

CITY COUNCIL MEETING

Tuesday, June 16, 2015 7:00 p.m.

Community Recreation Center

10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Mayor Gary Gygi, Presiding
Council Member: Trent Augustus, Jenney Rees, Daniel Zappala
Absent/Excused: Rob Crawley, Mike Geddes
David Bunker, City Manager
Chandler Goodwin, Assistant City Manager
Charl Louw, Finance Director
Jeff Maag, Public Works Director
Greg Gordon, Recreation Director
Courtney Hammond, Transcriptionist
David Shaw, City Counsel
Others: Lt. Sam Liddiard, Cory Shupe, Darin Lowder, Shannon Lucas, Marisa Wright, David Driggs, Daniel Torriente

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 7:01 p.m. by Mayor Gygi.

Invocation given by C. Rees

Pledge of Allegiance led by C. Zappala

2. Approval of Meeting’s Agenda

MOTION C. Zappala—To approve the agenda as outlined. Seconded by C. Augustus.

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

3. Public Comment

Cory Shupe: Mr. Shupe stated that on April 6th Blu Line presented the preliminary site plan package at the Planning Commission meeting. There was a request from the Planning Commission to consider making changes to the building to make it more aesthetically pleasing. There was also a request to hold a special meeting with some Planning Commissioners and some City Councilmembers. That meeting was held and included architects, some Planning Commissioners and C. Rees and C. Zappala, where it was suggested that an overlap of zones be considered and taken to the Planning Commission. The Planning Commission recommended that the City Council allow an overlap of zones. He would now like a finding of fact placed on the city council agenda at the next meeting.

Darin Lowder: Mr. Lowder thanked the council for everything that is going right in the city, including the Family Festival. A lot of thought when into the sign ordinance. He would like to

see it enforced, particularly in the roundabout. The purpose is to regulate the signs, promoting safety and limiting distractions.

David Shannon Lucas: Mr. Lucas stated that there is a parking violation across the street where he lives with a car that hasn't been moved for weeks. The tire is deflated and rust stains are on the street. He was planning on running for City Council, but public defamation is not something he wants.

PUBLIC HEARING

4. Amendments to the Fiscal Year 2015 Budget (July 2014 to June 30, 2015)

No comments.

5. Fiscal Year 2016 (July 1, 2015 to June 30, 2016)

No comments.

CONSENT AGENDA

6. Appointment of Marilyn Buckner to the Beautification, Recreation, Parks & Trails Citizens Advisory Committee

7. Appointment off Elizabeth Paul to the Cultural Arts Citizens Advisory Committee

8. Minutes from the May 5, 2015 and the May 19, 2015 City Council Meetings

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

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

CITY REPORTS AND BUSINESS

9. City Manager

There will be 41 members on the Youth City Council (YCC) this year.

The golf course has hosted a number of successful golf tournaments.

The city is holding monthly community classes on gardening. There has been poor attendance.

There will be a water conservation class tomorrow night. The following month will be a xeriscaping class.

Lacrosse starts next week. There are eight teams from Cedar Hills.

Timpanogos Special Service District (TSSD) meets this Thursday.

10. Mayor and Council

C. Rees: The Family Festival was fantastic with some new events and greater attendance than last year. The carnival company will be able to set dates for next year in October. The musical *Honk* will be performed next week.

C. Zappala: He will be unable to attend the Lone Peak Public Safety District meeting next week.

Mayor Gygi: Mountainland Association of Governments (MAG) is discussing the local option and sales tax. He will invite a MAG representative to discuss those two items at the next work session. The council has been talking a lot about metering the pressurized irrigation system. He

read information recently from the Utah League of Cities and Towns that the state may recognize responsibility toward funding metering. The carnival company is looking for a presence in Utah County. They are looking for a home station and wondering if there is interest in letting them use the 9 acres.

C. Augustus: General Plan committee working on getting feedback from various committees and boards.

SCHEDULED ITEMS

11. Review/Action on a Resolution Adopting the Fiscal Year 2015 Budget Amendments

Charl Louw stated that the Family Festival expenditures and revenues came in higher than budgeted. There is a \$15,000 amendment in those funds. There is an increase in Cultural Events of \$2,375 to cover the theater production. The subsidy could be less depending on ticket sales. This increase is in addition to what is currently budgeted. It is proposed that sales tax money be used for this. Events growth has been large, requiring additional part time help at the cost of \$18,000. Revenue projections for events will also be increased by \$80,000. The YCC will be utilizing \$1,300 in funds they have raised. There were golf punch pass trades in exchange for \$1,300 in financial software, \$21,236 in advertising and \$10,900 for concrete and retaining wall work. There is also an amendment to the sewer impact fees collected for TSSD, adjusted to \$40,000.

MOTION: C. Zappala—To adopt Resolution 16-6-2015A, a resolution adopting the amended 2014–2015 Fiscal Year Budget for the City of Cedar Hills, Utah with the change to \$2,375 for the arts committee. Seconded by C. Rees.

C. Augustus stated that C. Zappala used a different numbering for the resolution number than the council normally uses.

AMEND MOTION: C. Zappala—To adopt Resolution 06-16-2015A, a resolution adopting the amended 2014–2015 Fiscal Year Budget for the City of Cedar Hills, Utah with the change to \$2,375 for the arts committee. Seconded by C. Rees. Vote taken by roll call.

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

12. Review/Action on a Resolution Certifying the Calculated 2015–2016 Real and Personal Property Tax Levy

Charl Louw stated that refunding the general obligation bond reduced the levy and allowed the city to allocate a prorated amount of motor vehicle fees. The certified tax rate for 2015–2016 is .002315.

MOTION : C. Zappala: To approve Resolution No. 06-16-2015B, a resolution setting the total Property Tax Levy assessed upon real and personal property for general governmental purposes for the 2015-2016 tax year for the City of Cedar Hills, Utah and

commend Charl Louw for saving our city \$75,000 on golf debt service compared to three years ago. Seconded by C. Augustus. Vote taken by roll call

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

13. Review/Action on a Resolution Adopting the Fiscal Year 2016 Budget

Charl Louw reviewed the 2016 budget. The revenue is budgeted to increase 1.82%. The biggest increase in the budget is the Events Center revenue. To develop the budget the council and staff meet at a budget retreat to discuss the vision and priorities of the city. Using those priorities the city develops a balanced budget with a general unrestricted fund balance of at least 16.7%. The city uses an equipment replacement plan and a capital projects plan.

C. Augustus stated that the Cultural Arts Committee was supposed to submit a budget proposal, which was never submitted. Now expenses are submitted beyond what was budgeted. He wants to suspend the Cultural Arts Committee budget expenditures until a budget has been submitted and the structure of the committee outlined.

C. Zappala stated that the council should consider requiring a budget proposal to get any budget allocation.

C. Crawley stated (via letter read by Mayor Gygi) that he would vote yes to the budget with one comment: He would like the city to hold off on the golf course maintenance shed until he can explore some options on the golf course. He thanked staff for their work.

MOTION: C. Zappala—To approve Resolution 06-16-2015C, a resolution adopting the 2015–2016 fiscal year budget for the City of Cedar Hills, Utah. Seconded by C. Rees.

Further Discussion:

C. Augustus stated that he would like his comments included in the motion to give instructions to staff to make changes to the structure of the arts committee.

AMEND MOTION: C. Augustus—To reorganize the Cultural Arts Committee and set up a chair, vice-chair and treasurer; have a member of staff on the committee to stay up to date and report back to the council with any questions; a budget needs to be presented by January 1 to the council with anticipated expenditures for the year. Accepted by C. Zappala and C. Rees.

AMEND MOTION: C. Augustus—To suspend Cultural Arts Committee expenditures until the budget has been presented to the council. Accepted by C. Zappala and C. Rees. Vote taken by roll call.

Yes - C. Augustus
C. Rees

C. Zappala Motion passes.

14. Review/Action on a Resolution Adding, Amending, or Deleting Certain Fees to the Official Fees, Bonds and Fines Schedule of the City of Cedar Hills

David Bunker stated that the budget incorporates the recommendations from the Bowen & Collins utility rate study. This amendment includes those adjustments as well as new proposed fees for rental rates for the Vista Room. The new rates are justified by supply and demand, comparable facilities and bookings. Resident rates would stay the same. There is also a proposed fee for postage and paper statement fee if residents opt out of paperless.

MOTION: C. Augustus—To approve Resolution No. 06-16-2015D, a resolution adding, amending or deleting certain fees to the official fees, bonds and fines schedule of the City of Cedar Hills, Utah. Seconded by C. Zappala. Vote taken by roll call.

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

15. Discussion on Allowing and Regulating the Operation of Mobile Food Trucks in the City

Public Comment:

Tom Karen: Mr. Karen stated that he would like the city to encourage mobile food vendors. He owns a shaved ice food truck. He would like to bring their food trucks to town. They are popular and augment food options. Food truck rallies bring the community together. He would be happy to meet with council and staff about food trucks.

Chandler Goodwin stated that he agrees with Mr. Karen. It is mostly a question of who, where and how. There are several roundups in the county. Three possible locations for a food truck rally would be Heritage Park, Mesquite Park, or the Recreation Center. Some concerns include: business licensing, a site plan for locations and eating, traffic and parking, when and where, clean up, and county health department certificates. Currently the city code prohibits commercial vehicles from selling anything in a city park.

C. Rees stated that many residents have expressed a desire for a food truck round up. She is anxious to see the staff's recommendations on how it can work.

Mayor Gygi stated that Eric Richardson has reported that they will be closing the grill (Elev8 Café) at the end of the week.

16. Discussion on Restricted Access at Heiselt's Hollow Drive and Bayhill Drive

Mayor Gygi stated that the council has talked about this as part of a different discussion. More resident input is needed. The larger conversation was about guns on the hillside.

David Bunker stated that Mayor Gygi and staff have been working with several residents to limit the discharge of illegal firearms. Heiselt's Hollow is the major access point. There are other access points. Staff came up with and has implemented a five point plan: (1) install signage, (2) collect garbage from shooting locations, (3) control access, particularly at Heiselt's Hollow and Bayhill Drive, (4) enforcement, (5) fire department assessment of fire conditions. The forest service does not want vehicular access along the hillside, though they will allow shooting. The gate that was installed allows ATVs and bicycles through. The purpose of the gate was to restrict people from accessing the hillside with large pieces of garbage for target shooting.

C. Zappala stated that residents have noticed the gates, but are unaware that the forest service does not want vehicles on their property.

Jeff Maag stated that the forest service put up signage restricting all motorized vehicles. They have installed log and rock barriers as well as signage, but it gets moved and shot down.

David Shaw stated that he is aware of the issue, but would like more time to prepare a response until the next meeting.

C. Rees stated that the gate has pushed traffic and access to the hillside further north to Bayhill. Many target shooters are using the hillside responsibly. The council is hearing from many of those that are upset that because of a few irresponsible ones, their hobby is being taken away. The fire danger as well as the danger to hikers, bikers coming close to being shot is a real concern.

Daniel Torriente stated that blocking access to forest service land would be easy.

Fire Marshal Bailey stated that the issue is the irresponsible people that go up there. The hill is ready to burn. The massive bonfires and irresponsible target shooters, fireworks, etc. are the problem.

C. Zappala stated that he would love to have a written report after all these things have been considered.

17. MOTION: C. Zappala—To go into a Closed Session pursuant to Utah State Code 52-4-204 and 52-4-205(1)(g) investigative proceedings regarding allegations of criminal misconduct. Seconded by C. Rees. (8:57 p.m.)

David Shaw stated that the location needs to be included as part of the motion.

AMEND MOTION: C. Zappala—To go into a Closed Session located here in this room pursuant to Utah State Code 52-4-204 and 52-4-205(1)(g) investigative proceedings regarding allegations of criminal misconduct. Seconded by C. Rees.

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

C. Augustus stated that he doesn't feel that the council should go into closed session with only three council members present.

David Shaw stated that by code the majority of members present are needed to go into a closed session. Closed session can be held with the two votes.

*** EXECUTIVE SESSION ***

18. **MOTION: C. Zappala—To adjourn Closed Session and Reconvene City Council Meeting.** Seconded by C. Rees (9:25)

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

19. ADJOURNMENT

This meeting was adjourned at 9:25 p.m. on a motion by C. Zappala, seconded by C. Augustus and unanimously approved.

Approved by Council:
July 21, 2015

/s/ Colleen A. Mulvey, MMC
City Recorder