

PUBLIC HEARING AND CITY COUNCIL MEETING  
Tuesday, October 19, 2010 7:00 p.m.  
Public Safety Building  
3925 W Cedar Hills Drive, Cedar Hills, Utah

Present: Mayor Eric Richardson, Presiding  
Council Members: Scott Jackman, Ken Kirk, Stephanie Martinez, Marisa Wright  
Excused: Jim Perry  
Konrad Hildebrandt, City Manager  
David Bunker, City Engineer  
Kim Holindrake, City Recorder  
Greg Robinson, Assistant City Manager  
Courtney Hammond, City Meeting Transcriber  
Lt. Sam Liddiard, Police Department  
Others: Phil Harmanek (Daily Herald), Paul Taylor (JUB), Don Overson (JUB), Cliff Chandler, Brent Uibel, David Told, Diane Kirk, Jay Taggart (CMA) Chrissy Hanneman, Robert Wetsel, Jordan Wetsel, Jacobson Kramer, Harlow Clark (Timpanogos Times)

**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 Richardson.

Invocation given by C. Wright.

Pledge of Allegiance led by C. Martinez.

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

Chrissy Hanneman: Ms. Hanneman has served on the school board for the past eight years representing Cedar Hills, Alpine, Highland, and some of Lehi and Draper. She is up for reelection to her third term. She has heard from Cedar Hills residents about bussing, math, and boundary issues. On Tuesday the school board is considering school boundaries, specifically maintaining Lone Peak High School as a closed school but allowing an option for anyone living east of Canyon Road to opt into Lone Peak High School. This would be about 120 students. She is in favor of this opt-in arrangement. C. Wright stated that she is disheartened that this decision is not going to be made until after the elections. The community is torn up having Cedar Hills split between Lone Peak High School and American Fork High School. She has heard for years now that this change will be made. Chrissy Hanneman said that the reason there is not widespread support for this change is because of the ugliness surrounding the Highland/American Fork boundary line. In the second meeting in November, the board will look into growth numbers, options such as magnet schools, a new high school, and retrofitting or expanding schools to accommodate the estimated 10,000 new students in the next 10 years.

**PUBLIC HEARINGS**

3. Amendments to the City Code, Title 10, Chapter 2, Definitions, Regarding the Definition of a Family (as it pertains to household) (7:43 p.m.)

No comments.

4. Amendments to the City Code, Title 10, Chapter 2, Definitions, Regarding the Definition of Animal Units, Small

No comments.

5. Amendments to the City Code, Title 10, Chapter 2, Definitions, Regarding the Definition of Accessory Apartment

No comments.

CONSENT AGENDA

6. Minutes from the October 5, 2010, Regular City Council Meeting (7:44 p.m.)

**MOTION: C. Kirk - To accept the minutes from the Council Meeting of October 5, 2010.**  
Seconded by C. Jackman.

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

**MOTION: C. Jackman - To move item 12 above item 7.** Seconded by C. Kirk.

**AMEND MOTION: C. Jackman - To move 10 before number 12, which is before number 7.**  
Seconded by C. Kirk.

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

SCHEDULED ITEMS

10. Review/Action on Release of Building Setback for Canyon Heights at Cedar Hills, PRD, Plat A, Lot 64 Located at Approximately 8912 N Silver Lake Drive (7:45 p.m.)

See handouts.

Staff Presentation:

Greg Robinson stated that Mr. Told was interested in purchasing property from the City to build a building along his property line. After some research, it proved to be more complicated. The recommendation is to allow a change to the side setback on the south side to one foot. This has been done in the past and is allowed in a PRD. In conjunction with this change, Mr. Told is planning to enter into a landscaping agreement with the City for some retention. The City maintains ownership of the property, but Mr. Told would maintain the landscaping.

Mr. Told stated that this is a best case scenario. The replatting would have been very complicated. He would like to put a fence around the landscaping in order to maintain the landscaping and protect it from animals, if possible.

Council Discussion:

- Mayor Richardson stated this is not an unusual solution. It has been done before. He supports the recommendation. The policy is that the landscaping in the landscaping agreement not be fenced.

- If the fence is necessary for the retention, then the Council may need to consider a solution.
- C. Kirk stated that the neighbors have been informed and did not have any problems with the change.

**MOTION: C. Kirk - To find that the change in setback does not create a hazardous condition, nor will it adversely affect the surrounding residents, that varying from the designated setback is appropriate for the zone and property location for Canyon Heights, Plat A, Lot 64, that a variance from the side setback does not change the development's density or the required distance between the dwelling units, and that this change complies with the zoning regulations. I therefore move to approve an amendment to Canyon Heights Plat A, and amend the side setback for lot 64 from a five (5') foot setback to a one (1') foot south side setback, subject to the release of the Public Utility Easement by the affected entities.** Seconded by C. Martinez.

Yes - C. Jackman  
 C. Kirk  
 C. Martinez  
 C. Wright

Motion passes.

12. Review/Action Regarding the Community Events and Recreation Center (7:55 p.m.)

See handouts.

Staff Presentation:

Konrad Hildebrandt stated that tonight's presentation includes the programming for the facility, the timeline, and the floor plan. The intent of this facility is to have as many Cedar Hills residents use the center as possible. The multi-purpose facility can house formal or informal meetings, classes, etc. The café grill can be open even when the rest of the center is closed. The daylight basement holds studio space and an exercise room. This floor plan has a finished square footage of about 16,000 square feet. At \$100/sq ft, it would take it to the council's goal of \$1.6 million. A second floor can be done, but it will cost more.

Scheduling:

- Konrad Hildebrandt stated that the schedule shows completion mid July. The golf director stated that not having it completed in time for the start of the golf season will dramatically affect golf, but he does not want to hold it off for another year.
- Jay Taggart said that this is an aggressive schedule, but there are some areas that may be able to be shortened by a week or two.
- The Council agreed that the scheduling, particularly where City Council input is needed, is appropriate.

Programming and Floor Plan:

- Jay Taggart stated that the programming lists the types of spaces and the needs and uses for those spaces. An earlier version included a second floor. A second floor requires an elevator (\$50,000) and a second stairway. Adding rooftop dining requires a different type of roofing membrane and load weight. Office space on the second floor would add costs for the elevator, second stairway, and \$75-\$100/sq foot for office space finishing. It may not be possible to add office space or a

second reception center because there is not sufficient parking space. The basement studio/exercise spaces may be moved to the other recreation center in the future, freeing up space for other uses in the basement.

- C. Wright stated that the original motion called for space for city offices. This plan does not include city office space. She also suggested a teen room in the basement with a big screen TV, ping pong, and arcade games.
- C. Kirk stated that residents may feel that using the events center for city offices is too luxurious.
- Konrad Hildebrandt stated that the other recreation facility may be a more logical location for city office space.
- Keith Irwin stated that the Blue Ribbon Committee did not intend to dictate that the city office space be in this events building. Cardio rooms were not in the Blue Ribbon Committee's plans for this building. He personally feels that all the athletic facilities should be consolidated in the recreation facility.
- C. Jackman stated that if the intent is to move the exercises equipment within six months to a different building, this building should use the space as office space. The recreation center will follow shortly with plenty of space for exercises/studio/cardio.
- C. Martinez stated that she would like to see a library in some basement space.
- Mayor Richardson stated that the building should have an elevator to meet possible ADA requirements in the future. It will be cheaper to put an elevator in now than retrofitting it later. The basement space will be used and the best use can be determined by the Council later. The feasibility of a library has not yet been explored at all. There are few things he would change about the multi-purpose room because of the way it is currently configured. You could lose some flexibility and scheduling.

The Council informally discussed program usage.

**MOTION: C. Kirk - To approve the preliminary program as outlined by Curtis Miner Architects.**

Seconded by C. Martinez.

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

Konrad Hildebrandt proposed additional classroom space as well as a media room for the basement space.

7. Review/Action on Amendments to the City Code, Title 10, Chapter 2, Definitions, Regarding the Definition of a Family (as it pertains to household) (10:15 p.m.)

See handouts.

Staff Presentation:

Greg Robinson stated that these changes are to comply with changes to state code allowing up to four unrelated people to live together. The accessory apartment ordinance was written because the City meets HUD's low and moderate housing requirement through accessory apartments, but the City has never had any reference to accessory apartments in the code.

Council Discussion:

- Mayor Richardson stated that he doesn't like that the combination of accessory apartment and definition of a family could allow up to eight unrelated people.
- C. Kirk stated that some people depend on basement rentals, especially in today's recession. If there is a problem, it should be addressed in a way that takes into account the needs of the residents.
- C. Jackman stated that the combination of the accessory apartment and definition of family seems to change single-family residences into multiple-family residences.

**MOTION: C. Kirk - To continue this item until we all have a chance to research this item.**

Seconded by C. Jackman.

Yes	-	C. Jackman	
		C. Kirk	
		C. Martinez	
No	-	C. Wright	Motion passes.

8. Review/Action on Amendments to the City Code, Title 10, Chapter 2, Definitions, Regarding the Definition of Animal Units, Small (10:38 p.m.)

See handouts.

**MOTION: C. Jackman - To approve Ordinance 10-19-2010A, Amending 10-2-1 Definitions, Small Animals, as amended.** Seconded by C. Kirk.

Council Discussion:

- C. Wright stated that she feels 40 chickens are too many.
- Mayor Richardson stated that cubic feet should be changed back to square feet.

**AMEND MOTION: C. Jackman - To use four square feet of livestock management area on a single level.** Accepted and seconded by C. Kirk. Vote taken by roll call.

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

9. Review/Action on Amendments to the City Code, Title 10, Chapter 2, Definitions, Regarding the Definition of Accessory Apartment (10:46 p.m.)

**MOTION: C. Jackman - To continue this item.** No second. Motion dies.

Discussion.

**MOTION: C. Jackman - To continue this item.** Seconded by C. Kirk.

Yes	-	C. Jackman	
		C. Kirk	
		C. Martinez	
No	-	C. Wright	Motion passes.

11. Review/Action on the Placement of a Trailhead by Utah County at Approximately Canyon Heights Drive and Canyon Road (10:48 p.m.)

**MOTION: C. Jackman - To accept this item.** Seconded by C. Kirk.

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

13. City Manager Report and Discussion (10:49 p.m.)

- The Council approved completion of a Decisions document. A timeline of the decisions process will be put together to show how it helps in budgeting.

**Motion: C. Jackman - To extend the meeting by 30 minutes.** Seconded by C. Wright.

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

- Recently there was an unflattering Daily Herald article on Cedar Hills. A meeting has been set with the Daily Herald for Thursday at 11 a.m. Caleb Warnock had asked for information and Konrad Hildebrandt referred him to the City's Web site for budget information. Konrad Hildebrandt asked Caleb to call if he needed more information. Per the Council's request, Konrad Hildebrandt explain the situation in the larger context of a history of false information being reported by the same reporter.
- The City has set up the Ski Bus this year.

**MAYOR AND COUNCIL REPORTS**

14. Board and Committee Reports (11:12 p.m.)

- C. Kirk reported that the Traffic Safety and Livability Oversight Committee met and discussed the speed on Canyon Heights Drive and safety at the school bus stop. They also discussed the Renaissance HOA's request for the City to take over Hillside Drive and Renaissance Drive. The Committee discussed circling through to plow the street as a safety and convenience issue for the snow plow drivers, but the City will not maintain those streets. Utah Valley Dispatch District met again and ended in a gridlock but agreed it is too late to get it on a tax schedule.
- C. Wright reported that she met with Jason Garrard and Matt Bennett, who lives in Cedar Hills. Jason sent out requests from magazines to bid on a family festival magazine. The Bennetts agreed to do the magazine at cost. She would like to chaperone the ski bus.
- Mayor Richardson reported that the ribbon cutting for the enclosure project is tomorrow. He will be attending a meeting with Craig Frank about water pollution. C. Kirk and C. Perry will meet with Highland about the boundary adjustment for the golf course.

- C. Martinez reported that Arbor Day is coming up. She is meeting with PTAs about an Arbor Day poster contest.

#### EXECUTIVE SESSION

15. Motion to go into Executive Session, Pursuant to Utah State Code 52-4-204 and 52-4-205
16. Motion to Adjourn Executive Session and Reconvene City Council Meeting

No Executive Session

#### ADJOURNMENT

17. This meeting was adjourned at 11:31 p.m. on a motion by C. Kirk, seconded by C. Jackman and unanimously approved.

Approved by Council  
November 9, 2010

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