

CITY COUNCIL MEETING  
Tuesday, September 7, 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, Scott Jackman, Eric Richardson, Jim Perry, Marisa Wright, Stephanie Martinez  
Konrad Hildebrandt, City Manager  
David Bunker, City Engineer  
Kim Holindrake, City Recorder  
Courtney Hammond, City Meeting Transcriber  
Lt. Sam Liddiard, Police Department  
Others: Dave White, Jerry Dearinger, Keith Irwin, Tracy Flinders, Vangie Norton, Tanner Norton, Jordan Van Roosendaal, Peter Hendereson, Donald Halvo, Alan Naves (KSL), Diane Kirk, Cliff Chandler, Brooke Richardson, Harlow Clark (Timpanogos Times), Brent Uibel

COUNCIL MEETING

1. This meeting of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 7:24 p.m. by Mayor Richardson.

Invocation given by C. Wright

Pledge of Allegiance led by C. Perry

2. Public Comment (7:25 p.m.)

No comments.

CONSENT AGENDA

3. Minutes from the August 3, 2010, Public Hearing and Regular City Council Meeting (7:25 p.m.)

**MOTION: C. Perry - To table this item until the next meeting.** Seconded by C. Jackman.

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

Motion passes.

SCHEDULED ITEMS

4. Review/Action on Purchase of City Property by Resident Located at Approximately 8912 North Silver Lake Drive (7:26 p.m.)

See handouts.

Staff Presentation:

David Bunker stated that there is a request to purchase city property located at 8912 North Silver Lake Drive. It is an open space area also designated as a drainage area. He feels that the eastern portion of the drainage area needs to be as wide as it is today but becomes less important to the west. Mr. Told would like to purchase 15 feet of the open space to extend a structure to his

property line, and he needs additional property to meet setbacks. This proposal addresses any drainage concerns. There would need to be a provision that no structure be allowed to be built on the purchased land.

Mayor Richardson recommended that if the city decides to sell the property, a stipulation should be included that the City approves any drainage or grading plan. A public hearing would also be required to change zoning from open space.

**MOTION: C. Jackman - To approve the sale of the 0.06 acres of City-owned open space to Mr. Told subject to: the submission of an approved and valid current value appraisal, the submission of an approved drainage alteration liability release, the relocation of the trail to the south side of the drainage area if needed, the submission and approval by the City of an amended plat with payment of the associated fees, and a grading plan that ensures the grade does not change.**

Seconded by C. Perry.

Further Discussion:

- David Bunker stated that staff intended to have Mr. Told provide the appraisal information.
- C. Wright stated that she would like the city to hire the appraiser and have Mr. Told pay the bill.

**AMEND MOTION: C. Jackman - That the City choose the appraiser and have Mr. Told pay the appraiser fees.** Seconded and accepted by C. Perry.

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

5. **Review/Action on Jurisdictional Transfer of 4800 West and SR-146 (Canyon Road) (7:39 p.m.)**

See handouts.

Staff Presentation:

David Bunker stated that Josh Glacier of UDOT is requesting that the City submit a request for jurisdictional transfer of SR-146 to Utah County. 4800 West would transfer to UDOT, but UDOT does not want two state routes in close proximity. For that reason UDOT will give SR-146 to the county. As a corridor is acquired by UDOT, they require a corridor preservation agreement for access limitation. The City will have three accesses on 4800 West between Cedar Hills Drive and 9900 North. Any upgrades to SR-146 would be an agreement between UDOT and Utah County.

Council Discussion:

- C. Jackman stated that under the first Wheras section, Cedar Hills has not been listed.
- C. Martinez stated that she would like more information about how the county does with snow removal.

**MOTION: C. Wright - To approve authorizing the Mayor to request the jurisdictional transfer of**

**SR-146 to Utah County and the jurisdictional transfer of 4800 West to UDOT, along with the associated corridor preservation agreement.** Seconded by C. Kirk.

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

6. **Review/Action on Political Sign Ordinance and Sign Ordinance (7:50 p.m.)**

See handouts.

Staff Presentation:

Mayor Richardson stated that this is a result of a letter the City received from a civil rights attorney dealing with possible problems regarding first amendment rights with the City's sign ordinances. Eric Johnson, City Attorney, gave his opinion in that the City needs to modify its sign ordinances. Other cities have received similar letters. Eric Johnson's recommendation is to suspend certain items in the ordinances until it can be revised appropriately.

**MOTION: C. Perry - Recognizing that we all hold the first amendment rights in utmost importance, I move that we suspend enforcement of provisions of the current sign ordinances dealing with content of signs and preserving time, manner, and place restrictions pending review of the Planning Commission.** Seconded by C. Kirk.

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

7. **Review/Action Regarding the Recreation Proposal by the Blue Ribbon Committee (7:53 p.m.)**

See handouts.

Staff Presentation:

Mayor Richardson stated that the Blue Ribbon Committee is an ad hoc committee established to review the City's recreational needs and to make recommendations. It is made up of over 25 members of the community who met over the spring and summer. Staff has prepared information regarding the Blue Ribbon Committee proposal.

Konrad Hildebrandt stated that the city attorney has reviewed the uses of recreational facility impact fee money. His memo provides positive use of those funds for a recreational center including an events center as a positive use of that money. The City Council asked for an analysis on borrowing, both internally and externally. The packet includes various scenarios for general obligation bonds. City staff does not recommend the use of internal funding. The internal analysis also includes an updated feasibility study of a golf course clubhouse/events center. The Blue Ribbon Committee recommended a two facility concept: one clubhouse/event center at the

golf course and a community recreation facility at another site. Staff's recommendation follows the Blue Ribbon Committee's recommendation with the recreation facility on the back acres of the City's nine-acre site on 4800 West.

Council Discussion:

- C. Wright stated that the park land impact fees are funds set aside for the purchase of Deerfield park. She feels this may never happen and would prefer to spend the money on a recreation facility, which can and will happen.
- Mayor Richardson stated that he has contemplated the Blue Ribbon Committee recommendations. If the City starts with the multiple use facility at the golf course, the rest of the funds can be utilized at another location. Back to back construction will allow the staff and Council the ability to put the detailed work into each facility.
- C. Martinez stated that timing is important with the construction of the facility on the golf course to avoid hurting golf course operations during peak season. The Blue Ribbon Committee did a fantastic job in giving the Council a direction. The Council needs to look at the impact on the community. The priority should be building the events center during the down season.
- C. Jackman stated that when the Blue Ribbon Committee voted regarding financing the events center with up to \$1 million from recreation facility fees, the Committee was split on that vote. He feels that diverting from the proposal would require explanation on the part of the Council. What has been discussed goes along with the recommendation and work that the Blue Ribbon Committee put into their proposal. The City is not yet ready to construct the facility. This is the early stages. The final funding discussion is more useful once there are firm costs.
- Keith Irwin, member of the Blue Ribbon Committee, stated that the Committee discussed how much of the \$3 million can or should be used on the event center, taking into account the fact that the golf course was a hot button issue. The vote using \$1 million of those fees was split.
- C. Kirk stated that the Blue Ribbon Committee did an excellent job. He likes the phased recreational plan, potential for return on investment, and not using all the impact fees. He feels it is a happy compromise and supports the recommendation. If more than \$1 million of the recreation center impact fees are needed and the alternative is status quo, he supports spending more.
- C. Perry stated that he feels that there is latitude with how the City spends the money collected from developers in impact fees, but when it comes to additional money above and beyond that, the residents need to vote. The City can map out phasing, and make it clear that after a certain point, it is up to the residents. The financial debate can happen separately.

**MOTION: C. Kirk - To direct staff to proceed with plans for construction of a community events center at the current golf course location with the intent to proceed with a second facility along 4800 West, a recreational facility.** Seconded by C. Martinez.

**AMEND MOTION: C. Kirk - To remove the location of the second facility.** Accepted and seconded by C. Martinez.

Further Discussion:

- C. Wright stated that she would like to see the following in a proposal: golf clubhouse, office space to transfer city staff, reception center, some flexible classes for multipurpose use, small eating facility, and golf cart storage in the basement.

- C. Martinez stated that she would like to see: golf storage, golf area, reception center, multipurpose rooms that can also be used as a library, fitness area that can later be moved to the recreation facility, grill, and bowling lane in phase 1 of the recreation center.
- C. Kirk stated that paragraph 4 of page 6 of the Blue Ribbon Committee recommendations sums up what is important to him including community rooms, basketball areas for youth, exercise room, and eliminating a skate park and splash pad. Staff can come up with recommendations with all the discussion that has happened over the past years. He would like the events center to be flexible enough for council meetings and other types of meetings.
- C. Jackman stated that he would like to see something more along the lines of what was approved in the Capital Improvements Plan. Some recreational type uses may be temporary in the events center but should have a permanent place in the recreation facility. He would not favor things that would be hard to move to the recreation facility, such as a bowling alley or basketball courts.

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

Further Discussion:

- Konrad Hildebrandt asked if the Council authorized staff to spend money on a proposal.
- C. Wright stated that there are past plans that may be a good place to start.
- Mayor Richardson stated that because there is a different direction now, the City should start anew.
- C. Perry stated that he would favor authorizing the Mayor to use discretion to spend money on proposals.

(C. Perry excused. (8:57 p.m.)

**MOTION: C. Kirk - To authorize spending at the discretion of the Mayor working with city staff to move forward with construction of an events center at the golf course.** Seconded by C. Jackman.

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

8. Review/Action on Amendments to the City's Purchasing Policy (8:58 p.m.)

See handouts.

(C. Perry returned. (9:00 p.m.)

Staff Presentation:

Konrad Hildebrandt stated that the City has a purchasing policy that hasn't been reviewed in eight years. The cost of doing business has increased, and any purchases are within the guidelines of the approved budget. This amendment just slightly changes the process of

purchasing, and makes it easier to do business. David Bunker stated that the current amounts in the purchasing policy make doing business a bit cumbersome for his department.

**MOTION: C. Perry - To approve Ordinance No. 9-7-2010A amending Title 1 of the City Code of the City of Cedar Hills, Utah, Purchasing Procurement Policy.** Seconded by C. Jackman. Vote taken by roll call.

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

9. City Manager Report and Discussion (9:12 p.m.)

- August was the best August in the history for the Cedar Hills golf course, and September has started off strong.
- Previously there were some issues at Timpanogos Cove Park. Bollards with a chain have been placed at the entrance to block access afterhours. A larger sign with hours posted will be placed at the entrance. There is also the option of towing and booting vehicles.
- Lieutenant Liddiard is the new police liaison for Cedar Hills.

MAYOR AND COUNCIL REPORTS

10. Board and Committee Reports (9:29 p.m.)

- C. Kirk reported that Utah Valley Dispatch Special Service District met and discussed taxing and how to pay for dispatch. The board voted and determined to charge on a by-call basis, which is similar to what is being done now. The county commissioner was not present at the meeting and about 80% of the calls are in the county. The board will meet and vote again.
- C. Jackman reported that the Planning Commission met and discussed the City's Annexation Policy Plan. Highland City and Pleasant Grove City protested the policy. The Commission also discussed the definition of a family.
- Mayor Richardson reported that UTOPIA was awarded a stimulus grant, which has a matching funds provision. It will not impact Cedar Hills but will help UTOPIA break even operationally.
- C. Perry: The Youth City Council (YCC) is moving forward from the YCC mayor issue and is involved in upcoming events.
- C. Martinez reported that the tot soccer has begun. The Recreation, Parks, and Trails Committee is struggling but will hopefully have more members in the spring.

EXECUTIVE SESSION

11. Motion to go into Executive Session, Pursuant to Utah State Code 52-4-204 and 52-4-205 (9:34 p.m.)

**MOTION: C. Perry - To go into Executive Session, Pursuant to Utah State Code 52-4-204 and 52-4-205 to discuss the character and 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 (9:58 p.m.)

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

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

ADJOURNMENT

13. Adjourn

This meeting was adjourned at 10:01 p.m. on a motion by C. Perry, seconded by C. Kirk, and unanimously approved.

Approved by Council:  
September 21, 2010

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