

PUBLIC HEARING AND CITY COUNCIL MEETING  
Tuesday, August 3, 2010 7:00 p.m.  
Public Safety Building  
3925 W Cedar Hills Drive, Cedar Hills, Utah

Present: Mayor Eric Richardson, Presiding  
Council Members: Ken Kirk, Stephanie Martinez, Scott Jackman, Marisa Wright, Jim Perry  
Konrad Hildebrandt, City Manager  
Kim Holindrake, City Recorder  
Cathy Larsen, Deputy Recorder  
David Bunker, City Engineer  
Greg Robinson, Assistant City Manager  
Others: Shawn Richins, Brent Uibel, Dianne Kirk, Mary Powell, Ben Powell, Daniel Powell, Zonda Perry, Crystal Hensen, Jacob Bingham, Harlow Clark (Timpanogos Times), Chris Hocker (Timpanogos Times), Phil Harmanek (Daily Herald)

COUNCIL MEETING

1. This meeting of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 7:16 p.m. by Mayor Richardson.

Invocation given by C. Jackman.

Pledge of Allegiance led by C. Kirk.

2. Public Comment (7:18 p.m.)

Zonda Perry: Mrs. Perry stated there have been problems at Timpanogos Park. The park has a sign stating the park closes at dusk, but the sign is very small. Most people don't know what time the park closes so people are in the park after hours. She does not have a problem with families that stay until 10:00 or 11:00 p.m. However most of the people after hours are not families. There have been groups of people hanging around until 1:00 a.m. and destruction to the park landscaping. On one occasion a group of teens took rolls of toilet paper out of the bathroom and set them on fire. Her power box has been turned off in the middle of the night. In spite of not wanting to contact the police, there have been occasions she's had to because of risk to the community. She wonders if there can be extra enforcement or a gate put up in order to close access to the park after hours. She has neighbors who are also concerned.

Jacob Bingham: Mr. Bingham stated he loves Cedar Hills and the community. His backyard is next to Timpanogos Cove Park. There has been partying going on past 10:00 p.m. and at times until 3:00 a.m. His children love the park, but he's concerned that his children may find something inappropriate. He wants the park to be a safe place. He's concerned that something unfortunate might happen.

Crystal Hensen: Ms. Hensen stated she agrees with what has been said. During the day the park is an asset to the community. However it becomes a menace at night and has become a party park. These are not just good kids or neighbors looking at the view. She has found condoms there. She has received cat calls from those leaving the park after dusk. People outside of the City are aware of the park's reputation. When she has been outside in the evening, there have been partiers racing down the street. This goes on throughout the night.

PUBLIC HEARINGS

- 3. Amendments to the City Code, Title 10, Chapter 6, Article B, Planned Residential Developments (PRD) (7:27 p.m.)

No comments.

CONSENT AGENDA

- 4. Minutes from the July 13, 2010, Regular City Council Meeting (7:28 p.m.)

**MOTION: C. Perry - To approve the minutes from the July 13, 2010, City Council Meeting, as amended.** Seconded by C. Wright.

Yes - C. Kirk  
C. Jackman  
C. Martinez  
C. Perry  
C. Wright Motion passes.

SCHEDULED ITEMS

- 5. Review/Action to Award the Bid for the 2010 Street Improvement Projects (7:29 p.m.)

See handouts.

Staff Presentation:

David Bunker stated the 2010 Street Improvement Projects were recently put out to bid. The projects include a chip seal, which received no bids; type II slurry, which received one bid from Morgan Pavement for \$182,682; and an asphalt overlay, which received four responsive bids. He recommended rejecting the bid for the type II slurry and awarding the asphalt overlay project to Staker Parsons for \$180,790.50. The chip seal and the type II slurry will be rebid at a later time. The Street Expense Fund is currently \$370,000. The chip seal project will cost approximately \$80,000-\$90,000. The type II slurry project could be scaled back in order for the City to keep both projects within budget.

Council Discussion:

- C. Kirk stated that the City received some bond money from Plat J-2 for approximately \$40,000, which can help pay for the cost of the 2010 Street Improvements Project.
- Mayor Richardson stated that Plat J-3 would typically not be at the top of the street improvement list, but Plat J-3 has to be brought up to standards. His recommendation is to go ahead with Plat J-3, but be aware that this may bump other projects down the road. The City receives B & C Road Funds every year. Historically the City has spent less than what has been collected; this amount has been kept in reserve. This year the City is spending collected funds, as well as some reserve funds, in order to catch up on City road projects. There will be approximately \$190,000 left over from the budget; that amount combined with the \$40,000 grant money will be enough to complete both the chip sealant project and the type II slurry project.

**MOTION: C. Jackman – To approve the award of the 2010 Asphalt Improvement Projects, schedules 1, 2, and 3 to the lowest responsive bidder, Staker Parsons, in the amount of approximately \$180,790.00. Also to reject all bids for the 2010 Roadway Chip Sealant Project and**

**the 2010 Roadway Slurry Project.** Seconded by C. Martinez.

Yes - C. Kirk  
C. Jackman  
C. Martinez  
C. Perry  
C. Wright Motion passes.

6. Review/Action on Amendments to the City Code, Title 10, Chapter 6, Article B, Planned Residential Developments (PRD) (7:36 p.m.)

See handouts.

Staff Presentation:

Greg Robinson stated that the Planning Commission has reviewed the H-1 Zone and the Planned Residential Development (PRD) for that zone, specifically the density requirements. There are several elements that go into density calculations for PRDs. There are exceptions in the H-1 Zone that specify the higher the slope, the less the density. The maximum density unit per acre in the development cluster is six, which isn't possible under the current City Code. The minimum building lot over the H-1 Zone is 10,000 square feet, which is approximately ¼ acre. A two-family unit is 12,000 square feet. Based upon previous discussion, it is not necessary to increase the density to increase the lot sizes. The City has the ability, if necessary, to increase the lot size and decrease the density. The recommendation is to add a paragraph stating, "When the project area is adjacent to an existing or planned park or trail, the common open space shall include connections to those existing and future parks or trails."

**MOTION: C. Perry - To approve Ordinance No. 8-3-2010A amending Title 10 of the City Code of the City of Cedar Hills, Utah, Planned Residential Developments: Open Space and 10-6D-9 Planned Town site Projects: Open Space, amending the requirements relating to common open space, as amended, adding park and parks in Sections 1 and Section 2.** Seconded by C. Wright.  
Vote taken by roll call.

Yes - C. Kirk  
Yes - C. Jackman  
Yes - C. Martinez  
Yes - C. Perry  
Yes - C. Wright Motion passes.

7. Discussion Regarding the CARE Tax (7:43 p.m.)

See handouts.

Staff Presentation:

Konrad Hildebrandt stated the City instituted a CARE Tax back in March of 2009, which is not dissimilar to other cities. The total that the City has collected year-to-date is approximately \$33,000. The CARE Tax revenue fluctuates. Some possible uses for the CARE Tax are park system upgrades, beautification, arts, Family Festival, royalty pageants, and a future community recreation center. The City needs to operate within the resolution that was created in uses for these funds. The Decisions Document (survey) is funded for this year. This survey has been done

in prior years and can include any pertinent questions from the Council. This can be done in the fall or by January 2011 at the latest.

Council Discussion:

- C. Wright stated she personally does not have an interest in a pageant. This could be added to the survey to see if residents are interested.
- Mayor Richardson recommended that the City bank the revenue. There may be a future need for funds. The funds lag a little behind; the City did not start receiving funds until approximately June 2009.

8. City Manager Report and Discussion (7:49 p.m.)

- Council will receive the Monthly Management Report in approximately a week.
- The Blue Ribbon Committee is ready to report to the Council.
- There has been a spike in vandalism at Timpanogos Cove Park with damages at approximately \$6,000. Two substantial trees have been busted, and the Plexiglas on the basketball standard has been bent backwards. The police have conducted regular patrols. C. Perry stated that he has gone on patrols with the police. The park is always full of people after hours. The police chase everyone out, and five minutes later there are people back in the park. The park seems to attract a party element with the worse things occurring later on and throughout the night. In the winter, snowboarders stack up the tables in order to perform jumps. Mayor Richardson stated that park problems are usually local. However, Timpanogos Cove Park seems to attract people outside of the neighborhood. There may need to be additional precautions at Timpanogos Cove Park, such as closing the park after hours. C. Wright stated that putting up a gate in the park would require someone from the City to clear out the park and lock the gate at night. She suggested installing a tire shredder. C. Kirk stated that if a tire shredder were placed at the entrance, there would need to be a sign stating that the park is closed and entering would cause tires to be shredded. He agrees that the park signs need to be improved. Dusk may be too undetermined of a time. C. Jackman stated that if the City is going to impound vehicles in the park after hours, the park signs need to be improved.
- At the last City Council meeting, there was discussion regarding the Cedar Hills commercial signage. Staff has determined that the cost will be approximately \$10,000 and is unbudgeted. David Bunker suggested that the Council visit the Pleasant Grove commercial zone to view the brick pillar sign because the lettering looks worn. Even if the letters are drilled into the Cedar Hills sign, the lettering won't look good after six months to a year. There needs to be a solid plate that is inset into the boarder. The anchors are also a concern. C. Perry suggested everyone look at the Pleasant Grove sign and to revisit this item at the next meeting. David Bunker will take a picture of the Pleasant Grove sign and send it to Council with the location.

MAYOR AND COUNCIL REPORTS

9. Board and Committee Reports (8:09 p.m.)

- C. Kirk stated the North Point Solid Waste Special Service District has not had a meeting for two months, and the next meeting is scheduled for September. He has been put on the Finance Committee for the Utah Valley Dispatch Special Service District and has asked Konrad Hildebrandt to find out how much the City has paid the County for emergency dispatch services. He wants to take the information to the next meeting on August 11. There may be a subsidized amount, and he wants to be sure the City is not paying the County as well as the District for the same services. The Traffic Safety and Livability Oversight (TSLO) Committee met and listened to resident concerns regarding the curve

at Dorchester Drive and 9980 North. The Wistisens were at the meeting, as well as other neighbors, voicing concerns. The location will be monitored again with the speed trailer to clock speeds and count cars. Staff is reviewing suggestions such as striping the curb, striping the street, putting up signs, or traffic calming devices. An option will be determined by what is discovered.

- C. Jackman stated the Planning Commission met on July 29 to discuss the Annexation Policy Plan. Council Member Mendenhall from Highland City attended to give his input. The Commission toured several parks as well as the Bayhill Park area, which is above the pump station. The Blue Ribbon Recreation Committee met and has completed Phase 1 (questions and answers). The Committee is in the process of putting together a proposal, which the Council will see in about a month or two.
- Mayor Richardson attended the UTOPIA meeting. There have been recent articles in the paper regarding UTOPIA. Cedar Hills is a nonpledging member of UTOPIA, which means the City has not pledged any sales tax revenue. Some of the pledging cities have created a new entity called the Utah Infrastructure Agency (UIA), which will provide additional funding to build infrastructure based upon revenue from sign-ups. There should be information received soon regarding the grants that UTOPIA has filed. These grants are for the stimulus money and the Google project. He and Konrad Hildebrandt met with Mr. Ben Higbee to discuss the Heiselt's Hollow drainage area. Staff will come up with potential solutions; the residents would like to partner with the City. There may be some Eagle projects that could facilitate the situation.
- C. Martinez met with Jason Garrard, new Community Services Director, to come up with some fresh ideas. Signups for flag football will be within the next month. The ages are 2nd – 6th grades. Greg Robinson stated that tot soccer will also be coming up.
- C. Wright met with the Blue Ribbon Recreation Committee. The Committee members have put in a great deal of personal time. The Committee consists of many different opinions. A large report is being prepared with the majority consensus, but will also include the minority opinion. Some Committee members are frustrated because they know they won't agree with the consensus. She would like to have the Committee come to a Work Session to present ideas to the City and have it open for discussion. C. Perry would rather receive a one-paragraph e-mail from each of the members discussing their individual position, than to open it up for discussion in a Work Session. C. Kirk agrees with C. Perry. He feels the entire purpose of the Committee is to come up with a recommendation for the Council. Mayor Richardson stated the Committee consists of 25 bright and involved individuals, not all of whom will agree. He wants the Committee to feel listened to but does not want to slow down the process by dissecting all 25 opinions. He does not want to start over the process because of the minority; the report should include minority opinions.
- C. Perry stated that Jason Garrard is the new Community Services Director for the City. The Youth City Council (YCC) met, but C. Perry was not able to attend. Jason Garrard attended and is trying to get up to speed with what is going on. This is a quiet time for the YCC.

#### EXECUTIVE SESSION

10. Motion to go into Executive Session, Pursuant to Utah State Code 52-4-205

**MOTION: C. Perry - To go into Executive Session, Pursuant to Utah State Code 52-4-205 and 204, to discuss the sale and acquisition of property, pending litigation, and the competence of individuals.** Seconded by C. Wright.

Yes - C. Jackman  
C. Kirk

C. Martinez  
C. Perry  
C. Wright      Motion passes.

\* \* \* EXECUTIVE SESSION \* \* \*

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

**MOTION: C. Kirk - To adjourn the Executive Session, and reconvene the City Council Meeting.**  
Seconded by C. Perry.

Yes    -      C. Jackman  
                  C. Kirk  
                  C. Martinez  
                  C. Perry  
                  C. Wright      Motion passes.

ADJOURNMENT

12.    Adjourn

This meeting was adjourned at 10:32 p.m. on a motion by C. Jackman, seconded by C. Perry and unanimously approved.

Approved by Council:  
September 21, 2010

                  /s/ Cathy D. Larsen  
Cathy D. Larsen, Deputy Recorder