

CITY COUNCIL MEETING  
Tuesday, April 5, 2011 7:00 p.m.  
Public Safety Building  
3925 W Cedar Hills Drive, Cedar Hills, Utah

Present: Mayor Eric Richardson, Presiding  
Council Members: Stephanie Martinez, Scott Jackman, Jim Perry, Ken Kirk, Marisa Wright  
Konrad Hildebrandt, City Manager  
David Bunker, City Engineer  
Kim Holindrake, City Recorder  
Greg Robinson, Assistant City Manager  
Ashley Vogelsberg, Finance Analyst  
Courtney Hammond, City Meeting Transcriber  
Lt. Sam Liddiard, Police Department  
Others: Cliff Chandler, Ken Cromar, Paul Sorensen, Robert Eddington, Jerry Dearing, Diane Kirk, Diane Sorensen, Julie Sessions, Joe Ferguson, Bob Lyle, Normon Walker, Beverly Walker, Marla Bradley, Elizabeth Jensen, Marilyn Dearing, Patricia Huhem, Mike Stuy, Jeff Lindstrom, LaMar Dahl, Tom Cantrall, Dan Wattleworth, Marilyn Dahl, Terri Ward, Zachary Ward, Scout Troop 1192, Alola Patch, Mary LeDoux, Jacob LeDoux, Julie Knudsen, Natalie Barrett, Brent Uibel, Cato Jones

COUNCIL MEETING

1. This meeting of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 7:07 p.m. by Mayor Richardson.

Invocation given by C. Wright.

Pledge of Allegiance led by Christopher Huhem.

2. Public Comment (7:09 p.m.)

Ken Cromar: Mr. Cromar spoke of the City's plans to use \$1 million of the \$3 million reserved to build a golf course clubhouse and reception center. He feels the money is to provide the children of Cedar Hills with recreation areas. Two citizens' petitions would restrict the use of impact fees for recreation amenities that serve the largest number of residents and spend no money on a golf course clubhouse or reception center. Otherwise the City would need to refund the money. Mayor Sears and other members of the City Council at the time the golf course was approved have stated that their intent for recreation impact fees was not to fund a golf course clubhouse. There is some sentiment that the impact fee money belongs more to certain neighborhoods because they directly paid the impact fees and should have a larger say in where the money goes. This is not the correct attitude. The entire City pays for the golf course. There has been a lot of money lost on the golf course. Walmart has stated that there will be serious inflation adjustments this summer. Golf is a luxury item that many people will likely cut from their budgets. He is in favor of more recreation opportunities. If the City Council decides that the golf course clubhouse is in the best interest of the City, then it is required to bring it to a vote.

Jerry Dearing: Mr. Dearing was appointed to serve on the Mayor's Blue Ribbon Committee, which was asked to study and make recommendations on a number of recreation matters. He stated that he feels that the Committee was given some misinformation. The Committee was asked to consider whether the \$3 million in recreation impact fees should be refunded or be used on facilities. It was told that if refunded, most of the money would be returned to developers. He disagrees with that analysis. He does not believe the money would need to be refunded to the developer, but can go to current residents. He feels that if the Committee had been properly

informed, it may have made a different recommendation. There is allowed usage of impact fees to pay down debt on previously built facilities. He would prefer to see the impact fees used to pay down golf course debt. If not refunded or used to retire golf course debt, he would favor using the money for some of the items included on tonight's agenda as CARE projects.

Julie Sessions: Ms. Sessions supports what has been said by Jerry Dearing. Inflation will be serious starting this summer. Many are concerned about putting food on the table and keeping their home. Years ago she would have said that she supported a recreation center; but in today's climate, she does not want to subsidize a recreation center. She would like the money to pay down the golf course or improve the safety of existing parks.

Joe Ferguson: Mr. Ferguson opposed the golf course and feels that misinformation was given to support the golf course. The golf course clubhouse would be a business operated by a government entity, which is socialism. Socialist enterprises have to be subsidized. He resents that he would be paying for a golfers' clubhouse.

Paul Sorenson: Mr. Sorenson stated that he signed the first petition. He disagrees that the recreation impact fees can be used for a golf course clubhouse or reception center. He does not believe that the impact fee refunds would go to developers, but rather the current homeowners would receive the refunds. If money is to be used for something, he would prefer that the money be used to pay down the golf course.

Bob Eddington: Mr. Eddington stated that he does not oppose the golf course. No matter what form of recreation the City supports, it will be subsidized. He supports what Mr. Dearing has said. There is not enough information on spending the money on a clubhouse and reception center to make a decision. When enough information is gathered, it should be submitted to a vote. He believes the City should do an analysis of what type of financial benefit the clubhouse/reception center would provide to the golf course and prioritize a list of the types of recreation needed in the City.

Amy Porter: Ms. Porter stated that she does not believe that government should be involved in a private enterprise. She read a letter from Tiffany Filebach that stated she would like to see a pool built. Ms. Porter would like to see the clubhouse matter put to a vote.

Trisha Huhem: Ms. Huhem stated that her son Christopher Huhem was doing a crime prevention merit badge where he looked around the neighborhood for safety concerns. He took notes and pictures. The areas around Sunset Park and Heritage Park are very dark at night. She proposed that the City increase illumination in the neighborhood parks and trails.

Michael Stuy: Mr. Stuy supports the option of using the impact funds to pay down the golf course bond.

Bob Lyle: Mr. Lyle stated that he appreciates the resurfacing on Tamarack Way. He is in favor of the golf course and clubhouse. Speakers tonight have talked about profits and subsidies. Everything the City owns is subsidized. The clubhouse is a benefit for the golf course. It would attract more golfers and pay down the debt more quickly.

Diane Kirk: Ms. Kirk stated that the golf course was built for four reasons: (1) recreation (2) water reservoirs for pressurized irrigation (3) open space (4) revenue. Three of those four have been accomplished. The City has a golf course for better or worse, and the City needs to make it work. The clubhouse may make the course more palatable to buyers.

Tom Cantrell: Mr. Cantrell stated that he would like to know the cost and projections for the golf course clubhouse and reception center. Those numbers need to be resolved before a decision is made.

Brent Uibel: Mr. Uibel stated that he is interested in how many of the petitioners voted for the golf course. Staff has spent time working with engineers and architects so that the City has a full and true cost.

Keith Irwin: Mr. Irwin was a co-chair of the Blue Ribbon Committee. Some people want the money refunded, some want a pool, some a clubhouse. These discussions were had in the Blue Ribbon Committee. Labels become contentious in the discussion. Some call it a clubhouse, others a community center. The Committee intended the recreation center to be a multi-purpose center. One of the debates was about where the facility would be built. One of the advantages of

the golf course is that the City owns the land. He feels that the work of the Committee has been blown off by residents who seem to think that the issues were not researched and analyzed.

Dan Wattleworth: Mr. Wattleworth stated that debt is a problem in our society and national government. Debt brings bondage and lack of debt brings freedom. He supports using the impact fee money to pay down the debt.

Corey Jackson: Mr. Jackson stated that when money is collected it should be used for the purpose collected. If it is to be used for a different purpose all those impacted should have a say.

#### CONSENT AGENDA

3. Minutes from the March 15, 2011, Regular City Council Meeting (8:10 p.m.)

**MOTION: C. Kirk - To approve the consent agenda.** Seconded by C. Jackman,

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

#### SCHEDULED ITEMS

4. Review/Action on a Boundary Line Agreement Located at Approximately 10090 North and Oak Road E (8:10 p.m.)

See handouts.

#### Staff Presentation:

Greg Robinson stated that the property line between Mr. Lindstrom and the LDS Church is not along the fence line, though both property owners would like it in that location. The LDS Church submitted the documents.

Mr. Lindstrom stated that he agrees to the property line change.

**MOTION: Wright - To approve the Lindstrom/Church of Jesus Christ of Latter-day Saints boundary line adjustment subject to recording the line agreement between the two property owners.** Seconded by C. Perry.

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

5. Budget Presentation for Fiscal Year 2012 (8:14 p.m.)

See handouts.

#### Staff Discussion:

Konrad Hildebrandt reviewed the Golf Fund Revenues, CARE projects, and salary expenditures. The dramatic change in the green fees revenue is because Fiscal Year 2011 projections included projections for a clubhouse for half of the year. Fiscal Year 2012 includes construction on the golf course. The decrease in revenues for construction also is noted in the pro shop and snack

shack projected revenues. There is just over \$38,000 in the CARE fund, which accrues about \$28,000 per year. In 2000 the City employed 3.7 employees per 1,000 residents. Today the City employs 2.3 employees per 1,000 residents.

Ashley Vogelsberg stated that one of the CARE project ideas is a movie screen. An inflatable movie screen costs \$10,000. Renting the screen costs \$1,400 with other inflatables for the Family Festival or \$2,100 by itself.

Council Discussion:

- C. Martinez suggested adding a dog run to the CARE projects.
- C. Wright stated that subsidizing golf camps would get the youth more involved in the golf course.
- Mayor Richardson asked each Council member to send his/her top five CARE projects to Konrad Hildebrandt.
- C. Perry questioned whether the service that the City uses for salary ranges is reliable because it relies on cities reporting salaries to the service. Then the City uses the recommendation of that same service.
- C. Jackman stated that with salary ranges, quality of service needs to be considered as well.

C. Wright excused 8:46 p.m. and returned 8:50 p.m.

6. Review/Action to Provide Pressurized Irrigation to American Fork Residents (9:04 p.m.)

See handouts.

Staff presentation:

David Bunker stated that last year the City installed pressurized irrigation piping and valves to deliver service to the neighborhood south of the funeral home with the intent of the canal being the boundary line between the City and American Fork City. The City of Cedar Hills provides culinary water to these residents also. The residents in this neighborhood are not amenable to boundary adjusting into Cedar Hills. The Council could decide not to provide service or could provide service to them at a rate similar to the sewer service policy with a non-resident rate. The City could also enter into an interlocal agreement with American Fork City to deliver pressurized irrigation. The agreement would include reimbursement for infrastructure and a cost for water delivery with a meter and charge per acre foot. In essence, the City would be selling the system to American Fork City, which would be responsible for the maintenance. There would be some staff time involved. The billing rate for water would be the rate for the Central Utah Water District.

Andy Spencer of American Fork City stated that when the lines were placed in the subdivision American Fork City was not opposed to the residents going into Cedar Hills. The problem is that these residents do not want to make the change. American Fork City wants to provide services to these residents that are provided to the rest of American Fork City. American Fork City favors the interlocal agreement.

Mayor Richardson directed David Bunker to work out an agreement with American Fork City that ensures the City's costs are recouped and the water issues with the high school are handled at the same time.

C. Wright excused at 9:17 p.m.

7. Review/Action on an Interlocal Agreement Regarding the Debris Basin (9:18 p.m.)

See handouts.

Staff Presentation:

David Bunker stated that the City signed one interlocal agreement, and Highland City signed a different version. A few areas in the interlocal agreement need to be investigated to see how it affects the City. Item #2 needs to be changed from regulatory body to administrative board to ensure that all bodies can approve different uses of the land. The other area to look at is item #11, indemnification. Highland City and American Fork City use the same attorney. He suggested tabling this item until the City can get input from legal counsel.

**MOTION: C. Jackman - To continue this item until the attorneys are able to get together to come up with a new agreement.** Seconded by C. Kirk.

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

8. Review/Action on a Commercial District Master Plan and Civic Center (9:21 p.m.)

C. Wright returned (9:25 p.m.)

See handouts.

Staff Presentation:

Konrad Hildebrandt presented a concept plan for the south-side commercial district. In the plan the civic center acts as a buffer between the Apple Blossom residential neighborhood and the commercial area. This is just a starting point.

9. City Manager Report and Discussion (9:32 p.m.)

- The City received the distinguished budget presentation award for the ninth time in the past ten years. Of the 235 cities in Utah, less than 30 receive this award; and of cities the size of Cedar Hills, less than 10 receive the award.
- Konrad Hildebrandt proposed a special city council meeting on April 19 to address the CERC facility bids, which are due April 14.

MAYOR AND COUNCIL REPORTS

10. Board and Committee Reports (9:41 p.m.)

- C. Martinez reported that the Youth City Council, Girl Scouts, and Boy Scouts filled eggs for the Easter Egg Hunt. Tot soccer registration filled up fast. Lacrosse sign ups are currently occurring.
- C. Jackman reported that the Planning Commission met and talked about the sign ordinance, the hillside zone slope definition, and accessory apartments.
- Mayor Richardson reported that there will be a public safety open house on April 23 here at the Public Safety Building. Last year the Council made animal rights more liberal allowing for

chickens 50 feet from a neighboring house. A resident has approached him asking for a decrease in the required distance. He thinks 50 feet is reasonable. His intent is to allow it because of property rights, but if the lot is too small, farm animals may not be reasonable. With a consensus of the Council, Mayor Richardson directed staff to put this on a Planning Commission agenda.

- C. Perry reported that the Lone Peak Public Safety District voted to put public safety personnel in Cedar Hills.
- C. Kirk reported that the Dispatch District Meeting addressed an effort by the county to try to get around the proposal to subsidize the District. There will not be a property tax subsidization of the District. There is a hazardous waste drop off this Saturday at Utah Valley University. The North Point Solid Waste Special Service District is in contract negotiations with Allied Waste.
- C. Wright reported that she met with staff regarding the Family Festival. Staff is working to find a Grand Marshall. Staff is also trying to find ways to get tweens and teens to the Festival, possibly bungee jumping and skate boarding ramps.

#### EXECUTIVE SESSION

11. Motion to go into Executive Session, Pursuant to Utah State Code 52-4-204 and 52-4-205 (10:03 p.m.)

**MOTION: C. Perry - To go into Executive Session, Pursuant to Utah State Code 52-4-204 and 52-4-205 for pending litigation and the competence of an individual.** Seconded by C. Jackman.

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

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

12. Motion to Adjourn Executive Session and Reconvene City Council Meeting (10:36 p.m.)

**MOTION: C. Kirk - To adjourn the Executive Session and reconvene the City Council meeting.**  
Seconded by C. Jackman.

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

#### ADJOURNMENT

13. Adjourn

This meeting was adjourned at 10:38 p.m. on a motion by C. Kirk, seconded by C. Jackman, and unanimously approved.

Approved by Council:  
May 3, 2011

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