement is complete upon completion of the development.

David Shaw stated that the development is likely no longer enforceable, but that doesn't mean that the city cannot require a conditional use permit. There can be survivability on certain terms in a development agreement.

C. Crawley stated that he sees a potential upside. If food trucks are popular here, perhaps restaurants will see Cedar Hills as viable.

C. Augustus stated that he would like to see some condition, including that only one truck is allowed at a designated site at a time, and stipulating the time and hours of operation.

C. Rees stated that she feels like the decisions about hours, how many trucks, etc. should be the business decisions of Chase Bank and Genki. She feels like they know their business better than the city council. If there is a problem, the city council can address it, rather than put conditions up front that may affect their business.

David Bunker stated that the conditions apply to the property owner—Chase Bank—rather than Genki.

**MOTION: C. Zappala—To approve a conditional use permit for Genki Food Truck to operate in the SC-1 commercial zone, such operation shall be limited to the Chase Bank parking lot, and shall not include any of the surrounding area. The conditional use permit is subject to the following conditions: that they would include only one truck at the site at a time; temporary signage for the truck; operation hours of 10 am to 9 pm; and that they keep garbage in the area cleaned up both before and after operation.** Seconded by C. Crawley.

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

18. Review/Action to Allow Food Trucks to Operate during the Months of October—March at the Community Recreation Center

Chandler Goodwin stated that there is demand in the city for food trucks. Over the summer the city learned that the less the city gets involved, the better. The food truck operators scheduled everything, and that worked well. There is a proposal to continue the food truck rally at the Community Recreation Center location during the winter months. Cameron Burr, manager of the Cedar Hills Grill has agreed to waive his non-competition clause during these events. Cameron Burr would be in charge of the winter rally. Tuesday, as posted in the memo, will not work. Wednesday may work. There would have to be coordination with events in the building. The building would be open to allow people to eat inside.

C. Augustus stated that more snow removal and ice melt may be necessary.

Jeff Maag stated that the gravel area is not maintained or plowed.

**MOTION: C. Augustus—To approve authorizing Cedar Hills to begin a winter food truck rally to operate in Cedar Hills at the Cedar Hills Event Center under the approved guidelines and direct staff to work closely with vendors to address any issues, concern and problems as foreseeable and ask staff that if anything is a major concern to bring it to council.** Seconded by C. Zappala. Vote taken by roll call.

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

19. Discussion on the Bayhill Park Revised Layout

Chandler Goodwin stated that the Beautification, Recreation, Parks and Trails Committee liked the Bowen Collins revised layout. The funding for this was in the last budget amendment.

ADJOURNMENT

This meeting was adjourned at 8:58 p.m. on a motion by C. Augustus, seconded by C. Geddes and unanimously approved.

Approved by Council:  
November 17, 2015

/s/ Colleen A. Mulvey, MMC  
City Recorder