

CITY COUNCIL WORK SESSION

Tuesday, July 21, 2015 6:00 p.m.

Community Recreation Center

10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Mayor Gary Gygi, Presiding
Council Members: Rob Crawley, Jenney Rees, Trent Augustus (6:08 p.m.), Mike Geddes (6:11 p.m.)
Absent/Excused: Daniel Zappala
David Bunker, City Manager (6:06 p.m.)
Chandler Goodwin, Assistant City Manager
Greg Gordon, Recreation Director
Jeff Maag, Public Works Director
David Shaw, City Legal Counsel
Colleen Mulvey, City Recorder
Others: Lt. Sam Liddiard

WORK SESSION

This work session of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 6:01 p.m. by Mayor Gygi.

Boundary Adjustment with Pleasant Grove

Chandler Goodwin explained that there have been two residents of Pleasant Grove approach the City about boundary adjusting into Cedar Hills. Gina and Scott Day had a septic tank fail, and the City has been working with them on hooking on to City's sewer system. Furthermore, they have expressed an interest in connecting to other Cedar Hills utilities as well. Brent and Neva Wilson are also currently using septic, and would like to boundary adjust for similar reasons as the Day family, who are their next door neighbors on 900 West. Chandler Goodwin was not aware of the status on Pleasant Grove's end.

Open Fires and Fireworks

Chandler Goodwin explained that based on feedback from Fire Marshal, Ben Bailey, and Fire Chief, Brad Freeman, restrictions were set on all fireworks east of Canyon Road. Signage has been posted in that area and letters have been mailed to residents notifying them of the ban. These regulations need to be formally adopted by way of a Resolution. Chandler Goodwin mentioned a complaint that was made by Mrs. Rosenthal regarding the amount of trash that went into her yard as a result of the City's allowing residents to ignite fireworks in Mesquite Park. In response to this complaint, Public Works will cordon off 125 feet from the property line up north to designate it as a spectator-only area.

Mayor Gygi commented that Mrs. Rosenthal ultimately does not want any fireworks to be allowed in Mesquite Park. Chandler Goodwin replied that Mesquite Park is an ideal location for fireworks, given the flat topography of the park and adjacent parking. Alternatively, the driving range could be used; however, parking is not available. Furthermore, the dry weeds around the driving range are fire hazards. The Mayor and Council continued to address Mrs. Rosenthal's

concerns. Chandler Goodwin stated that he would work with staff to ensure that trash is picked up at the park the next day.

C. Rees asked if other cities offer a central location for fireworks, and Mayor Gygi noted that Alpine City also provides a designated area. Chandler Goodwin added that Pleasant Grove enforces fire restrictions north of the Murdock Canal, but was not aware of any other designated areas that specifically allow fireworks.

Restricted Access at Heiselt's Hollow & Bayhill Drive

Jeff Maag stated that this issue has been an ongoing problem for Public Works for a number of years. Mayor Gygi stated that construction has already begun on Bayhill Drive, and noted that there is a gate at Heiselt's Hollow. Jeff Maag explained that in 2007, the ordinance was amended to allow ATVs and motorcycles in the open spaces. However, an ordinance that was adopted in 2010 prohibited unauthorized ATVs on any trail, sidewalk, and in or upon any open space. Jeff Maag added that all other property at Heiselt's Hollow and Bayhill Drive that is not owned by the City is privately owned; therefore, any unauthorized use is considered trespassing.

The City adopted an ordinance acknowledging the State Code which addresses trespassing on private property and public lands. Another ordinance was also adopted prohibiting dirt from being tracked onto City streets. According to the storm water management plan, sediment is the primary contaminant in the City's storm water system. These are problematic circumstances for the Public Works Department because they have very little enforcement capability. This past month, staff removed 20 ten-wheeler loads of sediment from the retention basin because it was no longer functioning according to its design. Jeff Maag commented that completely restricted access in this area is optimal for the Public Works Department; however, it may not be the best option for the citizens, who may want to access the area on ATVs. According to State guidelines, citizens need special permission from private property owners to access the open space.

C. Rees referenced a previous comment and asked why the Metropolitan Water Association installed the gate. Jeff Maag answered that they had already installed two other gates along the Bonneville Shoreline Trail. They are concerned with vehicles accessing the trail and jeopardizing their aqueduct. While the Metropolitan Water Associate supplied the gate, the City had the legal authority to have it installed. In response to another question from C. Rees, Jeff Maag noted that Chapter 16-1-3 is the ordinance which addresses tracking dirt onto City streets.

C. Rees inquired as to the validity of a State law which reportedly prohibits a City from blocking off access to an access point that has been continually used for a certain period of time. David Shaw explained that this is referred to as a prescriptive easement, which can be obtained over a period of years. There are certain criteria that must be met, including an open and obvious use without the permission of the owner. Prescriptive easements can only be obtained for private property, not publicly owned property. C. Rees stated that an election candidate recommended that citizens obtain a key to the gate from the City. The key would have to be returned; therefore, if there were issues in the area, they could track down the right person. Jeff Maag explained there is already a system in place by which citizens approach the City in order to access the gate.

There was continued discussion on the ordinances made in 2007 and 2010, which appear to conflict with one another in terms of ATV use. David Bunker explained that in 2007, the City was putting in an irrigation line from the upper system to the lower zone and improving a trail. The Council at the time discussed using ATVs along that gravel area. Jeff Maag reviewed other solutions that they have tried in the past to alleviate problems in the area.

Harvey Boulevard Traffic Control

David Bunker stated that in the past residents have called the City to express concerns with the speed on Harvey Boulevard, as well as the safety of vehicles approaching from the east heading west. Early this year, staff looked at a proposal to construct a roundabout. However, roundabouts are expensive, and a lot of improvements would also be needed. Furthermore, roundabouts are not pedestrian friendly.

Staff has therefore tried to accomplish alternative goals, such as increasing the site distance. In so doing, they approached the Temple Shadows HOA to ask if they could modify their fence. David Bunker noted that the speed limit on Harvey Boulevard is 25 MPH and the 85th percentile speeds are in the low 30s. In working with the Temple Shadows HOA, they have indicated a desire to see a mid-block crossing for their residents. In this discussion, there was talk of installing a chicane, which consists of narrowing the width of the street cross section, such as that which is found on Morgan Boulevard. When street cross sections are narrowed, as people approach they feel less comfortable going fast and know that they have to slow down. Furthermore, chicanes provide added safety for pedestrians as well. David Bunker then presented a conceptual drawing of the proposed chicane, which shows a tentative location in relation to the Temple Shadows community, and includes an island in the middle and a bulb out. The proposal also includes cost estimates, but does not include drainage considerations.

Mayor Gygi stated that while the Temple Shadows HOA is not opposed to the chicane, their preference would be a four-way stop on 4600 West and Harvey Boulevard. However, staff feels that the traffic at this intersection is not equal and a four-way stop could potentially create traffic jams. C. Rees inquired as to how significantly a four-way stop would affect traffic. Staff explained that when four-way stops are put into intersections that lack proper balance, drivers tend to become complacent and either don't come to a complete stop or ignore the sign altogether. Studies show that when four-way stops are installed inappropriately, they become worse for safety. Furthermore, studies have shown that drivers speed up in between stop signs. There was then discussion on the four-way stops on Cedar Hills Drive.

With regards to the fence, it would have to be moved, and a new fence would be installed of the same height. C. Crawley inquired as to the length of the reinstalled fence. David Bunker answered that it would be about 100 feet of fence.

This work session was adjourned at 6:49 p.m. by Mayor Gygi.

/s/ Colleen A. Mulvey, MMC
City Recorder