

CITY COUNCIL MEETING  
Tuesday, June 18, 2013 7:00 p.m.  
Community Recreation Center  
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Mayor Gary Gygi, Presiding  
Council Members: Scott Jackman, Trent Augustus, Scott Jackman, Stephanie Martinez, Jenney Rees  
Daniel Zappala (via phone, arrived in person 7:40 p.m.)  
David Bunker, City Manager  
Chandler Goodwin, Assistant City Manager  
Charl Louw, Finance Director  
Jeff Maag, Public Works Director  
Courtney Hammond, Transcriptionist  
Others: Lt. Sam Liddiard, Fire Chief Freeman, Rich Welch, Michael Geddes

**COUNCIL MEETING**

1. This meeting of the City Council of the City of Cedar Hills, Utah, having been properly noticed, was called to order at 7:07 p.m. by Mayor Gygi.

Invocation given by C. Jackman

Pledge of Allegiance led by C. Martinez

2. Approval of Meeting's Agenda

**MOTION: C. Jackman—To approve the agenda subject to moving items 9, 10, and 13 before item 7.** Seconded by C. Rees.

Yes	-	C. Jackman	
		C. Martinez	
		C. Rees	
		C. Zappala	
No	-	C. Augustus	Motion passes.

Further Discussion:

C. Augustus stated that he wanted to add a discussion on how a board representative should reflect the voice of the City Council and Mayor.

**MOTION: C. Jackman—To add discussion on how board representatives reflect the voice of the City Council and Mayor.** Seconded by C. Martinez.

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

C. Zappala Motion passes.

- 3. Public Comments  
No comments.

PUBLIC HEARINGS

- 4. Preliminary Plat for Bridgestone Plat D, located at approximately 4500 West and Harvey Boulevard (7:14 p.m.)  
No Comments.

- 5. Fiscal Year 2014 Budget (July 1, 2013 to June 30, 2014)  
No Comments

C. Jackman noted that as important as budget is, and how vocal people get about budget, no one commented on this item, though they were given the option to comment.

CONSENT AGENDA

- 6. Minutes from the May 7, May 21 and June 4, 2013 City Council meetings

**MOTION: C. Martinez—To accept the minutes May 7, May 21 and June 4, 2013 City Council meetings.** Seconded by C. Augustus.

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

SCHEDULED ITEMS

- 9. Review/Action on the Preliminary Plat for Bridgestone Plat D, located at approximately 4500 West and Harvey Boulevard

Chandler Goodwin stated that this is an amended plat, which changes the building from a 4-plex to a 3-plex due to a sewer lateral just west of the proposed building site. The building was downsized to avoid disturbing the lateral.

Rich Welch of Garbett Homes stated that a new side elevation was created in the process of making the 3-plex. Garbett Homes tried to match the other elevations.

**MOTION: C. Augustus—to approve the Preliminary Plat for Bridgestone Plat D and recommend that this go back to the Planning Commission for final recommendation.**

Seconded by C. Rees.

Yes - C. Augustus  
C. Jackman  
C. Martinez

C. Rees  
C. Zappala                      Motion passes.

10. Review/Action on the Final Plat for Bridgestone Plats F & G, located at approximately 4500 West and Harvey Boulevard

Chandler Goodwin stated that the Planning Commission made three recommendations. The Planning Commission recommended a fence along Harvey Boulevard. Staff is not in favor of a fence because it would cover up the buildings. The Planning Commission also recommended a sidewalk along 4380 West. This is the area where cars queue up for kindergarten pick up/drop off. There is no crosswalk there, and that sidewalk would terminate with no connection, which can cause problems. Staff recommended no sidewalk. The Planning Commission's third recommendation was to move units 69-72 to provide more open space between that building and building to the south. Staff agreed with that change, which is reflected in these plans. That shift changed the driveway configurations a bit. The proposed diagram reflects the shift to the north of units 69-72.

**MOTION: C. Rees—To approve the final plat for Bridgestone Plats F & G, subject to engineering and water rights verification and to state that we reject the Planning Commission's recommendations with regards to a fence on Harvey Boulevard and sidewalk on 4380 West.** No second. Motion dies.

Rich Welch stated that the HOA approved the plans that Garbett presented. There was no fence or sidewalk on Harvey in the plan that was presented. The HOA specifically stated that it not want a sidewalk on their side of 4380 West.

**MOTION: C. Rees—To approve the final plat for Bridgestone Plats F & G subject to engineering and water rights verification and rejecting the Planning Commission's suggestions of a fence on Harvey Blvd and sidewalk on 4380 West.** Seconded by C. Augustus.

Yes	-	C. Augustus	
		C. Jackman	
		C. Martinez	
		C. Rees	
No	-	C. Zappala	Motion passes.

13. Review/Action on the Public Safety Contract and Services  
Staff Presentation:

David Bunker stated that there are several public safety options. (1) The city could maintain status quo by staying with American Fork for police services, Lone Peak Public Safety District (LPPSD) for fire services and Utah Valley Dispatch for dispatch services. That option is what is represented in the current budget. (2) The city could go with LPPSD for fire and police services. That would move the city to Pleasant Grove City's dispatch and would modify the budget in coming years but not this year. (3) The city

could use Pleasant Grove City's police, fire and dispatch. This would increase costs. (4) LPPSD has submitted a modified proposal with Cedar Hills funding a fourth firefighter, which would be between \$75,000 and \$100,000 a year with American Fork Police and Utah Valley Dispatch. There are a number of possible revenue sources in the current budget because several revenue line items were left the same, when they will be increasing, such as property tax (\$5,000) and sales tax (\$30,000). There has also been a discussion of moving the Family Festival to the second week in July which would put it into the next fiscal year. It would be a one time savings of (\$25,000). Franchise fees are expected to increase. On the expenses sides, parks, sidewalk and legal could be reduced. Combining those revenues and expenses would be \$75,000 to fund an additional firefighter.

Charl Louw stated that for this current year sales tax revenue is \$50,000 more than budgeted. Property tax budget numbers increased based on the certified tax rate and the city's collection rate. Cedar Hills also collected more in franchise fees this year than was budgeted in next year's budget. With the certified tax rate there was an additional \$12,000.

Chief Freeman stated that adding a fourth firefighter increases service on house fires with quicker response times by 1-1.5 minutes. The flex squad model (with 2 staff in each fire station and one 2-person flex squad) is only in place during times when people are sick or on vacation, which is only 20% of the time. The LPPSD is looking into creating a taxing district, which would change the conversation from worries about line items and city budgets, to shifting the conversation to public safety. Current response times are less than 4 minutes. LPPSD is switching to Pleasant Grove City's dispatch. It worries him that Cedar Hills would be on Utah Valley Dispatch, which would get the initial call. Calls would then be patched to Pleasant Grove. He is not committed to switching to Pleasant Grove's dispatch. He'll push for what is best for the entire district.

Council Discussion:

C. Jackman stated that the issue is not quality of service. He is more concerned that other members of the district are not concerned with public safety, but want to cut the budget. Option #4 interests him because it increases the level of service. Dispatch is an issue. Option #4 does a decent job of handling dispatch, while option #3 solves the border problem with Pleasant Grove. There are advantages to being on the board with LPPSD and having a voice, which Cedar Hills wouldn't have by going with Pleasant Grove. If the city moved to option #2, the police services would be on a contractual rate, and pressure would increase to become full members of LPPSD, which would increase costs significantly.

C. Martinez stated that the Family Festival Committee recommended moving the festival to the second week of July, but the city wouldn't be able to get the carnival rides the second week in July. Carnival rides are available the third week, but that coincides with American Fork Steel Days, and police are unavailable. There are many factors and components, and moving the Family Festival is not a done deal. If the expectation is to have four firefighters in the building, then the city should do what it takes to make it

happen. This process has been informative. Both entities are great. She feels that residents perceive American Fork Police as being separate and not a part of the city. She would like to see them be a more a part of the community. She would like to talk to American Fork Police about adding “serving Cedar Hills” to their vehicles. She would also like to see more community policing, possibly at the elementary schools, social functions, etc.

C. Augustus stated that he got great comments about the rides this year at Family Festival. He doesn't want to change that. He thanked the fire staff. He likes the idea of a fourth firefighter, but isn't sure he is comfortable with where the money would come from.

C. Rees stated that her preference is to stay with the status quo and push for a taxing district.

C. Zappala stated that if the city increases to four firefighters, he doesn't want to do it with one time revenue. He would prefer to see a property tax increase to cover a long-term decision with an emphasis on public safety. Utah Valley Dispatch seems confident that they can work with Cedar Hills and get all the calls properly transferred. If LPPSD moves to Pleasant Grove's dispatch, he may be more interested in option #2 for consolidation purposes. Because there are so many unknowns, and Cedar Hills is getting great service through both LPPSD and American Fork Police, he would prefer to stick with the status quo, with the goal of getting to a fourth firefighter in the long-term.

**MOTION: C. Rees—To approve scenario #1 with Lone Peak Public Safety District as our fire department and American Fork Police Department as police service and Utah Valley Dispatch as dispatch with the recommendation that we work to push forward with the taxing entity option with the fire district.** Seconded by C. Zappala.

Further Discussion:

C. Martinez recommended looking into increasing community presence and outreach with American Fork Police.

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

Break (8:40 p.m.)  
Reconvened (8:49 p.m.)

## CITY REPORTS AND BUSINESS

### 7. City Manager

- The foundation for the Community Recreation Center addition has been poured. Framing will begin next week. The basement is framed and will be completed in 3-4 weeks.
- He met with Commissioner Ellertson. The county engineer asked Cedar Hills to come up with a proposal to maintain Canyon Road. The road may be left in the ownership of UDOT with the State and County creating an overlay with the cities for snow maintenance.
- There is a candidate orientation meeting June 19 at 6:00 p.m.

### 8. Mayor and Council

C. Zappala: The budget app now has a functional site that is nearly ready to put up with an overview of city finances in graphical form. Users can click on any fund for an overview with categories and details, yearly trends, etc. He will add a function that allows city staff to add notes for clarification.

C. Rees and C. Martinez: The Beautification, Recreation, Parks and Trails Committee (BRPT) met and are thrilled that they have a budget. They are moving forward with a community breakfast on July 13. C. Martinez contacted Macey's for help and cooking equipment. They said they can work within the budget of \$400 for pancakes, bacon, eggs, and orange juice for 300-400 people. The breakfast will start at 8:30 a.m. It will be advertised as first come-first served, until food runs out. The committee put together a list of recommendations for policies for parks. C. Rees asked that any information for the State of the City newsletter be submitted to her. She will be issuing a press release on the summer concert series. The BRPT Committee wants to do a yard of the month in June, which would be 5-\$20 gift cards. C. Martinez worked with Greg Gordon on a 4-page insert in the State of the City report with an activities and events guide and information on the golf course and Vista Room. C. Martinez did Youth City Council interviews. There were 19 applicants. The Family Festival went really well. Final numbers are coming in, but it looks like between sponsors and ticket sales, the city saved \$20,000. Midway West Carnival does Orem's Summerfest. In July, Midway West cannot guarantee rides for the second week. Overlapping with other cities makes getting parade entries difficult. C. Rees would like the committee to make recommendations on the date and be given the autonomy to plan the festival. C. Martinez would like to give a list of priorities and expectations to the committee and let them manage it.

C. Augustus: He is still looking for the recommendations that came from the Family Festival on renaming Clubhouse Drive.

C. Jackman: The Budget Committee met and talked about some items that will be discussed tonight.

## SCHEDULED ITEMS

### 11. Review/Action on a Resolution Adopting the Fiscal Year 2013 Budget Amendments (July 1, 2012 to June 30, 2013)

Charl Louw reviewed the FY2013 budget amendments. Legal budgets have been maxed out through February. This adds an additional \$75,000 for fees from February through June. This is paid through higher than anticipated revenues from property taxes, sales tax

and Family Festival. The second budget amendment is for severance and unemployment costs. There are also amendments for some reallocations to proper accounts and Cultural Arts Recreation and Enrichment (CARE) tax funds expended for the basement. He recommended reducing the amount of the transfer to capital projects from \$300,000 to \$150,000. Additionally there were amendments to cover the golf cart lease and the golf course cash deficit. The transfer to the Community Recreation Fund needs to be reduced from \$150,000 to \$75,000. He also added \$530 to account code 10-35-125 for Youth City Council donations, with a corresponding expense account so that the YCC can keep the money they raised.

**MOTION: C. Martinez—To approve Resolution 06-18-2013A, a resolution adopting the amended 2012–2013 Fiscal Year Budget for the City of Cedar Hills, Utah.** Seconded by C. Rees. Vote taken by roll call.

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

12. Review/Action on a Resolution Certifying the Calculated 2013–2014 Real and Personal Property Tax Levy

Charl Louw stated that the certified tax rate represents the city receiving the same amount of money as the previous year excluding new growth revenue. The overall rate went from .003183 to .002873.

C. Zappala stated that he feels strongly that though the tax rate decreased, this should not be publicized as a tax decrease, because it is not. The city is receiving the same revenue.

**MOTION: C. Rees—To approve Resolution 06-18-2013B, a resolution setting the total Property Tax Levy assessed upon real and personal property for general governmental purposes for the 2013–2014 tax year for the City of Cedar Hills, Utah at the county auditors certified tax rate of .002873.** Seconded by C. Jackman. Vote taken by roll call.

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

14. Review/Action on a Resolution Adopting the Fiscal Year 2014 Budget (July 1, 2013 to June 30, 2014)

Charl Louw stated that the only changes that have been made since the last meeting were a result of the certified tax rate. He added \$5,000 to legal services, \$800 to repairs and

maintenance, \$1,000 to utilities, \$1,000 to signs, \$5,000 to sidewalk maintenance, \$4,000 to parks supplies and maintenance, \$1,000 to utilities, and lowered the golf course subsidy due to lowered debt subsidy from the certified tax rate.

**MOTION: C. Jackman—To approve Resolution 06-18-2013C, a resolution adopting the 2013–2014 Fiscal Year Budget for the City of Cedar Hills, Utah.** Seconded by C. Martinez.  
Vote taken by roll call.

Yes	-	C. Jackman	
		C. Martinez	
		C. Rees	
		C. Zappala	
No	-	C. Augustus	Motion passes.

15. Review/Action on Amendments to the City Code, Title 2, Chapter 3, Youth City Council, Regarding Fund Raising

Charl Louw stated that a flow assumption is required for the YCC to keep their donations. This requires an ordinance change to allow for a one-time exception for outflows related to donation for the YCC.

**MOTION: C. Martinez—To approve Ordinance No. 06-18-2013A, an ordinance amending Title 2, Chapter 3, of the City of Cedar Hills, Utah, amending the Charter and Bylaws for the Youth City Council Advisory Committee, relating to Fund Raising Balances.** Seconded by C. Augustus. Vote taken by roll call.

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

16. Review/Action on Amendments to the City Code, Title 3, Chapter 1, Regarding Residential Rental Properties Business Licensing

Chandler Goodwin stated that the city has approximately 225 rental properties that are not owner occupied. Many are owned by corporations outside of Cedar Hills and outside the state. When there are maintenance problems, it is difficult to contact owners. This proposed ordinance treats non-owner occupied rentals as a business, requiring a business license. The city knows about the rental properties based on utility rental agreements. The code would take affect, and the city would notify people from July to September. From November through December the city would send out forms to rental owners. The code would be enforced January 1. The business license would then be good for one year, January 1 to January 1. Those that come in later would get a prorated rate.



C. Zappala stated that he would like staff to look into the possibility of charging different business license fees for non-residents.

C. Jackman stated that this change would necessitate a change to the fee schedule.

C. Augustus stated that there may be problems with the definition of “owner” if the actual owning entity is buried under layers of LLCs. Under section 3-1H-4 he would like to add language that adds flexibility, such as “and other items the city deems necessary.”

**MOTION: C. Augustus—to approve Ordinance No. 06-18-2013B, an ordinance amending Title 3, Chapter 1, of the City Code of the City of Cedar Hills, Utah, relating to Business Licensing along with one change modifying 3-1H-4 by adding after show “and all other items as deemed necessary by the city.”** Seconded by C. Rees. Vote taken by roll call.

Yes	-	C. Augustus	
		C. Martinez	
		C. Rees	
		C. Zappala	
No	-	C. Jackman	Motion passes.

7. Review/Action on a Resolution Regulating Open Fires and Fireworks

David Bunker stated that the fire chief feels that weather conditions will bring fire conditions to the same dangerous level as last year. He recommended prohibiting aerial fireworks and open fires east of Canyon Road. If conditions get worse, there may be citywide restrictions. Section 1 should also include “open fires.” State code has a definition for aerial fireworks.

C. Rees stated that she fully supports this because of the dry conditions. She will reference the state code in communications to residents.

C. Martinez stated that signs need to go up at the entrance to the east side neighborhoods and the city should use social media to get the word out.

**MOTION: C. Rees—To approve Resolution, 06-18-2013D, a resolution of the City Council of the City of Cedar Hills, Utah, adopting specified restrictions of aerial fireworks and open fires on the east side of Canyon Road.** Seconded by C. Martinez.

**AMEND MOTION: C. Rees—Section 1 needs to include open fires.** Accepted by C. Martinez. Vote taken by roll call.

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

Discussion of Council Members' Roles on Committee Assignments

C. Augustus stated that he would like to discuss how City Council Members represent the city when they sit on boards.

Mayor Gygi stated that he trusts those that he appoints to make the right decisions.

C. Jackman stated that this is tricky because sometimes you don't know what you are going to vote on. There needs to be some level of trust. There are times when the council may want to be consulted. In the past, board members voted autonomously with the exception of major changes that affect the city, such as major changes on the LPPSD. The LPPSD is unique because there are multiple members from each city on the board, and frequently members of the same city differ in the way they vote. He used to be on the Planning Commission, then acted as City Council liaison to the Planning Commission. When he did that his role changed from active member to an advising role. He feels that everyone needs to do a better job at communicating about their assignments.

C. Martinez stated that she has had a hard time in her council assignments because she doesn't know where the line is. She works with staff and committees a lot but doesn't know where the line is of being overly involved or micromanaging.

C. Rees stated that when she was on a charter school board they had written descriptions for board members so they are clear on where their job starts and ends. There were also written descriptions for each board. The city could benefit from written descriptions because each councilmember has a different style and idea about their role.

ADJOURNMENT

18. This meeting was adjourned at 10:44 p.m. on a motion by C. Jackman, seconded by C. Augustus, and unanimously approved.

Approved by Council:  
August 6, 2013

/s/ Colleen A. Mulvey  
Colleen A. Mulvey, CMC  
City Recorder