

CITY COUNCIL MEETING

Tuesday, April 17, 2018 7:00 p.m.
Community Recreation Center
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Jenney Rees, Mayor, Presiding
Councilmembers: Denise, Andersen, Ben Ellsworth, Mike Geddes, Brian Miller
Absent/Excused: Ben Bailey
Chandler Goodwin, City Manager
Greg Gordon, Recreation Director
Joel Wright, City Attorney
Colleen Mulvey, City Recorder
Wade Doyle, Golf Operations Manager
Brian Cloud, Golf Maintenance Manager
Others: Lt. Gregg Ludlow

1. Call to Order

This meeting of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 7:09 p.m. by Mayor Rees. The Pledge of Allegiance was led by Boy Scout Ammon Bragonje, and the invocation was given by C. Ellsworth.

2. Approval of Meeting’s Agenda.

MOTION: C. Miller—To approve the agenda. Seconded by C. Ellsworth.

Yes - C. Andersen
C. Ellsworth
C. Geddes
C. Miller Motion passes.

3. Public Comment: Time has been set aside for the public to express their ideas, concerns and comments. Comments are limited to three minutes per person with a total of 30 minutes for this item.

There were no comments.

CONSENT AGENDA

4. Minutes from the March 6, 2018, and the March 21, 2018 Work Session & City Council Meetings

MOTION: C. Andersen—To approve the consent agenda. Seconded by C. Geddes.

Yes - C. Andersen
C. Ellsworth
C. Geddes
C. Miller Motion passes.

CITY REPORTS AND BUSINESS

5. City Manager

Mr. Goodwin reported the following:

- Ernie's and the golf course were now open. He encouraged everyone to patronize both locations.
- The City's pressurized irrigation system was now energized. He asked the residents to wait to use their sprinklers because of the recent snow fall.
- The Canyon Road project had begun and all inquiries should be directed to Utah County.
- Some of the City's sports programs and theater productions had begun.

6. Mayor and Council

C. Miller said the Beautification, Recreation, Parks and Trails Committee were holding a soil seminar this Saturday.

SCHEDULED ITEMS

7. Review/Action on a Resolution Regulating Fireworks

Mr. Goodwin displayed a map depicting permitted and non-permitted areas for firework use throughout the City. The map stated that fireworks were not permitted within 100 feet of certain highlighted areas. The ordinance was not congruent with the map because it only stated that aerial fireworks were prohibited. Their goal was to make the two agree. He asked for questions and comments from the Council.

C. Ellsworth said last year there was discussion regarding certain types of ground fireworks that were mobile. He said it was a good idea to prohibit ground fireworks as well as the aerial fireworks in zones highlighted on the map.

Mayor Rees clarified that the ordinance allowed ground fireworks that don't move. C. Geddes said he was comfortable excluding the moving ground fireworks. C. Andersen said she agreed.

Mayor Rees asked if they should extend the prohibited area to 200 feet. Fire Chief Thompson explained the legal, aerial fireworks had 125 to 150 feet fallout. He said the 200 feet was sufficient to protect the sensitive areas. C. Andersen agreed that 200 feet was reasonable.

Mayor Rees noted the State reduced the number of days fireworks could be used.

Mr. Goodwin said the east side of Canyon Road was a sensitive area. He noted the west side of Canyon Road had a number of highlighted sections on the map that were mostly undeveloped property and public property. They were not allowing the discharge of fireworks in any public facility zone.

Mayor Rees asked if this was an ordinance or a resolution. Mr. Goodwin said it was an ordinance.

MOTION: C. Geddes–To approve Ordinance No. 04-17-2018A, affirming support for fireworks restrictions that were approved in 2017, subject to the following modifications, to include no non-stationary fireworks and prohibit any aerals up to 200 feet of the areas identified on the map. Seconded by C. Andersen. Vote taken by roll call.

Yes - C. Andersen
C. Ellsworth
C. Geddes
C. Miller Motion passes.

8. Discussion on Pedestrian Use of the Golf Course

Bill Patton, resident, noted that Canyon Road did not have a sidewalk. He asked if the golf course was self-sufficient. Mayor Rees said it was not. Mr. Patton noted the golf course was not supporting the community financially. He wanted the City to provide parks and trails and rethink subsidizing the golf course. C. Geddes suggested Mr. Patton read the golf course financial report to understand the City's position. Mr. Patton asked the City to consider risk management when considering the golf course.

Mr. Goodwin thanked the golf course managers for their time. He explained that staff put together a policy and procedure manual for the City and wanted something similar for the golf course. He displayed an aerial map of the golf course showing the walking trails through the golf course. The staff's concern for the golf course was safety and property damage. He said that nationwide there were 147 cases of golf related injuries. He noted that half of the injuries were due to golf balls and the other half were to slips and falls. He said most of the plaintiffs of injuries were golfers. If they allowed more non-golfers on the course they would increase the liability.

Mr. Goodwin explained that many people visited the course and that resulted in vandalism. He noted that people stole golf course property and there was damage to the grass. Greg Gordon added that they needed help with damage control of Cottonwood and Canyon roads.

Mayor Rees said this was an agenda item because there was no written policy on the pedestrian use of the golf course. She noted that staff was asking for direction on a policy.

C. Andersen asked if the nature trail was new. Mr. Goodwin explained the whole manual was new. He said it was not common for any golf course to have this type of policy. C. Andersen said there were no golf courses that allowed pedestrians to walk around a course. She thought the City had a sufficient trail system and they did not need to use the golf course.

C. Geddes said he agreed with C. Andersen. He thanked Mr. Patton for his remarks and said that they had to treat the golf course like any other public facility.

Wade Doyle said that the amount of residents that used the course increased every year.

Mr. Goodwin noted that the golf course was not self-sufficient and reviewed the 2010 revenues. He said that golf as a sport was in decline. He then read from a legal memorandum concerning the open space dedication for The Cedars subdivision. The argument from the paragraph he read was that it was not financially reasonable to change the golf course to anything else.

Mayor Rees said that the City was notified by the HOA that if they built on the open space there would be a lawsuit against the City. Mr. Goodwin explained the open space was not only in Cedar Hills but also in Highland.

C. Ellsworth said he wanted to have more walking trails on the east side of Canyon Road. He did not think the pedestrian use of the golf course was prudent. C. Miller agreed with the other Council Members. He said there were other trails in the City for people to use and this was a business.

Mayor Rees said based on the feedback, they should move forward with the policy that did not allow pedestrian use of the golf course. She asked Mr. Patton to email her with an explanation of what the trail system was lacking.

C. Geddes suggested everyone be cordial to those not adhering to the policy. He said they should just state the rules. Mr. Doyle said they try to be respectful and to educate, not aggravate people and would not call the police. Mr. Gordon said he had many conversations with people that were walking that did not know the rules. Brian Cloud said that most people did not know the rules. As an example, he explained that Lone Peak High School students ran across the greens with muddy shoes. He acknowledged that most people were not aware they were causing damage, but his job as superintendent is to maintain and protect the city's asset.

9. Discussion on St. Andrews Estates Subdivision

Mr. Goodwin explained that the subject property was located between the golf course and Canyon Road. He said it was a 22 lot subdivision and the land was owned by the City. He explained the money for the sale of the land was earmarked for paying down the golf course debt. He said the best action would be to put the land on the market for sale.

Mayor Rees explained the land was intended to pay down the golf course debt but the market crashed before they could sell the property. She noted the market had recovered and this was a good time to sell the land if the city was going to sell it. She said they were not voting on a resolution but needed to give staff direction.

C. Miller asked what the total acreage was. Mr. Goodwin said the buildable area was nine to ten acres. C. Miller said the lots were larger than other lots in the area. Mr. Goodwin stated he did not like the layout. C. Geddes said it was not possible to improve the layout. Mr. Goodwin said if possible, he would like to re-plat the entire property.

C. Geddes said he did not want to have more homes and would prefer to maintain the area as open space. C. Miller agreed and said it was a difficult area to develop. He noted that if they

give it up as open space they would never get it back. He thought there were other options like a sledding park or dog park that were better suited for the area.

Mayor Rees said she liked the idea of a sledding hill because there would not be any risks from golf balls. C. Miller said he liked the idea of making the area a dog park because it was away from existing homes. He noted that golf balls would be flying that direction and homes would be in the way. Mr. Goodwin agreed and explained that the nets they had put up to protect homes from golf balls were not perfect.

C. Miller said if they considered a recreation facility they would have to build a parking lot. C. Andersen said she did not want to lose the open space. She said they could consider a mixed use open space. C. Geddes said the north end could become commercial. He did not want to make a decision at this time.

Mayor Rees said the property was zoned residential. She asked if the Council wanted to go through the process to change the zoning. C. Ellsworth said they should leave it for now. Mr. Goodwin said they could put together some ideas and have another discussion at a later time.

Mayor Rees said if they were interested in keeping the land public they should move this issue on to the capital improvements plan.

C. Andersen said they should rezone to make the property unavailable. C. Geddes said they could always change it back to the residential zoning. Mr. Goodwin said there may be some legal issues to rezoning the property. He stated they needed to analyze the situation to avoid any possible confrontations on the matter.

10. Discussion on Lone Peak Public Safety District Budget

Mr. Goodwin said that when Chief Thompson was hired there needed to be funding changes. He shared a packet with options for these changes. They approved option number three and that would give the City a \$70,000 increase in the budget. He noted that the City was not growing significantly.

Mayor Rees explained they were concerned with keeping a sufficient level of staffing for Public Safety. She discussed the various options for staffing that had been considered. She noted the budget for Public Safety was rising and they needed to find additional funding sources. She said they were considering a rise in fees or taxes.

C. Geddes said that the public safety was their first priority, and they needed to have a discussion with residents about increased fees.

Mr. Goodwin said the majority of emergency calls were EMS. He said it was critical to have emergency responders close and available. He said they should make difficult decisions to not cut corners. He said the City could not afford to not fully fund Public Safety.

Mayor Rees said she wanted to discuss the Lone Peak Fire Department with Highland and Alpine. She thought the Fire Department should be separate from the cities and become its own taxing entity. This would avoid competing for city resources.

C. Ellsworth asked why they were not increasing fees. Mr. Goodwin said they could increase fees but they needed to be selective on how this was done; there were consequences to raising fees. C. Ellsworth noted the residents should understand there would be a minimal, annual increase. Mayor Rees said the City was charging more than the neighboring cities.

Mr. Goodwin stated they were reaching the point where growth could not sustain the budget. He said they needed to find new sources of revenue which were difficult in their City. Mayor Rees said this was a challenge and they needed to provide education to the public on the matter. They needed to be able to explain to the citizens that services were necessary. Mr. Goodwin said they were sending out an RFP for fire and ambulance services next week.

Chief Thompson explained how the increases were happening and said they were constrained by regulatory and industry standards. He said they were trying to be as economical as possible whilst providing the highest quality of service. C. Ellsworth asked about the staffing option. Chief Thompson explained the staffing increase was \$35,000.

C. Ellsworth asked if they anticipated a 7% increase every year. Chief Thompson said it was their goal to have a five-year plan. He explained they were working on building a best practice model to avoid high increases.

Mayor Rees explained they were not going out to bid because they were unsatisfied with the quality of service. Chief Thompson said they understood their dilemma. Mr. Goodwin said he would include Mayor Rees's statement to the American Fork Police Department. Mayor Rees said they had a great relationship with both departments.

Chief Thompson suggested that as the City received proposals they compare them equally.

ADJOURNMENT

This meeting was adjourned at 8:24 p.m. on a motion by C. Geddes, seconded by C. Ellsworth, and unanimously approved.

Approved by Council:
May 15, 2018

/s/ Colleen A. Mulvey, MMC
City Recorder