

CITY COUNCIL MEETING
Tuesday, January 22, 2013 7:00 p.m.
Community Recreation Center
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Mayor Gygi (8:35 p.m.)
Jenney Rees, Mayor Pro Tempore, Presiding
Council Members: Daniel Zappala, Scott Jackman, Stephanie Martinez
David Bunker, City Manager
Chandler Goodwin, Assistant City Manager
Courtney Hammond, Transcriptionist
Others: Lt. Sam Liddiard, Melissa Willie, Marshall Shore, Harts representatives,
Keith Irwin, Glenn Dodge, Chief Freeman

COUNCIL MEETING

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

Invocation given by C. Jackman

Pledge of Allegiance led by C. Zappala

2. Approval of Meeting's Agenda

MOTION: C. Jackman—To approve the meeting agenda subject to moving item 7 and item 11 after item 3 and changing item 9 to say that we are adopting an ordinance rather than a resolution. Seconded by C. Martinez.

Yes - C. Jackman
C. Martinez
C. Zappala
C. Rees

Motion passes.

3. Public Comment

Michelle DeMille: Ms. DeMille stated that three houses in her neighborhood were filled with sewage. She would like to put closure to her frustration. She stated that Cedar Hills is quick to hand out fees, warnings and fines, but she feels they have been slow moving on resolving this issue. She bucketed 350,000 gallons of sewage from her own home. She has experience in this type of cleanup. The cleanup crew that came to her house did a great job. However, if she knew the size of the bill and that the city wasn't covering the full cost; she would have done the cleanup herself. She does not want to wait any longer for the city to come up with a solution, nor does she want to hire a lawyer. The DeMilles are not covered by their insurance company because it happened on the city's line.

David Bunker stated that the city has been giving weekly updates to the affected residents. The city submitted an appeal to the insurance company who determined it was a no-fault incident. The city's legal counsel has contacted the insurance company stating the city's intent to appeal. The timeline for the process is in the insurance company's court. The blockage was caused by someone opening the sewer manhole and blocking it with a soccer ball, basketball and sticks wrapped in cloth.

Suzy Butler: Ms. Butler was also affected by the sewer clog. She has been a Cedar Hills resident for 30 years, and spent 15 years on a septic tank. When the city decided to put in a sewer line, she allowed them to put the sewer main through her property. Since then, her home has been flooded 4 times, 3 of which were due to a faulty sewer pipe. Twice she cleaned the mess herself. The other time a disaster company came. This time was the worst damage, at \$25,000. She feels like a victim. She also feels like it can happen again. The city is claiming vandalism. She questions that, and suggested that someone may be purposely sabotaging the sewer system. She does not believe it's a child. She was told that the city would take care of her. If she had known she would have to cover the costs herself, she would have done the work herself. It wasn't until a week and a half later that she learned the insurance company was denying coverage. When there is vandalism to the public bathrooms, the city pays for them to be fixed. The city sewer system was vandalized; she should not be a victim of that.

C. Rees stated that the city hears and recognizes the concern. The city is appealing the insurance company's decision. C. Jackman stated that the case is not closed, though the proper steps have to be followed.

David Butler: Mr. Butler stated that it's sad when this type of thing happens. He was shaken out of bed and within 35 minutes he had 4 inches of sewage in the basement. It is a traumatic experience that they should not have to pay for. He hasn't heard about any remedies for the future discussed. He recommended more frequent flushings and securing the manhole covers.

David Bunker stated that manhole covers are not lockable. They weigh 100 lbs, but can be lifted with a lot of effort. The city's three year flushing schedule is very aggressive. C. Jackman recommended an investigation into the vandalism.

CONSENT AGENDA

4. Minutes from the January 8, 2013 City Council Meeting

MOTION: C. Martinez—To approve the Minutes from the January 8, 2013 City Council Meeting. Seconded by C. Zappala,

Yes - C. Jackman
C. Martinez
C. Zappala
C. Rees

Motion passes.

SCHEDULED ITEMS

7. Review/Action on Adopting a Resolution Recognizing Cedar Hills Champions, Silver Beavers

C. Rees stated that the Silver Beaver award is the highest recognition the Boy Scouts of America bestows on adult volunteers. Recommendations are made by local council and approved by national council. Cedar Hills' recipients are Sherman Varney, George Reynolds, Sheldon Talbot, Arlene Smith, Gary Smith, Andrew Gibbons, Reed Swenson, Grant Bangerter, Grant Iverson, Pauline Iverson, Greg Harris, Bog Ogden, Jeffery Pyne and Brad Sears.

MOTION: C. Jackman—To approve Resolution 01-22-2013A, a resolution recognizing the recipients of the Boy Scouts of America Silver Beaver Award for their outstanding dedication, leadership, sacrifice, and contributions to the youth of the City of Cedar Hills and proclaim that January 23, 2013 be recognized as Cedar Hills Champion, Silver Beaver Recipient Award Day. Seconded by C. Zappala. Vote taken by roll call.

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

11. Discussion on a Temporary Island Cutout at Cedar Hills Drive/4800 West

Staff Presentation:

David Bunker stated that Amsource is requesting a temporary cutout on Cedar Hills Drive. There is a center island that extends most of the frontage along the Amsource property in between the main Walmart entrance and 4800 West. They are requesting eliminating 1/2 of the island to get a right in, left out. It would potentially be replaced in the future. This same request has come from several developers in the past, and the Council has not approved the past requests. Cutting the island will change traffic patterns. The difficulty arises with two left turns. The city anticipates a north-south road which will alleviate the traffic problems without a cutout. The Amsource property stops just short of the right of way for the north-south road. The Smarts own full property rights to the right of way of the north-south road. They are in the process of selling the property. That north-south road is a master-planned road.

Council Discussion:

C. Rees stated that her opinion hasn't changed. The Council has been strict and has not allowed it from any other developers. She doesn't see a reason to change that position now.

C. Zappala suggested signage to route people to the roundabout.

C. Jackman stated that none of the safety issues have changed. He sees no reason to make a change at this point. Rather than a cutout, the city and the property owners need to pursue the long term goal of getting the north-south road in.

C. Martinez stated that her opinion has not changed. It is a safety and traffic concern.

CITY REPORTS AND BUSINESS

5. City Manager

- David Bunker attended a Timpanogos Special Service District meeting. The sewer plant is about 80% complete. It should be up and running by late fall. It is about an \$80 million project and has been under construction for about 2 years.

6. Mayor and Council

C. Jackman: The Finance Committee met to discuss budgeting. They will be making various presentations to the Council in the coming months.

C. Rees: As part of her communications responsibilities, C. Rees issued a press release on the Silver Beaver recipients.

C. Zappala: C. Zappala also attended the Finance Committee meeting. As the Council plans for the upcoming budget, it needs to talk about priorities. The work session in two weeks will begin at 5:00 p.m. to talk about priorities. C. Rees stated that she talked to a Lehi City Council member about how they do their retreats, which include their council, city manager and department heads and in which they talk about their yearly goals as well as longer term goals. C. Zappala stated that a retreat is a great idea as long as it complies with open public meetings laws. The Utah Valley Dispatch meeting included a presentation of the Parlant auto-calling system. Their feedback is that the system should be used more frequently, and when it is used more frequently residents are more tuned into the system. One city used it for utility late notices, cutting back on utility late payments by 43%. At the Emergency Management meeting, three goals were established. (1) Residents need to know that they are responsible for their own preparedness. (2) Residents need to have a 72 hour kit. (3) Residents should update contact information with Parlant so they can be informed in case of an emergency. They came up with an agenda for the Emergency Management Town Hall meeting. Fire Chief Freeman stated that Lone Peak Fire Department has a system up and running where they have their own radio frequencies. If phones go down, the station can receive communications from community emergency contacts. C. Zappala mentors a group of BYU students to build software. This year the focus is useful open source applications for cities. One app will be a finance and budget transparency application. The other is an app to provide a virtual lending library system. It would allow a way to use social networks to lend books between residents.

C. Martinez: The Youth City Council has been conducting interviews to help with training, follow up. She is interested into looking into how the city can better coordinate events with church leaders. For instance, last year the Family Festival was the same weekend as one of the state youth conferences. Basement bids will come in two parts: the basement finish and options for an addition on the west side to accommodate an elevator and storage. C. Jackman suggested that the true cost of Lego League be computed,

including staff time, so that the registration fee can cover the complete cost and it can be self funding.

SCHEDULED ITEMS

8. Review/Action on an Ordinance amending Title 5, Chapter 1, Article C-5 regarding Cattery

Staff Presentation:

Chandler Goodwin stated that this update changes the number of allowed cats to 6 over the age of 6 months. He added language concerning the outdoor recreation area. Language was also changed regarding inspections. It is now similar to the business license inspections, namely inspections upon application, annually thereafter, and upon receiving complaint. Another issue came up regarding breeding. Cats can breed from the age of six months. Hypothetically if all six allowed cats bred six kittens each, there would be 40 cats in the house.

Council Discussion:

C. Zappala stated that there should be a limit to the number of cats under six months old. The average litter is 4-5 kittens.

C. Rees stated that she favors limiting it to a number of litters rather than the number of kittens.

C. Jackman suggested not allowing catteries for breeding purposes. He would prefer to keep it narrow for now. If breeding becomes a demand, the Council can address the issue at that time. Under section B-1-A, a list of requirements is listed. He would like to reference the administrative requirements and rules so that they can be changed without changing the ordinance. There were a few places where definitions are restated. He would like to remove those redundant definitions and have them all listed in the definitions section.

The Council decided to allow one litter for breeding purposes.

MOTION: C. Zappala—To continue the item. Seconded by C. Jackman.

Yes	-	C. Jackman	
		C. Rees	
		C. Zappala	
No	-	C. Martinez	Motion passes.

9. Review/Action on adopting an Ordinance Restricting the Purchase or Construction of Public Buildings in Excess of \$400,000

Staff Presentation:

David Bunker stated that this ordinance would require Cedar Hills to go to a vote to purchase or construct a public building in excess of \$400,000 excluding the cost of land. This is similar to the language on the citizens' initiative that will be on the ballot. Part of the concern with the initiative petition language was that it required a majority vote of registered voters, rather than those that actually voted. Frequently less than 50% of registered voters turn out to vote. The language in this proposed ordinance requires approval of voting majority. The other issue was the petition made it retroactive. Contracts were already signed for the recreation building. Legal counsel opined that laws can't be retroactive.

Council Discussion:

C. Jackman stated that the framers of the citizens' petition stated that their intent was a voters' majority. If the Council does not adopt this ordinance, it will be on the ballot, as well as the petition initiative.

C. Rees stated that this is clearly a concern for residents. The Council does not have a problem getting the approval of voters for this type of significant expenditures on public buildings. If this ordinance is passed tonight, the ballot for the petition initiative will state that it has already been approved by the City Council.

C. Martinez stated that the petitioners didn't want to change the language. The Council did not have a problem with the intent of the initiative, other than those two issues of making it retroactive, and the majority issue. This will be a confusing issue on the upcoming ballot. This ordinance will require advance planning for public building.

MOTION: C. Jackman—To approve Ordinance 01-22-2013A, an ordinance declaring the City of Cedar Hills shall require approval of the voting majority of registered Cedar Hills residents at a duly called election to construct or purchase public buildings in excess of \$400,000, excluding the cost of land. Seconded by C. Martinez. Vote taken by roll call.

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

10. Review/Action on Approval of a Contract with a Public Relations Firm to assist the City with a Branding Campaign

Staff Presentation:

David Bunker stated that he has been in contact with several PR (Public Relations) firms to get assistance with a proposed contract and project to do a logo and rebranding of Cedar Hills. Based on the proposals, staff recommends that the Council enter into a contract with Radiate Creative. They understand the scope of what the city wants. They came to the meeting prepared to present a PR campaign. Many cities have gone through

this process. It's an important process. Cities are in competition for residents, shoppers, city festivals, etc. The branding starts at a base level. The proposal is a 12-week process including a discovery, design and development phase. This is not in the current FY2013 budget. It would need to be a budget amendment or included in the 2014 budget. Staff recommends amending the 2013 budget and taking money from unrestricted funds.

Resident Keith Irwin stated that he feels this is important to the city. The branding process, if done right, will engage many parts of the community. Reading through their proposal, he thinks that Radiate got it right. His one concern is that there are many promises made in the presentation, but the contract only calls for a logo. A logo is not a brand. A brand should consist of key messages that define the city. The contract with Radiate includes sharing of key findings.

Council Discussion:

Mayor Gygi stated that there should be a thorough discussion regarding where the money comes from. Branding is important if the city wants to fulfill its potential. Stakeholders, such as commercial partners, feel this is important. The city needs to be able to articulate what it is about.

C. Rees stated that she feels like the city struggles with marketing. The city needs expertise in this area. She stated that she is the one that brought Radiate to the city and she has worked with them in the past.

C. Zappala stated that he wants Radiate to use the infrastructure of the LDS church, such as stake presidents, bishops, relief society presidents and others who know about local needs, desires, struggles, etc. There are key players who know more than a random sampling of people can provide.

C. Jackman stated that there are people in the city who have dissenting views to the city's brand. It would be important to include those with dissenting views in the process. He wants a legal review of this contract to make sure that the city is getting everything it expects from the contract. He is concerned about where the money is coming from. The Council needs to have a thorough understanding of what may be sacrificed if this money is used for PR, what funds may be appropriate to use.

C. Martinez stated that she is concerned that the cost of implementing the branding is unknown. The analysis and plan per the Radiate contract would be \$18,000, but the resulting costs to deploy the plan will be more. Staff is already overwhelmed, so it is unclear who is going to oversee the deployment. She is also concerned that the city has rising legal and other costs, and, given that, it may not be the right time to commit more money.

Chandler Goodwin stated that staff does many of these things already to a certain extent. Part of the implementation wouldn't be additional work.

The Council asked that David Bunker get details on contract specifics, legal review, and funding proposals, including compensating budget cuts and estimated deployment costs

MOTION: C. Jackman—To continue this item subject to Mr. Bunker being able to go through the items we listed. Seconded by C. Martinez.

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

12. Discussion on a Town Hall meeting regarding Emergency Management

Staff Presentation:

David Bunker stated that the Emergency Management committee met and talked about the next town hall meeting, scheduled for February 21. The city cannot be everything for everybody. The city's primary job is to ensure major infrastructure is taken care of. Individual needs will need to be funneled through the LDS church stakes and the overall emergency plan. The city needs to get more emergency radios for the two Cedar Hill schools and church stakes.

Council Discussion:

C. Rees stated that she likes the idea of using the Parlant system to get the word out for town hall meetings.

C. Jackman suggested using the Parlant system more frequently, but get resident feedback through a survey.

Mayor Gygi stated that much of emergency planning is in making sure that everyone knows the appropriate process.

ADJOURNMENT

13. This meeting was adjourned at 9:22 p.m. on a motion by C. Jackman, seconded by C. Rees and unanimously approved.

Approved by Council:
February 5, 2013

Colleen A. Mulvey, CMC
City Recorder