

**CITY COUNCIL AND PUBLIC HEARING**

Tuesday, September 18, 2012 7:00 p.m.

Community Recreation Center

10640 N Club House Drive, Cedar Hills, Utah

Present: Mayor Gary Gygi, Presiding  
Council Members: Trent Augustus, Scott Jackman, Stephanie Martinez, Jenney Rees, Daniel Zappala  
David Bunker, City Manager  
Jeff Maag, Public Works Director  
Courtney Hammond, City Meeting Transcriber  
Others: Lt. Sam Liddiard, Hurt, Glenn Dodge, Jerry Dearing, Melissa Willie, Ken Bacon

**COUNCIL MEETING**

1. This meeting of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 7:12 p.m. by Mayor Gygi.

Invocation given by C. Rees

Pledge of Allegiance led by Jordan Wetzel

2. Approval of Meeting’s Agenda (7:14 p.m.)

**MOTION: C. Augustus—To add item to the end to confirm the recommendation for the Planning Commission from the Mayor.** Seconded by C. Rees.

Yes - C. Augustus  
C. Jackman  
C. Martinez  
C. Rees  
C. Zappala Motion passes.

Mayor Gygi stated that this item will be added after number 8.

3. Public Comment: (7:15 p.m.)

Ken Bacon: Mr. Bacon lives on a cul de sac with an odd shaped lot. He would like to add a third car garage. Because of the way his side and rear lines were defined, he cannot build, while his neighbors can. He proposed that the City amend their ordinance to add definitions and circumstance for odd shaped lots. A three car garage would still be 13 feet from his neighbor’s side lot line.

Jerry Dearing: Mr. Dearing said that there were 13 homes that may have been affected by the poor connection with the Manila Water company. He would like the City to consider that more homes may have been affected. He knows of many others, including his wife, who has had weird ailments in the last few months.

David Bunker explained that the culinary lines in Mr. Dearing's neighborhood have remained the same. The only things that changed were the meter connections. He said that on Mahogany Drive the lines were switched. In the switchover to the Cedar Hills' line, a problem occurred. He stated that the City samples 10 water samples a month throughout the City. Currently the City is taking daily samples in the affected area, and the lines and the tank have been disinfected. There may be some residual chlorine in the system.

CONSENT AGENDA (7:27 p.m.)

6. Minutes from the June 19, 2012 City Council Meeting and Public Hearing  
Minutes from the July 10, 2012 Regular City Council Meeting  
Minutes from the July 19, 2012 Special City Council Meeting  
Minutes from the July 31, 2012 special City Council Meeting  
Minutes from the August 7, 2012 City Council Meeting and Public Hearing

**MOTION: C. Zappala—To accept the minutes as listed.** Seconded by C. Martinez.

Yes - C. Augustus  
C. Jackman  
C. Martinez  
C. Rees  
C. Zappala Motion passes.

SCHEDULED ITEMS

4. PUBLIC HEARING: Amending the Compensation for Elected and Appointed Officials (7:27 p.m.)  
Angela Johnson: I initially did not realize that the Planning Commission got paid, and Daniel Zappala mentioned that they do. I'm a little surprised to see that it is \$50.00 a meeting. That will be about \$3,000.00 a year. My first thought was that there would be enough people to volunteer.

Mayor Gygi said that he believes that they actually came forward recently to say they wanted to forego their compensation because they did feel like it was a volunteer effort.

C. Augustus sated that he can clarify this a little bit, because he was at the meeting when that came up. The chairman of the Planning Commission actually asked all the members that were in attendance at that meeting what they would like to do. The consensus of everybody at that meeting was that those there did want to forego their compensation. So the chairman decided that instead of making it kind of carte blanche, and everybody was going to forego it, he left it up to the individual. So far everybody that he knows of has given up their compensation. So as of right now we are not compensating the Planning Commission.

Ms. Johnson asked if it is still going to be that you can get \$50.00 or you can opt not to. C. Augustus replied that the way that the Planning Commission said it, then yes. Ms. Johnson said that that's great news.

Mayor Gygi stated that it is, and it's up to Council if they want to make a motion to entirely do away with it. And then they could discuss that. Angela Johnson commented that that was very good and that she liked that.

7. Review/Action on an Ordinance Amending the compensation for Elected and Appointed Officials (7:30 p.m.)

Staff Presentation:

David Bunker stated that the proposed amendment adds \$11.50 to the communications stipend.

Council Discussion:

C. Rees stated that this is a technology allowance because the Council will no longer be receiving paper packets. It will save \$7,000.00 every four years.

**MOTION: C. Jackman—To approve Ordinance 9-18-2012A, an ordinance amending the compensation for elected and appointed officials by raising the technology allowance from \$75.00 to \$86.50 per Council member and direct staff to review the Planning Commission stipend to see if we still need it or not.** Seconded by C. Rees. Vote taken by roll call.

Yes - C. Augustus  
C. Jackman  
C. Martinez  
C. Rees  
C. Zappala                      Motion passes.

5. PUBLIC HEARING: Amendments to the City Code, Title 9, Regarding Planning Commission Membership (7:33 p.m.)

No public comments.

8. Review/Action on an Ordinance Amending the City Code, Title 9, Chapter 1, Article B, Regarding Planning Commission Membership (7:33)

Staff Presentation:

David Bunker stated that this proposed amendment would change the number of alternates from 2 to 3. It is proposed to add the alternate to ensure a quorum for voting. Alternates move forward to full membership as there are vacancies.

Council Discussion:

Mayor Gygi stated that this was his idea which came about when he was looking at people that applied for the Planning Commission. He was impressed with three of them, who had different skill sets.

C. Jackman stated that from a long-term perspective, he feels that the Planning Commission may be too big already. He is not sure he is willing to expand the Planning Commission just to accommodate three great applicants. He feels that the larger problem may be that a lot of members are missing a lot of meetings.

C. Zappala stated that as a former Planning Commission member he feels it is not uncommon to miss meetings because something comes up. There is not a lack of commitment.

C. Augustus stated that when he served there were quite a few times that only a few people showed up and they had to wait for a quorum. As a second alternate, he was a voting member for most meetings.

C. Rees stated that the Planning Commission is a volunteer committee. Work and family schedules come first. No matter what, there will always be problems not because people aren't committed, but other needs and commitments come before community service.

Glenn Dodge stated that part of the problem in the Planning Commission is that they have met at 6:00 p.m. and people weren't home from work yet. Most of the time there has been a quorum during the 3 years he has been on the Planning Commission.

**MOTION: C. Augustus—To approve Ordinance 9-18-2012B, amending Title 9, Chapter 1, Article B-1)B) of the City Code, entitled Planning Commission (Membership); increasing the number of alternate members to three (3).** Seconded by C. Rees. Vote taken by roll call.

Yes	-	C. Augustus	
		C. Rees	
		C. Zappala	
No	-	C. Jackman	
		C. Martinez	Motion passes.

Further Discussion:

C. Jackman commented that he doesn't feel members of the Planning Commission are uncommitted. He knows them all, and feels they are good and committed people.

Planning Commission Appointment (7:43 p.m.)

Mayor Gygi recommended that Bradley Weber, Michael Geddes, Emily Cox be appointed to the Planning Commission as alternates.

**MOTION: C. Augustus—To confirm the alternates as recommended by the Mayor for Bradley Weber, Michael Geddes and Emily Cox.** Seconded by C. Jackman.

Yes	-	C. Augustus	
		C. Jackman	
		C. Martinez	
		C. Rees	
		C. Zappala	Motion passes.

9. Review/Action on a Resolution of Intent to Combine the Recreation, Parks and Trails and Beautification Citizen Advisory Committees (7:45 p.m.)

Staff Presentation:

David Bunker explained that this was a suggestion by the Council to combine the citizen advisory committees for Recreation, Parks & Trails and Beautification into one citizen advisory committee. One benefit of combining the committees is that it broadens the scope of the committee and its mission.

Council Discussion:

C. Rees stated that there were many instances where these committees' ideas and areas overlapped. She and C. Martinez felt it would be best to combine them together. The Beautification Committee has been meeting on a monthly basis. They would like to do a contest in the winter with awards for holiday lights/displays.

C. Martinez stated that, as an example, the Beautification Committee wants to participate in beautifying the trails, and Arbor Day, which currently fall under Parks & Trails. After talking to C. Rees, she feels comfortable combining them. Many of the neighboring cities trails intersect with ours. When the Parks & Trails Committee was dissolved the City stopped receiving any information when neighboring cities make changes to their trails that affect Cedar Hills' trails. She wants to ensure that this committee gets notification and information on events from neighboring cities that affect the City's trails.

C. Jackman commented that he likes that recreation is included in this committee, because it gives citizens a chance to participate in the recreation aspect of the City.

C. Zappala stated that he favors calling the committee Parks, Trails and Recreation, and leaving off Beautification.

C. Augustus stated that there are no funds available for parks and trails, no matter how big the committee is or what it is called.

Mayor Gygi stated that if these committees are combined, he wants to ensure that it is effective. If they feel funds are necessary, they can lobby for funds.

**MOTION: C. Zappala—To approve Resolution 9-18-2012A, combining the Beautification Committee and the Recreation, Parks and Trails Citizen Advisory Committees, The name of the reconstituted committee shall be Cedar Hills Beautification, Recreation, Parks and Trails Citizens Advisory Committee.** Seconded by C. Rees.

**AMEND MOTION: C. Martinez—To include cemeteries in the title.** No second. Motion dies.

Further Discussion:

C. Martinez stated that the original City plans called for a cemetery.



11. Review/Action Water Charges Reimbursement – Mahogany Drive (8:15 p.m.)

Staff Presentation:

Mayor Gygi stated that he did not anticipate understanding water to the degree he now understands water. This was something that the City was not aware of. From the beginning, the biggest concern was the health of the residents. Public Works immediately found the problem and fixed it quickly. The county and state officials were complementary about the speed of finding, diagnosing and fixing the problem.

David Bunker stated that the Public Works Department has been great on this project. They take pride in what they do. Delivering good water is paramount. Residents on 9220 North and Mahogany Drive had a cross connection starting on July 5<sup>th</sup>. The issue was resolved last Thursday with the completion of dismantling the cross connection. It is proposed that the City rebate the culinary and pressurized irrigation water charges for the affected residences for the months of July, August and September. Public Works looked at the entire City to ensure that citywide the water is safe, doing extra samples and water tests.

Council Discussion:

C. Martinez stated that she was frustrated by the media reporting because media reports did not specify that there were only 13 affected homes.

C. Rees stated that the full story was told to the media; some chose not to report it fully.

**MOTION: C. Rees—To approve reimbursement of culinary and pressurized irrigation water charges for residents of Mahogany Drive and 9220 North for the months of July, August and September.** Seconded by C. Augustus.

Yes - C. Augustus  
C. Jackman  
C. Martinez  
C. Rees  
C. Zappala Motion passes.

12. Discussion on Options for the Community Recreation Center Basement (8:23 p.m.)

C. Martinez stated that Greg Gordon is working on ballpark figures for the four options.

C. Jackman stated that there were a few comments about altering Option B with equipment and without the bouldering wall. He would like to add that as an option.

**MOTION: C. Jackman—To continue this item.** Seconded by C. Rees.

Yes - C. Augustus  
C. Jackman  
C. Martinez  
C. Rees  
C. Zappala Motion passes.

13. Discussion on Allowing a Resident to Operate a Cat Hotel/Boarding Business (8:25 p.m.)  
Mayor Gygi stated that a resident has approached him about the possibility of retrofitting their basement for boarding cats while owners are on vacation.

David Bunker said that other cities have codes that relate to this. A lot of them include kennels. Many limit it to commercial zones rather than residential zones.

C. Jackman stated that he would like to look at the reasons for restricting it to commercial zones. He doesn't want to restrict the ordinance to just cats.

C. Augustus stated that the Council should look at it in broader terms, and not just for cats. He would also like to look at how such a change would affect traffic patterns.

C. Zappala said that he would like to look at feedback from neighbors because it could affect property values.

#### CITY REPORTS

14. City Manager (8:29 p.m.)

- There is a Timpanogos Special Service District meeting on Thursday.
- He will be out of town all next week.

15. Mayor and Council (8:30 p.m.)

C. Zappala: The Town Hall Committee met and discussed community wide town hall meetings versus cottage meetings. There was a lot of energy on the committee. He met with LDS church stake presidents in the area on Emergency Preparedness. Mayor Gygi has asked him to coordinate the City's efforts with the church's efforts.

C. Augustus: The Planning Commission will meet tomorrow and will be electing a chairman. He would like the Council to follow up on what they learned from the book *Five Dysfunctions of a Team*.

C. Jackman: The Lone Peak Public Safety District will meet on Thursday.

C. Martinez: The Youth City Council met. Their car wash raised \$200.00. The YCC is planning a pumpkin walk on Monday, October 29<sup>th</sup> with a pumpkin carving contest and costume contest. There is a new golf manager. There were not enough volunteers to deliver all the flyers for the town hall meeting.

C. Rees: The *State of the City* magazine will be delivered. Two press releases were issued. She is working on assembling a book of all news stories related to the City. There have been more Facebook "likes" after Stephanie urged her friends to "like" the City to get updates.

Mayor Gygi: Reminded the Council to work on their assignments for goals and visions.

16. Motion to go into Executive Session Pursuant to Utah State Code 52-4-204 and 52-4-205
17. Motion to Adjourn Executive Session and Reconvene City Council Meeting  
No Executive Session.

ADJOURNMENT

18. This meeting was adjourned at 8:39 p.m. on a motion by C. Augustus, seconded by C. Jackman and unanimously approved.

Approved by Council:  
October 16, 2012

/s/ Colleen A. Mulvey  
Colleen A. Mulvey, CMC  
City Recorder