

**CITY COUNCIL MEETING**

Tuesday, March 1, 2015 7:00 p.m.  
Community Recreation Center  
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Mayor Gary Gygi, Presiding  
Council Members: Ben Bailey, Rob Crawley, Mike Geddes, Jenney Rees, Daniel Zappala  
David Bunker, City Manager  
Chandler Goodwin, Assistant City Manager  
Charl Louw, Finance Director  
Greg Gordon, Recreation Director  
David Shaw, City Attorney  
Others: Lt. Sam Liddiard, Ken Cromar, Candace Smart

**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. Bailey  
Pledge of Allegiance led by C. Rees

2. Approval of Meeting’s Agenda

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

Yes - C. Bailey  
C. Crawley  
C. Geddes  
C. Rees  
C. Zappala Motion passes.

3. Public Comment

Ken Cromar: Mr. Cromar stated that during the last meeting he and his wife spoke. It was a difficult thing to do. He is gratified that the council changed the ordinance, though he has never received an apology for the abuse. He said that “bearing false witness” is a problem for the city. At the golf course meeting there was a hostile crowd and he felt that he wasn’t protected. He asked that Mayor Gygi correct the record. He asked for Mayor Gygi’s resignation, and said he was unfit, has misused power, and misrepresented others’ powers.

**PUBLIC HEARING**

4. Amendments to the Fiscal Year 2016 Budget

No comments.

**CITY REPORTS AND BUSINESS**

5. City Manager

The Timpanogos Special Service District meeting focused on the replacement of several high speed blowers that exchange air in the buildings.

The annual emergency preparedness town hall meeting will be on March 8.

The golf course is open. There was a lot of damage to the sod. There are also a lot of geese and ducks on the course.

Jr. Jazz is winding down. There were a record number of players this year.

The city will be offering a Minecraft video game design class in June.

There will be a Beautification, Recreation, Parks & Trails Day of Service in May. The proposed project is to redo landscaping at the roundabout on Cedar Hills Drive.

#### 6. Mayor and Council

C. Zappala: The Lone Peak Public Safety District changed the structure of the executive committee. David Bunker will manage the fire and EMS budget, Highland and Alpine will handle other responsibilities. They talked about writing a better operations manual and approved an outside personnel part time contract. They are also reexamining the budget formula for allocations of costs among the participating cities.

C. Rees: The Beautification, Recreation, Parks & Trails Committee talked about the plans for the year, including the Day of Service on May 14. The community breakfast will be in August and the Christmas party will be in December. There will be yard-of-the-month awards over the summer and the Light Up Cedar Hills awards in December. They want to add landscaping and power at the roundabout to the budget. The Family Festival Committee is working on the events for the festival. They have created a Facebook page for the Family Festival.

C. Gygi: During the last meeting the council changed an ordinance, and acknowledged that it should have been changed earlier. He suggested that Mr. Cromar meet with him so that mutual apologies can be given. In response Mr. Cromar challenged Mayor Gygi to a debate on the radio.

C. Geddes: The Utah Valley Dispatch building is progressing. Footings are in and it is staged for progress.

C. Crawley: Mr. Cromar talked to him about some past history. He stated that the city was wrong to have an ordinance that limited video recording, and for threatening to remove Ken Cromar from the meeting. The city failed to give Mr. Cromar an apology for violating the First Amendment right of freedom of the press. He offered Mr. Cromar an apology. In light of recent events, he said Mr. Cromar's speech and challenge was outside the rules of meeting decorum, was inappropriate, and escalated the environment. C. Zappala added that at the time the ordinance was made meetings were held in a small room and the ordinance was intended to protect health and safety. The city immediately changed the ordinance once the constitutionality was brought to its attention.

#### SCHEDULED ITEMS

##### 7. Review/Action on a Resolution Adopting Fiscal Year 2016 Budget Amendments

Charl Louw stated that there needs to be an amendment to the budget for legal services with an increase of \$100,000 for contracted services and \$2,500 for ETJ Law with the use of the unrestricted fund balance. There is an additional amendment to rebuild the motor for the Cottonwood well for \$50,000 with the use of equity.

David Bunker stated that a new motor would cost \$8,000 more with the same warranty. The new motor would take 8 weeks for delivery. The rebuild will also take 8 weeks. The rebuild will perform like a new motor. With runoff and irrigation water, there should be adequate supply for the next few months.

C. Crawley suggested that the city spend the money to have a spare on hand in case the system goes down in the height of the summer.

**MOTION: C. Zappala—To adopt Resolution 03-01-2016A, a resolution adopting the amended 2015–2016 Fiscal Year Budget for the City of Cedar Hills, Utah with the modification that the water improvements should be listed at \$50,000.** Seconded by C. Crawley. Vote taken by roll call.

Yes - C. Bailey  
C. Crawley  
C. Geddes  
C. Rees  
C. Zappala Motion passes.

8. Discussion on FY 2017 General Fund, Golf Fund, and the Golf Debt Service Fund

Charl Louw presented details for a portion of the Fiscal Year 2017 budget.

C. Rees asked for an estimate from Wilkinson Outdoor Maintenance to add the recreation center planter beds to the contract. At the retreat the council discussed a part-time communications specialist to keep up with resident communications for everything from sharing safety and utility information, to water conservation information, to GRAMA requests. The council received another email about golf course driving range netting. She doesn't want it forgotten during this budgeting process. She would like to reduce the golf maintenance building by \$35,000 and use it for the netting.

C. Crawley stated that a communications specialist seems unnecessary. Urgent information can go through the Parlant system and other communication should come from the council members.

C. Zappala would like to consider adjusting the budget and plan to set money aside for a transfer from the golf course fund to capital projects.

C. Geddes stated that the council should discuss the golf course driving range netting, but there are other things higher on the priority list. He is not in favor of spending \$35,000 for one resident.

C. Bailey stated that he doesn't want to create a city vs. resident's atmosphere, but on the other hand the city can't pay to solve everyone's problems. And, some of the problems are those that come based on where they chose to live.

9. Review/Action on Contract Extension Agreement with Waste Management of Utah, Inc.

David Bunker stated that in April 2011 the council authorized a contract with Waste Management. The contract expires in May 2016, but there is a provision that allows for a 2-year extension. Waste Management has submitted its contract extension agreement. The CPI adjustment is 1.8% which equates to about 9 cents per can. Waste Management has received some of the highest marks from residents. Mr. Shaw has reviewed the contract extension.

C. Zappala suggested putting a ceiling on the CPI adjustment.

David Shaw stated that when a CPI ceiling is imposed, it is typically 5%, which is above the norm for the last many years.

C. Rees stated that all other professional contracts were put to bid.

C. Crawley stated that he would like to go to bid.

C. Geddes stated that he would like to extend a very good contract that gets great reviews from residents.

**MOTION: C. Geddes—To approve a two-year contract extension agreement with Waste Management of Utah, Inc. for waste and recycling services.** Seconded by C. Zappala. Vote taken by roll call.

Yes - C. Bailey  
C. Crawley  
C. Geddes  
C. Rees  
C. Zappala Motion passes.

10. Discussion on Temporary Zoning Ordinance and Completion of Timeline for General Plan Amendments to the Guidelines for the Design and Review of the Planned Commercial Development Projects, and Municipal Land Use Ordinances

Public Comment:

Candace Smart: Mrs. Smart stated that a large portion of the legal budget went towards the land dispute for the Smart/Bluline project. She said that Mayor Gygi has said different things to her and her family in private than he says in public. She asked the council to quit spending city money on a legal dispute. She appreciated C. Rees's comments about having the city and residents be a team. Yet in this case the Smarts are property owners and are being restricted from developing their property.

Council Discussion:

C. Zappala stated that the current working draft has been emailed to legal counsel. He would like to hear input from councilmembers.

Mayor Gygi stated that the best discussion may come after legal review.

Chandler Goodwin stated that it would be best to give the other bodies time to review them. The Planning Commission should see these documents by the end of this month.

C. Geddes stated that he would like the Smarts to see these changes and let them weigh in on the changes.

ADJOURNMENT

11. This meeting was adjourned at 9:22 on a motion by C. Rees, seconded by C. Bailey, and unanimously approved.

Approved by Council:  
April 19, 2016

/s/ Colleen A. Mulvey, MMC  
City Recorder