

PUBLIC HEARING AND CITY COUNCIL MEETING
Tuesday, May 17, 2011 7:00 p.m.
Public Safety Building
3925 W Cedar Hills Drive, Cedar Hills, Utah

Present: Mayor Eric Richardson
Council Members: Ken Kirk, Marisa Wright, Scott Jackman, Stephanie Martinez, Jim Perry
Konrad Hildebrandt, City Manager
Kim Holindrake, City Recorder
Greg Robinson, Assistant City Manager
Courtney Hammond, City Meeting Transcriber
Others: Cliff Chandler, Susan McGhie, Julie Buswell, Wendie Edwards, Kyle Castle, Andy Atwood, Linda Atwood, Todd Andersen, Dianna Andersen, Ted Edwards, Kris Thorne, Jeff Bosgraaf, Diane Kirk, Bob Bonham, Mary Bonham, Marilyn Dearing, Jerry Dearing, Natalie Barrett (Daily Herald), Andy Jensen, Shirlene Jensen, Harland Clark (Timpanogos Times)

COUNCIL MEETING

1. This meeting of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 7:06 p.m. by Mayor Richardson.

Invocation given by C. Wright

Pledge of Allegiance led by C. Kirk

2. Public Comment (7:07 p.m.)

Julie Buswell: Ms. Buswell is an Alpine resident who runs a shaved ice business. She would like to open a shaved ice stand in Cedar Hills. As the ordinance stands, her type of business would have to be located on developed commercial property. The only area is Walmart, and Walmart has told her they have corporate policies that prohibit such use. She would like to meet with the City and see if there is another place where her business can be located. In Alpine, her business gives 20 youth a summer job, and it has a positive impact on the community. She has a portable shack that she can move off premise in the off season. She is not plumbed, so she brings water in and out. She opens the first of May and closes when school starts.

PUBLIC HEARINGS

3. Amendments to the City Code, Title 10, Chapter 2, Definitions, Regarding Animal Units, Small, in all Zones (7:12 p.m.)

Wendie Edwards: I just wanted to show you on May 7th what was in the insert of the Deseret News. It says "Backyard Farming and Ranching Are Booming." It is a big deal all over the nation. One of the reasons why is because of the continued—well not only the continued idea of going green and back to the earth and all that kind of thing, but also we have some economic instability that we are looking at. In order to have this—this is really great because it gives every family the opportunity to be self sufficient, to be able to provide for their families. Alpine, Highland, Pleasant Grove, Lehi, Orem, Provo, Spanish Fork, Salt Lake, and Cedar Hills all have a small animal ordinance that allows their families to do this. That is amazing. The thing that is

frustrating though, is the percentage of people who are allowed to have small animals here in Cedar Hills as compared to everywhere else. We were able to obtain the amount of land per lot from the Public Works of Utah County. And it showed us that in Highland, which ordinance is 50 feet, only 1% of their lots are less than .25 of an acre. I think everyone knows that. That allows every single person in their city to be able to have small animals. Alpine same thing. Zero percent of their lots are less than .25 acres, and theirs is 75 feet, but still 100% of their people are all allowed that choice. I went to Provo. Provo, 72% of their lots are less than .25 of an acre. Their ordinance is 15 feet from the property line. So again, they took into account the smaller property lots. In Orem, 73.9% have less than .25 of an acre. Theirs is 10 feet from the property line. So again they took into account their property sizes. In Cedar Hills 44.4% of the lots in Cedar Hills are less than or equal to .25 of an acre. Lots that are my size are one-third. One-third of Cedar Hills are lots of my size. That means at least a third of the population of Cedar Hills is excluded from having the ability to have small animals on their property. The reason why I am bringing these things up is because I want to focus on the facts here and not rumor and innuendo or things like that. I would really like for us to come in line with the other cities around us namely because I think it's an opportunity for all of us to be able to have small animals. I was told that this particular ordinance was for single families like mine. I hope that is true.

Susan McGhie: I was very happy when you passed this last time. I think I was the only one that spoke that time. I just wanted to continue for—kind of what she is saying—more people to have it. I actually moved from Silicon Valley. I lived in Cupertino where Apple is located. They allowed chickens there in the middle of Silicon Valley. The fact that we are limited at all and not let any and everybody to have it, I don't understand why not. I don't find a problem with chickens. I had them as a youth and have them now. I meet the current quota. I'm not here because I don't meet it. I'm here for everyone else who would like to have them. Because last I checked chickens are pretty quiet. They don't bite. I've never had my kids bit by a chicken, where they have been very scared by dogs. Yet we allow dogs to be out and about. Dogs poop in my yard. I've never seen anybody's chicken poo in my yard. I've used my chicken poop for fertilizer so I don't mind that in my yard. Of course I can't complain. It doesn't smell. Dog poo does. If we are going to be on equal terms, we should really consider what we allow for dogs, and yet we are being much more controlling when it comes to chickens and things like that. I've never been woken up by a chicken. We don't allow roosters. Hens don't actually crow at the crack of dawn. They will make noise when they lay an egg, but that's always when it's a little warmer in the middle of the day. But it's really not that loud. Most of my neighbors don't even know that I have chickens. Occasionally in the middle of the day, it's like, "I hear a chicken. Do you have chickens?" It's in the middle of the day, and it took them a year before they knew I had them. So I would just continue to see how inclusive you can be. Compared to where I lived in Cupertino, the lots here are huge and they didn't have any issues. Same in Santa Clara where I lived, they allowed chickens. I would just continue to encourage you to not be so restrictive and just do more for everyone. Whether or not they do it for economic reasons, I don't necessarily do it for economic reasons. I do it because I want to know what I am eating. Sorry but I don't trust a lot of our produce makers anymore. I am a big organic person and want it to be safe food.

Kyle Castle: My current lot size is .125. That's where I live now. Most of my neighbors have the same lot size as I do. It's my opinion that our lot sizes are too small for chickens. Within the ordinance is the 50 feet ruling. I think that is acceptable. I would actually like it a little bit more. One chicken doesn't smell, but as you add the numbers and everything else, those do accumulate as well as do their droppings. Specifically, on my neighborhood, the topography is a huge issue. I have a 3-tiered rock wall. Each tier is 4–6 feet tall in my backyard. So my back window is eye

level with my neighbor's backyard—my upstairs window is eye level with my neighbor's backyard. So we have a very hilly neighborhood as you are hopefully aware. Regardless of what Cedar Hills or regardless of what Alpine or Pleasant Grove or Highland allows, our lots are different than theirs. Alpine, most of them are an acre. In Highland, most of them are half an acre. Cedar Hills, however, is not. My lot is .125. I think that is too small to have animals on that size of a lot. That is why I'm here. That is my opinion.

Dianna Andersen: I am here in favor of changing the ordinance to 30 feet. I feel that it should be everyone's opportunity to be able to have chickens. My chickens are pets. My children love them. Right now we don't have a fence. That is a big problem. We are planning on getting it after we knew if we can keep them or not. So, the other day they were in my neighbor's yard because someone let them out in the morning. I know that that's a problem. I've been listening to them the last few weeks when I knew it's been an issue. I've timed with a timer, the shortest amount of time that they made any noise was 10 seconds, and the longest was 2 minutes. And it wasn't even every single day that that happened. Some days a few of them would make noise. Other days I wouldn't hear them at all. And I leave my windows open. I'm just saying that chickens are, in my opinion, in my experience, they are quiet. When they do make noise, it is quieter than a dog barking, in my opinion. Being close to other people, to me it's not a problem, but of course they are mine. Another thing, the smell. I cannot smell them at all. I've been leaving my windows open, and I go outside and I smell them. That is not an issue to me either. Letting people have chickens on smaller lots, to me, is fine. I just encourage you guys to look at the facts and what other cities are doing. I think that is awesome. That is all.

Andy Atwood: I just have a few pictures to give you an idea of what it is like from our backyard. We don't have anyone immediately bordering us that have chickens. But just so you can see what it's like with the density there. I think the ordinance is fine as it is. I agree with others when they say that actually it probably should be greater, especially with the topography of our lots. I think a further setback would even be better, just because they are too close to us. I don't dispute that there are benefits when people want to have chickens, but I don't like it when it impacts my enjoyment of my property. At the Planning Commission meeting two weeks ago, it was brought up by one of the Planning Commissioners that the point of the original ordinance was not to allow every lot in the City to have these types of animals because of the size of lots. I think that was the point of the original ordinance, and we need to stick with that. Like I said, they are more than 50 feet from my backyard, but I still hear them and smell them. I know it's probably not constant, but it does happen. There are some huge concerns that I have. Safety. We've had quite a few coyote sightings in the neighborhood this spring. At least six that I know of and have heard of personally. In the past we have never had any in the neighborhood. They are coming down pretty early in the evening, as early as 8:30. And they have been seen as late as 10:00 in the morning right down in the neighborhood where we have kids walking to bus stops. I'm also concerned about the chicken and rabbit feed attracting mice and other rodents, which then attracts more rattlesnakes. We already have a problem in the neighborhood. We've had rattlesnakes that live there. But attracting more isn't what we really need to be doing. I know you can probably go on the internet and find anything, but I printed out an article from the CDC, which I think is a pretty reliable source that talks about the potential for disease to be spread. We had a chicken in the neighborhood that was diseased that had to be put down. That got me thinking about the concern of passing on germs and other things to kids in the neighborhood. If you read through that there is a couple of things, but one of them is "Assume that any area that the chickens have come in contact with is contaminated with salmonella." They can carry that. I'm not saying that every chicken does, but they can and do carry that. I think you know what

with chickens, they can roam, especially when there is no fence involved. That is a danger to other people's lots. I won't talk a lot about noise. They do make noise. I hear them. As I was sitting in my house the other day typing an email, the windows were closed, I heard chickens. It's not a constant noise, but there is noise. I'm concerned about the value of my home. We have a neighbor that is trying to sell her house. She's had quite a few potential buyers walking through commenting on the view out the back window of chickens. I'm not trying to focus on any one lot, I'm concerned that if the ordinance changes more and more people will get chickens in our neighborhood and turn it into even bigger and bigger problems. I just want to encourage the Council to go along with the Planning Commission recommendation and leave the ordinance as is.

Linda Atwood: I think my husband took a few of my points, but I want to go back over it. I do want to say, I have nothing against chickens. I believe it's your opportunity to have them as a pet, to keep them for economic reasons, whatever you think. I just do not think where we live is the right place to have them. I think that the reason the City has the 50-foot ordinance in the first place is so that lots like ours do not have those kind of animals. Our neighborhood is a little different than others because, like Kyle Castle mentioned, we are stacked. Our houses look right out directly into other neighbors, and they can look back down into ours. If the restriction changes to 30 feet, I have the potential to be surrounded. My lot is so little as it is. I can't imagine that. One of my main concerns is the coyotes. We've lived here for five and a half years and have never seen one. And in the last two months have had six or more sightings. My husband saw one himself. They have been seen going between the yards that have the chickens. One of those, the Andersen's home, is directly where one of the charter school buses picks up. That makes me very nervous. Another place they've been seen is directly where tons of kids walk to go to the public school bus stop. They have been seen at 10:00 in the morning there. That is a fear for me when I let my kids out the door to go to school. The other issue that I have is that they do make noise. We have heard them with our windows closed. My kids have been woken up in the morning with our windows closed. We have had to close our windows at night. When we want to sleep with them open, we've had to close them when it gets to noisy. We can't sleep because we can hear it. There have been many times—it's not a 24-7 noise—but there are times where I've had my window open and it is going on consistently for quite a while. I've had to close my window because it just starts to get to you. A couple of weeks ago, I've noticed it twice, one of those pictures show the Edwards had a rabbit hanging from the back deck, and they were skinning it. If we had bigger lots I might not be forced to see that. I don't want my kids seeing that. I don't really want to have to look at it when I'm out back having a barbecue or whatever. I don't want to have to watch that. I'm also worried—I've talked to a few realtors. They say that our property value won't go down too much because of this. But our problem is going to be trying to sell our home. That is going to be a big issue. As my husband mentioned, we have a neighbor next door to us who is a little closer to the chickens. She has had numerous people say as they've looked through the house, they have commented on it because they can see it directly out her window, that that has discouraged them. Those neighbors are actually moving because they want those kinds of animals, so they are moving to a lot where they can actually have them.

Kris Thorne: The reason I'm here is to protect my property rights. As stated in the meeting with the Planning Commission, most of our yards are between 5,000 and 8,000 square feet. Prior to Planning Commission meeting, one of the families that is contesting or appealing the ordinance right now had upwards of 10 – 12 chickens, 14 – 17 rabbits, and also honeybees. While I admire what these families are doing, there is a time and place for everything. This may be the time to

be self-reliant, but it is not the place. Our neighborhood was not planned or built with small animal farming in mind. We wouldn't be in the situation if these families had just followed the city ordinance as they were or petitioned to change them before they set up operations. We understand that they either didn't check with the City before they moved ahead, or that they knew and decided to go against the code anyway hoping that nobody would say anything. If they had checked with the City they would have known that bees are not allowed in Cedar Hills. The concerns I have are with coyotes. There have been half a dozen or more sightings. Two of them were by me. One of them was when I was out early in morning walking my dogs. I had one about 20 feet in front of me, and it was a little bit frightening. Last summer we lost a cat. We think it was a coyote because there were no responses from lost and found ads, and we didn't find a body. Since then we've talked to numerous people in our area who have lost cats also. They coyotes are a concern. They are attracted to the noise and smell. The chicken feces is a concern because a couple of the neighbors that live below the people that have chickens, the chickens scratch the feces down into the houses below. The neighbors' dogs walk around in it, track it around, and bring it in the house. The same thing happened with neighborhood cats. They track it in the house. Our lot sizes are less than an eighth of an acre. Most of our house are approximately 16 feet apart. They are just too small to raise farm animals. There is a smell to chickens. The reason why it may not be prominent now is because it hasn't been 8- 90 degrees yet. I was raised with chickens when I was a young girl, and there is definitely a smell in the heat of the summer. And again, we are very close together. The noise, twice this last month when I've been sitting on my deck talking on my phone, the chickens from the Andersen's backyard have been making so much noise that my callers have asked me to go inside because they can't hear me. I sent a video to all of you on May 11 showing an example of the size of our backyard and also some of the noise that we hear. That recording was one of six that I recorded in a 30-minute block of time. So they do squawk for longer than just a few minutes at a time. Again, the purpose of my coming here is to protect my property rights.

Todd Andersen: I'm for proposing to change the ordinance so more can have chickens. As has been mentioned earlier, coyotes have been seen. We've lived here five years. We've seen coyotes even before we've had chickens. Even on the Cedar Hills website it says that we have wild animals that live here. We live on a mountain, so there are coyotes here. We live in such a tight community; a lot of rumors get spread. Such as, I heard that there was a diseased chicken on the street. The chicken was ours. It wasn't diseased. It was injured, and we chose not to go to the vet to get stitches or whatever it needed. So we chose to have it laid down. I think there are a lot of common misconceptions. I hope that doesn't get around to the CDC that there are diseased chickens in the neighborhood. That is a concern like all other small animals. They do get vaccinated just like cats and dogs. I want to read a letter; this is from a neighbor of ours. Her name is Stephanie Partridge. She lives on our street. She says, "To whom it may concern. I never would have thought that having a chicken coop in our neighborhood would be so beneficial. Before the Andersens put their chicken coop in, I was pretty agitated by all the loose dogs that played in our yard. I would sometimes find myself bothered by loud vehicles that would wake up my boys at night. I wondered if having chickens two houses down would be an added nuisance to our family. Subsequent to the chickens coming to be part of our neighborhood family, I have found them to actually be very beneficial. Every spring we are compelled to leave the trash receptacle at the front of our house most of the week because of the smell of the picked weeds and yard waste are too strong to keep it in our garage. This is the first year that I feel we can be a little more green because I can carry over our buckets of weeds over to the coop for the chickens to eat. I love to be able to have our weeds go to good use. I also have to mention that of all of the

dogs and cats that roam our neighborhood, the chickens are the best with my two toddler boys. I've never had to worry about them biting, scratching, or barking at my children. They don't walk the streets unattended leaving waste everywhere, but instead use our waste and produce chickens for eating. Rather I wonder why more people don't have chickens. I can understand why immediately neighbors may have concerns just as I may have concerns about other common household animals. But like the cliché says, tall fences make for great neighbors. I wish this weren't the case; but instead of unrealistic requirements for a beneficial animal, why not just require a fence.

Jeff Bosgraaf: I oppose the ordinance change mainly because of safety factors. I live in the townhomes, so we don't hear or smell the chickens. My neighbors and I are mainly concerned of the safety issues that are being attracted into our neighborhood. As you guys know the land area, the south side of the neighborhood is completely free for any wild life to come into the neighborhood. Last winter, as I'm sure you are all aware, there was a cougar that was behind the west side of Morgan. There were deer that would bed down every night on the west side of Morgan. You could see them come down every night and then leave every morning. Finally a smart enough cat figured out where they were. That is where our concern is. We have kids that play in that circle. They are constantly riding bikes. Our concern is that it is attracting dangerous animals into the neighborhood. We see rattle snakes all the time. Whatever we can do to prevent further dangerous animals into our neighborhood would be fantastic. We live where we live. I planted a garden on Saturday, Sunday morning, gone. Gone because of the deer. I'm 100% okay with that. It's where I live. I invited those deer down by planting my garden and not covering it. It is what it is. That's where I feel the same thing applies with chickens or other small farm animals. It's going to bring into our neighborhood rattle snakes with feed, coyotes with their presence. It makes us nervous that we could potentially have harm come to our kids. I would rather have safe kids than cheap eggs.

Mary Bonham: I have chickens. When I came to the meeting two weeks ago and heard about all the noise and all the smell, I thought, "Wow. Are they talking about a different animal?" I don't hear that. So I really started paying attention. I did hear a car one morning going, "vroom, vroom," and my chickens went "bak, bak," while it was going. Once the car drove off, the chickens shut up. Every now and then they go "bak," because they've laid an egg. It's like, "come look at me because I've laid an egg." And one was like this big, and I can understand why they were yelling about that. It's like maybe one minute once. They are just cute. People walk up and down the walking path, and they come and see the chickens. Anyway it sounds like different creatures when I hear some people talking about them, than what I am experiencing myself. I don't like to be exclusive. If it's really that bad and really that smelly—even though I don't smell it, then fences. I don't see why you can't just do a fence. I am in favor of being all inclusive and letting everyone have not cheap chicken eggs, believe me these eggs are more expensive than anything I would buy, but I know what I'm getting. I'm in favor of chickens.

Bob Bonham: I just wanted to say, I've listened to comments today. And, yes, we do have chickens. Everyone that walks by the walking path just loves the chickens. Children come over and look at them. It's pretty educational. People have been talking about noise. I've been listening to the noise. I've been on the Andersen's deck listening one day. Chickens are pretty quiet. I don't see any problems with that. Maybe the smell will get worse when it gets a little warmer. But there are ways of treating that. I know that the Andersens work on that. The noise, when I think of noise, I think of cars. I think of dogs. That's what keeps me up at night. Motorcycles coming up and down the street. Now talking about dangerous animals. I'm thinking that we are right against a mountain. That right there is saying we are living with nature. Nature

is there, and it's going to be around. Coyotes go after lots of animals, not just chickens. Also, I just want to say, this is kind of a fun thing. We took a trip to Kauai in Hawaii. I think their state bird is the chicken. There are chickens running free. I've never heard anyone complain about chickens there. They are just beautiful. There are roosters everywhere too. It's a beautiful sight to see. The local people love them. I hope you reconsider and help people who want to have chickens in this small area.

Shirlene Jensen: I'm a farm girl. I grew up on a small farm in southern Utah. To this day my parents in their 70s have 30 – 40 chickens. It's something that I grew up with all my life. I've seen the Edwards chicken coop area. It is extremely tidy. She has some nice barns for the chickens to go into. She has pine chips. It didn't smell bad to me when I was there. I don't know the issue with the smell. I hope you can reconsider the ordinance for distance between the homes and allowing small animals like chickens to be in the neighborhood. Unfortunately we have a neighborhood with small, small lots. Nothing in Cedar Hills compares to our area at all. Not like my parent's lot which was about an acre. But we had roosters, and it would wake people up. But nobody complained about it; they were very sweet. But then, everybody had chickens. It has become a sensitive issue unfortunately, and people are leaving the neighborhood because of it. That really breaks my heart. It truly does. I just hope you will consider the ordinance that everyone would like to have animal rights on their property.

4. Fiscal Year 2012 Budget (July 1, 2011 to June 30, 2012) (7:47 p.m.)

No comments.

CONSENT AGENDA

5. Minutes from the May 3, 2011, Public Hearing and Regular City Council Meeting (7:48 p.m.)

MOTION: C. Kirk - To accept the consent agenda. Seconded by C. Martinez.

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

SCHEDULED ITEMS

6. Review/Action on Amendments to the City Code, Title 10, Chapter 2, Definitions, Regarding Animal Units, Small, in all Zones (7:49 p.m.)

See handouts.

Staff Presentation:

Greg Robinson stated that the Planning Commission received many of the same comments heard in the public hearing. While the Planning Commission saw merit in the discussion, it suggested that the ordinance stay as written because some areas don't have enough space and there are limits to what someone can do with small lots. Provo requires a 15-foot distance from the property line, but on small lots limit the number of chickens to two. Orem requires a distance from the property line, however also requires 85 feet from a neighboring home. The Cedar Hills ordinance requires 50 feet from the structure on a neighboring property. The reason being it gives a buffer from the actual dwelling where people spend their time.

Council Discussion:

- C. Perry stated that he finds it arbitrary to require a certain distance from a neighboring house. If he had a big lot and his house was 50 feet from his property line, a neighbor could put a chicken coop right on the fence line. He understands that some restrictions may be required that preclude certain activities on certain lot sizes but doesn't see the wisdom in restrictions where property rights are controlled by where a neighbor decides to build their house. Using the building envelope or property line makes more sense. He said he can see both sides of the issue. There will be wildlife issues on the mountainside. He has had a mountain lion tear apart a deer in his driveway. He also has chickens and dogs equidistant from his bedroom. The dogs are louder. He stated that he doesn't know why chickens are considered separately from dogs, cats, or any other animal. Chickens should be considered together with animals that have a similar impact.
- C. Wright stated that she is torn. She has five chickens. She watched the video sent by the neighbor and agreed that it was loud. With her own chickens, she only hears them when they lay an egg. One of her neighbors loves the chickens and appreciates the fertilizer. The other neighbor doesn't like the chicken poop or the dirt scratching. Yet if someone told her that she had to get rid of her chickens, she would be devastated. She brought up the issue of chickens initially because chickens were against the law, and she wanted chickens. She would not do it if it was against the law. She is bothered that some residents have gotten chickens knowing it was against the law. The balance between letting people do what they want on their own property but protecting the rights of neighbors is delicate. The coyote issue does not hold water with her because there have been only two fatalities from coyote deaths in North America. She may consider a change that restricts the number of chickens allowed based on lot size, similar to Provo's ordinance.
- C. Kirk stated that he has been on both sides of the fence. He moved from his home in Sandy because he wanted horses and animals. He has raised horses, ducks, even steers for slaughter. He loved having the animals but moved in order to do it because he could not do it legally in Sandy. Originally Cedar Hills had no ordinance that allowed these types of animals. The ordinance was constructed to allow as many as possible to raise small animals but was never meant to include everyone. If you want an agricultural area, you need to move to an agricultural area. He currently raises honeybees. They are in an orchard, not his backyard. He sympathizes with those who want to have those animal rights but can't have them. He can't support a change tonight. He is open to a recommendation from the Planning Commission that considers other options.
- Mayor Richardson stated that this discussion is about degrees. The ordinance may state the right number for Cedar Hills, it may not. This isn't an all or nothing. Many CC&Rs don't allow chickens, no matter what the city ordinance is.
- C. Martinez stated that part of the issue in the situations presented is the unique configuration of the lots. Perhaps a better way to look at this is the number of chickens allowed per square foot. Even in that case, the lots in the Cedars East may still be too small. She chose to live in a town home for a reason. She would love to have chickens but can't because of that choice. She would love a trampoline, but can't because of where she lives. She would like to see a recommendation from the Planning Commission.

MOTION: C. Perry - That we refer this back to the Planning Commission with the guidance that they consider not only the impact on neighboring residents and how personal choices affect or should not affect neighboring residents and comparisons of various animals and various uses of said animals such as for egg laying versus slaughtering or meat including chickens, rabbits, dogs, and what have you and come back to the City Council with a recommendation about what the ordinance should be with no constraints. Seconded by C. Wright.

Further Discussion:

- C. Martinez stated that she would like the Planning Commission to consider requiring fencing.
- C. Jackman stated that he would also like them to look at a graduating scale so there are not too many animals on a small lot.

Yes - C. Martinez
C. Perry
C. Wright
No - C. Jackman
C. Kirk

Motion passes.

Further Discussion:

- Mayor Richardson stated that he would like this matter to move forward expeditiously and that City staff should work with those that are not in compliance.

7. Review/Action on Recreation Programs for the Community Recreation Center (8:39 p.m.)

See handouts.

Staff Presentation:

Greg Robinson stated that this item is purely informational about new and exciting programming ideas for the Community Recreation Center. Staff is putting together a job description for a manager for the facility. The programming list presented is a list of activities that the City intends to offer.

Council Discussion:

- C. Kirk stated that he would like to see some parameters for usage such as fees and charges and which type of events are considered public-service events versus for-profit events.
- C. Perry stated that he wants a review of the policies for the Community Center for how the programming will work. He likes all of the ideas on the programming list.
- Mayor Richardson stated that programming won't be any different than how community services currently runs. The difference may be determining whether someone wants to offer a class through city programming or rent the facility to run their own program/business. He asked staff to prepare a review of the policies of the center as it relates to use by various groups.

8. Review/Action on a Resolution Adopting the Fiscal Year 2012 Budget (July 1, 2011 to June 30, 2012) (8:59 p.m.)

See handouts.

Staff Presentation:

Rebecca Tehero presented the Fiscal Year 2012 Budget.

Konrad stated that the budget contains estimated revenues and estimated expenditures, only partially based on historical data.

Council Discussion:

- C. Kirk stated that when budgets are based on the previous year's budget, it can lead to unnecessary spending. He would like to see more conservative budgeting. He would have liked to see this document much earlier. He knows the City is prudent and prioritizes funding. His comments about conservative budgeting are more cautionary than accusatory.
- Mayor Richardson stated that the City uses conservative, zero-based budgeting procedures, and each line item is scrutinized. Spending is prioritized, and many items are cut. The budget presented tonight is the end result of that process.
- C. Perry clarified that the City Council does look at every line item and uses zero-based accounting. In addition to a level of service, he would like to see a value indicator because the level of service understates what the City is able to achieve with a limited budget.

9. Discussion on the Splash Pad Aquatic Zone (9:56 p.m.)

See handouts.

Staff Presentation:

Konrad Hildebrandt stated that the goal of a splash pad aquatic zone is to provide recreation. The proposed completion would be by Memorial Day 2012, and it would be operational every year from Memorial Day to Labor Day. Initial construction would be a splash pad with possible future additions or a swimming pool. The proposed splash pad would be similar to Alpine, which while not big, fits the budget. It is proposed that the splash pad be constructed in conjunction with the Civic Center with shared parking. It can use culinary water, which would drain into the pressurized irrigation system. That way there is no recirculation of the water in the splash pad, and no need for health official testing. With culinary water no chlorine is needed; though the water is cold.

Council Discussion:

- C. Wright asked that chess/checker tables be considered for the grassy/pavilion area.

The consensus of the Council is to pursue the splash pad option.

10. City Manager Report and Discussion (10:20 p.m.)

- The interlocal agreement with North Point Solid Waste Special Service District was put on hold and may become a memorandum of understanding at a future date.
- The Youth City Council mayoral election is coming up.

MAYOR AND COUNCIL REPORTS

11. Board and Committee Reports (10:22 p.m.)

- C. Kirk reported that the North Point Solid Waste Special Service District (NPSWSSD) had a

board meeting. The attorney is looking at the interlocal agreement. The Board asked the attorney to look at the establishment of the District and the ability to opt out. Cedar Hills does not have a current agreement with NPSWSSD. There was a new committee established to look into the feasibility of entering a new contract for excess solid waste beyond that which is provided to Allied Waste until the Allied Waste contract ends in 2013. At that point the entire amount would be open to bid. Utah Valley Dispatch met and passed the new annual budget.

- C. Perry reported that he emailed the update on the Lone Peak Solid Waste Service District (LPPSD). To increase Cedar Hills' representation on the Board would require a change to the bylaws. Konrad Hildebrandt added that he is working on amended bylaws, but timing is important. Now is not a good time. C. Kirk applauded C. Perry's representation of the city's interests and patience during the LPPSD public meeting.
- C. Martinez reported that there will be an article about National Trails' Day in the June newsletter. Sage Vista Park equipment was installed. The community is going to work on some shade for the area.

EXECUTIVE SESSION

12. Motion to go into Executive Session, Pursuant to Utah State Code 52-4-204 and 52-4-205 (10:40 p.m.)

MOTION: C. Jackman - 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. Kirk.

Yes	-	C. Jackman	
		C. Kirk	
		C. Martinez	
		C. Wright	
No	-	C. Perry	Motion passes.

*** EXECUTIVE SESSION ***

13. Motion to Adjourn Executive Session and Reconvene City Council Meeting (11:02 p.m.)

MOTION: C. Jackman - To Adjourn Executive Session and Reconvene City Council Meeting. Seconded by C. Perry.

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

ADJOURNMENT

14. Adjourn

This meeting was adjourned at 11:03 on a motion by C. Perry, seconded by C. Jackman, and unanimously approved.

Approved by Council:
June 7, 2011

/s/ Kim E. Holindrake
Kim E. Holindrake, City Recorder