

CITY COUNCIL MEETING AND PUBLIC HEARINGS

Tuesday, June 05, 2012 7:00 p.m.
Cedar Hills Community Recreation Center
10640 N Club House Drive, Cedar Hills, Utah

Present: Mayor Eric Richardson, Presiding
Council Members: Gary Gygi, Jenney Rees, Trent Augustus, Stephanie Martinez, Scott Jackman
David Bunker, City Manager
Greg Robinson, Assistant City Manager
Chandler Goodwin, Assistant Finance Director
Eric Johnson, City Counsel
Courtney Hammond, City Meeting Transcriber
Others: Cliff Chandler, Sam Liddiard, Sarah Brimhall, Craig Clement, Marisa Wright, Rob Crawley, Greg Gordon, Marshall Shore

COUNCIL MEETING

1. This meeting of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 7:08 p.m. by Mayor Richardson.

Invocation given by Mayor Richardson

Pledge of Allegiance led by Jake Richardson.

2. Public Comment (7:10 p.m.)

Craig Clement: Mr. Clement thanked the city council and mayor for their work. There has been a lot of negative publicity, but those that are involved with the city understand what is going on. Most of the city appreciates their efforts.

Rob Crawley: Mr. Crawley prepared a summary of the golf course financials last fall with the help of several people. Many of the numbers were published in a newspaper article. He felt that they were as accurate as possible with the numbers available at that time. There were many statements made by council members, the mayor and city staff, after the fact, about those numbers being false, To date he has not seen any discrepancies in his numbers and stands by them. See handout. He is excited that there is a golf course finance committee set up. He is concerned about an email going around stating that Mayor Richardson has refused to turn over emails as required by law. Mayor Richardson responded to Mr. Crawley by stating that he has not refused, rather the person that has made the GRAMA request for those emails has refused to pay for the documents, as per city policy.

CONSENT AGENDA

3. Minutes from the April 3, 2012, City Council Meeting and Public Hearings; May 1, 2012 City Council Meeting and Public Hearings, May 8, 2012 Special City Council Meeting; May 15, 2012 Town Hall Meeting and City Council Meeting (7:15 p.m.)

There has been a request to have the public comment portion of the May 15, 2012, meeting to be transcribed verbatim.

4. Reaffirm Resolution 05-15-2012A, A Resolution Indicating the Intent of the City Council of the City of Cedar Hills, Utah, to adjust the Common Boundary with Pleasant Grove City, Utah; Authorizing a Public Hearing Thereon and Providing for the Notice of Said Hearing (7:15 p.m.)
David Bunker stated that the Earls have requested the boundary adjustment. The newspaper advertisement did not get placed in times, so the resolution needs to be passed again.

MOTION: C. Jackman—To continue Item #3 and direct staff to transcribe public comment from May 15, 2012, City Council Meeting verbatim and approve Item #4. Seconded by C. Martinez.

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

CITY REPORTS

5. City Manager (7:19 p.m.)
- The water quality report has been prepared, submitted to state and is in the city newsletter.
 - Mr. Bunker met with the Metropolitan Water District regarding the easement in the Canyon Heights area. That issue will come to the Council in July.
 - Ames Construction has been awarded the pedestrian underpass crossing on Canyon Rd. Several options have been proposed to accomplish that project. One option is to close Canyon Rd for 12 weeks. Another is to put in a signalized one lane option. The last option is to flag the road for 12 weeks. The signalized option is the one they are proceeding with, which will require closing Canyon Heights Dr, which will require all residents to use Box Elder.
6. Mayor and Council (7:23 p.m.)
C. Martinez: Miss North Utah County and her attendants were present to introduce themselves. They are excited to help with the Family Festival. They will be at the 5K and the parade. Their platforms included reckless and distracted driving awareness, domestic violence awareness, and nurturing children. Miss North Utah County stated that pageants have helped put her through school. The swimsuit portion is misunderstood. At first, she was nervous to appear on stage in a swimsuit, but the swimsuit has helped her confidence grow and helped her step out of her comfort zone. Throughout the year Miss Utah participants help with service, city celebrations, present awards, and platform service. C. Martinez stated that the last council did not agree with having city royalty because of the swimsuit portion of the pageant. She would like city royalty that participates in the Miss America program. C. Martinez also reported that tot soccer just ended. Lacrosse is starting and the city has 93 participants. The free programming in the recreation center went well with a lot of participation. YCC met and discussed their activities at the Family Festival. Staff has done an amazing job on getting the Family Festival put together. Saturday is the 5K fun run at 8:30 a.m. Monday is swim night at 6:30 p.m. at the Pleasant Grove pool, Friday and Saturday is the carnival. Friday night is dinner and a movie at 7 p.m. with entertainment before the movie. The movie is Puss in Boots. The Saturday parade starts at 10

a.m. The carnival will follow the parade. There will be YCC carnival games, the ducky derby, buried treasure, bingo, bake contest, the fire hose, food vendors. The Saturday night concert in the park starts at 5:30 p.m. with fireworks at Mesquite Park at dusk.

C. Jackman: The LPPSD approved the budget, though it didn't include changes to rent. There have been shortfalls in the budget over the last few years due to loss of transfer revenue and a grant that was used to staff the district. Rather than immediately covering the losses, they have phased in fee increases. LPPSD would like to take care of the shortfall according to the old assessment model. The finance committee discussed the closing of the snack shack, the utility rate study and the capital projects plan.

C. Rees: The beautification has selected the yard of the month winners for June. There are pros and cons to a facebook page. It seems to make sense for it to be outgoing only and less interactive, because it would take too much staff time. She sent the Council an article on what Provo does to get resident email addresses for communication purposes. Copies of the city newsletter will be at the front counter in the Recreation Center. She is also looking into a suggestion box at the city council meeting.

SCHEDULED ITEMS AND PUBLIC HEARINGS

7. Review/Action on Acceptance of Agreed-Upon Procedures Engagement/Audit by Squire & Company (7:49 p.m.)

Mayor Richardson stated that the audit is not yet completed. It will be continued to the next meeting.

8. Review/Action on Approval of Final Utility Rate Study (7:50 p.m.)

Staff Presentation:

Chandler Goodwin stated that Bowen & Collins did a study to update utility rates. The study is on the city's website. The recommended changes include: monthly base charge to be based on meter/service size rather than ERU; changes to the block sizes and division points.

Council Discussion:

Mayor Richardson stated that the study was commissioned to see if the operating costs were fairly reflected in the fees. The study found that, by and large, the city has done a great job. There were a few small changes, some up and down. The main recommendations to fee changes were to keep up with inflation. The budget incorporates the new, recommended rate.

C. Jackman stated that he isn't sure he agrees with all the recommended changes, specifically having the PI fees subsidize culinary water for a time. He would prefer to have each account cover its own costs. The sewer rates don't take into consideration some of the issues that have come up with TSSD. It should be communicated to residents that the sewer rates may change based on decisions with TSSD, and give residents the background and context of that lawsuit.

MOTION: C. Martinez—To approve the 2012 Utility Rate Study. Seconded by C. Augustus.

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

9. Public Hearing on a Resolution Adopting the Fiscal Year 2013 Budget (July 1, 2012 to June 30, 2013) (8:02 p.m.)
No comments.

10. Review/Action on a Resolution Adopting the Fiscal Year 2013 Budget (July 1, 2012 to June 30, 2013) (8:02 p.m.)
Staff Presentation:
Mayor Richardson stated there are still some changes being made to the budget. It is not yet ready to be approved.

Chandler Goodwin stated that the city is still waiting to receive the certified tax rate from the county. The LPPSD rent was changed to \$50,000. There are some changes for a part-time business license and zoning enforcement positions in the Building and Zoning Department. There are also changes for the splash pad, listed in Phase 3 of the Community Recreation Center funded with unrestricted fund balance. The snack shack will close in the Golf Course fund. There is no plan in the budget for the golf course to pay down the \$1.7 million loan. The budget does include a \$65,000 subsidy to the golf course. Staff has put together a list of possible cuts from the general fund, including the Decisions survey, park maintenance, library reimbursement, Family Festival parade and carnival, communications.

David Bunker stated that if there is excess revenue, one item that got cut from the budget is the mole for Public Works.

Mayor Richardson directed staff to have further suggestions for if there is additional revenue.

Council Discussion:

C. Jackman expressed appreciation for staffs' work on the budget. He is concerned that the legal expenses budget is too low. He would like staff to take another look at that fund and make sure everyone is comfortable that it is a reasonable estimation. As much as he likes keeping the property taxes stable, or cut, this is one area that he feels like it may be necessary to raise property taxes. He wants to make residents realize that these lawsuits and GRAMA requests cost money. He also wants to the \$65,000 subsidy to be a transfer from the general fund into the golf revenue so that it is clear that the transfer is to subsidize the golf course.

C. Augustus echoed the concern about legal fees. There is a cost and tradeoff. He feels the number in the budget should be at least the \$115,000 from the previous year.

C. Martinez state that she feels like the golf course revenue number is still too high, and suggested it be just one percent higher than the previous year. She feels that Community Services and Community Recreation should be in the same department and fund. Chandler Goodwin explained that combining them poses problems because the purposes of the funds are different; one is a business-type account, the other is a governmental enterprise account.

11. Release of Durability Bond for Walmart (8:34 p.m.)

David Bunker stated that the contractor has been out several times and the public improvements have been inspected several times. All the improvements have been done correctly. Staff will speak with them about other items in the Development Agreement.

MOTION: C. Jackman—To approve acceptance of subdivision improvements for the Walmart Subdivision, release of the durability guarantee, subject to all inspection fees paid. Seconded by C. Rees.

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

12. Discussion on Completion of the Community Recreation Center Basement (8:39 p.m.)

Staff Presentation:

Mayor Richardson stated that phase II is finishing of the basement recreation areas. Staff is still working on programming and equipment. He is not fully comfortable yet with the equipment, though that doesn't need to be solved before the construction begins. He asked C. Martinez, C. Augustus, David Bunker and Jeff Maag to be on a committee to come up with a plan, and get a bid for construction with a target price of \$25/square foot and target completion date of Labor Day.

David Bunker stated that there is approximately \$180,000 in the recreation impact fee fund remaining that can be utilized. There is approximately \$70,000 in CARE tax funds for equipment. To meet a Labor Day deadline, a timeline needs to be created and things need to move quickly. At \$40-45/square foot the project would come in under \$180,000. The CARE tax would take care of outfitting the space.

Council Discussion:

C. Martinez agreed that the project needs to get started now.

C. Jackman stated that for sound systems, etc., there should be some idea of where things are going to go, but there are many things that can be started, and that portion should start now.

C. Augustus stated that there are ways to wire the space and have flexibility when final decisions are made on specifics. The HVAC may change based on what programming goes where. He feels that the basement can be finished more on a residential level than a commercial level which will cost less than the \$40-45/square foot.

C. Rees stated that she has never been opposed to finishing the basement, but rather has been concerned about how it is funded.

13. Discussion on a Civic Center Preliminary Study and Analysis (8:52 p.m.)

Mayor Richardson stated that a long time ago a decision was made to start saving money for city office space. The city is now looking at making the best use possible of the Public Works

building rather than building a new building. The funds earmarked for a civic center will no longer be needed. They are unrestricted funds, which can be used on other things that residents want more than city office space, such as an aquatic feature. It is not a decision that should be made lightly; councils have been saving for a long time. His recommendation is to not build a separate building, further utilize the Public Works Building and utilize the money for higher priorities. There will be some costs to move all staff into the Public Works building.

David Bunker stated that the anticipated move into the Public Works Building is June 21 and 22.

The Council agreed and Mayor Richardson directed staff to move forward.

EXECUTIVE SESSION

15. Motion to go into Executive Session, Pursuant to Utah State Code 52-4-204 and 52-4-205 (8:57 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 and competence. Seconded by C. Martinez.

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

*** EXECUTIVE SESSION ***

16. Motion to Adjourn Executive Session and Reconvene City Council Meeting (12:36 a.m.)

MOTION: C. Jackman – To adjourn Executive Session and Reconvene City Council Meeting.
Seconded by C. Rees

SCHEDULED ITEMS

14. Goals and Focus for City Council and Staff (12:36 p.m.)

Mayor Richardson stated that he would like to form a Council Committee to review this item. C. Rees and C. Martinez will start on this project.

ADJOURNMENT

17. This meeting was adjourned at 12:37 a.m. on a motion by C. Jackman, seconded by C. Rees and unanimously approved.

Approved by Council:
July 10, 2012

/s/Gretchen F. Gordon
Gretchen F. Gordon, Deputy City Recorder