

CITY COUNCIL MEETING

Tuesday, February 3, 2015 6:00 p.m.
Community Recreation Center
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Mayor Gary Gygi, Presiding
Council Members: Rob Crawley, Mike Geddes, Jenney Rees, Daniel Zappala,
Trent Augustus (7:02 p.m.)
David Bunker, City Manager
Chandler Goodwin, Assistant City Manager
Jeff Maag, Public Works Director
Greg Gordon, Recreation Director
Colleen Mulvey, City Recorder
Courtney Hammond, Transcriptionist
Others: Sam Liddiard, Dan Wilson

COUNCIL MEETING

1. This meeting of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 7:00 p.m. by Mayor Gygi.

Invocation given by C. Geddes

Pledge of Allegiance led by Boy Scout Caden Roberts

2. Approval of Meeting’s Agenda

MOTION: C. Rees—To amend the agenda to place item 10 after item 5. Seconded by C. Zappala.

Yes - C. Crawley
C. Geddes
C. Rees
C. Zappala Motion passes.

3. Public Comment

No comments.

CONSENT AGENDA

4. Appointment of Pete Conder to the Cultural Arts Citizens Advisory Committee

5. Appointment of Philip Barker to the Board of Adjustment

MOTION: C. Zappala—To approve the consent agenda for tonight. Seconded by C. Rees.

Yes - C. Augustus
C. Crawley
C. Geddes
C. Rees
C. Zappala Motion passes.

Colleen Mulvey swore in Philip Barker to the Board of Adjustment.

SCHEDULED ITEMS

10. Discussion on the Recommendation of the Beautification, Recreation, Parks and Trails Citizens Advisory Committee regarding Bayhill Park

Chandler Goodwin stated that the Beautification, Recreation, Parks and Trails Committee have discussed Bayhill Park for the past several months considering both what is proposed and what residents in the area want. There are two maps in the packet. As currently planned there is a small playground, 25 or so parking stalls, a grassy area and a pavilion. The Bonneville Shoreline Trail runs through the park. The Beautification, Recreation, Parks and Trails Committee proposal moves the play structure and pavilion closer together, which limits the numbers of crossings, and includes a larger grassy area. The topography of the land is difficult. The proposal includes moving the trail onto the aqueduct easement, which can maximize the grassy area. It also includes installing a fence that would funnel kids to crossing across a crosswalk to get to the existing restroom.

C. Zappala stated that he likes the proposal. He suggested more innovative equipment such as parabolic swings that fit more children as well as climbing structures with mesh and ropes.

C. Rees stated that Phase 1 is planned for this budget year, but since it makes more sense to do it all at once, she hopes that the council fully funds the park during the next fiscal year.

CITY REPORTS AND BUSINESS

6. City Manager

There will be an Emergency Management Town Hall meeting on February 12 at 7:00 p.m. in the Community Recreation Center.

Ian Clark and the Jazz bear recently visited a local Jr. Jazz meeting.

There was a BYU Basketball Cedar Hills night. It was very well attended by Cedar Hills' residents.

There were 18 Vista Room bookings in the month of January.

An art class with Pete Conder started at the Community Recreation Center this week.

The city is working with Intermountain Farmers to start gardening and tree pruning classes.

Questar is replacing a high pressure gas main that runs from the parking lot at the Recreation Center down Bayhill Road. That means there is limited ability to open the golf course on good weather days.

February 23rd is Cedar Hills night with the Utah Jazz. Tickets are available at the City Office Building for \$15, which includes admission, drinks and chips. The Jazz will be playing the San Antonio Spurs.

7. Mayor and Council

C. Rees: The Planning Commission reviewed the new conceptual plans for Blu Line/Rosegate proposal. There were new drawings presented. The building was rotated and is in the mixed office retail zone with some shared parking in the neighborhood retail zone. The building is three stories, with approximately 300 units. The Planning Commission gave good feedback on making

the building substantially the same as an assisted living facility. Information was also presented on the Lakeview Trails Subdivision which will be off of Canyon Road.

Mayor Gygi: He was able to represent the city at BYU Basketball game. Cedar Hills was the only city that sold at least 50 tickets.

C. Crawley: The Finance Committee met as a retreat. They reviewed the goals and priorities on next year's budget. He encouraged everyone to come to the Emergency Town Hall Meeting.

C. Augustus: North Pointe Solid Waste gave an update on progress for their new building. They are putting in a new scale house and the new access point will be north of the animal shelter. This should help alleviate some of the queuing problems on the road. Substantial completion will be this summer. The General Plan Committee met and talked about the goals and visions of committee. They discussed about working with the different committees and boards within the city to integrate their input in the General Plan.

SCHEDULED ITEMS

8. Review/Action on Authorization to Conduct the 2015 Primary and General Municipal Elections as an entirely Absentee Ballot (Vote by Mail) Election

Colleen Mulvey stated that this is an election year with three council seats open. In Utah County the County Clerks Elections Division does not run elections. Each city recorder is tasked with running the municipal election. It is a lot of work for low turnout. Several counties recently did their elections entirely by mail and were able to increase their voter turnout to 49%. The cost would be about the same. The new Lieutenant Governor is looking into electronic voting for the future.

Mayor Gygi stated that he fully endorses this plan. Increasing the voting percentage with no extra cost is a great outcome.

C. Rees stated that she would love to get an increase in voter participation. Those that want to vote in person can deliver their ballot in person to the city offices.

C. Zappala stated that he has strongly advocated for this.

C. Augustus stated that this is a great idea that has been talked about for a few years. It is a logical step. He is willing to even pay a bit more for a higher voter turnout.

C. Crawley stated that the argument against it is that the more effort it takes to vote, the better informed the voter. On the other hand, with the ballot in hand, people have plenty of time to research the candidates and issues. Electronic voting scares him because he feels that there is already too much voter fraud, and electronic voting would open the door to more.

MOTION: C. Zappala—To authorize that the 2015 Primary and General Municipal Elections be conducted as an entirely Absentee Ballot (Vote by Mail) Election. Seconded by C. Augustus.

Yes - C. Augustus
C. Crawley

C. Geddes
C. Rees
C. Zappala Motion passes.

9. Review/Action on Awarding a Contract for the Recreation Center Concessions

Greg Gordon stated that there were three food vendors/caterers that expressed interest in running the Recreation Center concessions. It came down to two vendors Pheasant Coop and Vista Pointe. They were both asked to put together a business plan and pricing plan. Pheasant Coop didn't provide everything that was requested. Staff recommends that council approve final contract negotiations with Vista Pointe.

C. Crawley stated that this is an important contract and he wants the council to have the final review on the contract. He would like it to come back in a few weeks for final approval. There has been a relationship between Mayor Gygi and Eric Richardson. He doesn't want any type of appearance of impropriety if the mayor is given carte blanche to negotiate without council approval of the contract.

Mayor Gygi stated that the committee was very impressed with the proposal made by Vista Pointe. He endorses the proposal.

Eric Richardson stated that one of the things unique to their approach is they understanding that a successful venture needs to hit several points. This business needs to draw people in. The groups involved include Killer B Entertainment which runs comedy clubs and book family friendly entertainment. 24609 is a social media group who will get the word out on social media sites. The grill's closest contenders have a niche food that is fresh and exciting. Much of that following occurs through social media, similar to a food truck or local eatery. B4 is Brooke Richardson's group that will be running day to day operations. One of the major components of the plan is to service golfers, both daily golfers and tournaments. In order to hit the golf season, there is a timing issue. They anticipate a soft opening by mid-March, with a grand opening by April 1. They need about 4 or 5 weeks to get things up and running. That can't be done until a contract is finalized. They recognize that the grill can't be all things to everyone, but they plan to focus on 5 or 6 targets. They will do that by creating a menu that is fresh, exciting, a good value, and that can be scaled in different directions. To bring people to this location is to provide the experience that people are after when they go out to eat. They have discussed options to bring food down to golfers on the course.

C. Zappala stated that that grill caters to many different markets: golfers, rec goers, residents and families. He likes the price points and ice cream cones.

C. Augustus stated that a great group of people got together to review the proposals. Many tough questions were asked. This will take a lot of work. He likes having a Cedar Hills resident group that is invested in the community run the grill. For residents, the grill is a big deal. He thinks that the council should have the final say in contract negotiations.

C. Rees stated that in most cases the council reviews the final contract.

MOTION: C. Augustus--To approve a concessions contract agreement with Vista Pointe, to be negotiated by the mayor, city attorney, city manager and the committee that reviewed the applicants, and based on their recommendation the council will hold a special meeting to approve the final contract. Seconded by C. Crawley.

Yes - C. Augustus
C. Crawley
C. Geddes
C. Rees
C. Zappala Motion passes.

11. Discussion on Water Conservation Policies

David Bunker stated that the mayor, city council, staff and the chair of water conservation committee, Richard Noble, met to discuss the city's water conservation efforts. Some topics included: xeriscaping, possible rebate incentives for reducing water consumption; grant applications for metering project and efforts to educate residents through media. Every year the city comes close to maximizing its water resources. The city needs to continue its efforts to reduce water usage.

C. Rees stated that she was at that meeting with C. Zappala. Right now the city ordinances do not allow for xeriscaping. That needs to be changed. She doesn't feel like the city is in a financial situation to grant rebates. Applying for grants does not obligate the city to move forward with metering. The city needs to come up with priorities if there is a water shortage.

C. Zappala stated that the costs of metering has been stated to be around \$2 million. Rather than bonding, there may be a possibility of adding \$10 per month on the utility bill to pay for the meters. It would take four years to come up with the money. The Bowen Collins study needs to be updated. It is out of date with actual water usage. At a past meeting scenarios involving well and pump failure were presented. In each case, reducing water usage through conservation efforts would allow the city to make it through such scenarios. Any xeriscaping in the code should include that the landscape needs to be maintained and it needs to include variety.

Chandler Goodwin stated that there is code that allows for xeriscaping, though no one has used it. This is something that the Planning Commission should visit.

C. Geddes would like to have examples and pictures to demonstrate xeriscaping in the code.

12. Discussion on Waste Management Contract—Current Service Rates for Garbage and Recycling, and Green Waste Options

David Bunker stated that the council requested a review of the Waste Management contract. Rates were changed within the past few years to make the second garbage can equal in cost to the first garbage can and lower the cost of a second recycling tote. The city's recycling take rate is not high enough for weekly pick up for recycling.

C. Zappala suggested looking into what the take rate would need to be for weekly recycling pick up and if the city can't meet that take rate to distribute the costs so the city can have weekly pick up.

C. Rees does not like the city using its power and fee structure to change behavior. The opt out program has never been tried in Cedar Hills.

C. Crawley would like to know the per ton rate for a recycling can and a garbage tote.

C. Geddes stated that the city needs to find a better method for getting the word out about recycling.

C. Augustus has been on the North Pointe Solid Waste committee and has thought about this a lot over the past year. He would like the council to put together a resident driven committee about garbage and recycling and discuss Waste Management topics over the next few months.

13. Discussion/Review of Request for Proposal (RFP) and Request for Qualifications (RFQ) on Professional Services

David Bunker stated that it was requested of staff to bring back information about the professional services contracts. On some RFPs, depending on the service, the city would be required to take the lowest bid. Other services allow the city to choose.

C. Rees stated that she believes it is a good idea to review contracts. The city has been reviewing them as they come up for renewal. She doesn't like the idea of sending an RFP just to send an RFP, because there is some risk of an increase in costs, or having a trusted contractor not bid. She is more interested in how these outside entities are serving our residents. She feels like the council can see what going rates are by looking at other cities budgets, and she trusts city staff as far as qualifications and competence of providers. She feels that the staff—professionals in their field—know what is a good value for good quality. Her preference is to review each contract individually, talk to the responsible staff member and get a recommendation from staff about the need to get an RFP.

C. Zappala stated that he wants to be wise with the city's money. C. Crawley has raised the point of not knowing if the city is getting a good deal without other bids. If staff feels that the city is getting a good deal it may be possible to check with other cities to see comparable rates. He is really uncomfortable with making blanket policies. He would recommend looking at each contract one by one and getting input from staff with recommendations. The council can then have a discussion about each contract and make a decision.

C. Crawley stated that in his experience opening up to the market results in the lowest prices. He would always prefer to stick with a good provider, but also wants to ensure that the city is getting competitive rates. He feels like it is time to do RFPs and/or RFQs for these professional services. It's been between 3-7 years since they have submitted bids. In the future he would like each contract to go to RFP every two years, which would start the review process.

C. Augustus stated that he wants to ensure that the city gets the highest quality professional services at the best possible rates.

C. Geddes stated that his thought is to start with the oldest contracts and work through the contracts.

Council agreed to not send Wilkinson out for RFP since it was just reviewed and extended.

C. Augustus, C. Geddes and C. Crawley would like to send out the RFPs for financial auditing, building inspections services, engineering services and legal counsel with a 30 day window for replies.

C. Rees and C. Zappala would not send the contracts out for RFP, but would consider each on a case-by-case basis with input from staff.

Mayor Gygi feels that if the council does not want to send out Wilkinson to bid, it should not send out the legal services, since it was recently reviewed as well.

C. Rees stated that she is disappointed that the council is not relying on staff recommendations. She also feels that Eric Johnson is being targeted.

C. Zappala stated that he is not opposed to putting this out to bid because of some economic reason, but rather the process. His preference is starting with a formal review of the contract with city staff gathering information, talking to other cities, preparing the review and coming to council with recommendations such as: (1) We like this service. We want to keep them. (2) We like them, but want to put it out to bid. (3) We don't like it. Let's get bids and make a change. The council would then make a decision.

C. Augustus stated that he appreciates C. Zappala's position, but feels that each city has unique circumstances and comparing them won't necessarily provide useful information. He also feels that the review process should begin with an RFP.

ADJOURNMENT

14. This meeting was adjourned at 9:26 p.m. by C. Augustus, seconded by C. Zappala and unanimously approved.

Approved:
March 3, 2015

/s/ Colleen A. Mulvey, MMC
City Recorder