

PUBLIC HEARING AND CITY COUNCIL MEETING  
Tuesday, September 21, 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, Stephanie Martinez, Jim Perry, Marisa Wright  
Konrad Hildebrandt, City Manager  
Kim Holindrake, City Recorder  
Rebecca Tehero, Finance Director  
Greg Robinson, Assistant City Manager  
Lt. Sam Liddiard, Police Department  
Others: Phil Harmanek (Daily Herald), Cliff Chandler, Lyn Richey (Highland City), Donald Halvo, Bob Lyle, Natalie Schofield, Ethan Schofield, Ryan Johnson, Stacy Tanner, Jamison Tanner, Brent Uibel (8:10 p.m.)

COUNCIL MEETING

1. This meeting of the City Council of the City of Cedar Hills, having been properly noticed, was called to order 7:15 p.m. by Mayor Richardson.

Invocation given by C. Kirk

Pledge of Allegiance led by a scout.

2. Public Comment (7:17 p.m.)

Diane Kirk: Ms. Kirk stated that she listened to the architects' presentations during work session. She was irritated a few years ago when the Council looked at architect plans and the process was long and drawn out. She would like it to be more expeditious this time.

Brent Uibel: Mr. Uibel recommended that the Council look at a few more architects to see all possibilities.

PUBLIC HEARINGS

3. Amendments to the Fiscal Year 2011 Budget (July 1, 2010 to June 30, 2011) (7:20 p.m.)

No comments.

4. Amendments to the City's Annexation Policy Plan (7:20 p.m.)

Lyn Richey: I am the mayor of Highland City. I appreciate the opportunity to speak with you tonight. I came to the Planning Commission meeting a couple of weeks ago to address this same topic. Highland City opposes the amendments to your plan. There are four parcels that you are annexing that I will just address briefly. The first two parcels, the one that is across the street from Lone Peak High School as well as parcel number two, which is on the south side of the street across from our Public Works building. We provide all of the utilities to these; they are currently within the city boundaries. We do not see a compelling reason for you to put them in your annexation plan and request you remove them. The third parcel, which is on the hillside there at American Fork Canyon east of Canyon Road, I have no opinion on that one. We don't

see a problem on that one, and we can work with that one. The fourth parcel is on our North County Blvd between two of our subdivisions creating a peninsula. It is my understanding that the boundary commission doesn't like peninsulas or islands. You are creating a peninsula as well as the one across from the Public Works building on that parcel number two. Interestingly enough, that is a well protection zone for Highland City. We have a well on that property that you are trying to annex as well as a trail system. And so we don't see compelling reasons for those three pieces of property and would request that you remove those from your annexation plan. Highland City has no comment regarding parcel 3. He doesn't know why it was ever part of Highland.

CONSENT AGENDA

5. Minutes from the August 3, 2010, Public Hearing and Regular City Council Meeting (7:24 p.m.)
6. Minutes from the September 7, 2010, Regular City Council Meeting

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

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

SCHEDULED ITEMS

**MOTION: C. Wright - To move item 9 to the first item on the agenda.** Seconded by C. Martinez.

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

9. Review/Action on Amendments to the City's Annexation Policy Plan (7:24 p.m.)

See handouts.

Staff Presentation:

Greg Robinson stated that there have been no changes to the text of the annexation plan for Cedar Hills. The only changes have been made on the map and are not major changes. Some changes are because residents want to boundary adjusted into Cedar Hills. The Planning Commission has looked at this for several months. Representatives from Pleasant Grove City and Highland City have attended Planning Commission meetings for discussion. Pleasant Grove City opposed placing any land that is currently in their city on the plan map. The argument is that those proposed areas do not need to be on an annexation map. The City's legal counsel has stated that Cedar Hills should have those areas on the annexation plan if there is any possibility for Cedar Hills to accept them into the City at any point. It allows for flexibility if a property owner wanted to disconnect and annex into Cedar Hills. Cedar Hills does not plan to influence property owners to go one way or the other, but is just pinpointing those properties it would be willing to

accept. There were no comments from American Fork City. Parcel 1, across from Lone Peak High School, is a request from the property owner. The county is attempting to buy the land from the property owner for the 4800 West expansion and pedestrian crossing. The owner would like to demand a higher price by having it zoned commercial. There are also police enforcement problems having the golf course in two cities. Highland has to handle any issues on the golf course in Highland, and our police department handles the portion of the golf course in Cedar Hills. Parcel 3 is unusable and undevelopable.

Konrad Hildebrandt stated that the best public policy is to pick natural boundaries or roads as boundary lines. The canal and 4800 West would be the best policy, but there is history, politics, etc. at play. This policy is the City's best attempt to follow good public policy. Cedar Hills would like to see the golf course entirely within its boundaries, but Highland does not want to give it up. He would like to see Cedar Hills go to the disconnect process with the golf course. The approval of this policy plan only allows for another step. If property isn't on the annexation plan, there is no way to annex a parcel into the City.

Council Discussion:

- C. Wright stated that she would like to see that parcel in Cedar Hills for increased commercial area and sales tax. She asked Mayor Richey to go back to his Council and explain the Cedar Hills' side of things. Cedar Hills needs to settle the golf course issue. Mayor Richardson stated that he doesn't favor annexing this parcel. The current delineation is adequate and appropriate, and the parcel isn't a feasible commercial area. Further, Highland isn't willing to let it go. Highland services the parcel and the main push behind putting it in the annexation plan is to allow the resident to command a higher price from the county, which is taxpayer money. He stated that there was an issue a few years back regarding parcel 4 when Cedar Hills was not able to protect the golf course during a storm because Highland prohibited it. For those reasons, Cedar Hills would like to see the golf course in its own city.
- C. Kirk stated that Cedar Hills would like to build a facility to store golf course maintenance equipment down on the golf course in Highland.
- C. Perry stated that Cedar Hills owns the property and Highland has a trail easement. Cedar Hills has an interest in protecting and taking care of its own property. Highland has made it difficult. For the years that he has been on the Council, Highland has been obstructionist, even protesting Cedar Hills' ability to get grants. While he is passionate about this issue, but he doesn't want to convey that Highland isn't a good neighbor.
- C. Jackman pointed out that the golf course portion is already in the annexation plan. The amendment just affects the area to the north.
- C. Martinez said that the trail is fabulous. Cedar Hills loves trails and the trail plan is to interconnect the cities. The Highland trail would not change in the Cedar Hills plans.

**MOTION: C. Kirk - To approve the Annexation Policy Plan for the City of Cedar Hills with the following changes: eliminate parcel #1 on the plan and modifying parcel 2 to eliminate the inclusion of the Highland well on the parcel.** Seconded by C. Wright.

Yes - C. Kirk  
C. Jackman  
C. Martinez

C. Perry  
C. Wright

Motion passes.

7. Review/Action Regarding the Community Events and Recreation Center (8:06 p.m.)

See handouts.

Staff Presentation:

Mayor Richardson stated that the Council received two presentations from architects during Work Session. One was from Ken Harris Architects and the other was from Curtis Miner Architecture.

Konrad Hildebrandt stated that this component of the recreation plan includes an events center, flex space, etc.

Council Discussion:

- Scott Jackman stated that the Blue Ribbon Committee didn't address which of the two proposed buildings should come first. They did discuss simultaneous construction and how much of the \$3 million could be used for the events center.
- Mayor Richardson stated that the events center is the more time sensitive of the two buildings. The City has money in impact fees for both facilities based on scale.  
C. Wright stated that the Blue Ribbon Committee said they wanted simultaneous construction because they believed there was enough money to build both facilities. She understood that there would be office space in the events center to get city staff out of the public safety building and therefore move in public safety officials. She emphasized that to the Blue Ribbon Committee. She liked Curtis Miner Architecture, who seemed like more of a visionary. They have the concept of outside flowing into inside and capturing the view.
- C. Martinez stated that she feels a need to do one building immediately followed by the second. The events center is more time sensitive. Two simultaneous buildings will take longer. The Blue Ribbon Committee included a phased recreation center that had the aquatics center in phase 2.  
C. Kirk stated that the events center has a possibility of return on investment. It has been discussed that simultaneous in this case doesn't mean at exactly the same time. Two buildings will be built within six months to one year of each other. The location of the recreation center hasn't even been determined yet. It can't be built until that discussion has taken place. He envisions getting going on the events center and continuing the discussion on the location and design of the recreation center. C. Kirk stated that while he appreciated Brent Uibel's public comment about getting more input from architects, he is ready to vote between the two firms that presented tonight. He was impressed with Curtis Miner Architects. If the city can save significant money by going with Ken Harris, he would be okay with that. The Council can see more architects, but he doesn't feel that the decision would be any different or any clearer. He liked what he saw from Curtis Miner Architecture. Two more weeks delay and more architects may not be any better.
- Brent Uibel stated that the Blue Ribbon Committee never expected or understood that there were pools of money to build everything. And the Blue Ribbon Committee did not intend simultaneous to mean at the exact same time. One has to come first. Some talked about the events center being the priority. He likes Curtis Minor but worries that he will spend a lot of the

City's money on finishes.

- Mayor Richardson stated that going with Ken Harris Architects will only save money if the Council likes the exact footprint that has already been drawn up. As the Council goes through this process, it is important to choose the right firm; but also choose community members that will help get the right building at the right price.
- Konrad Hildebrandt stated that there is a huge asset in Mr. Uibel. He has a keen eye as an engineer. If he is willing, he would be a good asset in participating in the process.
- C. Perry stated that his biggest concern isn't in the architect. The Council needs to be clear on the amount of money that is being spent in each location, and whether the Council has adopted the Blue Ribbon Committee recommendations. He isn't comfortable making a decision on architects without having some discussion on how much it will cost. The amount thrown around was \$2 million, but it was never voted on.
- C. Kirk stated that the Blue Ribbon Committee made sound recommendations and also made some assumptions and recommendations regarding funding without sound knowledge. The cap that has been discussed is \$1.8-2 million. The more that can be saved, the more that can spend on the next project.
- Konrad Hildebrandt stated that until the facility is designed, you can't get a good idea of what it will cost. Along the way, things can be tweaked to the right price. The \$1.8 to \$2 million that was presented was turn-key.

C. Jackman excused. (8:45 p.m.)

**MOTION: C. Kirk - That the City of Cedar Hills select an architect for further planning and moving forward with the concept of a community events and recreation center at the current golf course, and we select Curtis Miner Architecture (CMA).** Seconded by C. Martinez.

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

Further Discussion:

- C. Wright asked if she could meet with the architect to give direction.
- C. Perry stated that it would be better if Council gave feedback to one staff interface so the architect has one contact person and isn't trying to please five people with different directions.

9. Review/Action on Amendments to the City's Annexation Policy Plan (Readdressed)

Mayor Richardson stated that past annexation policies have been adopted by resolution so item 9 needs to be done by resolution.

**MOTION: C. Perry - To adopt Resolution No. 9-21-2010A, a resolution adopting an annexation policy plan for the City of Cedar Hills, Utah.** Seconded by C. Kirk. Vote taken by roll call.

Yes - C. Kirk  
C. Martinez

C. Perry  
C. Wright

Motion passes.

8. Review/Action on Amendments to the Fiscal Year 2011 Budget (July 1, 2010 to June 30, 2011)  
(8:54 p.m.)

See handouts.

Rebecca Tehero reviewed the four budget amendments. (1) Increase budget from \$13,500 to \$27,000 for Caselle Clarity (accounting/billing program). It was scheduled to be upgraded previously, but delayed so staff could research other software programs. It is now scheduled to be upgraded in November. (2) Increase budget for IT support. The City currently has a contract for five hours of IT support per month at a cost of \$5,100 yearly. The proposal is to increase to a full-support contract at \$14,000 yearly. In the past Greg Robinson handled IT issues, but his time is better spent in management responsibilities. (3) Expenditure to pay for lettering on the City's entrance sign at a cost of \$3,000. The budget amendment is for three sides of the sign, but one side will be done first.

Konrad Hildebrandt stated that the fourth item is because Cedar Hills is a community on the hillside with a history of movement of earth on the hillside. Staff feels it is prudent for the City to regularly evaluate the hillside. This budget amendment is to bring in a geotech firm at the price of \$10,000. It can come from the water & sewer fund balance.

**MOTION: C. Kirk - To adopt Resolution No. 9-21-2010B, a resolution adopting the amended 2010–2011 Fiscal Year Budget for the City of Cedar Hills as discussed at this meeting to be voted on by Council at this time.** Seconded by C. Perry. Vote taken by roll call.

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

Motion passes.

10. City Manager Report and Discussion (9:05 p.m.)

- A Special City Council Meeting will be held tomorrow at noon.
- The LDS Church desires to augment food banks around Utah and have chosen Walmarts as collection points. The development agreement with Walmart may not allow this without Council approval. Staff recommends they have the ability to collect food for the food banks.
- The Lone Peak Public Safety District participated in the Herriman fire and did a great job.

MAYOR AND COUNCIL REPORTS

11. Board and Committee Reports (9:09 p.m.)

- C. Perry reported that there was more vandalism at Timpanogos Cove Park with the basketball backboard broken again and paint everywhere. As a result, the staff is reviewing park reservation policies.
- C. Wright reported that she spoke to a mother who was impressed with the way C. Perry handled the teenagers who were falsely accused of the paint incident.

- C. Kirk reported that Utah Valley Dispatch Special Service District met but did not have a quorum. A third meeting will be held. He is pursuing the by-call charge with the District. North Point Solid Waste Special Service District met. Seventy percent of the tickets going through the gate are the general public, but this only accounts for seven percent of the revenue. The actual cost of processing is \$40 per ton, and it is estimated that four public truckloads make one ton. Cities that require recycling get a rebate on recycling. He would like to revisit recycling. Mayor Richardson stated that the Waste Management recycling contract is up in the spring, which might be the time to revisit recycling.
- Konrad Hildebrandt reported that a staff member participates on the animal shelter board. PETA has been bothering board members by putting their pictures on the internet and other things.

EXECUTIVE SESSION

12. Motion to go into Executive Session, Pursuant to Utah State Code 52-4-204 and 52-4-205 (9:35 p.m.)

**MOTION: C. Wright - To go into Executive Session to discuss the character and competence of an individual.** Seconded by C. Perry.

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

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

13. Motion to Adjourn Executive Session and Reconvene City Council Meeting (10:18 p.m.)

**MOTION: C. Kirk - To adjourn the Executive Session.** Seconded by C. Wright.

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

ADJOURNMENT

14. Adjourn

This meeting was adjourned at 10:20 p.m. on a motion by C. Kirk, seconded by C. Perry, and unanimously approved.

Approved by Council:  
October 5, 2010

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