

CITY COUNCIL MEETING
Tuesday, February 3, 2009 7:00 p.m.
Public Safety Building
3925 W Cedar Hills Drive, Cedar Hills, Utah

Present: Mayor Mike McGee, Presiding
Council Members: Ken Kirk, Jim Perry, Eric Richardson, Marisa Wright, Charelle Bowman
Konrad Hildebrandt, City Manager
Kim Holindrake, City Recorder
David Bunker, City Engineer
Courtney Hammond, City Meeting Transcriber
Eric Johnson, City Counsel
Others: Shawn Richins, Cliff Chandler, Caleb Warnock, Brent Uibel, Troop 159, Diane Kirk

COUNCIL MEETING

1. This meeting of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 7:17 p.m. by Mayor McGee.

Invocation given by C. Kirk

Pledge of Allegiance led by Trevor Gleason, Troop 159

2. Public Comment (7:19 p.m.)

Brent Uibel: Mr. Uibel asked the Council if there have been inquiries about the golf course lots. Mayor McGee said that there have been some inquiries, but none that are realistic. Mr. Uibel wanted to know whether the feelings of the Council have changed regarding the golf course.

CONSENT AGENDA

3. Minutes from the January 20, 2009, Public Hearing and Regular City Council Meeting (7:22 p.m.)

MOTION: C. Kirk - To accept the minutes of the January 20, 2009, Public Hearing and Regular City Council Meeting. Seconded by C. Bowman.

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

SCHEDULED ITEMS

4. Review/Action on Cedar Hills Golf Course Items, Clubhouse and Clubhouse Contract (7:24 p.m.)

See handouts.

Staff Presentation:

Konrad Hildebrandt stated that during the work session, the Council met with Ken Harris Architect to look over the revised golf course clubhouse plans. The elevation is Craftsman style and the covered deck was transformed into a covered patio to eliminate the need for handrails. Ken Harris Architect submitted a contract. It is a generic contract that includes updated costs. The costs are about \$10,000 more than originally outlined.

Council Discussion:

- C. Kirk stated that part of the selling point for him is that Ken Harris Architect was reusing plans, which would save the City money. The contract shows that the City is being charged \$15,000 for the plans (which is a 50% discount) plus \$25,000 for revisions. He concludes that original plans would cost \$30,000, while the City is being charged \$40,000 for recycled plans.
- C. Perry felt that numbers, particularly the engineering quotes, seemed high. He suggested that the City look into contracting out the engineering itself. He stated that the Council's job isn't to find the best deal for a clubhouse, but to evaluate the costs and decide if it is the best ROI. If the numbers are this high, maybe it isn't the best ROI.
- Resident Brent Uibel has experience in commercial engineering. He stated that there is a huge difference between residential and commercial architecture and engineering. Given his experience, he felt the numbers looked fair.
- C. Richardson stated that he felt the price isn't too far out of line, though he worries that since the costs surprised him initially, there may be other surprises that aren't immediately apparent. The architect can make or break the construction process. A good one will save money along the way.
- Mayor McGee proposed taking two weeks for everyone to review the contract. Mayor McGee, Konrad Hildebrandt, and David Bunker will talk to the architect about the fee schedule.
- C. Bowman would like a rough estimate on landscaping costs.

MOTION: C. Richardson - To continue this item to the next meeting allowing time for staff to clarify the items discussed, and the Council to review the contract and for the city attorney to review the contract. Seconded by C. Bowman.

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

5. Review/Action on Interlocal Cooperation Agreement between the City of Cedar Hills and American Fork City Granting an Easement for a Pressurized Irrigation Line (7:55 p.m.)

See handouts.

Staff Presentation:

David Bunker stated that American Fork and Cedar Hills have gone back and forth a few times with this agreement. The most recent changes come from American Fork. Their changes include: (1) if the facility is unused for 20 years or written notice is given from American Fork, the easement is revocable; (2) AF wants to be notified and given the opportunity to comment/approve any activities or construction that occurs within 6 feet horizontal and 3 feet vertical of the pipeline. Additionally, in the express easement American Fork would like a 50-foot wide construction easement. That easement will expire one year from the completion of the project and revert to the 20 foot wide permanent easement.

Council Discussion:

- C. Richardson stated that the revised portion of section 3 contradicts the express easement in terms of the length of the easement. He is not willing to grant a perpetual easement because the City's attorney advised against it.
- The Council would like to see the following change: statement in section 4 to read: "Cedar Hills will not unreasonably propose facilities to be constructed within 6 feet horizontal and 3 feet vertical of the pipeline when engineering limits continued viability of pipeline."

MOTION: C. Bowman - To continue this item until the city attorney has reviewed the changes and revisions and advises us. Seconded by C. Wright.

Further Discussion:

- Mayor McGee stated that the City has an easement with the state, for which Cedar Hills pays \$900. The City is giving up a lot by not charging American Fork.
- C. Kirk stated that American Fork did Cedar Hills a favor as it was getting started. The idea of this agreement is to protect Cedar Hills and to provide a neighboring city with service. This discussion was had previously, and it was decided to charge them \$10. He would like to continue a cooperative attitude.
- C. Richardson stated that he would just like to ensure that the riverbank is shored up and cleaned out, which is included in this agreement.
- C. Bowman stated that the only cost she might like to see covered is the cost of the legal review.
- C. Perry stated that Cedar Hills has had a connection to the American Fork water system for years and should cooperate with American Fork.
- Konrad Hildebrandt suggested including the boundary adjustment north of the canal to the interlocal agreement.

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

6. Review/Action on Boundary Adjustment with Pleasant Grove City at Approximately 9700 North Canyon Road (8:17 p.m.)

See handouts.

Staff Presentation:

Kim Holindrake stated that this has been discussed previously, and the City Council asked that David Bunker put together a cost estimate to run sewer along the portion of Canyon Road in this area. The estimate is \$150,000 and has been put in FY 2010 budget. The residents have not made a formal request.

Council Discussion:

- C. Perry stated that it makes sense to have the boundary be the canal and 4800 W. He supports anything that is consistent with that ultimate goal.

MOTION: C. Richardson - To direct staff to continue to propagate our longstanding policy of boundary adjusting in this area and reiterate the prior finding that engineers of both cities have stated that the natural boundary is the canal and that the City would be willing to entertain any boundary adjustment to further that plan. Seconded by C. Kirk.

Further Discussion:

- C. Perry stated that not only engineers, but public safety officials believe that a boundary at the canal makes sense.

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

7. Discussion on a Recreation Center (8:22 p.m.)

See handouts.

Council Discussion:

- C. Bowman stated that there is \$3 million that has been sets aside for a recreation center. She would like to start exploring options for how the City can build a recreation center on its own.
- C. Wright stated that her views on the recreation center have changed dramatically. When she ran for Council, she envisioned a large, full-service recreation center. She now feels like the most prudent option in the current economic environment would be to build a splash pad/ice skating rink with a track around the outside and an adult playground on the perimeter of the track.
- C. Richardson stated that the Council needs to be prudent with funds, but not because times are tough right now. The useful life of a recreation center will span several economic highs and lows. The Council needs to build something that is appropriate for the size and needs of the community. Land cost is the most variable part of the equation.

MOTION: C. Richardson - To move item number 7 until after item 10 for continued discussion.
Seconded by C. Bowman.

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

8. Review/Action on Resolution Adopting Fees (8:35 p.m.)

See handouts.

Staff Presentation:

Konrad Hildebrandt stated that in order to issue bonds for the pressurized irrigation project, the fee and charges need to be effective immediately, rather than on June 1 as previously determined by Council.

Council Discussion:

- C. Richardson stated that the fee was set by considering actual costs and the budget as well as looking at the staff's analysis, which determined the cost to cover the most recent pressurized irrigation upgrade.
- C. Perry stated that he would like a more thorough analysis to determine the correct fee. He would favor setting the rate tonight in order to issue the bonds, and later have a full analysis and correct the fee to reflect true cost before anyone has to pay the revised fee.

MOTION: C. Kirk - To adopt Resolution 2-3-2009A, a resolution adding, amending, or deleting certain fees to the official fee schedule of the City of Cedar Hills, Utah, reflecting that the pressurized irrigation base be changed to the amount suggested by staff of \$15.95 and to make that rate increase at the next full month beginning March 1, 2009. Seconded by C. Wright.

Further Discussion:

- C. Bowman stated that she would rather make the rate \$17.95 now, rather than raise it again in the new budget.
- C. Richardson stated that staff can make the administrative decision as to when to initiate the fee increase.

AMEND MOTION: C. Kirk - To make the rate effective immediately at the next full month. Accepted and seconded by C. Wright. Vote taken by roll call.

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

9. City Manager Report and Discussion (8:54 p.m.)

- Those that are planning to attend the upcoming Utah League of Cities and Towns conference need to notify Mike Carson.
- The fitness assessment is Friday, February 6, between 9 - 11 a.m.
- David Bunker stated that the Cottonwood well plans are done and have been submitted to the state. The bids will come to Council at the March 3 City Council meeting.

MAYOR AND COUNCIL REPORTS

10. Board and Committee Reports (9:00 p.m.)

- C. Bowman: The Fieldcrest pocket park needs to get on the Planning Commission agenda for a zoning change.
- C. Kirk: North Point elected a new chair and vice chair and nominated a representative to the Utah Special Service District. A 30-year plan was discussed and tabled for future discussion.
- C. Perry: The Youth City Council had a sponsorship drive and a day with the legislators at the state capital. He proposed a change to the March 17 meeting so as not to conflict with the Wal-Mart open house.
- Mayor McGee: The time for the March 17 Council meeting will be changed to 7:30 p.m. and requested a light agenda.
- C. Richardson: The Planning Commission talked about the transportation element of the General Plan, a check cashing ordinance, and the landscaping ordinance.

EXECUTIVE SESSION

11. Motion to go into Executive Session, Pursuant to Utah State Code 52-4-5 (9:10 p.m.)

MOTION: C. Perry - To go into Executive Session, Pursuant to Utah State Code 52-4-5 to discuss the character, mental health and mental competence of an individual and the purchase or sale of real property. Seconded by C. Bowman.

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

* * * EXECUTIVE SESSION * * *

12. Motion to Adjourn the Executive Session and Reconvene City Council Meeting (9:32 p.m.)

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

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

ADJOURNMENT

13. Adjourn

This meeting was adjourned at 9:33 p.m. on a motion by C. Bowman, seconded by C. Kirk and unanimously approved.

Approved by Council:
February 17, 2009

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