

CITY COUNCIL MEETING
Tuesday, October 21, 2008 7:00 p.m.
Public Safety Building
3925 W Cedar Hills Drive, Cedar Hills, Utah

Present: Mayor Mike McGee, Presiding
Council Members: Marisa Wright, Ken Kirk, Jim Perry, Eric Richardson, Charelle Bowman (7:13 p.m.)
Konrad Hildebrandt, City Manager
Kim Holindrake, City Recorder
Brad Kearl, Building & Zoning Official
Courtney Hammond, City Meeting Transcriber
Others: Shawn Richins, Gayle Harkness, Karie Pierce, Mary Burston, Susanne Goode, Pat Hayes, Rex Hayes, Ted Watson, Rick Heyreid, Rick Espinosa, Garrett Yearsley, Barbara Yearsley, Felicia Goudy

COUNCIL MEETING

1. This meeting of the City Council of the City of Cedar Hills, having been posted throughout the City and the press notified, was called to order 7:03 p.m. by Mayor McGee.

Invocation given by C. Perry.

Pledge of Allegiance led by C. Richardson.

2. Public Comment (7:04 p.m.)

Susanne Goode: Ms. Goode sent letters to each of the Council members about no parking along Harvey Boulevard and 4500 West at the Bridgestone PUD. Curbside parking was allowed in the past and used by their guests. Now there is a bike lane and no parking signs. She asked that the City reconsider so that visitors can park along the street. The students rarely use the bike lane; they use the sidewalk on the other side. Konrad Hildebrandt stated that the TSLO Committee will look at this issue on Thursday at 4:00 p.m. It is an open meeting at the Public Works building.

CONSENT AGENDA

3. Minutes from the October 7, 2008, Regular City Council Meeting (7:11 p.m.)

MOTION: C. Kirk - To approve the consent agenda. Seconded by C. Richardson.

Yes - C. Kirk
C. Perry
C. Richardson
C. Wright Motion passes.

SCHEDULED ITEMS

4. Review/Action on Cedar Hills Golf Course Items and Clubhouse (7:12 p.m.)

See handouts.

Staff Presentation:

Konrad Hildebrandt stated that, as discussed in work session, the final plans for the clubhouse are with the architect. The reconfiguration items are mostly completed. The new signs should go up any

day. There will be some cutouts on the golf path. Some of the divots for speed control will remain, but many will be removed. The tee box on hole 9 is complete. Chase Media's contract ended in September. Advertising continues through mailers and in Fairways magazine. There have been some issues with people using the golf course as Frisbee, walking, and running areas. Some signs have been placed around the course to keep trespassers off. Sledding is not a legal activity on the golf course. This year alterations were made to the course that make sledding more dangerous.

Council Discussion:

- C. Richardson would like to see more information about advertising in the next update. He feels that people need to be educated about why the sledding policy has changed, with an explanation that a ban will be actively enforced because it is no longer a safe sledding hill.
- C. Bowman stated that sledding is a safety concern, and it should be enforced. She recommended something be done to keep snowboarders and skateboarders off the railing.
- C. Perry stated that in the past it was cheaper to make the necessary repairs than to enforce sledding. He feels the no sledding policy now needs to be enforced.
- C. Wright feels the City should come up with a way to let kids sled.
- C. Kirk said that it is a downhill slope, and kids will sled. There needs to be a plan to educate and enforce.
- Mayor McGee would like to see plans for next year's advertising campaign. He instructed staff to come back with a recommendation on sledding and skateboarding/snowboarding on the railing.

5. Discussion Regarding Site Plan for Chase Bank (7:32 p.m.)

See handouts.

Staff Presentation:

Greg Robinson stated that Rick Espinoza of CLC Associates asked for time to discuss the newest plan and options for Chase Bank to see if they are heading in the right direction. There is a colonial style that Chase has built in the past. The Council liked the look of the colonial building and encouraged him to move forward in that direction.

6. Review/Action on Resolution Supporting a County-Wide Smoking Ban at Public Parks and Gatherings (7:40 p.m.)

See handouts.

Staff Presentation:

Konrad Hildebrandt stated that the Utah County Board of Health is meeting on November 24 to discuss a county-wide smoking ban in city parks. They would like feedback from cities expressing their level of support for a smoking ban in city parks and public gatherings.

Council Discussion:

- C. Perry stated that he has conflicting points of view on this issue. On one hand he hates second hand smoke. On the other, he acknowledges that people choose to smoke, and he opposes unnecessary government regulation. If he were to write an ordinance, it would address smoking within a certain distance of other people. If a park is empty, he doesn't have a problem with someone smoking in it. Under the circumstances, he supports this ban. Secondhand smoke is hazardous to health.
- C. Kirk stated that he is a former smoker and has to sleep with oxygen at night because of prior smoking. There is an ordinance addressing noxious weeds. Smoke is a definite health hazard and, he does not want anyone having to deal with the effects of smoke.
- C. Bowman stated that she agrees with what has been said. There are exceptions for cemeteries and

golf courses. If those are exceptions, she would like to see designated smoking areas in cemeteries and golf courses.

- C. Wright stated that she disagrees with C. Bowman about limiting smoking in golf courses. It is bad for business. She supports the ban as it is.
- C. Richardson stated that the issue is complex. He feels that government should only step in when it affects the health or welfare of residents. He is in support of the concept, but is apprehensive because he doesn't yet understand the details.
- Mayor McGee stated that he has many friends who are smokers, and he supports their right to smoke. However, there are many ill effects of smoking, including the cigarette butts that litter streets and parks. He supports the ban.

MOTION: C. Richardson - In response to the Utah County Board of Health's request to receive direct input from Utah County cities, that we express direct support for a regulation that reduces the amount of secondhand smoke through a ban on smoking in public parks and in public gatherings to the degree that the Board of Health does so in a manner that accomplishes the goal in the least obtrusive manner possible. Seconded by C. Wright.

- C. Bowman feels that a ban is needed unless there are designated smoking areas.

Yes - C. Bowman
C. Kirk
C. Perry
C. Richardson
C. Wright Motion passes.

7. Review/Action Adopting a Utah Community Tree Ordinance (7:56 p.m.)

See handouts.

Staff Presentation:

Brad Kearl stated that he has drafted a Tree Ordinance, which is required to participate in Tree City USA. Spacing has been determined to not have the canopies overlap. The money budgeted for trees in the ordinance is already budgeted. It does not reflect additional money.

Council Discussion:

- C. Perry stated that he would like the spacing of tree section (6-6-8B) removed. There are places where a clumping of trees and overlapping of canopies is desired.
- C. Bowman requested that she be notified if the Parks and Trails Committee needs to come up with a list of trees so she can pass the assignment on to them.
- C. Kirk stated that he does not see enough benefits to being a member of Tree City USA. He feels it is redundant because the City already scrutinizes any landscaping that comes into the City. He feels that the Tree Board adds a layer of bureaucracy. He does not like the idea of addressing trees on private property.

The Council requested the following amendments:

- Strike 6-6-8B
- Change 6-6-6-A to read "Landscaping for any new park development within the City shall be reviewed by the Tree Board and be approved by the City Council. For commercial developments, the Planning Commission shall ensure the provisions of this section are followed as part of the land use application process."
- Strike last sentence of 6-6-5.

MOTION: C. Perry - To approve 10-21-2008A, An Ordinance amending Title 6 of the City Code of the City of Cedar Hills, Utah, adding chapter 6 adopting a Cedar Hills community tree ordinance, as amended. Seconded by C. Bowman. Vote taken by roll call.

Yes - C. Bowman
C. Perry
C. Richardson
C. Wright
No - C. Kirk Motion passes.

8. City Manager Report and Discussion (8:16 p.m.)

- Konrad Hildebrandt stated that he can set up field trips to the recreation/aquatic centers in South Summit, Taylorsville and Pleasant Grove. The Council said they would like to go on the field trip early on a Saturday morning. C. Perry requested staff get the plans for Mountain Creek Park in Highland and get details on cost. C. Wright would like a breakdown of costs on the different portions of the buildings. C. Richardson requested that staff look into the South David recreation center as well.
- The well is pumping around 2,300 gpm. The pump is being designed for 1,800. Mayor McGee thinks the pump should be designed for 2,000 gpm. C. Perry would like an explanation for why it is being sized for 1,800.
- Brad Kearn said that Philips Edison claims to not have 50% tenancy, and can't get a loan from the bank. There is a stipulation in the development agreement that the approval is good for one year.
- C. Bowman reported that there is a flowering pear on the north side of Mesquite Park that was lost in a wind storm.

MAYOR AND COUNCIL REPORTS

9. Board and Committee Reports

Reported during the Work Session.

EXECUTIVE SESSION

10. Motion to go into Executive Session, Pursuant to Utah State Code 52-4-5 (8:30 p.m.)

MOTION: C. Perry - To go into Executive Session, Pursuant to Utah State Code 52-4-5 to discuss security systems, personnel, and potential litigation. Seconded by C. Kirk.

Yes - C. Bowman
C. Kirk
C. Perry
C. Richardson
C. Wright Motion passes.

*** EXECUTIVE SESSION ***

11. Motion to Adjourn Executive Session and Reconvene City Council Meeting

MOTION: C. Bowman - To Adjourn Executive Session and Reconvene City Council Meeting. Seconded by C. Richardson.

Yes - C. Bowman
C. Kirk

C. Perry
C. Richardson
C. Wright

Motion passes.

- C. Wright said she drove through Kim Harmon's neighborhoods and there are many areas that look bad. She asked that the Council consider finding funds to clean up the areas, and then bill them or lien the property.
- C. Kirk said another option is to bill the property and if it is unpaid, turn the bill over to the county treasurer to be added to the property taxes.
- Mayor McGee instructed staff to notice homeowners as discussed when those homes have been reported.

ADJOURNMENT

12. Adjourn

This meeting was adjourned at 8:50 on a motion by C. Bowman, seconded by C. Perry and unanimously approved.

/s/ Kim E. Holindrake
Kim E. Holindrake, City Recorder

Approved by Council:
November 18, 2008