

**CITY COUNCIL MEETING**

Tuesday, October 3, 2017 7:00 p.m.  
Community Recreation Center  
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Mayor Gygi, Presiding  
Councilmembers: Denise Andersen, Ben Bailey, Mike Geddes, Jenney Rees, Daniel Zappala  
Chandler Goodwin, City Manager  
Greg Gordon, Recreation Director  
Charl Louw, Finance Director  
David Shaw, City Attorney  
Colleen Mulvey, City Recorder  
Others: Lt. Gregg Ludlow, Keith Irwin, Steve Mastin, Maurice Navarro

1. Call to Order

This meeting of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 7:01 p.m. by Mayor Gygi. The Pledge of Allegiance was led by Boy Scout Nick Whatcott, and the invocation was given by C. Andersen.

2. Approval of Meeting’s Agenda

**MOTION: C. Zappala—To approve the agenda, as written.** Seconded by C. Rees.

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

3. Public Comment: Time has been set aside for the public to express their ideas, concerns and comments (comments limited to three minutes per person with a total of 30 minutes for this item).

There were no comments.

CONSENT AGENDA

4. Appointment of Vic White, Steve Mastin & Sue Mastin to the Beautification, Recreation, Parks and Trails Citizens Advisory Committee

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

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

## CITY REPORTS AND BUSINESS

### 5. City Manager

Chandler Goodwin reported that Ski Bus registration was open. The program always filled up quickly, and it was a great opportunity for avid skiers and those who may want to learn. Mr. Goodwin also reported that Lone Peak baseball, soccer, and flag football seasons were all wrapping up within the next few weeks. The course greens had been spike aerated this year, which was a different method from what the City had used in the past. Mr. Goodwin then stated that the voter information pamphlet for the upcoming election was available on the City's website and paper copies would be mailed out to the residents later in the month. Finally, Mr. Goodwin reported that Mike Carson had won the Services Beautiful Award from the group Seamless.gov.

### 6. Mayor and Council

C. Rees said this was the time of year that she began putting together the State of the City, and she wanted to have a conversation with the City Council regarding the topics they would like to include this year. She had received feedback that there was a desire for the State of City to be out before elections, but C. Rees would not be able to meet that deadline. The topics that C. Rees had considered so far were the Mayor and City Manager Messages, the budget, a brief introduction to property tax, and some of the concept plans for the Harvey Park.

C. Geddes said that those were all good topics and suggested that they include a discussion about how Harvey Park would be financed.

Mayor Gygi asked that they also include a continuation of how tax dollars are spent and a breakdown of property taxes, which he felt should happen every year.

C. Zappala said that he had had a meeting with the residents regarding Canyon Road and he thought it would be beneficial to include a brief history of that in the State of the City.

Mayor Gygi reported that he attended the last Lone Peak Public Safety District meeting and there had been some work done by the State Auditor. A few issues had to be cleaned up, but that was being taken care of.

C. Zappala said that he recently received a request from a resident to consider putting a ban on open fires during burn season. He spoke with the Fire Department and they said that this was a decision that needed to be made by the City. The concern was that Cedar Hills was in a very windy area, and smoke from these fires traveled into neighbors' yards and homes with great severity. He asked that this issue be included on a future agenda for discussion.

Mayor Gygi suggested that they get the opinion of the Fire Marshal before making a decision on an open fire ban.

C. Zappala also requested that the City Council discuss whether St. Andrews Estates subdivision should be rezoned to the Public Facility zone in the future.

7. Review/Action on Amendments to the City Code Title 3, Chapter 1, Relating to Solicitation

Mr. Goodwin explained that the proposed amendments were based on a previous discussion that the City Council had in August. The amendments would modify the existing No Solicitation Notice ordinance and the Duties of Solicitors ordinance. Mr. Goodwin explained that the change would not impose an outright ban on soliciting, but it would limit it to anyone without a No Solicitation sign. This would also give the City more authority to take action against those who violate the ordinance. Mr. Goodwin read the proposed language.

C. Rees was concerned that solicitors were simply ignoring the signs because there was no real penalty in the current ordinance. She asked if the City would be able to impose a fine to someone who violated the ordinance with the amended language.

Mr. Goodwin said that a resident would have to report the violation to the City or they would not be able to take proper action. They need to know who the solicitor was and what company they represent.

Attorney Shaw added that a violation of the City's ordinances was a Class B Misdemeanor and a \$1,000 fine could be imposed.

C. Zappala commented that residents would probably call the police rather than the City.

Lt. Ludlow said that there was a non-emergency number that was available for these types of events. That number was 801-763-3020. C. Zappala asked that this number be publicized in some way.

C. Andersen asked why the term "advocating" was included in the ordinance language, and what that entailed.

Mr. Goodwin said that the ordinance only limited commercial businesses, not fundraising or campaigning. The term was included in the proposed language because it existed in the previous ordinance. The Planning Commission requested that "advocating" be stricken from the proposed language.

C. Rees and C. Zappala expressed their support for the proposed ordinance.

Mayor Gygi was not confident that the ordinance amendment would resolve the problem, because he felt that solicitors would continue ignoring the signs. If residents don't call into the City, there was nothing they could do about it.

There was continued discussion regarding the need for residents to call the City to report violations.

C. Geddes agreed with what had been said, including the comments from Mayor Gygi; however, he felt that the proposal would clarify the language and give the City a little more authority when the ordinance was violated. He was in favor of the amendment.

**MOTION: C. Rees - To approve Ordinance No. 10-03-2017A, an ordinance amending the City of Cedar Hills Municipal Code, Title 3, Section 1, Article D, relating to solicitation, with the two mentions of “advocating” in Section 3-1D-10 removed.** Seconded by C. Zappala. Vote taken by roll call.

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

8. Review/Action on Adoption of a No-fault Insurance Policy for the City of Cedar Hills

Mr. Goodwin said that this action was a result of issues that arose from several homes that flooded earlier this year. The City’s insurance denied any liability because the City does a thorough job of maintaining their utility lines. In an effort to reduce the City’s liability, staff was proposing a new policy. Mr. Goodwin read the purpose statement and the proposed policy.

Mr. Goodwin said that the policy would enable staff to process claims, and only large amounts would need to be authorized by the City Council. The adoption of this policy would not establish a fund until next year’s budget. They were proposing a fund balance of \$25,000 per year. As a change to the proposal, Mr. Goodwin asked that language be added stating that anyone receiving payments must sign a Hold Harmless Agreement with the City. He also commented that the City needed to be better at informing residents of possible liability that they may face.

C. Zappala asked how staff was proposing to fund this policy.

Mr. Goodwin said that it would be done through the Water and Sewer Fund. This would either be funded by increasing the utility rate or a decrease in another service. That would have to be discussed with the City Council at a later date.

C. Bailey said that having \$25,000 available to put toward a deductible could encourage the residents to get insurance.

Mayor Gygi commented that getting into the insurance business would not necessarily be a bad thing. The City needed to be constantly educating residents about their home owner’s insurance. The residents should be making sure that they are covered from exterior water entering the home as well as interior water.

C. Zappala asked if staff had considered prior claims and estimated what may happen in the future. He wondered if that amount would exceed \$25,000 per year. Mr. Goodwin said that the final budget amount would be determined by the City Council.

C. Rees agreed that education was a major challenge, and it was something that the City needed to be doing continually. She also said that it was good to have a policy in place.

C. Zappala liked C. Bailey's suggestions of treating this as a reimbursement for their deductible. The City would do their part because the resident has done theirs in getting insurance. Mr. Goodwin said that the proposed language covered that.

Mayor Gygi reported that they would be holding a Town Hall meeting, and this would be an item of discussion.

**MOTION: C. Geddes - To approve Resolution No. 10-03-2017A, adopting the No-fault Culinary Water, Pressurized Irrigation, Sanitary Sewer and Storm Water Sewer Failure Claims Program.** Seconded by C. Rees. Vote taken by roll call.

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

**ADJOURNMENT**

This meeting was adjourned at 7:54 p.m. on a motion by C. Zappala, seconded by C. Andersen, and unanimously approved.

Approved by Council:  
November 21, 2017

/s/ Colleen A. Mulvey, MMC  
City Recorder