

CITY COUNCIL WORK SESSION

Tuesday, September 16, 2014 6:00 p.m.
Community Recreation Center
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Mayor Gary Gygi, Presiding
Council Members: Trent Augustus, Rob Crawley, Mike Geddes, Jenney Rees,
Daniel Zappala
David Bunker, City Manager
Chandler Goodwin, Assistant City Manager
Jeff Maag, Public Works Director
Greg Gordon, Recreation Director
Courtney Hammond, Transcriptionist

This work session of the City of Cedar Hills, having been properly noticed, was called to order at 6:04 p.m. by Mayor Gygi.

Discussion on Accessory Apartments

Chandler Goodwin stated that accessory apartments are conditional uses and must be approved by the Planning Commission. That isn't happening. Accessory apartments count towards moderate income requirements. Knowledge of accessory apartments is also a public safety issue.

Jeff Maag stated that there are no legal accessory apartments in the city. There can be legal issues between tenants and landlords as a result.

C. Augustus stated that some conditional permits have been delegated to staff. It may be wise to do the same with this issue.

C. Zappala stated that in Provo, accessory apartments can only be an owner occupied unit; can only house two unrelated people or a family; must have a separate entrance not on the main street; and must have a separate address. Orem requires separate heating and air conditioning system.

February Training Session

C. Crawley asked an attorney to come to the meeting tonight to share his opinions on the February 18, 2014 meeting.

Mayor Gygi stated that to make it a fair discussion, Mr. Johnson should be prepared with the information that attorney will present in written form.

C. Rees stated that she feels this is unfair and unprofessional. State code considers a city attorney as a political appointment, just as city manager, chief building official, etc. Making an employee stand up and publically defend "bad advice" sets a dangerous precedence. Competency should be discussed in executive session. C. Crawley has stated on the public forum that he does not believe what Mr. Johnson has said, and has sought advice of another attorney.

C. Geddes is uncomfortable having this discussion without having submitted something in writing beforehand for Eric Johnson to review.

C. Zappala stated that if the discussion were limited to what can be shared through email he thinks the discussion would be accessible. Contrasting one attorney's opinion against another would be a competency issue and must be done in executive session. There is a thin line here because there are a lot of context and public accusations that have been made.

C. Crawley stated that his questions are: (1) If there is an email among city staff and officers and copied to an attorney, does that email have attorney/client privilege? (2) If the content of an email is discussed with citizens will that break attorney/client privilege? (3) Are all emails of the City Council the property of the city, and would a vote be needed to allow that to be shared? (4) Can he forward his own emails to other people throughout the city?

C. Rees stated that she still objects to this discussion. Those are specific questions in areas that C. Crawley has issues with Eric Johnson.

C. Zappala stated that he objects to some of the questions because they are in direct response to Eric Johnson's training.

After taking a straw poll of the council, Mayor Gygi stated that without submitting his opinion in writing, this presentation and discussion with the other attorney will not be in the public meeting.

This meeting was adjourned at 6:59 p.m. by Mayor Gygi.

/s/ Colleen A. Mulvey, CMC
City Recorder