



Commission first and come back before the Council thereafter. Mayor Gygi advised Ms. O’Keefe to work with Mr. Goodwin in addressing her bill.

PUBLIC HEARING

4. Fiscal Year Budget (July 1, 2017 to June 30, 2018)

No comments.

CONSENT AGENDA

5. Minutes from the May 2, 2017 & May 16, 2017 Work Session & City Council Meetings

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

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

CITY REPORTS AND BUSINESS

6. City Manager

Mr. Goodwin reported on the following items:

- Lacrosse started the following day, and there were fewer participants this year (47 in total).
- Golf events were doing well. They were currently booked out on the weekends for the foreseeable future and were expected to exceed revenue projections.
- A candidate withdrew from the upcoming City election and so there would be no primary election.
- Bayhill Park equipment was ordered. The purchase took place based on feedback from the residents’ survey in that area, as well as at the recommendation of the Beautification, Recreation, Parks and Trails Committee.
- The golf course building was nearing completion and would hopefully be completed within the next couple of weeks, prior to the start of the new fiscal year.
- The Cottonwood Well was still down and they still had not received a diagnosis. In the short term the City was still able to provide services to the residents. Staff would keep the Council apprised of any updates.

C. Bailey asked for a status update on the field renovation project at Heiselt’s Hollow Park. Mr. Goodwin said they were going to wait to start said project until after baseball season was over, sometime in the early fall.

7. Mayor and Council

C. Zappala reported that at the most recent Beautification, Recreation, Parks and Trails Committee meeting, they spent a lot of time talking about the park equipment for Bayhill Park. The park would also include benches, a BBQ, a medium-sized pavilion and a basketball court. They also discussed the budget for the next fiscal year and decided they would focus on maintaining the roundabout as well as integrating some plants and bulbs. The Committee discussed getting accent lights for the trees, yards of the month nominations, the pancake breakfast and Santa visit. The pancake breakfast was scheduled for the third week of August.

Mayor Gygi reported that the Mountainland Association of Governments (MAG) was not meeting in June or July.

## SCHEDULED ITEMS

### 11. Review/Action on Awarding a Contract for the Community Recreation Center Concessions

Mr. Goodwin presented the staff report and explained that because the Council vote from June 8 failed to get three votes, it was necessary to revisit proposals for the grill space. One of the vendors, Falafel Tree, withdrew their application, citing a lack of interest. Staff discussed a number of issues that should be brought up in light of that previous discussion on June 8, including the following:

- Does the vendor intend to be open on Sundays?
- Will the vendor provide concessions on the course?
- Will the vendor provide breakfast services on weekends?
- What will the vendor hours of operation be during and after golf season?
- Will the vendor provide quick food options?
- Will food options cater to golfers, wedding events and residents?

Additionally, staff proposed to modify the concession agreement to require first and last month's rent upfront, as well as a cleaning deposit to be held by the City. Finally, based on past experience, staff recommended that food trucks not be allowed to park overnight at the community center. Mr. Goodwin distributed menus from two vendors: Mama Lau's and Ernie's Sports Deli.

Mayor Gygi asked the Council how they wanted to proceed with this discussion. C. Rees said it would be helpful for each of the vendors to come up and answer the above stated questions that were prepared by staff.

Laura Montes, representing Mama Lau's, came forward and stated that she was a Cedar Hills resident. She reviewed some of the labor costs of operating throughout the week, and the need to provide good service in order to make a profitable business. She said the main goal was to bring more residents to the community center. She discussed the importance of bringing new, creative ideas to the table, and explained how her product was unique from other types of vendors. Her proposal for the grill included different themed nights such as date night, pizza night, and family home evening night, etc.

At the conclusion of Ms. Montes' introduction, Mayor Gygi turned the time over to the Council to ask questions. C. Zappala reviewed the above list of questions that were included in the staff report:

- Does the vendor intend to be open on Sundays? Ms. Montes indicated that they would be open on Sundays.
- Will the vendor provide concessions on the course? Ms. Montes indicated that they would deliver food to golfers while they were on the course.
- Will the vendor provide breakfast services on weekends? Ms. Montes indicated that they intended to provide breakfast on the weekends.

- What will the vendor hours of operation be during and after golf season? Ms. Montes said the hours could vary depending upon what activities were taking place at the community center.
- Will the vendor provide quick food options? Ms. Montes indicated that they had quick food options, as some of their menu items were pre-cooked.
- Will food options cater to golfers, wedding events and residents? Ms. Montes indicated that they presently catered weddings and other special events.

C. Rees asked Ms. Montes what items were on their catering menu and how many weddings they catered on a monthly basis. Ms. Montes said she had three different catering menus which also included Italian and Indian food options. She indicated that they adjusted menu options based on the preferences of the customer. On average, they catered two events per month.

At the conclusion of Ms. Montes' presentation, Ernie Zabriskie came forward to discuss his business.

Ernie Zabriskie said he had operated his business for nearly 19 years and was based out of Orem. His menu had remained the same over the years, and they had also added breakfast. In addition to a food truck, in February 2017 they added a new location at Sleepy Ridge golf course in Orem. They brought a lot of customers into the Sleepy Ridge golf course. Additionally, they also delivered out of the golf course to the residents. He said that feeding just the golfers alone was not enough revenue to keep their doors open, so they also catered to local businesses ranging from Salt Lake to Payson. Mr. Zabriskie said that their hours have always been 7:00 am to 6:00 pm.

Mayor Gygi asked if they had winter hours that were different than summer hours for the golf course. Mr. Zabriskie said that as of now they did not. C. Geddes asked if they were open last winter, and Mr. Zabriskie stated that they opened in February.

Mayor Gygi asked if they catered weddings and if so, how many per month. Mr. Zabriskie indicated that they catered anywhere from two to five weddings per month. He noted that they also catered Governor Herbert's birthday party and often catered corporate events.

C. Zappala reviewed some of the above questions that were included in the staff report:

- Does the vendor intend to be open on Sundays? Mr. Zabriskie indicated that they would be open on Sundays.
- Will the vendor provide concessions on the course? Mr. Zabriskie indicated that they would deliver food to golfers while they were on the course.
- Will the vendor provide breakfast services on weekends? Mr. Zabriskie indicated that their menu primarily centered around breakfast food items.
- Will the vendor provide quick food options? Mr. Zabriskie indicated that none of their menu items took longer than three and a half minutes to prepare.

C. Geddes said he had been a supporter of Ernie's Deli from the beginning. He was a firm believer that this type of food made the most sense for a golf course.

**MOTION: C. Geddes to approve for staff to negotiate and enter into a concession agreement with Ernie's Sports Deli.** Seconded by C. Bailey.

C. Bailey stated to Ms. Montes that he had eaten her empanadas before and they were delicious. However, the one issue they have had in the past related to customer support. He said he was not at the meeting on June 8<sup>th</sup>, and he had since discussed the matter with other Council Members. He said this last week several customers in this area contacted him to voice support for Ernie's Deli, and he needed to represent the community on this matter. However, he encouraged everyone to go support Mama Lau's food truck because they also served great food.

C. Rees said in the last meeting she did vote for Mama Lau's. She said she loved Ms. Montes' vision for the community center. One of the struggles with which she had dealt during her time on the Council was that there seemed to be a rift amongst elected officials regarding the purpose of this facility. From her perspective, it was first and foremost supposed to be a community center. She based that perspective off the fact that they used recreation impact fees to build this facility. She reviewed the motion made when the previous Council had authorized the construction of this building, noting that it focused on recreation and community services. Additionally, the newsletter distributed at the time specifically discussed the types of uses impact fees could fund. She said the golfers only represented a small portion of this facility and that she would continue to advocate for the fact that this was first and foremost supposed to be a community center.

C. Rees said she loved Ms. Montes' vision for holding different themed nights that would draw different types of crowds to the community center. She agreed with a statement made by Mr. Zabriskie that they could not just rely on golfers alone for revenue. She noted that there had been six vendors at the grill space and they had all failed because they only focused on one demographic. C. Rees noted that the owners of Mama Lau's also ran the City's food truck rally every week, and that event always drew a big crowd from within the community. She said she was also a representative of the community, and even though she personally felt Mama Lau's was the better option it did seem that Ernie's was getting more support from the residents. Therefore, she would support Ernie's as well.

C. Zappala said he had also had Mama Lau's empanadas and loved them. He also loved Ms. Montes' vision and said that if he was basing his decision only on what he wanted, he would select Mama Lau's. He agreed with C. Rees in that he wanted this facility to become the community center it was intended to be. He said he hoped the next Council would work harder at making this a true community center. However, he agreed that they needed to represent the majority opinion expressed by the public.

C. Geddes commented that he appreciated C. Rees and C. Zappala's remarks. He said he felt that this facility was becoming a community center and he didn't feel as if there was a riff on the matter. There were dance, theater and other community events taking place at this facility.

C. Rees said they had done a good job having some recreation programs at this facility. However, she felt that more could be done to involve families and adults so as to bring more business to the grill.

Mr. Goodwin said that regardless of who was awarded the concession agreement, the Council and Planning Commission needed to have a serious discussion regarding signage. In the past, the City limited vendors' ability to market in terms of putting signs throughout the community.

C. Zappala agreed with Mr. Goodwin, and added that this discussion needed to include both a sign in front of the building as well as in other locations throughout the City. C. Rees agreed, and asked if there were any legalities that needed to also be addressed. Mr. Shaw answered affirmatively, and noted that legal matters needed to be taken offline. C. Zappala said that as a sports bar he would also like to see more sports channels on the televisions and not just golf.

Mayor Gygi called for a vote on the motion. Voting was as follows:

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

12. Review/Action on a Resolution Certifying the Calculated 2017-2018 Real and Personal Property Tax Levy

Mr. Louw said State Statutes require that each year a certified property tax rate be calculated. The certified property tax rate was the rate which provided the same amount of property tax revenue as was charged in the previous year excluding the revenue generated by new growth. Tax rates went down the last few years, which offset the rising property values. New property growth from new residential/commercial activity was calculated by Utah County as a \$9,164 increase for the next fiscal year.

The County Auditor's certified tax rate for 2017 was .002024 and the total levy amount was \$1,014,588: General Operations: .001406 (\$704,818)

Interest and Sinking Fund/Bond: .000618 (\$309,970)

For example, a home with an assessed market value of \$300,000 had a taxable value of \$165,000, and \$333.96 was due November 30<sup>th</sup> related to the City in property taxes.

The County Auditor's certified tax rate for 2016 was .002186 and the total levy amount was \$1,005,624:

General Operations: .001594 (\$685,065)

Interest and Sinking Fund/Bond: .000721 (\$309,970)

The County Auditor's certified tax rate for 2013 was .002873.

\$10,000 decrease/increase to property taxes impacts the rate by 0.0002. Decreasing/increasing the property tax rate changes the City's allocation of motor vehicle fees, which were based on each government entity's property levy amount. Last year the City received \$108,651 in motor vehicles, which amounted to approximately 10% of property taxes levied.

Decreasing/increasing the overall property tax rate to .002004 or \$10,000 caused the motor vehicle fee revenue projections to decrease/increase by approximately \$1,000.

C. Zappala asked what process the City would need to follow in order to adopt its own rate if at some point they opted to not stick with the County's rate. Mr. Louw said there would be a Truth and Taxation process in August, at which point the rate decided upon by the City would be finalized. The process included a public hearing.

C. Geddes asked if this rate factored in the growth of the City, and Mr. Louw answered affirmatively. He explained that the rate was based on inflation; it only reflected the growth that had actually occurred.

**MOTION: C. Rees—To approve Resolution No. 06-20-2017A, a resolution setting the total Property Tax Levy assessed upon real and personal property for general governmental purposes for the 2017-2018 tax year for the City of Cedar Hills, Utah.** Seconded by C. Zappala. Vote taken by roll call.

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

C. Bailey noted that the members of the Fire Department had arrived at the meeting, and it was unknown as to when they would be dispatched on another call.

**MOTION: C. Bailey—To move item number 15 next on the agenda.** Seconded by C. Rees.

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

**15. Review/Action on Participation in the Lone Peak Public Safety District**

Mr. Goodwin presented the staff report. He explained that the Lone Peak Public Safety District Interlocal Agreement Section 8 required that, "any city may terminate its participation in [LPPSD] as of July 1 of any year provided that notice of intent to withdraw has been given in writing to the other Cities at least 24 months prior to the time of withdrawal."

During the January 2017 City Council retreat, Council advised staff to begin working on the long-term public safety costs of both fire and police services. The current agreement with American Fork Police Department to provide police services to Cedar Hills was set to expire in two years. By giving Lone Peak notice of intent to withdraw from the district, it allowed Cedar Hills a two-year time period to explore public safety options for both fire and police in tandem, hopefully to gain some value by possibly combining those services with some entity. Cedar Hills would consult with Lone Peak, American Fork, and other entities (such as Utah County and Pleasant Grove) for bids for both police and/or fire protection.

The LPPSD Interlocal Agreement further stated in Section 11, "If a City withdraws from the District and the District is not dissolved, any distribution of assets to the withdrawing City shall only be as negotiated with the remaining Cities. The Cities agree to negotiate in good faith in determining fair and reasonable terms and conditions for the distribution of District assets to the withdrawing City. If the Cities cannot agree on a negotiated distribution of assets to the withdrawing City, the Cities hereto agree to mediate the matter. If the dispute is not resolved in mediation, then the Cities may take the matter to court."

The notice to withdraw was not due to the level of service provided by Lone Peak Fire. Cedar Hills recognized Lone Peak for being an exemplary organization, run by the finest chiefs. This notice was in no way to be construed as referendum on their service.

Mayor Gygi stated that staff's recommendation was for the City to give notice to the Lone Peak Public Safety District (LPPSD) to possibly remove itself from the district in two years. Mayor Gygi said he supported this recommendation. He said that in his opinion, there were advantages and disadvantages to being in any type of service district. He said the disadvantages they currently faced had more to do with the City's relationship with other cities. Cedar Hills needed to be treated as equals in the district, and he did not think that was presently the case. This would give staff an opportunity to look at all available options so that the City could make the best possible decision moving forward.

C. Bailey asked if the City would have to leave the district if they provided the type of notice indicated in the above staff report. Mr. Goodwin answered in the negative. He explained that there was nothing in the bylaws making such an indication. Rather, it would communicate that the City would begin negotiating a buyout with the other cities in the district within a two-year period. Mr. Shaw clarified that it was a notice of intent to be removed and not a notice of removal. These were two distinctly different actions.

C. Geddes asked if there was a time frame in which the City would have to specifically state a notice of renewal. Mr. Goodwin advised the Council to allow staff time to further research the matter before any additional discussion took place. They would have a better idea for how to move forward by June 2018.

C. Bailey stated that he worked for the fire department and as such he would be recusing himself from voting on this item.

C. Zappala said that in regards to negotiating a buyout, typically the City would have to pay for some liability that may have incurred with the district. That said, he asked if the district had certain liabilities. Mr. Goodwin answered affirmatively. C. Zappala asked what kinds of liabilities existed. Mr. Goodwin explained that there were lease equipment liabilities, and the unrestricted limited fund was presently in the negative. Therefore, part of the liability was a portion of that negative fund balance. C. Zappala asked if the City would also be looking for dispatch services if they left the district. Mr. Goodwin said this would also be part of the discussions that would take place in the future; however, he did not think dispatch services would be part of the City's buyout with other participating members of the district. He noted that Pleasant Grove had its own dispatch services.

C. Zappala said he really liked LPPSD and he had always preferred to have a district that provided both fire and police. He said that from his perspective, the fatal flaw with the district was that it was not a separate tax entity; rather, it was bound to the cities and Utah County. This caused significant complications when it came to setting budgets. Council Members and Mayors that were sitting on the board for the district were often shortchanging the budget because they were trying to protect the budgets for their respective cities. Cedar Hills' current fire costs to LPPSD were roughly equivalent to the City's total property tax revenue, which made leaving the district very complicated. He said that a taxing entity was the right way to go, because the LPPSD service fee would be itemized on all property tax bills. Furthermore, as a taxing entity the district board would be comprised of individuals elected to those positions, rather than by appointed individuals. C. Zappala felt this method would better serve the citizens; however, as they tried to push that concept no other cities had bought into the idea.

Mr. Goodwin said he liked that idea as well, because it would allow the district to meet its budgetary needs. C. Zappala agreed and reiterated his opinion that this was the right long term direction for the district.

C. Rees said this was not a concern about the service LPPSD was providing. Rather, it came down to a matter of making something work on a budgetary level for Cedar Hills.

Mr. Goodwin said the City's revenues were pretty flat, and so as a City they needed to be conscientious about any long term increases to the budget.

C. Bailey noted that there were other elected and appointed officials present at the meeting, and wondered if they would be interested in commenting on the matter.

Sheldon Wimmer, Mayor of Alpine, stated that the original concept for LPPSD was an expansion of an existing agreement between Highland and Alpine. The concept was to share costs and provide a better safety organization. The LPPSD had been a benefit for participating communities. He agreed with C. Zappala regarding the concept of the district being a taxing entity and said that idea was initially considered. He stated that Highland and Alpine were on tight budgets, especially because they didn't have commercial revenue. Most of the savings in having a district were in the overhead. He said he would hate to see Cedar Hills leave the district, and stressed that the board was careful with every dime in the budget.

Chief Freeman said the LPPSD enjoyed serving the City of Cedar Hills and hoped to continue doing so in the future. There were a lot of different issues to consider; Cedar Hills was covered by three stations, whereas a lot of the adjoining cities just had one station. Chief Freeman expressed concerns with morale among personnel in light of the possibility of Cedar Hills leaving the district. Furthermore, this was causing hiring problems. Other fire departments in the area were also having problems with hiring. He said they tried to be the most efficient as possible for the most affordable price.

Mayor Gygi clarified that Cedar Hills was not necessarily saying they were leaving the district; they were simply indicating that they were exploring their options.

**MOTION: C. Geddes to approve a decision to direct staff to notify the Lone Peak Public Safety Board of the intent of Cedar Hills to withdraw from the Lone Peak Public Safety District effective July 1, 2019.** Seconded by C. Rees.

C. Zappala stated that they may want to amend the motion to make clear that this wasn't a decision to formally withdraw from the LPPSD. Mr. Shaw advised him on how to include that statement in the motion.

**AMEND MOTION: C. Geddes— to approve a decision to direct staff to notify the Lone Peak Public Safety Board of the intent of Cedar Hills to withdraw (with future Council action required to actually withdraw) and then inform the Lone Peak Public Safety District effective July 1, 2019.** Accepted and Seconded by C. Rees. C. Bailey recused himself from voting on this item.

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

C. Rees stated that since they modified the agenda without previously informing the applicants, Mr. Ellsworth informed her via text message that he had to leave the meeting.

### 13. Review/Action on a Resolution Adopting Fiscal Year 2018 Budget

Mr. Louw provided an overview of the 2017-2018 budget priorities, as well as a list of updates as of March. A chart depicting the estimated census for northern Utah County was shown, and the projected growth for each city was discussed. General Fund highlights included:

- Passport services
- Increased litigation expenses
- Park maintenance contract, set to expire in December
- Assistant City Manager position absorbed into administrative and finance functions
- Engineering responsibilities absorbed by Bowen, Collins & Associates, as well as Public Works

Mr. Louw presented updates relevant to the Cottonwood lots and capital projects fund. C. Rees asked if the money for these lots went into the capital projects fund. Mr. Louw answered affirmatively and said it was all unrestricted money. He noted that there was a budget adjustment in January to move the money; at the time, the City had anticipated there would be legal expenses in February and March. When legal costs were delayed until June, the funds were moved back. Mr. Louw said the general fund transfer for the year was \$400,000. The City could possibly end up having excess funds, depending on how litigation went this month. Furthermore, it also depended upon how individual departments spent their respective budgets. There had been some employee turnover, so there would be expenditures that were not up to 100%. There were also more revenues from passports and solar. C. Rees asked if the \$400,000 was everything over the 25% allowed, and Mr. Louw answered affirmatively.

Mr. Louw presented a monthly breakdown of the City's sales tax revenues, program revenues on a year-to-year comparison and building revenues. Golf and golf debt service fund highlights included:

- Golf operating budgeted subsidy reduced by \$5,000
- Use of fund balance to purchase two rough mowers as part of the equipment replacement plan
- Golf debt levy amount remained flat

C. Rees asked if the reduced revenues from rentals of the event center were attributed to the fact that as a Council they had decided to allow the center to be available to residents at a significantly reduced rate. Mr. Louw confirmed that this reduction in the budget was anticipated.

C. Geddes stated that when the clubhouse was built, it was partially intended to serve the golf course. He said the revenues for this community center did not affect the golf course numbers even though it was built with that in mind. Therefore, it effectively had brought the operational subsidy down significantly to almost zero.

C. Zappala asked if revenues from golf-related events at the community center went into the green fees. Mr. Louw answered affirmatively.

Mr. Louw reviewed the highlights of the capital projects fund as follows:

- Land sale in the amount of \$2.2 million
- Deerfield Park land purchase in the amount of \$2.2 million
- Deerfield Park development in the amount of \$650,000
- Harvey Boulevard widening project in the amount of \$600,000
- Bayhill Park retainage for site work contract, equipment, pavilions and bathrooms in the amount of \$50,000
- Heritage Park amphitheater improvements in the amount of \$50,000
- Parks Master Plan in the amount of \$27,000
- Golf maintenance building retainage in the amount of \$10,000

Lastly, Mr. Louw reviewed the following: CARE/PARC tax supported projects, water and sewer fund revenues and expenditures, and motor pool fund highlights.

C. Geddes thanked Mr. Louw for his hard work and presentation.

In response to a question from C. Zappala regarding a \$78,000 transfer to an excise debt service fund, Mr. Louw explained that the Public Works building was partially paid for with excise tax bonds. The facility was also funded using money from the general fund as well as the water and sewer fund. He explained that in light of some recently passed legislation pertaining to enterprise funds, Mr. Louw had recommended that this transfer take place.

Mayor Gygi asked if there were any other questions and noted a spreadsheet was also available.

*\*Note: There were brief technical difficulties and the audio stopped recording.*

**MOTION: C. Rees—To approve Resolution 06-20-2017B, a resolution adopting the 2017–2018 fiscal year budget for the City of Cedar Hills, Utah.** Seconded by C. Geddes. Vote taken by roll call.

Yes - C. Bailey  
C. Geddes  
C. Zappala Motion passes.

*\*Note: There was a short break starting at 8:30 p.m. The meeting resumed at 8:40 pm.*

14. Review/Action on a Resolution Adding, Amending, or Deleting Certain Fees to the Official Fees, Bonds and Fines Schedule of the City of Cedar Hills, and Adoption of Rates as Proposed in the Bowen Collins & Associates 2016 Utility Rate Study

Mr. Goodwin explained that modifications were proposed to the City Fee Schedule in order to implement recommendations from the utility rate study as prepared by Bowen Collins & Associates (BCA) and adopted by the City Council. He noted that there was an error in the original document, and that the corrected copy was sent to the Mayor and Council as of this afternoon. He mentioned a change in the Water (PI Not Connected). The original document showed all numbers decreasing to \$1.80 pursuant to pressurized irrigation not being available, which was incorrect. The study by BCA actually showed slight increases. He said the numbers in the fee schedule reflected the numbers just approved in the budget.

C. Geddes commented that cities provide services, and those services cost money. He expressed appreciation for the study that was conducted. Mr. Goodwin said that the long term revenues from these rates would allow the City to keep up on infrastructure improvements.

**MOTION: C. Geddes—To approve Resolution 06-20-2017C, a resolution adding, amending, or deleting certain fees to the official fees, bonds and fines schedule of the City of Cedar Hills, Utah.** Seconded by C. Zappala. Vote taken by roll call.

Yes - C. Bailey  
C. Geddes  
C. Zappala Motion passes.

8. Review City Council Applications

Mayor Gygi explained the process that would ensue for the interviewing of applicants, and said some aspects were dictated by State Code. Each person would provide a two-minute opening statement. Council Members would then ask questions and each applicant would respond. Applicants would interview in alphabetical order. As per State Code, unless one person received 100% of the vote the Council would narrow the group down to two finalists after the initial interviews took place. The Council would then ask additional questions and the finalists would answer those questions. Lastly, the finalists would give closing statements and the Council would deliberate and vote openly on the matter.

Denise Andersen stated that she had lived in Cedar Hills for 25 years. She chose to live in Cedar Hills for the peaceful environment and what she believed the City would become. She was the precinct chair in her voting district. She said she wanted to be a part of the City Council and had been involved with the City in a number of ways, including being a member of the Beautification Committee. She said she wanted to help usher progress in the City.

Trent Augustus said he wanted to continue his involvement with Cedar Hills, and when he left the Council he had expressed that his involvement with the City was not completed. He said that as a former Council Member it would not be difficult to get him up to speed on current City matters, since he was already experienced. He said he was interested in being able to help out on a short term basis for the six-month period. Mr. Augustus stated that he was a resident of Cedar Hills of 11 years and had worked with everyone presently on the Council.

David Driggs stated that he had lived in Cedar Hills for 16 years. He worked in health care consulting and was a small business owner of an internet publishing company. His public service with Cedar Hills started in 2010 when he served on the Blue Ribbon Committee. In August 2012 he applied for a Council vacancy that existed at the time. While he was not appointed to the vacancy he was asked to serve on the Planning Commission, where he had served ever since. Mr. Driggs was currently the Chair of the Planning Commission. Mr. Driggs noted that he also served on the Golf Finance Committee in 2015. He wanted to continue the road map the current Council set forth for the City and stated that his primary campaign platform was to help small businesses grow.

Maurice Navarro stated that he had lived in Cedar Hills for two and a half years and loved the area. In particular, he loved the sense of community and the family atmosphere. He had three kids and it was important for him to live in an area where he felt comfortable letting his kids play. He said he was open minded and willing to consider the ideas of others. If he didn't understand an issue he would ask as many questions as necessary in order to understand something. Mr. Navarro worked in residential and commercial financing, which provided him a lot of exposure to planning issues in the City. Furthermore, he had a flexible schedule. He concluded by stating that he wanted to serve the community that welcomed him with such open arms.

C. Rees posed the following question to each applicant: From a City perspective, what do you feel is the proper role of government?

Ms. Andersen responded that the proper role of government was to protect its citizens and develop neighborhoods that were safe, as well as provide vital services.

Mr. Augustus responded that on the most basic level, the proper role of government was to provide for the needs of the citizens, including services such as water, sewer and infrastructure. Beyond utilities, he stated that recreation programs and community involvement were also important provisions. He expressed the importance of creating a well-rounded community where everyone could come together. In particular, he noted that the Family Festival was a wonderful activity.

Mr. Driggs responded that the proper role of government was to provide for basic service utilities, public safety and quality roadways. He said that recreation also contributed to the quality of life for residents.

Mr. Navarro responded that the role of government varied from level to level; however, the City level was the most necessary because it was closest to the people. He said the role of City

government was to protect the rights and needs of the residents of an area. Nobody would know what those needs were better than City government officials, if they were paying attention to the people that they represented. Some of those needs included utilities and public safety.

C. Zappala posed the following question to each applicant: How many hours do you think you could devote per week to being a Council Member?

Ms. Andersen responded that she worked from home running the financial end of her husband's stock film company, in addition to managing several rental properties. Therefore, her time was very flexible and she could devote as many hours as possible.

Mr. Augustus responded that when he was on the Council in the past he devoted anywhere from two to three hours per week to 30 hours per week. He said he was more than happy to devote the time needed.

Mr. Driggs responded that he also worked from home and had a flexible schedule. He said he would devote whatever time was necessary in order to understand all of the issues that came forward.

Mr. Navarro responded that his work schedule was flexible and would allow him to work as much as necessary.

C. Bailey posed the following question to each applicant: Living in a small City, elected officials have very personal relationships with other citizens. Describe a time when you had to make a difficult decision, and explain how you handled the situation.

Ms. Andersen responded that she has had to evict people from homes that she owned, and it was never easy. She said it was necessary to do the hard thing if it was the right thing to do.

Mr. Augustus responded that ultimately if a person was on the Council, making hard decisions was what they signed up to do. He said that having been on the Council before he has had to make those hard decisions. He mentioned that during the first six months of his first term as a Council Member he devoted 30 hours per week to the job. Lastly, he explained that the hardest decision he had ever made was letting someone go who was his friend.

Mr. Driggs responded that one of his neighbors had submitted a subdivision proposal for his property; however, after reviewing the proposal Mr. Driggs ended up voting "no".

Mr. Navarro responded that in his profession it was his job to match people seeking financing to the right loan, and in commercial development a loan could be for as much as \$25 million. Early on in his career he worked as an underwriter, and he often had to explain to clients why they could not finance certain projects. He subsequently had to advise them on alternative options. Additionally, he had been serving as president of his HOA board. He said that it was his responsibility to watch out for the entire community and to listen to complaints from his neighbors.

C. Geddes said he was passionate about golf and he wanted to hear the applicants' thoughts regarding the golf course.

Ms. Andersen responded that she lived in the City when the golf course was originally built. She loved the golf course and understood the benefit that the golf course provided the community, even though she herself did not golf. She believed the golf course was an asset to the City and therefore she supported it.

Mr. Augustus responded that he loved the golf course and had supported it from Day 1. While there was a cost to maintaining the golf course he was happy to pay that cost. He said if the residents decided at some point down the road to get rid of it he would support whatever the citizens wanted.

Mr. Driggs responded that he used to be an avid golfer and would golf several times a week. He said that even if he wanted to get rid of the golf course it would be a bad decision, due to legal entanglements and easements. Since the City owned the course, they should continue doing everything possible to ensure its success.

Mr. Navarro said he didn't golf as often as he would like, but he did enjoy the sport. In his experience with commercial financing, most golf courses had some struggles. However, that had never been the only point of consideration. Rather, it was about what a golf course meant to a neighborhood, and how it would be an asset to the rest of the commercial development. He said it was always important to look for great management. With this particular golf course, he thought it was beautiful and that it could be an asset to the community. He said there should be more discussion about how to make it successful.

C. Rees posed the following question to each applicant: There were concerns with a proposal that was made for a commercial zone in conjunction with some residential units. This issue brought out a lot of residents with very strong opinions. So, what is your view on how the City's commercial area could be best utilized, and do you agree with the decision that was made with the Council on that particular project?

Ms. Andersen responded that in her opinion, the City's commercial zone was too small and that it was important to have a sales tax base. She said she was not thrilled with idea of a 55+ multifamily residential community, and in her opinion she would have preferred to see small commercial business go into the area in question instead. She felt that high density units would be a strain on the City's public services. She said that her ideal vision for the commercial zone was to have more businesses along Cedar Hills Drive to the roundabout.

C. Zappala stated that the City approved the project in question but with conditions that would limit the development in certain ways. One of those conditions reduced the number of units. The owner and developer were currently fighting that and other conditions. He said anytime there was a dispute like this, it cost the City money in order to maintain its position. He asked the candidates if they were committed to maintaining the position of the Council, even if it may cost the City some more money down the line.

Ms. Andersen responded that it was worth it for the City to “stick to their guns” because this would be a long-term investment in the City. She said it was important to consider what would be beneficial for the City.

Mr. Augustus responded that the City had the right to set certain requirements and guidelines for businesses that can come into the City. He said that in this case, the City was clear on those guidelines and that they should stick by them. He did not think the City should change their standards because a developer wanted to come in and do something different. As a Council they needed to listen to the citizens, and if the citizens wanted to stick to the guidelines outlined in Code then that should carry weight with the Council. Therefore, if this meant the City spent money to stand by its guidelines then that was what they should do.

Mr. Driggs responded that the commercial property in question was owned by a private party. The private property owner brought forth a developer who wanted to build this community complex. He indicated having spent a lot of hours on this matter over a two-year period, as a member of the Planning Commission. The applicant originally wanted a five-story building and the Commission reduced the site plan to three stories. The developer proposed three or four different variations of the building over that two-year period and there was a lot of discussion that took place on the matter. He said he was the only person who had ever voted against this project. He said the developer never provided a commitment in writing that it would truly be a 55+ senior housing project; this point was only verbally communicated. Without a written agreement, he felt this just was another apartment complex. He noted that the Council voted unanimously in favor of the project, and he reviewed the conditions of approval attached to said action. Mr. Driggs said he supported the Council’s decision based on the conditions of approval. He said that while he didn’t know what types of discussions took place during closed meetings, he was willing to stand by the Council’s decision and felt this particular issue was worth the legal battle.

Mr. Navarro responded that he personally would have liked to see more commercial base on the property in question. He said that while he appreciated the quiet nature of Cedar Hills, he had to leave the City in order to do any kind of shopping. He said he lacked pertinent information regarding the case in question, and therefore he didn’t know what type of financial figures with which they were working as a City. C. Zappala provided an abbreviated overview of the situation and asked Mr. Navarro if he would commit to defending the legal decision. Mr. Navarro said that having dealt with other developers he understood their tactics. However, the Council answered to the people and they needed to make decisions that were in the best interest of the community. Therefore, he would support the Council’s decision.

C. Zappala posed the following question to each applicant: What are your opinions in terms of whether or not this building should be a community center or golf clubhouse? What suggestions do you have for making this more of a community building?

Ms. Andersen responded that she didn’t know why the building could not serve both purposes. She said it was a great clubhouse, restaurant, reception center, etc.; there was enough space to do everything. She said there was potential for the building to be something special in the future.

Mr. Augustus responded that the City had done a good job of creating a mix of recreation and golf events at this building. He said that unfortunately, they didn't have the resident base to support a lot of the activities that some of the bigger cities had. They needed to find a hybrid solution and find what best suited Cedar Hills on an ongoing basis.

Mr. Driggs said this was a dual purpose building and he had several ideas on ways that they could get more people to the community center. He stated that small businesses were an untapped area within the City, and so he would like to create a small business mentoring program and host classes and workshops at the community center. He said this would bring more adults into the building.

Mr. Navarro said the building should serve as both a community center and golf clubhouse. He said that over time and with the right management they could build a successful facility.

Mayor Gygi said he was impressed with the group of people applying for this vacant Council position. He asked the Council to also consider Ben Ellsworth and Bill Knowlton, who had to leave early or could not make it to tonight's meeting. He said that Mr. Ellsworth and Mr. Knowlton had both served the City through the Parks, Trails and Beautification Committee. Mayor Gygi called for a vote on the candidates. The Council named Ms. Andersen and Mr. Augustus as the two finalists.

Mayor Gygi thanked Mr. Driggs and Mr. Navarro for participating in this process. He turned the time over to the Council for further questioning of the finalists.

C. Zappala stated that one issue the Council had discussed at length was the St. Andrews Estates. He explained that a former Council decided to rearrange the golf course and sell a portion of the land. He noted that the minutes from that time indicated that the Council believed they would get up to \$6 million for the land which would then cover the entire golf course debt. However, it was now a sunken cost, the funds of which would never be fully recouped. Therefore, present and future Councils had to decide what to do with that space. Two different ideas had emerged; (1) the City could continue with the former plan and develop the space with homes, realistically recouping up to \$2 million, or (2) the City could maintain some sort of open space.

Mr. Augustus responded that he would like to see the land maintained as open space. The City had limited space because it was surrounded by mountains and they didn't have a lot of room where they could grow and develop. For him, the money was not worth the cost of losing the open space in the City.

Ms. Andersen agreed with Mr. Augustus, and said it didn't make sense to develop the property in question because it was awkwardly located below the golf course. Her preference for the area was a dog park. She liked the idea of green space and developing parks, which would provide a beautiful northern entrance into the City.

C. Zappala posed the following question to each finalist: Should we at some point build a splash pad or pool?

Mr. Augustus responded that there were several pools in neighboring cities, and he didn't think northern Utah County needed another pool. Other cities were happy to let Cedar Hills residents use their pools. He said they had a limited population and pools were notoriously expensive to maintain. Furthermore, the fact that there were other pools in the area would make it difficult for Cedar Hills to provide a pool that was financially feasible. However, he said he would like to see a splash pad or some other small water facility for younger kids, which didn't have nearly as much overhead or maintenance as a pool. C. Zappala asked if it would change the equation if multiple cities in the area went in on a pool together. Mr. Augustus said maybe; however, he pointed out that in the case of the LPPSD the best intentions didn't always line up.

C. Rees asked Mr. Augustus where he would like to see a splash pad. Mr. Augustus said in order to support a splash pad, there needed to also be parking, bathrooms and water available. He suggested a few different site options and explained some of the obstacles each site faced. He stated that he hadn't done any in-depth research on the matter.

Ms. Andersen was of the opinion that the City would benefit from having a pool. She said that when the community center was built, one option discussed at the time was an aquatic center. She suggested Deerfield Park as a potential location, and said a pool would add value to the City.

C. Rees posed the following question to each finalist: There will be times when you do not agree with other members of the Council. How would you deal with conflict with fellow Council Members?

Mr. Augustus responded that he had dealt with conflict with other Council Members before. He said this was part of the job and that occasional conflict was a good thing. There were six Council Members for a reason, and it was so they could get multiple perspectives on issues. He explained that it was important to remain professional, to work efficiently and find ways to resolve disagreements when they arose. He said it was important to remain open to having conversations with people even when there were disagreements.

Ms. Andersen responded that while she didn't like conflict, she was not afraid to fight for her beliefs. If a disagreement became public, she said she would take the time to listen to complaints and explain her view point. She said that one should not back down on their beliefs just because they were going to be criticized by someone. She said it was important to have differing opinions amongst Council Members.

C. Rees posed the following question to each finalist: What are your goals and views for the City over the next five years?

Mr. Augustus responded that growing commercial development in Cedar Hills was key to its success as a City. He said he would also love to see more recreation programs for younger kids.

Ms. Andersen responded that her number one hope for the City was to see the commercial zone grow. Additionally, she appreciated the direction the City was taking with beautification efforts, and she wanted this to continue in areas that they could control.

Seeing no further questions from the Council, Mayor Gygi invited the finalists to make closing statements.

Mr. Augustus thanked the Mayor and Council and indicated that they had a thankless job. He said Cedar Hills was a great place and he wanted to continue helping the City over the next six months.

Ms. Andersen thanked the Mayor and Council. She said she had a vision for the City and believed in its potential; she wanted to be a part of the growth that was taking place. She stated that it was important to bring new faces and fresh perspectives onto the City Council.

After subsequent deliberation regarding the finalists, the following votes were noted:  
In favor of Ms. Andersen: C. Zappala, C. Rees and Mayor Gygi  
In favor of Mr. Augustus: C. Geddes and C. Bailey

9. Appointment and Swearing in of City Councilmember

City Recorder, Colleen Mulvey, conducted the oath of office, and Ms. Andersen was sworn in as a Member of the Cedar Hills City Council.

10. Review/Action on a Resolution making Assignments to Members of the City Council, Staff and Residents to Certain Boards, Committees and Entities

Mayor Gygi called for a motion to appoint C. Andersen as the Council Member liaison to the Planning Commission. He explained her role as a Council Member liaison and noted that this role was formerly fulfilled by Rob Crawley.

**MOTION: C. Zappala—To approve Resolution 06-20-2017D, a resolution assigning members of the City Council, Staff and Residents of the City of Cedar Hills, Utah, to certain boards, committees and entities.** Seconded by C. Geddes. Vote taken by roll call.

Yes - C. Bailey  
C. Geddes  
C. Zappala Motion passes.

16. Discussion on Canyon Road Sewer

Mr. Goodwin presented the staff report as well as an aerial map of the subject property. He explained that Council directed staff to explore the possibility of completing the Canyon Road sewer project in tandem with Utah County's Canyon Road reconstruction project. Originally, the proposal was to extend a sewer line from Box Elder Drive north to Mountaintop Trails. This line would service approximately eight Cedar Hills residents and sixteen Pleasant Grove residents. After meeting with Pleasant Grove City officials, staff was recommending that the project be scaled back to focus only on the Cedar Hills residents. The original placeholder projected cost was to be \$400,000. Additionally a bid from the County for the design work of the original project came back at \$21,000. With the scaled back plans, staff was expecting the total cost of the project to be nearly half of the original placeholder amount. BCA had given Cedar Hills a bid to design and inspect the project from start to finish of \$40,000.

The homes along Canyon Road were on septic systems. The County would not approve new septic systems in the event that they failed if a homeowner was within 300 feet of a sewer line.

As these homes aged in this area, staff noticed an increasing amount of septic system failures. With the construction on Canyon Road, there would be a five-year moratorium on cuts and projects on Canyon Road. If the City did not install a sewer line by the completion of the project and a septic system failed, the City and residents would be hard pressed to find options for providing sewer systems.

He stated that the scaled back plans would be about 680 feet, and would service seven Cedar Hills residents and only one Pleasant Grove resident, whose property was sandwiched between Cedar Hills residents.

C. Geddes asked if from the Mountain Top Trails Subdivision, the sewer would come down Canyon Road. Mr. Goodwin stated that the sewer line would be gravity fed to the south. C. Zappala asked what would happen to the rest of the homes. Mr. Goodwin replied that this would be up to Pleasant Grove.

C. Geddes asked what would happen if the septic systems failed. Mr. Goodwin said if one of the septic systems failed during the five-year moratorium, the City would be responsible for helping those residents find a solution. C. Zappala stated that the City would have to pressure the County into letting them install septic tanks again. Mr. Goodwin repeated that according to State Law, if residents were within 300 feet of a sewer line, they were required to attach onto the line. The City could legally require those residents to connect to the sewer line before septic systems failed.

C. Rees commented that this item had been budgeted as a capital project for decade. C. Geddes asked if there were any State funds available for this type of project, and he was informed that there were not.

Mr. Goodwin said the County's engineers provided staff with an estimate of \$21,000 to design the sewer system. On the other hand, BCA gave an estimate of \$40,000, which included the design work, onsite inspections and drainage at the adjacent duck pond. The County's estimate only included a mill overlay.

Mr. Maag identified the homes on the aerial map that would be affected. He said if they did the entire scope of the project as it was currently designed it would connect 10 Cedar Hills residents and seven Pleasant Grove residents. He stated that the \$400,000 estimate was from several years ago. It was noted that the staff report included rough estimates of what it would cost to do a scaled back project. There was further discussion regarding what was included in each estimate.

C. Geddes asked if it was possible for the sewer line to be on the shoulder of the road, rather than down the middle. Mr. Goodwin said they may have to modify some drive approaches which could be very expensive. Mr. Maag added that there was a high pressure Questar gas line on the east side of the road.

C. Rees asked if this would address the sewer needs for all Cedar Hills residents in that area who were currently on septic. Mr. Maag said it would not address the three residents living on Jens Monson Lane; however, it would cover the Cedar Hills residents living on Canyon Road. Mr.

Goodwin noted that there would not be a moratorium on Jens Monson Lane, thereby making the matter less time sensitive in that area.

C. Bailey asked what the negative effects would be if the City opted not to do this project. Mr. Goodwin said that if the City did not proceed with this project and the septic tanks failed during the five-year moratorium, the County would not do road cuts nor would they approve new septic systems. C. Zappala asked what would happen if one of the Pleasant Grove residents decided to boundary adjust into Cedar Hills. Mr. Goodwin said depending on which resident boundary adjusted, it could create an island thereby forcing a number of other residents in Pleasant Grove to also boundary adjust.

C. Zappala asked what would happen if the Pleasant Grove residents boundary adjusted into the City and their septic tank failed. Mr. Goodwin clarified that the original project tried to draw those residents into the City in order to clean up the boundary line on Canyon Road. He said that if the Council was okay providing sewer services to Pleasant Grove residents with the expectation that they would not boundary adjust into Cedar Hills, then that would be a different discussion. C. Zappala said he was perfectly fine with that. Mr. Goodwin said that in this case, Cedar Hills would pay for capital costs but would not be able to recoup the costs.

C. Rees said that those Pleasant Grove residents had been clear that they had no desire to boundary adjust into Cedar Hills. C. Bailey suggested they approach the residents again to see if they would be willing to boundary adjust to help offset some minimal costs. C. Geddes asked if the City could charge an additional hookup fee. Mr. Goodwin answered in the negative; however, he noted that the City could establish a special service district. In this case, there would be tax levy against those homes and they would pay an annual assessment.

Mayor Gygi said they needed to consider the matter from a long-term perspective. There was subsequent discussion regarding the timeline for the design of the project, as well as other items previously noted.

#### ADJOURNMENT

This meeting was adjourned at 10:25 p.m. on a motion by C. Bailey, seconded by C. Geddes, and unanimously approved.

Approved by Council:  
August 1, 2017

/s/ Colleen A. Mulvey, MMC  
City Recorder