

CITY COUNCIL MEETING  
Tuesday, May 21, 2013 7:00 p.m.  
Community Recreation Center  
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Mayor Gary Gygi, Presiding  
Council Members: Trent Augustus, Scott Jackman, Stephanie Martinez, Jenney Rees, Daniel Zappala  
David Bunker, City Manager  
Jeff Maag, Public Works Director  
Charl Louw, Finance Director  
Chandler Goodwin, Assistant City Manager  
Greg Gordon, Recreation Director  
Courtney Hammond, Transcriptionist  
Eric Johnson, City Counsel  
Others: Lt. Sam Liddiard, Melissa Willie, Dr. Kennedy, Donald Steele

**COUNCIL MEETING**

1. This meeting of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 7:09 p.m. by Mayor Gygi.

Invocation given by Chandler Goodwin

Pledge of Allegiance led by Levi Klausen

2. Approval of Meeting's Agenda

**MOTION: C. Rees—To approve the agenda as is.** Seconded by C. Zappala.

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

3. Public Comment

Larissa Powell: Ms. Powell stated that she loves the Family Festival. It's a great opportunity for Cedar Hills' neighbors to come together. In the past, her children sold popsicles in a wagon at the Family Festival. Now, to do that, they have to get a booth and pay \$50 to participate. This year the festival would cost her family \$72 in ticket fees to participate for 1 day. Bringing in vendors from outside the community makes the festival more commercial and her kids can't participate any longer with the popsicle stand. She asked the council to consider bringing it back to a family outing rather than a commercial opportunity for outsiders. C. Martinez stated that Cedar Hills' resident vendors pay less. She asked Ms. Powell to talk to the Family Festival Committee to work something out.

Dave Leatham: Mr. Leatham stated that he was recently running on the walkway under Canyon Road. It was unlit, dark and potentially very dangerous.

#### PUBLIC HEARINGS

4. Adjusting the Common Boundary between the City of Cedar Hills and Pleasant Grove City (Earl Property)  
No comments.

#### CONSENT AGENDA

5. Minutes from the April 23, 2013, City Council meeting

**MOTION: C. Augustus—To approve the consent agenda and minutes from the April 23, 2013, City Council meeting.** Seconded by C. Rees.

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

#### CITY REPORTS AND BUSINESS

6. City Manager  
David Bunker: The Timpanogos Special Service District plant expansion is about 90% done. There are some backup issues, particularly with sludge and compost.

7. Mayor and Council

C. Rees: She is pulling together information for the State of the City report. A resident is starting the rent a book, leave a book library.

C. Augustus: He is working on the renaming of Clubhouse Drive.

C. Martinez: The yard-of-the-month program will begin in June. Youth City Council (YCC) applications are due this week. T-ball begins June 4. Lacrosse begins June 13. Soccer registration is going on for the K-2<sup>nd</sup> grade program. The Family Festival volunteer committee chair is doing a great job. There are still 30 spots available for Lego League. One hundred volunteers have committed for Family Festival. Volunteers are cleaning up the parks, pavilions and facilities in preparation for the Family Festival.

Jackman: Lone Peak Public Safety District approved a budget. The budget should be a lower cost to the city than previously anticipated.

Zappala: Utah Valley Dispatch approved a budget nearly identical to the previous year. They are looking at locations for a new facility. He is still looking for feedback on the finance website that he posted.

#### SCHEDULED ITEMS

8. Review/Action on Adoption of an Ordinance Adjusting the Common Boundary between the City of Cedar Hills and Pleasant Grove City (Earl Property)

Chandler Goodwin stated that on April 23, the city adopted an ordinance indicating intent to boundary adjust the Earl property from Cedar Hills into Pleasant Grove. The required public hearing was tonight.

**MOTION: C. Rees—To approve Ordinance 5-21-2013A, an Ordinance Adjusting the Common Municipal Boundary between the City of Cedar Hills and Pleasant Grove City.**  
Seconded by C. Augustus. Vote taken by roll call.

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

9. Discussion on Commercial Zone Development—Cory Shupe of Blu Line Designs

Staff Presentation:

Chandler Goodwin stated that Blu Line Designs has approached the city about the development of the commercial zone. They presented an ambitious plan to the Planning Commission, which was well received.

Doug Young of Blu Line Designs stated that the proposal is to build a development covering the Smart property (11 acres) and the city's 9 acres. There would be a 5-story senior care facility with retail on the ground level. The care facility would be on the east side of the Smart property. There would be additional retail on the Smart property as well as a movie theater, restaurants and retail on the city property with a splash park, seating and community gathering area. The congregate care facility drives the retail and community gathering spot. The Planning Commission was interested in creating a buffer behind the movie theater. Blu Line Designs are working on a similar 5-story senior living facility in Draper City. Ideally, they would like to start the project in the fall. They would start with the care facility, which would attract the attention of the restaurants and retail. The back of the care facility is shaped like an E with garden corridors, so the view from the back is attractive.

Council Discussion:

C. Zappala stated that he is primarily concerned with walkability.

C. Martinez would like the splash pad to double as a skating rink.

C. Jackman stated that he is concerned with a 5-story residential building.

10. Discussion on Fiscal Year 2014 Budget

Staff Presentation:

Charl Louw stated that the council discussed the budget in work session. The YCC budget was decreased by \$500, the firehouse social was cut and each department cut several hundred from their training budget. Other cuts were covered in work session. The

\$30,000 potential cut for the Family Festival would mean that the Family Festival would have to be run on donations and sponsorship.

David Bunker stated that the potential cut list represents the items that are not essential services. Last year the city purchased a water meter reading system. The budget cut to the water meter means the water meter replacement process won't be as aggressive.

Council Discussion:

C. Zappala stated that he would like to publish this list of cuts for residents because it would be helpful for them to see in understanding the budget and the budgeting process.

C. Rees stated that if staff is cutting the training budget, she feels that council should cut their training budget by attending the Salt Lake trainings as opposed to the costlier St. George conference.

Mayor Gygi stated that he would prefer to reduce the training budget for council by not going to St. George this year and not reduce the staff training budget.

C. Augustus stated that he feels the St. George conference is beneficial, particularly by covering topics that the Salt Lake conference does not.

C. Jackman would like to put \$3,000 for Beautification, Recreation, Parks and Trails Committee in the budget.

11. Review/Action on Approval of Polling Place for 2013 Municipal Election

Staff Presentation:

Chandler Goodwin stated that the proposal is to move all voting to one polling place at the Community Recreation Center. The city has no jurisdiction over the presidential elections, but does over the municipal elections. The facility would be color coded to correspond to the precinct map with YCC volunteers to help direct traffic. Moving to one location would save \$300-450 per election. Another positive side effect would be to get residents into this building. Every form of communication would be needed to get the word out, including several Parlant messages.

Council Discussion:

Mayor Gygi stated that early voting should be encouraged in all of the communications.

C. Jackman stated that he still thinks it is a good idea to have voting at the places with which people are familiar with. There may be some in the southern end of the city that may feel put out by having to go to the Recreation Center.

C. Zappala would like to see vote by mail considered because it has been demonstrated to increase voter participation.

**MOTION: C. Augustus—To approve using the Community Recreation Center as a Voting Center for the 2013 Municipal Election.** Seconded by C. Martinez.

Further Discussion:

C. Zappala stated that he is still concerned about parking and lines.

Chandler Goodwin stated that 118 vehicles can be parked at the Recreation Center, not including the gravel parking on the north, which can accommodate an additional 30-40 cars. By the time of the general election golf is winding down.

Yes	-	C. Augustus	
		C. Martinez	
No	-	C. Jackman	
		C. Rees	
		C. Zappala	Motion fails.

Further Discussion:

C. Rees stated that she is concerned about lines and parking. She doesn't see a way that those can be fixed. She feels that the elections are already ugly and contentious; she doesn't want to add anything new into the mix. Lots of The Charleston residents walk to Cedar Ridge Elementary School for voting.

Mayor Gygi stated that people may love coming to the center, getting a shake while they wait in line.

C. Augustus stated that voting would be a great chance to get people to the building. There is no good time to make the change, so the city should do it now.

C. Zappala stated that this proposal feels like a gamble. It could go really wrong. He doesn't think elections are worth taking the gamble.

David Bunker stated that another possibility it to move those voting at Cedar Ridge Elementary School to the Recreation Center.

**MOTION: C. Jackman—To approve using Cedar Ridge and Deerfield Elementary Schools as polling locations for the 2013 Municipal Election and direct staff to look into vote by mail for future elections to understand the value we can get from it.** Seconded by C. Rees.

Further Discussion:

C. Martinez stated that parking will be an issue no matter where elections are held. She feels the council is selling City Recorder, Colleen Mulvey short on her recommendation. This is her expertise. She would like to see the city move out of the schools for elections.

C. Jackman stated that the council seriously considered the proposal. The YCC should be used no matter the location. If the move is made for municipal elections, it would carry over to presidential elections, which would double the numbers, lines and parking. And if presidential elections don't move to this location, that would be incredibly confusing for residents.

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

12. Review/Action on Contract for Fitness Coordinator

Staff Presentation:

David Bunker stated that the contract with Jill Griffiths to coordinate all the fitness classes at the recreation center needs to be removed. The proposed contract is the same as last year with exception to item #7 which is to pay her \$20 per fitness class she teaches. Previously it was \$15. Her golf benefits are a M-F family pass, limited to availability. The value of such a pass in the pro shop would be \$4,300. She is a great value to Cedar Hills.

Greg Gordon stated that Ms. Griffiths does all the coordination between residents, the city and the instructors. She teaches 2 classes and has the highest participation. She also has great connections within the fitness community. Currently instructors get \$15/class with 50 cents more for every student over 15 students.

Council Discussion:

C. Rees stated that her golf benefits are different than those for full time employees.

C. Augustus stated that he would like to add something that stipulates a certain number of classes she personally has to teach.

C. Jackman stated that he feels a certain number of classes taught is not necessary.

**MOTION: C. Martinez: To approve authorizing the Mayor to execute an indemnity provision contract for the Lead Recreation Instructor.** Seconded by C. Jackman.

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

13. Discussion on Family Festival

Greg Gordon stated that there will be a volunteer meeting Tuesday night to make sure everyone knows their assignments. There will be photographers at the events. Magazines were mailed out last week. Ticket sales to date are disappointing. Keith Irwin is checking bylaws of other cities to look into moving the festival to a later date. The 2<sup>nd</sup> week of July is the only time that is not taken. It can be held anytime during the summer if the city is willing to cut out the carnival. A message went out on the Parlant system. Governor Herbert will be here for the parade. There will be 5 food trucks plus Sammy's.

C. Martinez suggested that next year the magazine be sent out to the northern end of Pleasant Grove, American Fork and maybe even Alpine and Highland.

14. Discussion on Conditional Use Permit Process

Chandler Goodwin stated that staff has taken this item to the Planning Commission on a couple of occasions. city code states that all conditional use permits (CUP) need to come before the Planning Commission, though in practice that has never been done. For instance, no business licenses, which are all CUP, come before the Planning Commission. The Planning Commission has discussed this item, but came to no consensus about which types of businesses should get Planning Commission review. Staff would like a recommendation from City Council to take to the Planning Commission to clean this up. Staff recommends that many CUP be handled in house, with some still requiring review from Planning Commission.

Mayor Gygi stated that he would like the input of the Planning Commission.

C. Augustus stated that he likes the breakdown in the presented list.

C. Jackman stated that the list has a good breakdown with the caveat that the building department or zoning administrator can always go to the Planning Commission for clarification in input.

15. Review/Action on Proposed Ordinance Regarding Alcoholic Beverage in Municipal Parks

Mayor Gygi stated that he draws a sharp distinction between serving alcohol to a private group in the Recreation Center and open containers in parks. There are plenty of parks throughout the United States where alcohol is not allowed. Cedar Hills should create a policy to prohibit open containers in parks that are full of children and families.

Eric Johnson stated that the reference to the state code in this ordinance is in the definition of beer. He recommended taking action on the presented ordinance. Later the Parks & Trails committee can review and make recommendations for changes.

C. Zappala stated that Provo, American Fork, Lindon, Pleasant Grove and Draper all prohibit drinking alcohol in their parks by ordinance. Salt Lake City also bans alcohol in public parks.

Lt. Sam Liddiard stated that currently there is alcohol in Cedar Hills' parks. In summertime it is common at picnics. In American Fork an ordinance banning alcohol in parks is in place. He issues citations when such gatherings include alcohol.

C. Augustus stated that a clear definition of parks would need to be crafted.

**MOTION: C. Zappala—To continue this item and ask the Beautification, Recreation, Parks and Trails Committee to look at a comprehensive ordinance modeled on Pleasant Grove as well as giving a broad recommendation.** No second. Motion dies.

Further Discussion:

C. Rees stated that she would prefer to incorporate the language that is in the memo now and send it to the Parks and Trails.

**MOTION: C. Zappala—To continue this item and have Beautification, Recreation, Parks and Trails Committee give us a recommendation on an ordinance that is comprehensive on park standards with research into other communities' ordinances.** Seconded by C. Martinez.

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

16. Review/Action on Approving the Avanyu Acres Settlement

David Bunker stated that the proposed agreement for settlement with Avanyu Ares is in the packet. Staff recommends authorizing mayor to enter into agreement.

**MOTION: C. Augustus—To authorize the mayor to enter into a settlement agreement and mutual release between the city and Avanyu Acres based on the contract presented to the council.** Seconded by C. Jackman. Vote taken by roll call.

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

ADJOURNMENT

17. This meeting was adjourned at 9:32 on a motion by C. Jackman, seconded by C. Zappala and unanimously approved.

Approved by Council:	/s/ Colleen A. Mulvey_____
June 18, 2013	Colleen A. Mulvey, CMC
	City Recorder