

WORK SESSION
Tuesday, April 02, 2013 6:00 p.m.
Community Recreation Center
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Mayor Gary Gygi, Presiding
Council Members: Trent Augustus, Scott Jackman, Jenney Rees, Stephanie Martinez, Daniel Zappala
David Bunker, City Manager
Chandler Goodwin, Assistant City Manager
Colleen Mulvey, City Recorder
Courtney Hammond, Transcriptionist
Eric Johnson, City Counsel
Charl Louw, Finance Director (6:20 p.m.)
Planning Commission Members: Glenn Dodge, Bradley Weber
Others: Lt. Sam Liddiard, Mark Edminster

This work session of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 6:06 p.m. by Mayor Gygi.

Open and Public Meetings Act Training

Eric Johnson stated that the Open and Public Meetings Act requires annual training. The Act states that actions and deliberations on city business should be conducted in public meetings. A public body is any standing body created by ordinance and/or resolution. If the purpose of a committee is to obtain feedback from the public, it should be done under the Open and Public Meetings Act. If the body is going to deal with public money, advise the city council, it should come under the Open and Public Meetings Act. When it is an open meeting, recordings and minutes are required. Chance meetings or social meetings are not public meetings as long as city business is not discussed. There is a section that says that email, texts and electronic communications do not subject that meeting to the Open and Public Meetings Act. During an open meeting, deliberations need to be made in the open, not through texts and messages. As a general rule, public meetings need to be in Cedar Hills. Limited meetings can be held outside the city as a site visit of a traveling tour. Those terms are undefined and are an exception for when meeting recordings are required. Open meetings require 24 hours of public notice. The notice needs to be at the city's principal office. He would suggest that notices also be posted at the Community Recreation Center because that is where meetings are located. Notice must also be posted on the Utah Public Notice Website and the local paper, unless the paper subscribes to the Utah Public Notice Website. If there is an electronic meeting, all members must be notified that they can participate electronically. Ordinances, resolutions and contracts must be reviewed in an open meeting. Competence, collective bargaining, litigation, real estate, security items, crimes and ethics are the only items that can be discussed in closed door sessions. Competency and security do not have to be recorded. There are limited reasons to be in the closed session. Such business should be discussed in a closed door session, and the closed door session should be closed immediately after, without any other business discussed. Intentionally misusing a closed door session is a Class B misdemeanor. Challenges to the Open and Public Meetings Act have to

be made within 90 days. If mistakes or glitches are made, the legislative body can redo that item at the next meeting. The act expressly allows the body to discuss matters that come up during the course of the meeting, though no action can be taken that is not noticed on the agenda.

Consideration of a Resolution Amending the \$930,000 Utility Revenue Bonds, Series 2009 to the Lower Interest Rate of 3.020% Per Annum as a Reissuance

Mark Edminster of Lewis, young, Robertson and Burningham stated that there is a resolution before the council tonight finalizing the refinance of the utility revenue bonds. Originally Wells Fargo Bank offered a 3.02% interest rate for 10 years. The council was wary of the risk after 10 years. Wells Fargo has since offered to cut the interest rate to 3.02% with the original terms of the bond, which is 16 years. The city now has no interest rate exposure. The call restrictions are still in place, though they allow paying 10% of the savings per year on the balance. The issuance cost has also gone down. The total savings over the life of the bond is \$237,000, or 21.7%. If the council approves this tonight, it can close on April 16.

Fiscal Year 2013 Budget Presentation

Charl Louw reviewed the 10-year budget for the water and sewer fund. The capital projects planned through 2016 total \$1.6 million. Current reserves are around \$1.5 million. The next project is the Canyon Road Sewer Improvements, possibly partnering with Pleasant Grove City. The city cannot do the Canyon Road improvements until the jurisdiction transfers to from the state to the county.

David Bunker stated that the Canyon Road project is already designed. UDOT is requiring flowable fill in the pipe trench. Flowable fill is several hundred thousand dollars. Waiting for the jurisdictional transfer will save the city money because the county will not require flowable fill, but allows trench backfill. The other priority project is the metering system, which would be a benefit to the residents. It would allow staff to take the read from a tower rather than going to each address. Many of the current meters need maintenance.

This meeting was adjourned at 6:58 p.m. by Mayor Gygi.

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