

CITY COUNCIL MEETING
Tuesday, July 16, 2013 7:00 p.m.
Community Recreation Canter
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
Chandler Goodwin, Assistant City Manager
Greg Gordon, Recreation Director
Charl Louw, Finance Director
Courtney Hammond, Transcriptionist
Others: Lt. Sam Liddiard, Erika Dalton, Glenn Dodge

COUNCIL MEETING

1. This meeting of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 7:04 p.m. by Mayor Gygi.

Invocation given by C. Zappala

Pledge of Allegiance led by Brayden Dewitt

National Anthem played by Erika Dalton

2. Approval of the Meeting's Agenda

MOTION: C. Jackman—To amend the agenda by moving item 16 right after item 5 and approve the rest of the agenda. Seconded by C. Rees.

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

3. Public Comment
No comments.

REPORTS/PRESENTATIONS/RECOGNITIONS

4. Review/Action on Adopting a Resolution Recognizing Cedar Hills Champion, Erika Dalton
Mayor Gygi recognized Erika Dalton as a Cedar Hills Champion. Erika is 13 years old and is an accomplished violinist, winning many awards, including 2013 Miss Pre-Teen Utah and a full scholarship member of the Gifted Music School in Salt Lake City.

C. Rees congratulated Erika for her talents and accomplishments and wished her luck in Anaheim.

C. Martinez congratulated Erika and noted her practice has paid off and she plays beautifully.

MOTION: C. Rees—To approve Resolution No. 07-16-2013A, a resolution recognizing Erika Dalton as a Cedar Hills Champion for her musical achievements and for being crowned as the 2013 Miss Pre-Teen Utah and recognizing tomorrow, July 17, 2013 as Erica Dalton Day in Cedar Hills. Seconded by C. Zappala.

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

CONSENT AGENDA

5. Appointment of Poll Workers for the 2013 Municipal Primary Election
Chandler Goodwin stated that as election season approaches, there is a need to appoint poll workers.

MOTION: C. Jackman—To approve the consent agenda. Seconded by C. Martinez.

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

SCHEDULED ITEMS

16. Review/Action on the Final Plat for Bridgestone Plat D, located at approximately 4500 West and Harvey Blvd
Chandler Goodwin stated that the plats have not changed since the preliminary discussion.

MOTION: C. Jackman—To approve the final Plat for Bridgestone Plat D, located at approximately 4500 West and Harvey Blvd. Seconded by C. Augustus. Vote taken by roll call.

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

MOTION: C. Jackman—To move item 15 next on the agenda. Seconded by C. Martinez.

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

15. Review/Action on Contract with Tree Fitness, LLC, for Recreational Fitness Programs and Activities

Staff Presentation:

Greg Gordon stated that he has met with Jill Griffiths to discuss the possibility of turning recreation center fitness programming over to her. Under this proposal, Jill would bring over some equipment. It would not take over the entire basement programming. The city would still be able to program karate classes, dance classes, etc. This allows the staff to focus on outdoor recreation.

Jill Griffiths stated that the fitness programming is improving, but it is still not breaking even. She runs a boot camp out of her home. She has had success and many interested people, but there is limited space in her house. The boot camp is not a fitness camp, but rather personal training, which is the appeal. As she was putting together a proposal, it was important to her to keep fitness classes here. However, it doesn't make financial sense. She is proposing to bring Boot Camp to the Cedar Hills Recreation Center. She would offer a Boot Camp membership which would be for 30 days on Mondays, Wednesdays and Fridays. Once they sign up for a Boot Camp membership, they would get a pass to the fitness classes. She anticipates that the Boot Camp and adult fitness classes will take up the 6:00 a.m., 9:30 a.m. and 8:00 p.m. hours, Monday through Friday, plus some times on Saturdays. There would still be kids' fitness classes on the schedule. She would take over the payroll, hiring certified instructors, etc. Financially, she would pay 10% on monthly gross exceeding \$3,000. The contract is proposed to be a year to year contract. If depreciation is an issue, it can be addressed. She would like a full year contract in order to build the program.

Council Discussion:

Mayor Gygi stated that he loves this plan and the public/private partnership it provides. He is less concerned with making money, but in not losing money.

C. Rees stated that she likes that this program is different than what is offered elsewhere. Currently the city is losing money, and subsidizing these programs. This arrangement removes that subsidy.

C. Jackman stated that he would like to see a minimum amount that the city is paid each month. This is a good time to try this type of partnership, especially as the city builds a program. He would like to see the city attorney look over the contract.

C. Martinez stated that she would like to see a schedule for the basement as well as the recreation financial figures. She also would like to see the city making a cut of the fitness classes, either with a monthly fee or a cut at \$2,500.

C. Zappala stated that he is in favor of this partnership. He also isn't concerned with the city making money. Rather, he is interested in offering this service to residents.

C. Augustus stated that nothing in the contract addresses the equipment that she is bringing in. He wants to ensure that there are provisions to protect both Jill and the city. He also feels like the City Council should have some say in the termination of the contract, rather than just the mayor, as outlined in section 3D of the contract, especially since the just cause for termination is so subjective.

MOTION: C. Rees—To approve a tenant contract with Tree Fitness to provide recreational fitness classes at the Cedar Hills Recreation Center subject to review by attorney, changing section 3D to state that contract may be terminated with consent of the City Council, and adding a clause to state that the city will not be responsible for damage, repair or maintenance of Tree Fitness equipment. Seconded by C. Zappala. Vote taken by roll call.

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

CITY REPORTS AND BUSINESS

6. City Manager

- The fourth quarter quarterly report will be out tomorrow.
- Pressurized Irrigation water is being used heavily. The city is seeing the same usage on rainy days as on sunny. Every Tuesday there is a massive draw down in water.
- The Lone Peak Public Safety District fire chief is looking into buying an additional water tender, which would allow the district to lease out the older tender.
- The first concert series was moved to the Vista Room because of inclement weather. That won't be possible for the next two concerts because of pre-booked events in the Vista Room.

7. Mayor and Council

C. Rees: Communications went out on the fireworks restrictions and the fire. It led to increased Facebook and Twitter followers and views. The State of the City newsletter is almost complete. She will have a draft to the council by Friday. They will then have seven days to make changes. The city breakfast was successful, serving about 300 people.
C. Augustus: The Planning Commission discussed Bridgestone, nuisance ordinances, and park regulations. North Pointe Solid Waste District is having some discussions about how to keep member cities, and what to do with cities that want to leave. A few cities want to

impose hefty fines to leave the district. They also want to impose a buy in for those that want to join. Mayor Gygi stated that he would like to push back hard on creating a flat fee for a city to leave.

Mayor Gygi: Gretchen Gordon will send a weekly report to councilmembers of the meeting he holds weekly with David Bunker.

C. Martinez: Youth City Council applications are in. The YCC retreat is August 2. Presentations from mayoral candidates will be upcoming. Kindergarten soccer is co-ed. 1st and 2nd grade soccer will be gender specific and will be playing with American Fork at Val Vista Park. The Concert in the Park was a success. The next one is on August 10. Lego League has 4 teams. There may still be a few available slots. Golf clinics are going well. The Beautification, Recreation, Parks and Trails Committee were excited about the community breakfast. Yard of the month is being awarded. She suggested that there be a communications “second” in case C. Rees is out of town during an emergency. Someone should have all hours access to the website to address after hours emergencies. C. Rees suggested that the city’s twitter feed post directly to the city’s website.

C. Jackman: Lone Peak Public Safety District formed a committee to look into the possibility of forming a special taxing district which could improve the district. The committee met to discuss what it would take. The cities would need to adopt two resolutions with a public hearing in between in time to meet the deadlines of a general election. Forming a local district would allow all the entities to come together on equal footing, though Cedar Hills would no longer be able to split fire and police. Timing would be tight to get it on this election’s ballot. Participants would be Alpine, Highland, Cedar Hills and potentially Utah County.

SCHEDULED ITEMS

8. Review/Action on a Resolution Adopting Fees

Staff Presentation:

Chandler Goodwin stated that over the past few months there have been fee changes that were passed in City Council meetings, but were not consolidated into the city’s fee schedule, namely: utility fees based on the utility study fees, declaration of candidacy fee, and separating the annexation and boundary adjustment fees.

Council Discussion:

C. Jackman stated that the council had talked about charging more for non-resident landlords with rentals. It is not in this fee schedule change.

MOTION: C. Jackman—To approve Resolution No. 07-16-2013B, a resolution adding, amending or deleting certain fees to the official fees, bonds and fines schedule of the City of Cedar Hills, Utah as stated and direct staff to look into a non-residential rental fee that is different than residential. Seconded by C. Martinez. Vote taken by roll Call.

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

Motion passes.

9. Review/Action on Amendments to Title 6, Public Ways and Property, Regarding Parks and Public Properties, which includes Prohibiting Alcoholic Beverages within all Parks Staff Presentation:

Chandler Goodwin stated that this began with concern that the city had no code to address alcohol in the parks. The Beautification, Recreation, Parks and Trails Committee drafted and reviewed an ordinance for regulations at parks, which was then reviewed by the Planning Commission. The Planning Commission took out the offensive language clause because of 1st amendment rights. The Planning Commission also wanted to specify that any city employee can ask someone to leave. Chandler, however, would like that section to remain as originally written.

Council Discussion:

C. Rees stated that the Beautification, Recreation, Parks and Trails Committee wanted staff to be able to ask people to leave if they were using foul language. She would prefer leaving the park curfew at 10:30 p.m.

C. Augustus stated that he feels the city attorney needs to review this ordinance. He doesn't think that turf should be removed from the ordinance as the Planning Commission recommended.

MOTION: C. Jackman—To continue this item until all changes have been addressed and the attorney has reviewed the ordinance. Seconded by C. Augustus.

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

10. Discussion on Bayhill Trailhead Park Staff Presentation:

David Bunker stated that the cost for this park would depend on what the city decides to do, which would be on a recommendation from the Beautification, Recreation, Parks and Trails Committee. The current fund balance is negative -\$6,000. Cost estimates from past plans range from \$100,000 to \$400,000. The original layout for the trailhead came with plans for the Bonneville Shoreline Trail, and included plans for parking, restrooms, a small pavilion and access to the trail. That park is not in the master plan. Residents petitioned the city a few years ago to accelerate the development of the park. There is a 150-wide water easement with a gravel trail that people do use.

Council Discussion:

C. Martinez stated that she remembers that the park plans got packaged with other things. Bayhill Park was supposed to be a trailhead park with horse access. She felt that the layout was awkward. The Parks & Trails Committee recommended changing the layout, adding horseshoes and moving the trail closer to the easement.

C. Rees isn't sure the Bonneville Shoreline Trail will ever happen. Putting a trailhead in for a trail that won't happen may not make anyone happy.

Mayor Gygi stated that however the park came to be, there were promises made to develop the park. The city hasn't done it because it has not had the money. He is confident that the lots on Cottonwood will sell. He would like to earmark some of that money for the park development with the rest going towards the purchase of Harvey Park.

C. Zappala recommended that the Beautification, Recreation, Parks and Trails Committee come up with a set of options and present them at a town hall meeting to residents. He doesn't want to go too far down the road on planning a park there without resident buy-in.

C. Jackman stated that he would like the Beautification, Recreation, Parks and Trails Committee to go over the entire parks master plan and prioritize the parks, though if the city isn't willing to execute on their recommendations, the process isn't worth it.

MOTION: C. Jackman—To move item 11 and 12 to the end of the agenda. Seconded by C. Martinez.

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

13. Discussion on Impact Fees

David Bunker stated that the last impact fee analysis was done in August 2007. The FY2014 budget includes money for an impact fee analysis. He would like to send out for bids on that study. The city can make a decision based on qualifications, not necessarily the lowest bid. He has met with several firms. There are four funds to consider and it is estimated that it will cost \$12-15,000 per fund, which is included in the budget.

14. Discussion on a Public Safety Services District

Mayor Gygi stated that the Lone Peak Public Safety District is looking at the feasibility of creating a local taxing district and the feasibility of combining fire services of five cities into one district. The more pressing item is making LPPSD a taxing district.

C. Jackman stated that as a local district we have a choice of providing just fire or fire and police. Once it is decided which services are provided, that locks us in. All three cities need to be on the same page because the same scenario goes on all three ballots. If Cedar Hills votes no, while Alpine and Highland vote yes, Cedar Hills would then need to find services elsewhere. One of the key decisions is whether this taxing district will

include police services. Chief Gwilliam would like to include police services in this district.

C. Martinez stated that she is not in favor of changing police.

C. Augustus feels there are pros and cons with police services. The numbers are concerning and would stop him from moving ahead.

11. **MOTION: C. Jackman—To go into Executive Session, Pursuant to Utah State Code 52-4-2-4 & 52-4-205 to discuss Pending and Reasonably Imminent Litigation, and to discuss the Purchase, Exchange or Lease of Real Property.** Seconded by C. Rees. (9:20 p.m.)

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

*** EXECUTIVE SESSION ***

12. **MOTION: C. Jackman—To Adjourn Executive Session and Reconvene City Council Meeting.** Seconded by C. Martinez. (9:40 p.m.)

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

Special Council Meetings

C. Augustus stated that he opposes holding special meetings for non emergency items. He had a dissenting vote on the Cottonwood lots, and feels that he could have swayed others with his opinion.

Mayor Gygi stated that the purpose of the special meeting was the fireworks restrictions. If there were any councilmembers who didn't want to discuss the Cottonwood lots, they could have made that known.

C. Rees stated that while it was special meeting, it was regularly called until a few days before. The meeting was cancelled, and then called again in order to address the fireworks issue.

C. Augustus left the meeting at 9:52 p.m.

ADJOURNMENT

17. This meeting was adjourned at 9:53 p.m. on a motion by C. Jackman, seconded by C. Zappala and unanimously approved.

Approved by Council:
September 17, 2013

/s/ Colleen A. Mulvey
Colleen A. Mulvey, CMC
City Recorder