

WORK SESSION
Tuesday, February 05, 2013 5:00 p.m.
Community Recreation Center
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Mayor Gary Gygi, Presiding
Council Members: Trent Augustus, Stephanie Martinez, Jenney Rees, Daniel Zappala, Scott Jackman (5:25 p.m.)
David Bunker, City Manager
Greg Gordon, Recreation Center Director
Eric Johnson, City Counsel
Courtney Hammond, Transcriptionist
Others: Lt. Sam Liddiard

This work session of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 5:07 p.m. by Mayor Gygi.

- Discussion on the Roles and Responsibilities of the Mayor and City Council
Eric Johnson reviewed the roles and responsibilities of the mayor and city council. Cedar Hills has a traditional form of city government, with 6 elected council members, one of which is the mayor, who has limited voting powers. The mayor has the majority of the administrative powers for the city, set forth in statute; however he doesn't have all the administrative/executive powers. The city council does retain some administrative actions, such as contract review/approval. For that reason the courts struggle with legality of referendums, which should only apply to legislative actions, and not administrative actions. Administrative powers given to the council, specifically expenditures of money should be done by ordinance. For example, setting hours for the Grill is clearly administrative, though the council, if it feels strongly, can take legislative action and mandate hours for the Grill.

When Mr. Johnson was retained, the council did not have the same priorities. Different council members would ask for legal advice, wanting different, even opposing outcomes. He had to sit down with the council and let them know that council members could not give him direction, but that he should receive marching orders from the mayor.

Mayor Gygi stated that Cedar Hills has an active council and employed staff, and it needs to determine how to best make everything work. Overly involved councils tend to shut down staff initiative. He urged the council to consider the role of staff. In terms of the budget, his interpretation is that it is up to the mayor to come up with the budget to present to the city council for amendment and/or approval. The mayor should get input from the council. The approved budget sets priorities for staff, and the staff is then responsible to implement the budget.

C. Zappala pointed to the hours and operation of the Grill as an example for how the roles and responsibilities of the council should work. The council sets the budget for the year,

giving the Grill a certain amount of money, then turns it over to the staff to work within that budget as it sees best.

C. Martinez stated that in the case of the Grill, a budget was set anticipating a year-round opening. A change in hours, or closing the Grill, changes the priorities and direction given by the council through the budget.

C. Augustus stated that the Grill was anticipated to provide a certain level of service, which changes drastically if the Grill closes. If the level of service changes, it should be brought to the council. In this case, the Grill was operating at a loss. He would like to have known earlier in the process that the Grill was losing money those last few months.

C. Jackman stated that when there is a change or problem with the budget, it comes to the council as a budget amendment. The problem with budget amendments is that typically the money is already spent, and the budget amendment approval is more of ratification.

David Bunker stated that the Grill is dependent on customers. As soon as the golf season ended, customers dropped off. It made no sense to stay open, when there were no customers.

C. Rees stated that the council always has the option to put something on the agenda. In the case of the Grill, there is not council consensus on whether it is a city service or not.

Eric Johnson reviewed council assignments and chain of command. He stated that the mayor can appoint council members to have different administrative responsibilities and duties. Those assignments are presented to council and approved. There is not a lot of clarity on what the exact responsibilities are. It may be wise to give some color and flavor to what the administrative duties and responsibilities are on any given assignment or committee. In working with staff, he suggested that as a point of courtesy, if a council information request is more than a simple answer and requires staff time to compile, it should be cleared with the city manager, and/or the mayor so that it can be appropriately prioritized by staff.

C. Martinez stated that she struggles to understand the chain of command in some assignments. Some of her responsibilities involve working with specific staff, though she has been directed to work with staff through the mayor. Going through the entire chain of command to fulfill her responsibilities seems inefficient and unproductive. She also gets frustrated at not being able to get information directly from staff, but rather directing her requests through the mayor.

Mayor Gygi stated that he doesn't see a problem with council asking questions of staff directly, but that if the council gives staff direction, they have overstepped the bounds.

C. Jackman stated that each assignment is different. Some assignments may include an administrative role with staff.

C. Augustus asked that the Grill policies be on the next work session agenda.

Break 6:02 p.m. Mayor Gygi excused.

Reconvened at 6:06 p.m. with C. Rees presiding.

- **MOTION: C. Jackman—To go into Executive Session, Pursuant to Utah State Code 52-4-204 and 52-4-205 to discuss pending litigation. Seconded by C. Augustus.** (6:06 p.m.)

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

- **MOTION: C. Augustus—To Adjourn Executive Session and Reconvene Work Session. Seconded by C. Jackman.** (6:30 p.m.)

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

- **Discussion on the Direction of the Recreation Department/Grill**

David Bunker stated that activity at the Grill is driven by golf. When golf season dwindled, activity at the Grill followed. He would like to see more recreation in the building with better programs. The fitness classes are struggling to get consistent attendance, which is hurt by shuffling for events and recreations. When fitness classes get a dedicated space, consistency will stabilize. Council has approved getting plans drawn up for basement. Those bids should be in within the next month. The Grill is not a full kitchen, which limits what the city can get out of the Grill. The Grill may not ever be a destination dining spot. He feels like it will always be a supportive function, even with increased advertising.

C. Zappala stated that he believes the Grill is tied to foot traffic, which in the future can be things other than golf.

C. Rees stated that if the city wants recreation to drive the Grill sales, the menu may need to change to include smoothies, protein shakes, etc. If it is just foot traffic that gets people to the Grill, the city should use the recreation center more for city-wide events to drive foot traffic.

C. Jackman stated that he wants to be careful to not make decisions about the Grill based on this last years' performance. If the basement is finished, there will not be the same

problems and conflicts. The council should consider: (1) a subsidy policy for recreation in general and the Grill in particular; (2) if the Grill is not optimally designed, what would be the optimal design to enhance the Grill, and what would it cost.

Greg Gordon stated that space is the biggest limitation. There is one grill with no ovens or char-broiler. It would be great to add smoothies, shakes but would cost \$6,000 per machine plus electrical work and increased labor costs. Additionally, there is no signage. Staff needs to know what the identity of the Grill is.

C. Zappala stated that solving the Grill's limitations depends entirely on its goals. If the goal is to bring in people from around the area as destination dining, the city should look into renovating and leasing out the space. If the goal is to service foot traffic, it should probably remain small.

David Bunker stated that leasing out the space would limit the city somewhat, and the city would lose control over the menu, etc.

Mayor Gygi returned 6:45 p.m.

Mayor Gygi stated that a discussion of the identity of and vision for the Grill will be on the next work session agenda.

This work session was adjourned 6:56 p.m. by Mayor Gygi.

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