

CITY COUNCIL MEETING  
Tuesday, February 7, 2012 7:00 p.m.  
Public Works Building  
10246 N Canyon Road, Cedar Hills, Utah

Present: Mayor Richardson, Presiding  
Council Members: Trent Augustus, Gary Gygi, Scott Jackman, Stephanie Martinez, Jenney Rees  
Konrad Hildebrandt, City Manager  
Greg Robinson, Assistant City Manager  
David Bunker, City Engineer  
Brad Kearl, Chief Building Official  
Rebecca Tehero, Finance Director  
Jim Madsen, Golf Director  
Courtney Hammond, City Meeting Transcriber  
Others: Cliff Chandler, Marshall Shore, Paul Sorensen, Scout Troop 1189, Ken Cromar, Jerry Dearing, Keith Johnson

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 7:14 p.m. by Mayor Richardson.

Invocation given by C. Rees

Pledge of Allegiance led by Troop 1189

2. Public Comment (7:17 p.m.)

Paul Sorenson: Mr. Sorenson stated that the half-year audit is complex and difficult to understand. He noticed that some titles have changed. There is a transfer into the golf course fund for the construction of the recreation center that artificially inflates income, making it look like revenue over expenses is good. He wants the financial report to be more clear and easy to understand.

Jerry Dearing: Mr. Dearing read from the document that was filed with the court asking for an investigation into Mayor Richardson and Konrad Hildebrandt's actions with a request to removing them from office. (See letter)

Ken Cromar: Mr. Cromar finished reading the letter to the court. (See letter) The document was moved forward from the judge to the county attorney for investigation. He reminded the new City Council members to obey their oath of office.

Keith Johnson: Mr. Johnson represents Scout Troop 1186. February is the 101<sup>st</sup> birthday of the Boy Scouts of America (BSA). In 2011, 280,000 Eagle Scout projects were completed with over 11,000 hours of service in the community. He presented each member of the City Council with a patch and stat sheet to be included in the minutes and newsletter.

CONSENT AGENDA

3. Minutes from the January 17, 2012, Public Hearing and City Council Meeting
4. Ordinance Setting the Location of City Council Meetings

5. Release of the Hewett Subdivision Bond
6. Board/Committee Appointments – Planning Commission

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

C. Jackman clarified that the Hewett Bond release is in the amount of \$5820.

Yes	-	C. Augustus	
		C. Gygi	
		C. Jackman	
		C. Martinez	
		C. Rees	Motion passes.

**MOTION: C. Martinez - To move item 12 and 10 before item 7.** Seconded by C. Augustus.

Yes	-	C. Augustus	
		C. Gygi	
		C. Jackman	
		C. Martinez	
		C. Rees	Motion passes.

**MAYOR AND COUNCIL REPORTS**

12. Board and Committee Reports (7:32 p.m.)

C. Martinez reported that Sara from Culinary Designs was present and has submitted a proposal for family festival catering. A Mexican-theme dinner is proposed with an open style environment. Dessert samples for the Dinner and a Movie were sampled. In years past, the Family Festival has catered to younger children. This year the City is looking at companies that offer a wider range of carnival rides. One company, Midway West, came to Highland. C. Martinez was able to talk to Highland about their experience. Prices would go up, but would hit a wider range of ages. There will be a sponsoring contest between staff and council. Any business that is already in the magazine has been contacted and is off limits for the contest. She asked Council and staff to be sure to communicate what businesses they will contact so that no one gets contacted twice. Movie choices for Dinner and a Movie include: The Muppets, Cars 2, Puss in Boots, and Kung Fu Panda 2. C. Jackman suggested choosing the movie based on people's choice. Mayor Richardson expressed concern with too many changes to the Family Festival, which may hurt the effort to build tradition.

C. Jackman reported that the Lone Public Safety District met and discussed some interest among neighboring cities to join. Chief Freeman presented a vehicle consolidation plan, which includes purchasing vehicles that allow for multiple responses, which would lower the number of vehicles needed and improve speed and response. The Finance Committee met and will be meeting frequently between now and June.

Mayor Richardson reported that he has copies of the Unified Transportation Plan for the state of Utah.

C. Augustus reported that the Planning Commission met and will look at preliminary approvals for the Harts site plan at the next meeting.

C. Gygi reported that Utah Valley Dispatch will meet this week. He is interested in discussing the relationship with neighboring cities that are not in dispatch.

C. Rees reported that the Beautification Committee met to discuss landscaping for the recreation center. She will be meeting with Marisa Wright and Konrad Hildebrandt to discuss budget and phasing. The Beautification Committee will reinstitute Yard of the Month. She will be meeting with Walmart and Chase for the Community Covenant Program and will also be approaching dentists, McDonalds, home-based businesses, and Rhinehart. The City already has a utility abatement program for military families. She will be working with C. Martinez to get free Family Festival passes for families that have members currently serving in hostile fire area. She is also working on getting a recognition wall in the recreation center for everyone that has served or is currently serving. The new and better city website is coming. She would like to have a City Council Q & A page. She has updated the public comment sign in sheet to include a phone number and email for follow up. She is currently working on ways for the Council to communicate better with residents. On Library Issues, she is looking into the book mobile program.

#### SCHEDULED ITEMS

10. Review/Action on Appointment of City Treasurer, City Recorder, and Deputy City Recorder; and Appointment of Finance Director/City Accountant, Community Services Director, Chief Building Official/Zoning Administrator, and City Engineer/Public Works Director (7:58 p.m.)

See handouts.

#### Staff Presentation:

Mayor Richardson stated that certain positions need to be appointed every year, including the city treasurer, city recorder, deputy city recorder, finance director/city accountant, community services director, chief building official/zoning administrator, and city engineer/public works director.

Konrad Hildebrandt presented the executive staff, and stated that they are the people that make the Council's decisions happen.

**MOTION: C. Jackman - To appoint Konrad Hildebrandt as City Treasurer; Kim Holindrake as City Recorder; Konrad Hildebrandt, Greg Robinson and Courtney Hammond as Deputy City Recorders; Rebecca Tehero as Finance Director/City Accountant; Greg Robinson as Acting Community Services Director; Brad Kearn as Chief Building Official/Zoning Administrator; and David Bunker as City Engineer/Public Works Director.** Seconded by C. Gygi.

Yes - C. Augustus  
C. Gygi  
C. Jackman  
C. Martinez  
C. Rees

Motion passes.

7. Review/Presentation of Second Quarter Financial Statements (8:03 p.m.)

See handouts.

Staff Presentation:

Mayor Richardson stated that while these statements may not be easy for everyone to understand, they are presented the way they are supposed to be. The City regularly receives an outstanding budget award that is presented to cities that do an excellent job making their budget accessible to residents. State law requires that the Council regularly review the budget. The City does it quarterly. Mayor Richardson directed Rebecca Tehero to check on the specifics of what the state law says about budget review.

Rebecca Tehero reviewed the second quarter financial statements, which covers transactions through December 31, 2011. She explained that the telecom tax is low because the State Tax Commission notified her that a large telecom company filed returns incorrectly and will amend by the next distribution. Also this number only reflects five distributions. The CARE tax is an optional sales tax where 1/10 of 1% was approved by voters in 2007. State law is very restrictive on what the tax can be used for, which is community arts and recreation. There was a complaint during public comment that the non-operating revenue artificially inflated income. Ms. Tehero explained that the transfer from capital projects to the golf course fund has to happen if that money is going to be expended from the golf fund for the construction of the recreation center. The City has plans for the golf course that includes green fees, the recreation center, and the sale of city land for development. Jim Madsen and Greg Gordon can give a more detailed plan of the golf course and recreation center.

Mayor Richardson stated that legal services include prosecution, general city representation, litigation issues, and special issues that are not part of the standard contract. It is currently at 90%, largely because of some of the special issues such as the referendum, voting issues, etc. The Council asked for the bill from Stirba and Associates.

Council Discussion:

- C. Gygi suggested providing an executive summary for parts of the budget.
- C. Jackman would like to see the pressurized irrigation assets transferred from the golf fund to the water and sewer fund to give a more accurate view of the golf course.

8. Discussion Regarding the Capital Improvements Plan (9:17 p.m.)

See handouts.

Staff Presentation:

Greg Robinson stated that the Capital Improvements Plan is a long-range plan for capital projects, which are new projects. Highlights include: (1) The Community Recreation Center will be completed this year. (2) The Deerfield Park land and building cost is in the budget but will depend on other circumstances. (3) The Cedar Hills Civic Center. (5) The next phase of the GIS system. (6) The Canyon Road Sewer Improvements are scheduled for 2014 and will connect portions of the system. The timing is dependent on the transfer of roads from the county to

UDOT. (7) The Community Recreation and Aquatics Center is on the project list but requires much discussion. Mayor Richardson feels it is a discussion that needs to be open and honest. It may never happen; and if that is the case, it should be taken out of the plan. (8) Fiber optics, which Mr. Robinson recommended taking off the plan. (11) The Bonneville Shoreline Trail, the funding of which would primarily be through grants, will likely be pushed back several years. (12) The regional old town retention project will retain all water flow so it is not discharged into any other cities. He asked the Council to review the plan and get comments back to him.

Council Discussion:

- Mayor Richardson stated that the City has been putting aside funds for office space. The City has saved the money for a civic center. He is excited to look at all the options for office space. The first step is to engage someone to determine the amount of space needed, followed by town hall meetings about the analysis and usage of office space. There will be a presentation on city office space at the next meeting.
- C. Jackman stated that the civic center is controversial. He wants to ensure that the public is involved and informed about the process and where the City is in that process.
- C. Rees wants to know what the City needs now as well as in the future. If the City doesn't need the space now, it may want to save the money for later. She would like to see the aquatics center as a separate discussion item.

9. Review/Action on a Resolution Adopting Fees (9:50 p.m.)

See handouts.

Staff Presentation:

Greg Robinson stated that staff is going to continue to work on the temporary commercial use fees. More analysis is needed. The infrastructure capacity fee is for commercial uses in residential zones. The fee is based on the infrastructure impact, which is based on the life of the facility, cost of installing the facilities, and is tied to the water rate. The more water they use, the more impact on the system. If there is no more impact, there are no additional charges. Once 1000 gallons of water/month is used, an additional \$2.10 is charged per month. This is not an impact fee, but reflects the actual impact the facility has on the system.

Council Discussion:

- C. Augustus stated that he would like to add some clarification to the fees, including clarifying that it is culinary water usage and that the fee is added in addition to the regular culinary water rates.

**MOTION: C. Augustus - To adopt Resolution No. 2-7-2012A, a resolution adding, amending or deleting certain fees to the official fees, bonds and fines schedule of the City of Cedar Hills, Utah changing the fee type for infrastructure capacity fee to read "infrastructure capacity fees for commercial uses in residential zones (in addition to culinary rates)" and then changing the \$2.10/1000 gallons of water and inserting culinary in between "of" and "water."** Seconded by C. Martinez. Vote taken by roll call.

Yes - C. Augustus  
C. Gygi  
C. Jackman  
C. Martinez  
C. Rees Motion passes.

11. City Manager Report and Discussion (10:04 p.m.)

- Pleasant Grove is very anxious to meet with Cedar Hills about sewer issues.
- The recreation center is almost 80% complete. Two receptions have been booked for April. A grand opening needs to be planned and budgeted with ROI in mind. C. Jackman requested an action item on food/grill options at the recreation center at the next meeting.
- Harts submitted some preliminary elevations. They are working to get a preliminary plan ready for Planning Commission. If they don't make that deadline, the Planning Commission may be moved back one week to accommodate their schedule. Harts would like to be in for final by April.
- 7-Eleven is asking for an entrance across from Chase Bank. Others have asked for the same thing but were denied because it takes away from the line of Cedar Hills Drive.

C. Augustus excused. (10:45 p.m.)

EXECUTIVE SESSION

13. Motion to go into Executive Session, Pursuant to Utah State Code 52-4-204 and 52-4-205 (10:48 p.m.)

**MOTION: C. Jackman - To go into Executive Session, Pursuant to Utah State Code 52-4-204 and 52-4-205 to discuss pending litigation, purchase or sale of real property, and competence of an individual.** Seconded by C. Martinez.

Yes - C. Gygi  
C. Jackman  
C. Martinez  
C. Rees Motion passes.

C. Augustus returned.

14 Motion to Adjourn Executive Session and Reconvene City Council Meeting (11:47 p.m.)

**MOTION: C. Jackman – To adjourn the Executive Session.** Seconded by C. Martinez.

Yes - C. Augustus  
C. Gygi  
C. Jackman  
C. Martinez  
C. Rees Motion passes.

SCHEDULED ITEMS

15. Review/Action on City Manager Performance and Contract

See handouts.

Mayor Richardson recommended continuing the city manager's performance and contract until April.

**MOTION: C. Jackman – To continue this item until April.** Seconded by C. Augustus.

Yes	-	C. Augustus	
		C. Gygi	
		C. Jackman	
		C. Martinez	
		C. Rees	Motion passes.

ADJOURNMENT

16. Adjourn

This meeting was adjourned at 11:50 p.m. on a motion by C. Augustus, seconded by C. Jackman, and unanimously approved.

Approved by Council:  
February 21, 2012

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