

PUBLIC HEARING AND CITY COUNCIL MEETING  
Tuesday, February 21, 2012 7:00 p.m.  
Public Works Building  
10246 N Canyon Road, Cedar Hills, Utah

Present: Mayor Eric Richardson, Presiding  
Council Members: Jenney Rees, Trent Augustus, Gary Gygi, Scott Jackman, Stephanie Martinez  
Konrad Hildebrandt, City Manager  
Kim Holindrake, City Recorder  
Courtney Hammond, City Meeting Transcriber  
Lt. Sam Liddiard, Police Department  
Others: Marshall Shore, Karissa Neely, David Hart, Stan Hart Scout Troop 1192, Marisa Wright, Ken Cromar, Angela Johnson, Jerry Dearing, Brandon Dyer, M. P. Hickenlooper, Robert Chesworth, Taura Roberts

COUNCIL MEETING

1. This meeting of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 7:09 p.m. by Mayor Richardson.

Invocation given by C. Jackman

Pledge of Allegiance led by Samuel Murdock

2. Public Comment (7:11 p.m.)

Brandon Dyer: Mr. Dyer is with Perry Homes. He was supposed to be on the agenda tonight, but received a phone call last week from Greg Robinson that the area was not zoned for an eight-plex. He was only told that after initial concept plans were approved by the Planning Commission, submitting engineered drawings, preliminary approval from the Planning Commission, and submitting a water perc test. He is frustrated that he was only now informed that zoning does not allow an eight-plex after the time and money Perry Homes has put in this project. He doesn't understand how he could be this far in the process, having talked to the Planning Commission, the city engineer, and the city planner. He is asking for a variance. The Bridgestone HOA is in favor of the plan.

Jerry Dearing: Mr. Dearing stated that he would like the City Council to move slowly and cautiously with and civic center analysis. He reminded the Council that residents have asked many times that such a building not be considered at this time. If there is \$1 million in funds, it should be used to pay down debt. An initiative petition was certified to the City in August regarding the need to bring any construction of a building costing more than \$400,000 to a vote of the residents.

Monty Hickenlooper: Mr. Hickenlooper is a member of the Bridgestone HOA. He supports Perry Homes. The HOA is solidly behind Perry's plan for Bridgestone. He appreciates the City's willingness to work with Perry Homes.

Robert Chesworth: Mr. Chesworth is a resident of Bridgestone and president of the HOA. He moved into Bridgestone three and a half years ago. At the time there was a prominent eyesore and attractive nuisance, which was an exposed foundation for a building adjacent to Deerfield Elementary. After Perry Homes took over, they put a fence around it. He is shocked and disappointed by the latest development between Perry Homes and the City. The alternative to the proposed Perry plan will be to have that vacant field in perpetuity full of weeds. It is an eyesore and affects property values of existing homes. He supports any action to permit the development to proceed.

Ken Cromar: Mr. Cromar concurred with what Jerry Dearing said about resources being used

to pay down debt. The City is in debt. The golf course is losing money every year. He feels the City is heading in the wrong direction. He encouraged the City to pay down debt first. The included paperwork for the meeting states that it is anticipated to add 4-5 employees. He suggested doing what other cities should do, which is cut back. It is not necessary to continue to grow the government. He found it interesting to listen to the press conference. He has had his name abused for years. Mr. Cromar, Mr. Dearing, and Mr. Sorenson were invited by Senator Valentine to testify with regard to a new senate bill. Cedar Hills has been called the poster child for the need for this bill. Citizens' complaints need to be given a fair hearing. It looks like the bill will fly through. He asked the Council to not move too quickly with building. He also told them that, rather than immediately assuming and siding with the City Manager, they should remember that they have sworn an oath to protect the state and federal constitution. He asked them to check that if the information in the document filed with the court is true.

Marisa Wright: Ms. Wright stated that she wanted to speak in regards to the recent exoneration of the city manager and mayor. She has a Google tool that notifies her any time Cedar Hills has been in news. She has been embarrassed in the past few months by the nonsense that the paper has written. Every city has some problems, big or small. For some reason Cedar Hills residents think it is appropriate to go to press. In behalf of most residents, she said enough is enough. Every city has problems, but Cedar Hills has residents that cry wolf. She stated that she is pleased that the county attorney saw no merit in the case, and it was dismissed. We have small problems and we elect people. That is how a republic works. She encouraged people to program the city council members' numbers into their phone and ask questions. Our elected officials are competent and capable.

Angela Johnson: Ms. Johnson lives near Bridgestone. She hopes that a variance can be made for that. She is looking forward to the Perry Homes development. Regarding the finishing of the community center basement, if there are funds available, she thinks it would be great. If not, she encouraged the Council to not do it. She is disturbed to see talk of a new city building. That was the reason she ran for the City Council. She finds it interesting that the City Council meetings are squeezed into a small room, while the public safety building room is not being used. There may be money set aside but keep that for unforeseen expenses. Wait or put it to a vote. She challenged Council members to talk to people and see how they feel about a civic center. Follow other cities' examples and cut back. Don't build a civic center on prime commercial land.

#### PUBLIC HEARING(S)

3. Jacobs Annexation Located at Approximately 10018 North and 4800 West (7:34 p.m.)

No comments.

4. Preliminary Plan for Bridgestone, Plat C, Located at Approximately 9601 North and 4500 West - CANCELLED

#### CONSENT AGENDA

5. Minutes from the February 7, 2012, City Council Meeting (7:34 p.m.)

**MOTION: C. Martinez - To approve the minutes from the February 7, 2012, City Council Meeting.** Seconded by C. Rees.

Yes - C. Augustus  
C. Gygi  
C. Jackman  
C. Martinez  
C. Rees

Motion passes.

SCHEDULED ITEMS

6. Review/Action on an Ordinance Approving the Annexation of Certain Properties (Jacobs Annexation) (7:34 p.m.)

See handouts.

Kim Holindrake stated that this property is located at approximately 10018 North and 4800 West. The City has already adopted a resolution of intent. Everything has been properly noticed. No protests need to be received because 100% of the property owners are requesting annexation. In the work session the City Council talked about making the annexation subject to a development agreement.

**MOTION: C. Augustus - To approve Ordinance No. 2-21-2012A, an ordinance approving the annexation of certain properties into the boundaries of the City of Cedar Hills, Utah (Jacobs Annexation) and establishing the zone classification for said property, and in addition, pending a development agreement with both parties.** Seconded by C. Gygi. Vote taken by roll call.

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

**MOTION: C. Martinez - To move item 8 above 7.** Seconded by C. Augustus.

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

8. Presentation on a Lego League (7:38 p.m.)

See handouts.

C. Martinez brought two girls from Team Gadget Girls, a Lego League team. A Lego League will be a program that will be in the community recreation center. A Lego League is about Legos, robots, and teamwork. Halley and Kelly demonstrated what they have constructed in the Lego League. The Lego League is for teams in the 4<sup>th</sup> through 8<sup>th</sup> grades. The robots they build have to perform a specific task. The robot the Gadget Girls built has a motor, light sensor, touch sensor, and sound sensor. The start-up cost for a team is \$1000, primarily due to equipment. In following years, the costs go down. The University of Utah has donated old sets to allow teams to train and learn in the off-season.

7. Discussion on the Civic Center Preliminary Study and Analysis (7:51 p.m.)

See handouts.

Staff Presentation:

Brad Kearl stated that administrative staff is split between the basement in the public works facility and the basement of the public safety building. He was assigned to look at the office needs of the city and options to satisfy those needs. Administrative staff feels it would be best if all the staff was housed together in one building. Residents want to come to a central location within the City. The roundabout area on Cedar Hills Drive is the central hub and would not detract from the potential of the commercial district. He reviewed the office space needs for city staff. The public safety building is 5400 square feet, which included the training room that was used as the council chambers, though that space was inadequate for council chambers. There has been some talk of adding a second floor to the public works or public safety building, though construction would be problematic because it would be difficult to occupy the main floor during construction.

#### Council Discussion:

- Mayor Richardson stated that this is just the first meeting in a long process. There are many options, including doing nothing. Not everyone will agree on the correct plan of action. There are many people in the community concerned about this issue. Many are concerned about the building. Others are anxious for construction to begin. One resident sent a quote from George Q. Cannon and John Taylor that states that regard for health and beauty should be considered in public buildings. The City is considering a civic center because there are problems with the way the city staff is currently configured. Staffing the public safety building has added great benefit to the City. The City is making do, but it is not optimal. The public safety building is no longer being used for City Council meetings because it is part of the public safety employees' living space. Late meetings affect them, their ability to sleep, etc. They haven't been able to convert that space into their living quarters, just as it is in neighboring cities. There are other anticipated and unanticipated needs with the public safety building. Half of the basement in the public safety building has no windows, which, by code, can't be used for office space because of no ingress/egress. The other problem with the public safety building is that it is not ADA compliant. Some have accused him of having a wait and see attitude toward ADA requirements. That is not true. At the present time there are no other options for office space. Staff has begun an analysis of what the City has, what it needs, and what it wants. He currently sees six options, though there are likely many more: (1) Add on to the public safety building, (2) Add on to the public works building, (3) Add on to the recreation center, (4) Swap land in the commercial center for space at the roundabout, (5) Build on city-owned land in the commercial center, (6) Do nothing. Another option may be leasing space in the existing office space in Lexington Heights. For the next few meetings, the civic center discussion will take place largely during the work session. After that, as things get more detailed, the discussions will likely move to the council meeting.
- C. Gygi stated that he appreciated Jerry Dearinger's and Angela Johnson's comments during the public comment. He understands their concerns. This item will be on the agenda every meeting for months to come. It is better to talk about the issues. He hopes to explore all the options, one of which is not to do anything. He expressed his thoughts during work session. For him there is a lot of room and exploration to be made before he would be able to make any decision.
- C. Jackman stated that it would be helpful for staff to leave off any recommendations on the agenda memo for this item so residents don't get confused or worried about things proceeding. He wants to ensure that in planning for office space, the needs and wants for the present and the future are both considered. The City won't be well served by a solution that only fills the needs of today. There are a lot of options; no location has been set. He wants the needs and location

analysis done early in the process, because it will have the greatest impact on any decision. The initiative was mentioned during public comment. Residents are concerned. It should be taken into consideration. It will not be ignored. As this will be an ongoing discussion, he would like to provide highlights, history, and discussion to residents so they know what has been discussed.

- C. Martinez stated that she is excited for the process and the discussion.
  - C. Rees stated that she wants to ensure the analysis shows what is currently available in current city buildings. She is concerned about location not impeding on commercial property.
  - C. Augustus stated that the money is in the bank and available if it is the best use, but just because money is there doesn't mean it has to be spent. He wants to make the best use of available space. There will be a time in the future where more space will be needed. The construction process is long; the planning process is even longer. There is no rush to build anything, but everyone needs to be mindful of where the City is and where it is headed. As businesses come into the City, there will be additional demand on the staff, fire and EMS, etc.
9. Review/Action on Completing the Basement of the Community Recreation Center (8:43 p.m.)

See handouts.

Council Discussion:

- Mayor Richardson stated that the Council decided not to finish the basement with the building. The area that is not part of the cart storage is about 3800 square feet. It is stubbed for a unisex bathroom. Moving forward with the basement at this time allows the City to look at residential contractors, which offer a better price than commercial contractors. At 3800 square feet there is not any advantage for phasing the project. There is money earmarked for recreation programs. This will add more traditional recreation activities. The \$250,000 is based on \$60/squarefoot. Going a residential route would likely be half that amount.
- C. Martinez stated that as soon as the building is complete, she want to go in to finish the basement to get further recreation programs in. The space downstairs will be amazing for recreation programs. It will be possible to add a lift that will accommodate two people for ADA compliance.
- C. Jackman stated that using the recreation impact fee money for this project has costs, such as other projects, like the splash pad, being tabled. There is no timeline on this portion of the money. It is possible to defer. Cost of construction will increase over time. If it is something that we know is going to be done, it doesn't make much sense to wait.
- C. Augustus is a licensed general contractor. He works for Xactware, which estimates construction costs and materials. Construction costs will rise. Currently a lot of contractors are cutting their profits to keep competitive and keep their guys working. With just one floor, it is difficult to schedule and work around uses at the same time. Having a karate and zumba class at the same time might work, but a zumba class next door to a business conference may not work.
- C. Gygi stated that he feels the recreation center is a game changer for the City. He wants to plan on getting the basement finished sooner rather than later.
- C. Rees stated that most residents have said they don't want to bond for a big recreation center or aquatics center. With that feedback, it makes sense to use the recreation impact fees in this center and finish the basement.

**MOTION: C. Martinez - To move forward on exploration on completion of the basement at the Community Recreation Center.** Seconded by C. Jackman.

Yes - C. Augustus  
C. Gygi

C. Jackman  
C. Martinez  
C. Rees

Motion passes.

The Council would like some feedback from residents about what kinds of recreation equipment they would want to see and use.

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

- The new City website is almost ready.
- The Community Recreation Center completion date is April 11. The golf portion is three weeks out. Currently painting and tiling is being done. The cart barn has been removed. Most of the windows are in.
- The City is working with a financial analyst to review bonds and debt service. Bonds cannot be refinanced within the first 10 years. Refinancing the Pressurized Irrigation II bond will save the City money. It will take the interest rate from 5.9% to 3% without adding on years. It will be on a future agenda.
- Waste Management notified the City of a midyear recycling revenue of about \$8700.

MAYOR AND COUNCIL REPORTS

11. Board and Committee Reports (9:12 p.m.)

C. Rees reported that she has been getting good feedback and participation in the Community Covenant Program. The signing ceremony will be on March 20 during the work session. The website is almost complete. It is much easier to navigate. She will send a link to Council members to the beta site. There will be a button on the main page for City Council Corner. She is working on getting a city Facebook page. C. Gygi suggested a city twitter page as well. The beautification committee has been discussing the landscaping of the recreation center.

C. Augustus reported that the Planning Commission will be discussing the Harts development on Thursday. A resident asked that the City be more proactive with maintaining the flags in the City. He has had residents ask if the recreation center would have an alcohol license. Mayor Richardson stated that the City does allow alcohol sales. No decision has been made about the recreation center. The City needs to look into how to handle licensing for wedding receptions, etc.

C. Gygi reported that Utah Valley Dispatch is actively talking with cities that are not in the dispatch to try to encourage them to join. The Golf Course Financial Advisory Committee is trying to determine whether the old golf course advisory committee should be shut down, and whether to create a new committee by statute or create an ad hoc committee. He hopes to have an analysis done by the next meeting.

C. Martinez reported that the title sponsor for the Family Festival will be Harts. In the staff vs. council sponsoring contest, staff is winning. Angela Johnson suggested incorporating residents into the sponsoring contest. Midway West is booked to do the carnival. They will bring in 13 carnival rides ranging from toddler rides to teenage rides. There will also be bouncy houses at the carnival. Rides will begin on Friday night and go all through Saturday. A community volunteer will take over the vendor booths. The Youth City Council will be doing carnival games. Bingo, the cake eating contest, fire hose, dino dig and the baking contest will be back. They are also adding a grill-off. Friday night will be Dinner and a Movie. She has looked into Battle of the Bands. There is the problem of down time between bands. Mayor Richardson suggested a Guitar Hero contest on the big screen in between bands. Saturday night will be fireworks at the golf course with music for pre-firework entertainment. The Family Festival will be partnering with Pizza Pie Café. Families will get a coupon for Pizza Pie Café when they purchase their tickets that they can redeem from Tuesday through Thursday. A portion of the proceeds will go to the Youth City Council for the Santa's Workshop. The day of the city 5K is

the same day as the Utah Valley half marathon. The Youth City Council is going to start advertising now to get a Youth City Council sworn in earlier than in the past. The Youth City Council is doing the egg hunt. There will be a flashlight egg hunt on the Friday night, April 6, on the driving range for kids ages 11-15. April 7 will be the egg hunt for kids ages 0-10. A scout is working on a project for Earth Day, which involves a lights out on March 24 from 8:30 to 9:30. Current recreation sign-ups: lacrosse, tot soccer, Lego league and spring t-ball.

#### EXECUTIVE SESSION

12. Motion to go into Executive Session, Pursuant to Utah State Code 52-4-204 and 52-4-205
13. Motion to Adjourn Executive Session and Reconvene City Council Meeting

No Executive Session.

#### ADJOURNMENT

14. Adjourn

This meeting was adjourned at 9:50 p.m. on a motion by C. Jackman, seconded by C. Augustus, and unanimously approved.

Approved by Council:  
March 6, 2012

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