

**CITY COUNCIL MEETING
OF THE CITY OF CEDAR HILLS
Tuesday, October 20, 2015 7:00 p.m.**

Notice is hereby given that the City Council of the City of Cedar Hills, Utah, will hold a **City Council Meeting on Tuesday, October 20, 2015, beginning at 7:00 p.m.** at the Community Recreation Center, 10640 N Clubhouse Drive, Cedar Hills, Utah. This is a public meeting and anyone is invited to attend.

COUNCIL MEETING

1. Call to Order, Invocation given by C. Rees and Pledge led by C. Zappala
2. Approval of Meeting's Agenda
3. Public Comment: Time has been set aside for the public to express their ideas, concerns and comments (comments limited to 3 minutes per person with a total of 30 minutes for this item)

PUBLIC HEARING

4. Adjusting the Common Boundary between the City of Cedar Hills and Pleasant Grove City (Davies, Eagar, Taylor, Erickson and Meinzer Properties)
5. Amendments to Title 10, Chapter 5, Regarding Driveways
6. Amendments to Title 10, Chapter 5, Regarding Signs in the Public Right of Way

CONSENT AGENDA (Consent items are only those which require no further discussion or are routine in nature. All items on the Consent Agenda are adopted by a single motion)

7. Minutes from the September 8, 2015 and the September 22, 2015 City Council Meetings

CITY REPORTS AND BUSINESS

8. City Manager
9. Mayor and Council

SCHEDULED ITEMS

10. Review/Action on a Resolution Creating a Golf Course Finance Citizens Advisory Committee
11. Review/Action on Acceptance and Approval of the Golf Course Finance Citizens Advisory Committee Findings and Recommendations
12. Review/Action on Adoption of an Ordinance Adjusting the Common Boundary between the City of Cedar Hills and Pleasant Grove City (Davies, Eagar, Taylor, Erickson and Meinzer Properties)
13. Review/Action on Adoption of an Ordinance Amending Title 10, Chapter 5, Regarding Driveways
14. Review/Action on Adoption of an Ordinance Amending Title 10, Chapter 5, Regarding Signs in the Public Right of Way
15. Review/Action on Adoption of an Ordinance Amending Title 9, Chapter 1, Article C, Relating to the Board of Adjustment
16. Review/Action on a Resolution Authorizing the Execution of an Interlocal Cooperation Agreement with Utah County Regarding the 2015 November Election
17. Review/Action on Approval of a Conditional Use Permit Allowing Food Trucks to Operate in the SC-1 Commercial Zone
18. Review/Action to Allow Food Trucks to Operate during the Months of October – March at the Community Recreation Center
19. Discussion on the Bayhill Park Revised Layout
20. Discussion on Resident Issues Regarding the Golf Course Driving Range

ADJOURNMENT

21. Adjourn

Posted this 16th day October, 2015

/s/ Colleen A. Mulvey, City Recorder

- Supporting documentation for this agenda is posted on the city's website at www.cedarhills.org.
- In accordance with the Americans with Disabilities Act, the City of Cedar Hills will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at 801-785-9668 at least 48 hours in advance of the meeting.
- A Closed Session may be called to order pursuant to Utah State Code 54-4-204 & 54-4-205.
- The order of agenda items may change to accommodate the needs of the City Council, the staff, and the public.
- This meeting may be held electronically via telephone to permit one or more of the council members to participate.



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	David Bunker, City Manager
DATE:	10/20/2015

City Council Agenda Item

SUBJECT:	Review/Action on Resolution creating the Golf Course Finance Citizens Advisory Committee
APPLICANT PRESENTATION:	n/a
STAFF PRESENTATION:	David Bunker
BACKGROUND AND FINDINGS:	
<p>The Golf Course Finance Citizens Advisory Committee has prepared a final report detailing the findings and recommendations of the committee regarding the evaluation of various proposals for the golf course.</p> <p>It is proposed that the committee is constituted with the following members: Rick Stewart, David Driggs, Mark Webb, Pricilla Leek, Rob Olsen, Brent Aaron, Mark Horne, Mayor Gary Gygi, Councilmember Trent Augustus, Councilmember Rob Crawley, staff members David Bunker, Chandler Goodwin, Greg Gordon, and Charl Louw.</p>	
PREVIOUS LEGISLATIVE ACTION:	
The previous Golf Course Finance Committee was dissolved in March 2012.	
FISCAL IMPACT:	
None	
SUPPORTING DOCUMENTS:	
Resolution on creating the Golf Course Finance Citizens Advisory Committee.	
RECOMMENDATION:	
Staff recommends the council approve the resolution creating the Golf Course Finance Citizens Advisory Committee.	
MOTION:	
To approve/not approve resolution _____, a resolution creating the Golf Course Finance Citizens Advisory Committee as constituted with the following members: Rick Stewart, David Driggs, Mark Webb, Pricilla Leek, Rob Olsen, Brent Aaron, Mark Horne, Mayor Gary Gygi, Councilmember Trent Augustus, Councilmember Rob Crawley, staff members David Bunker, Chandler Goodwin, Greg Gordon, and Charl Louw.	

RESOLUTION NO. 10-20-2015

**A RESOLUTION CREATING A CITIZENS ADVISORY
COMMITTEE TO OVERSEE THE FAMILY FESTIVAL
OF THE CITY OF CEDAR HILLS, UTAH.**

WHEREAS, the City Council of the City of Cedar Hills (“**Council**”) recognizes the value of its citizens providing analysis and oversight in an advisory capacity over the Cedar Hills Golf Course; and

WHEREAS, the Council wants to establish a citizens advisory committee to evaluate, scrutinize, and investigate various options that might be pursued as alternative plans for the Cedar Hills Golf Course; and

WHEREAS, previously the City had established by ordinance a Cedar Hills Golf Course Advisory Committee, which was subsequently dissolved in 2012; and

WHEREAS, the Council now wants to re-establish a citizens advisory committee relative to the Cedar Hills Golf Course, but as an ad hoc committee instead of as a standing committee; and

WHEREAS, the Council wants the citizens advisory committee to make its findings into a final report, which the committee will recommend to the Council; and

WHEREAS, the citizens advisory committee should work in conjunction with City staff to prepare, finalize, and recommend its report to the Council,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH:

**PART I
NAME**

The name of this Citizens Advisory Committee shall be the Golf Course Finance Citizens Advisory Committee.

**PART II
PURPOSE AND DUTIES**

- A. The purpose of the Committee shall be to evaluate, scrutinize, and investigate various options that might be pursued as alternative plans for the Cedar Hills Golf Course.
- B. The Committee shall act in an advisory capacity to City staff and the City Council and shall have the following duties and responsibilities:
 - 1. To advise City staff and the City Council on the potential options available for the Cedar Hills Golf Course, and the ramifications, both positive and negative, of each.
 - 2. To prepare a final advisory report regarding each of the options studied by the Committee, along with the Committee’s recommendations relative to the same.

PART III

MEMBERSHIP AND TERM OF OFFICE

- A. The Committee shall consist of residents of Cedar Hills.
- B. All members shall be appointed by the Mayor with the consent of the City Council.
- C. The Mayor shall appoint two members of the City Council as members of the Committee.
- D. Within thirty (30) days of the declaration of vacancy on the committee, the Mayor shall make a recommendation to the City Council on appointments to the committee. If the City Council does not confirm the Mayor's recommendation within forty five (45) days of the vacancy, then the City Council may vote to appoint a new regular member.
- E. The Committee shall consist of twelve to fifteen regular members.
- F. The length of term for each Committee member shall be three (3) years.

PART IV OFFICERS AND STAFFING

- A. The Mayor shall appoint a Chair with the advice and consent of the City Council.
- B. The Chair will appoint a Vice Chair and Committee members after discussion with the Committee.
- C. The Chair shall appoint a Secretary who shall keep a true record of proceedings of all regular meetings of the Committee.
- D. The Chair shall have general supervisory powers of the Committee and shall preside and conduct all Committee meetings and set all Committee agendas.
- E. In the absence of the Chair, the Vice Chair shall execute all the powers of the Chair.
- F. If the Vice Chair cannot serve a term as Chair, the Mayor shall then appoint a Chair.

PART V COMPENSATION

- A. Members of the Committee shall serve without monetary compensation.
- B. Members may be compensated for reasonable expenses incurred for official responsibilities, if approved by the City Manager.

PART VI EFFECTIVE DATE AND SEVERABILITY

- A. This resolution shall take effect upon its passage.
- B. If any section, sentence, clause, or phrase of this resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this resolution.

[SIGNATURE PAGE FOLLOWS]

ADOPTED, RESOLVED, AND ORDERED, BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH, THIS 20TH DAY OF OCTOBER 2015.

APPROVED:

ATTEST:

Gary R. Gygi, Mayor

Colleen Mulvey, City Recorder



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	David Bunker, City Manager
DATE:	10/20/2015

City Council Agenda Item

SUBJECT:	Acceptance and approval of Golf Course Finance Citizens Advisory Committee findings and Recommendations
APPLICANT PRESENTATION:	n/a
STAFF PRESENTATION:	David Bunker
BACKGROUND AND FINDINGS: The Golf Course Finance Citizens Advisory Committee has prepared a final report detailing the findings and recommendations of the committee regarding the evaluation of various proposals for the golf course.	
PREVIOUS LEGISLATIVE ACTION: Pending resolution formally organizing the advisory committee to precede this action.	
FISCAL IMPACT: TBD	
SUPPORTING DOCUMENTS: Golf Course Finance Citizens Advisory Committee report.	
RECOMMENDATION: Staff recommends that the City Council review the committee findings and recommendations, and ratify and accept the report the committee has prepared. In addition, staff recommends the city council prepare the report for public review.	
MOTION: To accept and approve/not approve the findings and recommendations of the Golf Course Finance Citizens Advisory Committee as prepared and submitted to the City Council.	



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Chandler Goodwin, Assistant City Manager
DATE:	10/20/2015

City Council Agenda Item

SUBJECT:	Boundary Adjustments
APPLICANT PRESENTATION:	n/a
STAFF PRESENTATION:	Chandler Goodwin

BACKGROUND AND FINDINGS:

On September 22, 2015, the City Council adopted Resolution 09-22-2015A, indicating the intent to boundary adjust the following properties from the municipal jurisdiction of Pleasant Grove City to the City of Cedar Hills:

- D. Gordon and Karen Davies
4583 N 900 W, Pleasant Grove, Utah
- Chris and Sarah Eagar
4638 N 900 W, Pleasant Grove, Utah
- Tarl W. Taylor
365 S 420 E, Pleasant Grove, Utah
- Anthony G. and Patricia D. Erickson
754 W 4000 N, Pleasant Grove, Utah
- Rick and Debi Meinzer
818 W 4000 N, Pleasant Grove, Utah

In accordance with UCA 10-2-419, a public hearing was held, and in that no protests have been filed with the city recorder, the code requires that the legislative body adopt an ordinance approving the adjustment of the common boundary.

PREVIOUS LEGISLATIVE ACTION:

Resolution 09-22-2015A

FISCAL IMPACT:**SUPPORTING DOCUMENTS:**

Request to Initiate form, preliminary plat depicting the boundary area, proposed ordinance.

RECOMMENDATION:

Staff recommends that the City Council approve the ordinance and authorize staff to move forward in the boundary adjustment process in accordance with the provisions of the state law.

MOTION:

To approve/not approve Ordinance No. _____. An Ordinance Adjusting the Common Municipal Boundary Between the City of Cedar Hills and Pleasant Grove City.

EXHIBIT A

Received
09-02-15 CM

**REQUEST TO INITIATE AN
ADJUSTMENT OF A COMMON MUNICIPAL BOUNDARY**

Date: 9-2-15

In accordance with the authorization of Section 10-2-419, Utah Code Annotated, we the undersigned, by virtue of our signatures affixed hereto, do hereby request the **City of Cedar Hills**, Utah, to initiate the proceedings to adjust the common municipal boundary between the City of Cedar Hills and Pleasant Grove City, to the effect that the parcel(s) identified on the attached map, be transferred out of the municipal jurisdiction of Pleasant Grove City and into the City of Cedar Hills.

PROPERTY TAX ID NO.	NAME(S) OF OWNERS	ADDRESS	PHONE NUMBER	SIGNATURE OF OWNER(S)
55:090:0007	D. Gordon Davies	4583 N 900W Pleasant Grove, UT 84062		D. Gordon Davies
	Karen B Davies			Karen B Davies

EXHIBIT A

Received
09-10-15 CM

REQUEST TO INITIATE AN
ADJUSTMENT OF A COMMON MUNICIPAL BOUNDARY

Date: 9-10-15

In accordance with the authorization of Section 10-2-419, Utah Code Annotated, we the undersigned, by virtue of our signatures affixed hereto, do hereby request the City of Cedar Hills, Utah, to initiate the proceedings to adjust the common municipal boundary between the City of Cedar Hills and Pleasant Grove City, to the effect that the parcel(s) identified on the attached map, be transferred out of the municipal jurisdiction of Pleasant Grove City and into the City of Cedar Hills.

PROPERTY TAX ID NO.	NAME(S) OF OWNERS	ADDRESS	PHONE NUMBER	SIGNATURE OF OWNER(S)
14-002-0144	Christopher & Sarah Engar	4638 N. 900 W. Pleasant Grove		<i>Sarah Engar</i>
				<i>Christopher Engar</i>

EXHIBIT A

Received
09-11-15 CM

REQUEST TO INITIATE AN
ADJUSTMENT OF A COMMON MUNICIPAL BOUNDARY

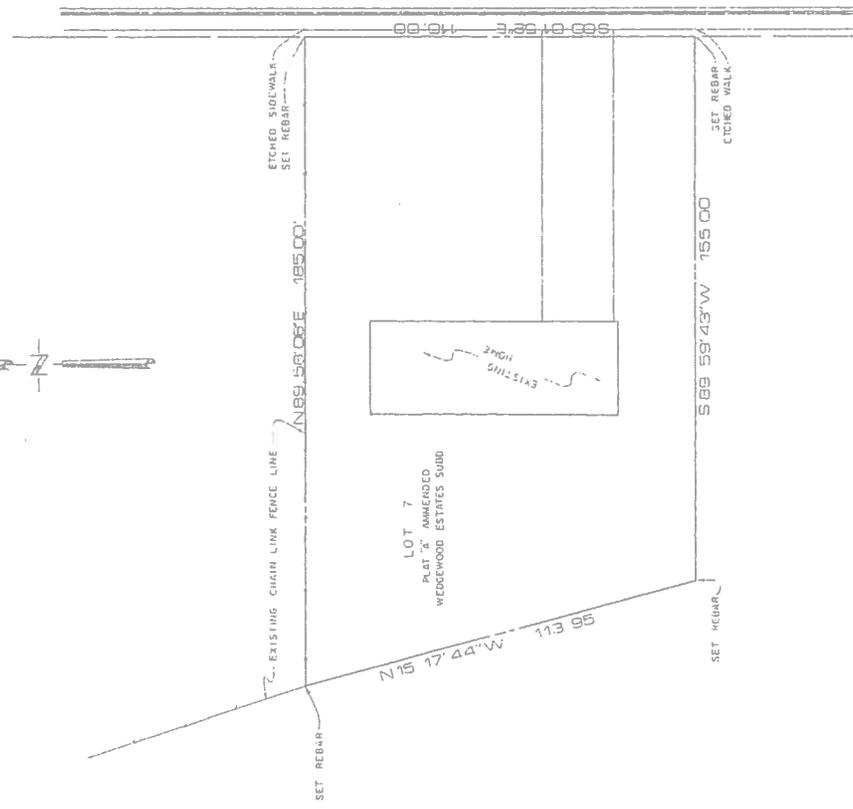
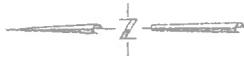
Date: 9-11-2015

In accordance with the authorization of Section 10-2-419, Utah Code Annotated, we the undersigned, by virtue of our signatures affixed hereto, do hereby request the City of Cedar Hills, Utah, to initiate the proceedings to adjust the common municipal boundary between the City of Cedar Hills and Pleasant Grove City, to the effect that the parcel(s) identified on the attached map, be transferred out of the municipal jurisdiction of Pleasant Grove City and into the City of Cedar Hills.

PROPERTY TAX ID NO.	NAME(S) OF OWNERS	ADDRESS	PHONE NUMBER	SIGNATURE OF OWNER(S)
14:002:0125	TARL W TAYLOR	345 So. 720 E. Pleasant Grove, UT		Tarl Taylor
14:002:0124	Anthony G. and Patricia Erickson	754 W. 7000 N. Pleasant Grove UT		Anthony G. Erickson Patricia Erickson
14:002:0038	RICK MEINZER	818 W 4000 N P.G., UT		Rick Meinzer

EXHIBIT B

Davies Property - 4583 N 900 W Pleasant Grove



WE HEREBY certify that we are Registered Land Surveyors, and that we have made a survey of the above described property, and that the attached plat correctly shows the true boundaries of the property surveyed.



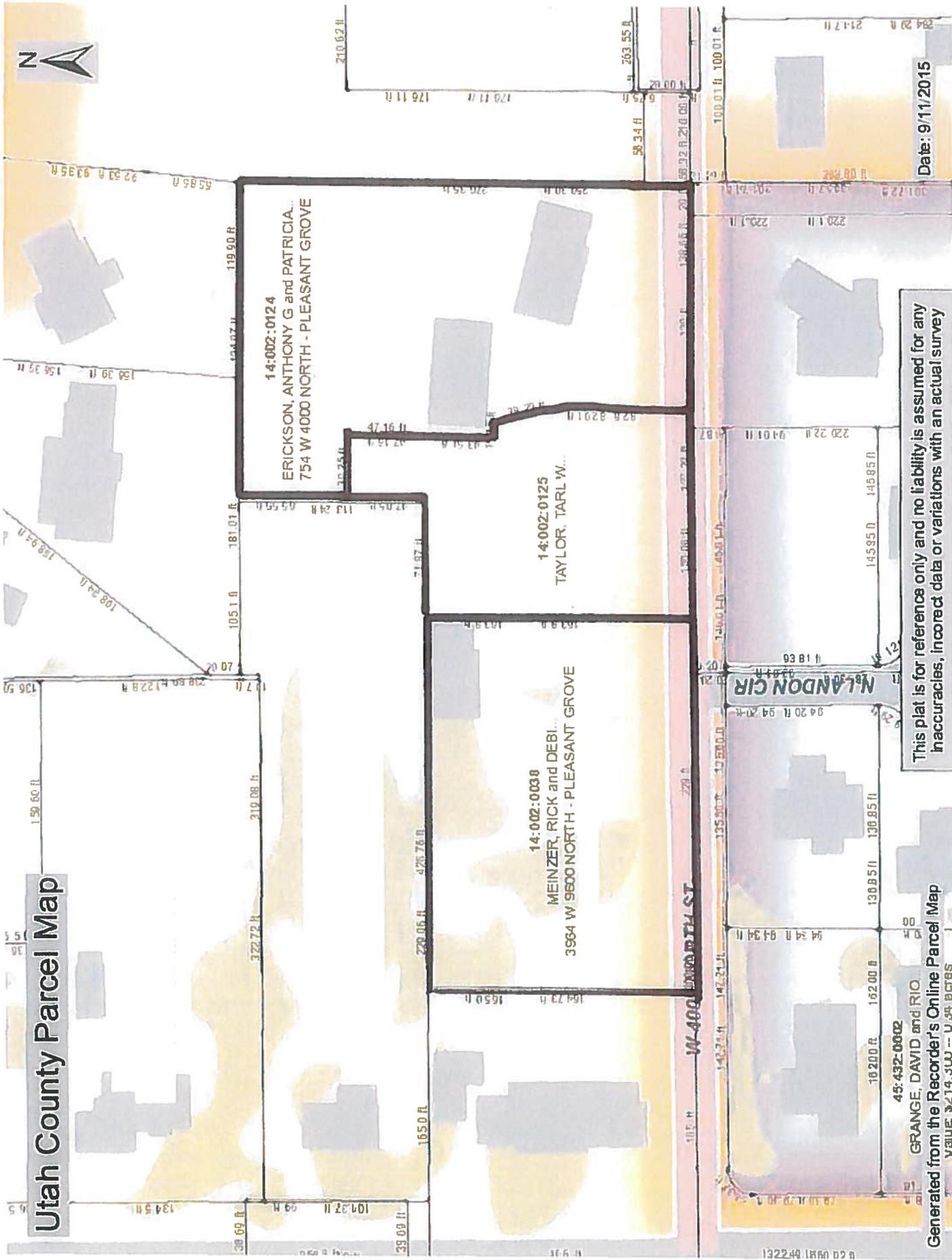
[Signature]
Registered Land Surveyor

REVISIONS	LOT SURVEY	DATE: 11-16-93
	PROVO LAND TITLE	SCALE: 1" = 20'
	UTAH COUNTY	BY: P.H.J.
		TRACING NO. 5 6579

DUDLEY & ASSOCIATES
ENGINEERS PLANNERS SURVEYORS
OREM, UTAH

EXHIBIT B

Utah County Parcel Map



This plat is for reference only and no liability is assumed for any inaccuracies, incorrect data or variations with an actual survey

45:432:0002
GRANGE, DAVID and RIO
Generated from the Recorder's Online Parcel Map
VALUE \$214,300 -- 0.98 ACRES

Date: 9/11/2015

ORDINANCE NO. _____

AN ORDINANCE ADJUSTING THE COMMON MUNICIPAL BOUNDARY BETWEEN THE CITY OF CEDAR HILLS AND PLEASANT GROVE CITY.

WHEREAS, the owners of certain property currently located within the City of Cedar Hills corporate boundary but contiguous to the boundary of Pleasant Grove City have submitted an application to each municipality requesting an adjustment to the common boundary for the purpose of disconnecting said territory from Pleasant Grove City and boundary adjust the same to the City of Cedar Hills, and

WHEREAS, the City Council of the City of Cedar Hills, has heretofore: (1) adopted a resolution (Resolution No. 09-22-2015A) indicating its intent to adjust the location of the common boundary between the City of Cedar Hills and Pleasant Grove City and transfer said properties to the municipal jurisdiction of the City of Cedar Hills, (2) advertised and held a public hearing regarding the proposed boundary adjustments, and (3) determined that no protests to the proposed adjustments have been filed with the city recorder, all of the above in accordance with the applicable provisions of Utah State Law (UCA 10-2-419).

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH:

SECTION 1. In accordance with the provisions of Section 10-2-419 Utah Code Annotated, 1953, as amended, the City of Cedar Hills requests that the following property owners parcel be transferred from the municipal jurisdiction of Pleasant Grove City to the City of Cedar Hills: D. Gordon and Karen Davies 4583 N 900 W, Pleasant Grove, Utah, Chris and Sarah Eagar, 4638 N 900 W, Pleasant Grove, Utah, Tarl W. Taylor 365 S 420 E, Pleasant Grove, Utah, Anthony G. and Patricia D. Erickson 754 W 4000 N, Pleasant Grove, Utah, and Rick and Debi Meinzer 818 W 4000 N, Pleasant Grove, Utah. The legal descriptions and maps describing the location of the territory proposed for adjustment are set forth in Exhibit "A," which is attached hereto and incorporated herein by reference.

SECTION 2. This ordinance shall take effect upon passage of a similar ordinance by Pleasant Grove City providing for the disconnection of said area from Pleasant Grove City and the recording of the Boundary Adjustment Plat relating thereto at the office of the Utah County Recorder.

SECTION 3. **SEVERABILITY.** The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or

constitutionality of the remaining sections, paragraphs, sentences, clauses or phrases of this ordinance.

PASSED AND APPROVED AND MADE EFFECTIVE by the City Council of the City of Cedar Hills, Utah County, Utah, this 20th day of October, 2015.

Attest:

Gary R. Gygi, Mayor

Colleen A. Mulvey, City Recorder



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Chandler Goodwin, Assistant City Manager
DATE:	10/20/2015

City Council Agenda Item

SUBJECT:	Review/Action on Adoption of an Ordinance Amending Title 10, Chapter 5, Regarding Driveways
APPLICANT PRESENTATION:	n/a
STAFF PRESENTATION:	Chandler Goodwin, Assistant City Manager
BACKGROUND AND FINDINGS: Current City Code does not allow for circular driveways to be built in a side setback. This provision only applies to corner lots. By allowing for circular driveways to be built an additional layer of safety may be added by giving homeowners a second egress option in the case that they live on a busier street. The proposed code requires that a landscaped area of at least 15' in depth from the front property line to the inside of the drive be placed. Staff will ensure that all clear view areas are maintained in order to be free from obstruction.	
PREVIOUS LEGISLATIVE ACTION: Planning Commission made recommendation on 9/29/2015	
FISCAL IMPACT: n/a	
SUPPORTING DOCUMENTS: Proposed code	
RECOMMENDATION: To review the proposed code addition, make any recommendations or changes necessary.	
MOTION: To approve/not approve ordinance _____, an ordinance amending Title 10, Chapter 5 section 5 of the Cedar Hills Municipal Code regarding the development in required setback area.	

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 10, CHAPTER 5, SECTION 5 OF THE CITY CODE OF THE CITY OF CEDAR HILLS, UTAH, AMENDING THE REQUIREMENTS RELATING DEVELOPMENT IN THE REQUIRED YARD SETBACK.

WHEREAS, pursuant to Utah Code Annotated § 10-9a-501, the City Council of the City of Cedar Hills (“City Council”) may adopt ordinances to govern the use and development of land within the City; and

WHEREAS, pursuant to Utah Code Annotated § 10-8-84, the City Council may adopt ordinances “necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the City and its inhabitants, and for the protection of property in the City”; and

WHEREAS, the City Council, following receipt of a recommendation from the Planning Commission, has determined that it is in the best interest of the public health, prosperity, comfort, and convenience of the City of Cedar Hills, and the residents thereof, to enact certain amendments to Title 10 of the City Code dealing development in the side yard setback area;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH COUNTY, STATE OF UTAH:

**PART I
AMENDMENTS**

10-5-5 (A)

13. A driveway leading to a properly located garage or parking area; provided, except for approved driveways, encourage or make possible the parking of automobiles, nor shall the city allow any curb cuts or approve any driveways except for entrance and exit driveways leading to properly located parking areas.

14. Circular driveways may be permitted in required side yard areas of single-family dwellings leading to and from a properly located garage on the property subject to the following conditions:

- a. Such drives shall be hard surfaced
- b. Such drives shall not be over twenty feet (20’) in width
- c. There shall be a landscaped area at least fifteen feet (15’) in depth from the front property line to the inside of the drive.
- d. Circular driveway areas are not to be used for the parking or storage of any trailer, camper, motor home, boat, or other equipment at any time, nor is the area to be used for permanent parking of any vehicle.
- e. Passenger automobiles may be parked on driveways serving private residences, provided the automobile is parked completely on private property.
- f. The forty-five foot (45’) line of sight as measured from the point of curvature on circular driveways shall remain open, and free from visual obstructions.

**PART II
PENALTY AND ADOPTION**

A. CONFLICTING PROVISIONS

Whenever the provisions of this Ordinance conflict with the provisions of any other Ordinance, resolution or part thereof, the more stringent shall prevail.

B. PROVISIONS SEVERABLE

This Ordinance and the various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid it is hereby declared that the remainder of the ordinance shall not be affected thereby.

C. AMENDMENT TO BE ADDED TO CITY CODE

The City Council hereby authorizes and directs that insert pages reflecting the provisions enacted hereby shall be made and placed in the City Code, Title 10.

D. PENALTY

Hereafter these amendments shall be construed as part of the Zoning Ordinance of the City Code of the City of Cedar Hills, Utah, to the same effect as if originally a part thereof, and all provisions of said regulations shall be applicable thereto, including, but not limited to, the enforcement, violation and penalty provisions.

E. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication as required by law.

**PASSED AND ORDERED POSTED BY THE CITY COUNCIL OF CEDAR HILLS, UTAH,
THIS ___ DAY OF ___, 2015.**

Gary R. Gygi, Mayor

ATTEST:

Colleen A. Mulvey, City Recorder



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Chandler Goodwin, Assistant City Manager
DATE:	10/20/2015

City Council Agenda Item

SUBJECT:	Review/Action on Adoption of an Ordinance Amending Title 10, Chapter 5, Regarding Signs in the Public Right-of-way.
APPLICANT PRESENTATION:	n/a
STAFF PRESENTATION:	Chandler Goodwin, Assistant City Manager
BACKGROUND AND FINDINGS: Staff was instructed to review the code regarding signs in the public right-of-ways. Current city code allows for exemptions to be allowed in the public right of way for free speech purposes and for government uses (i.e. street signs, lights, public safety signs). An additional exemption would be added, allowing for the right-of-way to be used for governmental purposes that are informational in nature (rec events, city events, elections, etc.). The City Council could determine that certain areas and right-of-ways are to remain free from this type of signage. Signage in the right-of-way would be limited in the time that it may be placed prior to and after an event, and certain size requirements would also need to be followed.	
PREVIOUS LEGISLATIVE ACTION: Planning Commission made recommendation of changes on 9/29/2015	
FISCAL IMPACT: n/a	
SUPPORTING DOCUMENTS: Proposed code	
RECOMMENDATION: To review the proposed code addition, make any recommendations or changes necessary.	
MOTION: To approve/not approve ordinance _____, an ordinance amending Title 10, Chapter 5 section 26 of the Cedar Hills Municipal Code regarding signs.	

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 10, CHAPTER 5, SECTION 26 OF THE CITY CODE OF THE CITY OF CEDAR HILLS, UTAH, AMENDING THE REQUIREMENTS RELATING TO GOVERNMENTAL SIGNS IN THE PUBLIC RIGHT OF WAY.

WHEREAS, pursuant to Utah Code Annotated § 10-9a-501, the City Council of the City of Cedar Hills (“City Council”) may adopt ordinances to govern the use and development of land within the City; and

WHEREAS, pursuant to Utah Code Annotated § 10-8-84, the City Council may adopt ordinances “necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the City and its inhabitants, and for the protection of property in the City”; and

WHEREAS, the City Council, following receipt of a recommendation from the Planning Commission, has determined that it is in the best interest of the public health, prosperity, comfort, and convenience of the City of Cedar Hills, and the residents thereof, to enact certain amendments to Title 10 of the City Code dealing with governmental signs in the public right of way;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH COUNTY, STATE OF UTAH:

**PART I
AMENDMENTS**

10-5-26 (B)(4)

c. Exempt Temporary Signage: Temporary signage used for government purposes that is informational in nature, or related to events, elections, recreation, or other city programming may be placed on public property or in the public rights-of-way. Such temporary signage shall be limited to three (3) feet in height, and five (5) feet in length. Signage may be posted no more than thirty (30) days before the occurrence of an event and shall remain for no more than seven (7) days after the occurrence of an event; and where said signage presentation does not block public rights-of-way, disrupt the peace, incite to violence, or cause any other public disturbance. ~~Such exception does not apply to {PHYSICAL LOCATION TO BE SPECIFIED}.~~

**PART II
PENALTY AND ADOPTION**

A. CONFLICTING PROVISIONS

Whenever the provisions of this Ordinance conflict with the provisions of any other Ordinance, resolution or part thereof, the more stringent shall prevail.

B. PROVISIONS SEVERABLE

This Ordinance and the various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid it is hereby declared that the remainder of the ordinance shall not be affected thereby.

C. AMENDMENT TO BE ADDED TO CITY CODE

The City Council hereby authorizes and directs that insert pages reflecting the provisions enacted hereby shall be made and placed in the City Code, Title 10.

D. PENALTY

Hereafter these amendments shall be construed as part of the Zoning Ordinance of the City Code of the City of Cedar Hills, Utah, to the same effect as if originally a part thereof, and all provisions of said regulations shall be applicable thereto, including, but not limited to, the enforcement, violation and penalty provisions.

E. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication as required by law.

**PASSED AND ORDERED POSTED BY THE CITY COUNCIL OF CEDAR HILLS, UTAH,
THIS ___ DAY OF ___, 2015.**

Gary R. Gygi, Mayor

ATTEST:

Colleen A. Mulvey, City Recorder



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	David Bunker, City Manager
DATE:	10/20/2015

City Council Agenda Item

SUBJECT:	Review/Action on amending Title 9, Chapter 1, Article C Board of Adjustments, mode of appointment, and organization
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, Assistant City Manager
BACKGROUND AND FINDINGS: <p>Based on staff recommendation and advise received from Meg Ryan, a Land Use attorney for the Utah League of Cities and Towns, the proposed ordinance removes 9-1C-1 (C) (1) "Ex Officio Member" from being an appointed member of the board of adjustment. Based on Utah State Code 10-9a-701 (3) (b) the board of adjustment "may not entertain an appeal of a matter in which the appeal authority, or any participating member, had first acted as the land use authority." By removing the ex officio member from being officially appointed, the board is free from the perception that a participating member may have acted as a land use authority prior to participating in any board of adjustment hearing.</p> <p>Additionally, the proposed ordinance changes 9-1C-2 (G) and uses the language from Utah State Code on when a decision becomes effective. The prior ordinance made the decision effective at the time the meeting was held and a decision was made. State Code changes that to be when the final decision is reduced to writing. The language is taken from 10-9a-708.</p>	
PREVIOUS LEGISLATIVE ACTION: N/A	
FISCAL IMPACT: N/A	
SUPPORTING DOCUMENTS: Draft ordinance for 9-1C Board of Adjustments.	
RECOMMENDATION: Staff recommends that the City Council approve the amendments to 9-1C	
MOTION: To approve/not approve Ordinance No. _____, An ordinance amending the Cedar Hills Municipal Code Title 9, Chapter 1, Article C Board of Adjustment, regarding mode of appointment and when decisions become effective.	

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF CEDAR HILLS TITLE 9, CHAPTER 1, ARTICLE C, BOARD OF ADJUSTMENTS,; AND PROVIDING FOR THE ADOPTION AND ADMINISTRATION OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF CEDAR HILLS, UTAH:

PART I

TEXT OF ORDINANCE

9-1C-1:

C. Mode of Appointment

1. Reappointment Of A Regular Or Alternate Member: Within thirty (30) days prior to the term expiration of a regular or alternate member, the mayor shall make a recommendation to the city council on whether to reappoint the member to another term or not. The mayor will send written notification to the member thirty (30) days prior to the term expiration notifying him of the decision. The city council will then vote on whether to reappoint the member or not. If the member is not reappointed by a vote of the city council, then a vacancy shall be declared.

2. Appointment Of New Regular Or Alternate Members: Within thirty (30) days of the declaration of a vacancy on the board, the mayor shall make a recommendation to the city council on appointments to the board. If the city council does not confirm the mayor's recommendation within forty five (45) days of the vacancy, then the city council may vote to appoint a new regular or alternate member.

9-1C-2:

G. When Decisions Effective:

1. A decision of the board of adjustment takes effect on the date when the appeal authority issues a written decision, or as otherwise provided by ordinance.

2. A written decision, or other event as provided by ordinance, constitutes a final decision.

PART II

PENALTY AND ADOPTION

A. CONFLICTING PROVISIONS

Whenever the provisions of this Ordinance conflict with the provisions of any other ordinance, resolution or part thereof, the more stringent shall prevail.

B. PROVISIONS SEVERABLE

This Ordinance and the various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid it is hereby declared that the remainder of the ordinance shall not be affected thereby.

C. AMENDMENT TO BE ADDED TO CITY CODE

The City Council hereby authorizes and directs that insert pages reflecting the provisions enacted hereby shall be made and placed in the City Code, Title 9.

D. PENALTY

Hereafter these amendments shall be constructed as part of the Municipal Planning & Development Ordinance of the City Code of the City of Cedar Hills, Utah, to the same effect as if originally a part thereof, and all provisions of said regulations shall be applicable thereto, including, but not limited to, the enforcement, violation and penalty provisions.

E. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication as required by law.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH, THIS 8TH DAY OF SEPTEMBER, 2015.

Gary R. Gygi, Mayor

ATTEST:

Colleen A. Mulvey, City Recorder



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	David Bunker, City Manager
DATE:	10/20/2015

City Council Agenda Item

SUBJECT:	Interlocal Cooperation Agreement with Utah County
APPLICANT PRESENTATION:	n/a
STAFF PRESENTATION:	David Bunker, City Manager
<p>In response to the concern over the decision made by the Utah County Commissioners to not allow cities that had implemented an all vote-by-mail election to place the County's Proposition regarding a local sales tax increase on mailed ballots, a meeting was held with representatives of the vote-by-mail cities, county officials, and the Lt. Governor. The Lt. Governor's office worked with the county clerk's office to come up with a proposal for a coordinated County/Municipal November 3rd Election. The proposal allowed the vote-by mail cities to be able to continue with the vote-by-mail process. The ballots will be a combined City/County ballot. The county would be in charge of administering the election, including the processing and counting of the ballots. The cost of the election will be shared between the county and the individual cities, and an Interlocal Cooperation Agreement would be entered into that sets forth in writing the agreement regarding the joint administration of the 2015 General Election.</p>	
BACKGROUND AND FINDINGS:	
PREVIOUS LEGISLATIVE ACTION:	
<p>FISCAL IMPACT: Approximately \$7,950.00</p>	
<p>SUPPORTING DOCUMENTS: Proposed Resolution, Interlocal Cooperation Agreement</p>	
<p>RECOMMENDATION: Staff recommends that the City Council review the agreement and authorize the execution of the Interlocal Cooperation Agreement.</p>	
<p>MOTION: To approve/not approve Resolution No. _____ authorizing the execution of an Interlocal Cooperation Agreement between Utah County and the City of Cedar Hills, Utah regarding the 2015 November Election.</p>	

RESOLUTION NO. 10-20-2015

**A RESOLUTION AUTHORIZING THE EXECUTION OF
AN INTERLOCAL COOPERATIVE AGREEMENT
BETWEEN UTAH COUNTY AND THE CITY OF CEDAR
HILLS, UTAH REGARDING THE NOVEMBER 2015
ELECTION.**

WHEREAS, municipal general elections (“**Municipal Elections**”) will be held November 3, 2015 in the City of Cedar Hills; and

WHEREAS, the City has adopted and authorized a vote-by-mail format (“**VBM**”) for the Municipal Elections; and

WHEREAS, the Board of Utah County Commissioners has voted to hold a special election on November 3, 2015 for the citizens of Utah County to consider a ballot proposition that would increase sales and use tax within the county (“**Special Election**”); and

WHEREAS, the County and the City have determined that it is in the best interest of the citizens of Utah County and the residents of the City to administer the Municipal Elections and Special Election jointly (collectively the “**2015 Elections**”); and

WHEREAS, an interlocal cooperation agreement, in the form attached hereto as **Exhibit A**, has been prepared for the above-mentioned purposes,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH:

1. The Interlocal Cooperation Agreement attached hereto as **Exhibit A** is hereby approved.
2. The City Manager is hereby authorized to execute the Agreement in substantially the form attached hereto as **Exhibit A**, with such minor changes and modifications as may be recommended by the City’s legal counsel.

ADOPTED, RESOLVED, AND ORDERED, BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH, THIS 20TH DAY OF OCTOBER 2015.

APPROVED:

ATTEST:

Gary R. Gygi, Mayor

Colleen Mulvey, City Recorder

INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND CEDAR HILLS CITY REGARDING THE 2015 NOVEMBER ELECTION

THIS INTERLOCAL COOPERATION AGREEMENT is made and entered into this _____ day of _____ 2015, by and between **UTAH COUNTY**, a political subdivision of the State of Utah (the “County”), the **CITY OF CEDAR HILLS**, a political subdivision of the State of Utah (City) in contemplation of the following facts and circumstances:

- A. **WHEREAS**, municipal general elections will be held November 3, 2015 in the City (Municipal Elections); and
- B. **WHEREAS**, this Agreement is made pursuant to the provisions of the Interlocal Cooperation Act (Utah Code Title 11, Chapter 13) (the “Interlocal Act”) and Utah Code § 20A-5-400.1; and
- C. **WHEREAS**, City has adopted and authorized a vote-by-mail format (VBM) for the Municipal Elections; and
- D. **WHEREAS**, the VBM format is authorized by Utah Code § 20A-3-302; and
- E. **WHEREAS**, the Board of Utah County Commissioners has voted to hold a special election on November 3, 2015 for the citizens of Utah County to consider a ballot proposition that would increase sales and use taxes within the county (Special Election); and
- F. **WHEREAS**, the County and the City have determined that it is in the best interests of the citizens of Utah County and the residents of City to administer the Municipal Elections and Special Election jointly (collectively the “2015 Elections”); and
- G. **WHEREAS**, the County and the Cities desire to set forth in writing their agreements regarding the joint administration of the 2015 Elections;

NOW, THEREFORE, the parties agree as follows:

1. **Purpose: Joint Election Administration.** The purpose of this Interlocal Cooperation Agreement is for the County and the City to jointly administer the 2015 Elections by placing the County ballot proposition on the City’s Municipal VBM Elections ballots. To the greatest extent possible, the City will coordinate with the County in establishing uniform procedures for administration of the 2015 Elections as contained herein.
2. **Parties’ Responsibilities.**
Utah County agrees to:
 - a. Provide manpower and equipment to count all ballots for the 2015 Elections. Equipment in this case means electronic voting machines (DREs) for use in early voting and in polling places on Election Day. Optical scan equipment will be used for vote by mail (VBM) and provisional ballots in polling places on Election Day.
 - b. Provide manpower and equipment to process all applications for VBM ballots, mail and provisional ballots, and process/count them upon return to County and include these ballots in the official election return.
 - c. Provide manpower and equipment to program and test the programming for said elections.

- d. Provide manpower and equipment to prepare, inspect, deliver and retrieve all voting equipment belonging to the County used to administer said elections.
- e. Provide manpower and equipment to provide unofficial election results to City for posting on their web site.
- f. Provide manpower and equipment to canvass the election returns for the Special Election. The canvass date will be November 17, 2015.
- g. On Election Night, provide the official Election results through the standardized reports (PDF format) as generated by GEMS – the Election programming and management program and system used by the County.

Cedar Hills City agrees to:

- a. Provide manpower and equipment for Candidate Filings and receiving and processing of all financial disclosures required by state code and/or city code..
- b. Use Utah County's poll worker training contractor, Barbara Davies, and pay any and all expenses for poll worker training, early voting poll worker training and rover training should it be needed.
- c. Operate a polling location in its city on Election Day under the direction of County; to include: recruiting, training and staffing the polling location with an adequate number of poll workers.
- d. Provide manpower and equipment to canvass the election returns for the Municipal Election. The canvass date will be November 17, 2015.
- e. Mileage Reimbursement: City will reimburse Utah County employees for mileage driven to accomplish the responsibilities contained in the Agreement. City will make mileage reimbursement at the IRS standard mileage rate for business miles driven for 2015 (57.5 cents per mile). County employees who must drive to fulfill County responsibilities hereunder will submit mileage reimbursement forms to City.
- f. Pay Utah County up to \$442.33 (four hundred forty two dollars and thirty three cents) for ballot and machine programming. (See attached cost estimate sheet).
- g. Use K&H as VBM, absentee and ballot printing contractor and agree to pay associated costs estimated at up to \$7,419.12 (seven thousand four hundred and nineteen dollars and twelve cents) for these services. Services to include mailing of all VBM ballots and processing by the County, postage being estimated at .115 per mailed ballot. (See attached cost estimate sheet).
- h. City will pay a proportional share of the cost of rental equipment and setup of such equipment. This proportion will be calculated for each city based on the number of ballots returned and its percentage of the total VBM ballots returned for the entire Election. This calculation will be based only on VBM city ballots returned. The costs will be a proportion of \$9,900 (nine thousand nine hundred dollars) which is comprised of support from Dominion and the rental of 9 optical scan ballot readers plus the associated accessories and a \$50 per machine setup charge.
- i. Cedar Hills City will order 500 poll and counter ballots for accessible polling place, provisional and spoiled ballot replacements. At .19 per ballot this equates to \$95.00 (ninety five dollars).
- j. Pay postage of .49 per ballot on all returned undeliverable ballots for both Primary and General Elections. This is actual cost billed to the County bulk mail permit by the U.S. Post Office.

- k. Thoroughly examine and proof all election programming done for the 2015 Municipal Election. The City will examine and complete all proofs to ensure programming is complete and correct for all of their own ballot styles. Final approval of ballots and programming will rest with the City.
- l. Pay all reasonable costs associated with recounts, re-canvassing, election contests and any other extraordinary expenses that may arise in connection with this Agreement.
- m. Host on the official Cedar Hills City web site a link to or copy of the Official Election Results as hosted on the County Elections web page.
- n. Cedar Hills City will not change the format or otherwise alter the official reported results, only displaying them in the form and format as provided by the County.

3. **Access to 2015 Election Processes, Records, and Voter Information.** The County shall have the right to inspect, observe, and access all processes, records, and information related to the administration of the 2015 Elections by the Cities.

4. **Retention of Authority.** The County and the City shall retain all other duties, responsibilities, and authorities granted to them by the Utah Code not specifically addressed in this Agreement.

5. **Payment.** Notwithstanding the payment amounts listed above, the City shall pay to the County all expenses directly related to the County's administration of the Municipal Election. Such expenses shall not exceed the actual costs of the administration of the Municipal Election.

6. **Notices.** Any notice, request, demand, consent, approval or other communication required or permitted hereunder or by law shall be validly given or made only if in writing and delivered to an officer or duly authorized representative of the other party in person or by Federal Express, private commercial delivery or courier service for next business day delivery, or by United States mail, duly certified or registered (return receipt requested), postage prepaid, and addressed to the Party for whom intended, as follows:

If to County:
Utah County
Attn: Board of County Commissioners
100 E. Center Street
Provo, UT 84606
Facsimile: (801) 851-8136

If to City:
City of Cedar Hills
Attn: Colleen Mulvey, City Recorder
10246 N Canyon Rd
Cedar Hills, UT 84062
Facsimile: (801) 796-3543

7. **Entire Agreement.** This Agreement is the final expression of and contains the entire agreement between the County and the City with respect to the subject matter hereof and supersedes all prior understandings with respect thereto. This Agreement may not be modified, changed, supplemented or terminated, nor may any obligations hereunder be waived, except by written instrument signed by the party to be charged or by its agent duly authorized in writing or as otherwise expressly permitted herein. This Agreement constitute the entire agreement between the parties hereto pertaining to the subject matter hereof, and the final, complete and exclusive expression of the terms and conditions thereof. All prior agreements,

representations, negotiations and understandings of the parties hereto, oral or written, express or implied, are hereby superseded and merged herein.

8. **Construction.** Headings at the beginning of each paragraph and subparagraph are solely for the convenience of the parties and are not a part of the Agreement. Whenever required by the context of this Agreement, the singular shall include the plural and the masculine shall include the feminine and vice versa. Unless otherwise indicated, all references to paragraphs and subparagraphs are to this Agreement. In the event the date on which any of the parties is required to take any action under the terms of this Agreement is not a business day, the action shall be taken on the next succeeding business day.

9. **Partial Invalidity.** If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each such term and provision of this Agreement shall be valid and shall be enforced to the fullest extent permitted by law.

10. **Amendments.** No addition to or modification of any provision contained in this Agreement shall be effective unless fully set forth in writing executed by each of the parties hereto.

11. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute but one and the same instrument.

12. **Waivers.** No waiver of any breach of any covenant or provision herein contained shall be deemed a waiver of any preceding or succeeding breach thereof or of any other covenant or provision herein contained. No extension of time for performance of any obligation or act shall be deemed an extension of the time for performance of any other obligation or act.

13. **Governing Law.** This Agreement and the exhibits attached hereto shall be governed by and construed under the laws of the State of Utah. In the event of any dispute hereunder, it is agreed that the sole and exclusive venue shall be in a court of competent jurisdiction in Utah County, Utah, and the parties hereto agree to submit to the jurisdiction of such court.

14. **No Separate Legal Entity.** No separate legal entity is created by this Agreement.

15. **Effective Date and Duration.** This Agreement shall terminate after the completion of the 2015 Elections and payment of expenses to the County.

16. **Assignment.** No Party may assign its rights, duties or obligations under this Agreement without the prior written consent first being obtained from all Parties. Notwithstanding the foregoing, such consent shall not be unreasonably withheld or delayed so long as the assignee thereof shall be reasonably expected to be able to perform the duties and obligations being assigned.

17. **Interlocal Cooperation Act.** In satisfaction of the requirements of the Interlocal Act in connection with this Agreement, the parties agree as follows:

- a. This Agreement shall be authorized and adopted by resolution of the legislative body of each party pursuant to and in accordance with the provisions of Section 11-13-202.5 of the Interlocal Act;
- b. This Agreement shall be reviewed as to proper form and compliance with applicable law by a duly authorized attorney on behalf of each party pursuant to and in accordance with the provisions of Section 11-13-202.5(3) of the Interlocal Act;

- c. A duly executed original counterpart of this Agreement shall be filed immediately with the keeper of records of each Party pursuant to Section 11-13-209 of the Interlocal Act;
- d. The County Clerk is hereby designated the administrator for all purposes of the Interlocal Act, pursuant to Section 11-13-207 of the Interlocal Act; and
- e. Immediately after execution of this Agreement by both parties, each of the parties shall cause to be published notice regarding this Agreement pursuant to Section 11-13-219 of the Interlocal Act.
- f. This Agreement makes no provision for the parties acquiring, holding and disposing of real and personal property used in the joint undertaking as such action is not contemplated as part of this Agreement nor part of the undertaking. Any such provision would be outside the parameters of the current undertaking.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day specified above.

Utah County Authorized by Resolution No. 2015-_____, authorized and passed on the _____ day of _____ 2015.

UTAH COUNTY

By: _____
Larry A. Ellertson, County Commission Chairman

Attest:

Approved as to form:

County Clerk

Attorney for the County

Cedar Hills City Authorized by Resolution No. _____, authorized and passed on the _____ day of _____ 2015.

THE CITY OF CEDAR HILLS

By: _____
David Bunker, City Manager

Attest:

Approved as to form:

City Recorder

Attorney for City



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	David Bunker, City Manager
DATE:	10/20/2015

City Council Agenda Item

SUBJECT:	Review/Action on Approving a Conditional Use Permit for food sales to operate in the SC-1 zone.
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, Assistant City Manager
BACKGROUND AND FINDINGS:	
<p>Genki Food Truck has made an agreement with Chase Bank to operate their food truck in their parking lot on a bi-weekly basis. Genki will operate during the lunch hours, and will target Lone Peak High School students for their business. Based on the Development Agreement with Chase Bank, any outdoor sales would require a conditional use permit from the City. Our code stipulates that the Planning Commission is responsible for issuing any CUP; however, the Development Agreement stipulates that the City Council may set parameters based on the size, location, duration and appearance of the outdoor sales area. Currently, the Food Truck will operate approximately once, every other week. They will set up on the north side of Chase Bank during the LPHS lunch hour. The sales area will only include a food truck, and any temporary signage necessary to operate the business.</p>	
PREVIOUS LEGISLATIVE ACTION:	
N/A	
FISCAL IMPACT:	
N/A	
SUPPORTING DOCUMENTS:	
Section 9 of the Chase Bank Development Agreement RE: Outdoor sales	
RECOMMENDATION:	
Staff recommends that the City Council consider the proposal, and make any necessary recommendations necessary regarding the size, location, duration and appearance.	
MOTION:	
To approve/not approve a conditional use permit for Genki Food Truck to operate in the SC-1 commercial zone, such operation shall be limited to the Chase Bank parking lot, and shall not include any of the surrounding area. The conditional use permit is subject to the following conditions {LIST ALL CONDITIONS OF APPROVAL}.	

9. Outside Sales & Storage

9.1 Seasonal Outdoor Sales Area

9.1.1 Developer acknowledges and agrees that there will be no outdoor sales area without first obtaining a separate conditional use permit from the City of Cedar Hills.

9.1.2 The application process for any outdoor sales area conditional use permit will include submitting a request to the city that will include sales area size, location, general idea of merchandise, and requested duration for the permit. The City Council shall be able to set parameters limiting the size, location, duration and appearance of the outdoor sales area. The City Council may deny the request if the proposed use is not found to be consistent with the overall development, as well as the community as a whole. This process will be subject to and superseded by any applicable City Code dealing with Conditional Use Permits.

9.1.3 City Council and staff shall review the request in a timely manner, recognizing the time sensitive commercial needs of retailers. As with any conditional use permit the applicant may be required to make reasonable modifications to their request. Only after all City Council requirements are met the City shall issue the permit for the duration of the request. Request to the City for permits shall not be made more than 6 months prior to the requested date.

9.2 Outside Storage

The Developer agrees that except for the areas designated in the Approval Documents, or in subsequent outdoor sales area conditional use permits, there will be no storage allowed temporarily or permanently outside of the Property.

10. Traffic

10.1 Traffic Calming

10.1.1 The Developer shall, in connection with its construction of the Developer's Improvements, construct Traffic Mitigation improvements depicted in the Approval Documents, if any.

10.1.2 The Developer shall add appropriate signage for parking lot traffic control, for crosswalks, and pedestrian paths.

10.2 Traffic Mitigation Measures

10.2.1 The Developer shall add appropriate signage for parking lot traffic control, for crosswalks, and pedestrian paths.



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	David Bunker, City Manager
DATE:	10/20/2015

City Council Agenda Item

SUBJECT:	Review/Action on authorizing a food truck rally in Cedar Hills at the Community Events Center
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, Assistant City Manager
BACKGROUND AND FINDINGS:	
<p>Based on the success of the trial food truck rally that began in July of this year in Heritage Park, there has been a desire expressed to continue the food truck rally through the winter months. Cameron Burr has indicated that he would be willing to waive the exclusivity clause of his agreement with Cedar Hills in order to be able to host this rally at the Community Events Center. The food truck rally would be held on Tuesday nights, and would be coordinated by Cameron Burr, and Tom Karen. The event would run from the end of October to the end of March. Once again, vendors would be responsible for site cleanup and scheduling the participating vendors. The City would generate some point of sale sales tax revenue from the rally.</p>	
PREVIOUS LEGISLATIVE ACTION:	
N/A	
FISCAL IMPACT:	
Marginal increase in sales tax from POS collection.	
SUPPORTING DOCUMENTS:	
N/A	
RECOMMENDATION:	
Provide input on any additional regulations or rules that could improve the Cedar Hills food truck rally.	
MOTION:	
To approve/not approve authorizing Cedar Hills to begin a winter food truck rally to operate in Cedar Hills at the Cedar Hills Events Center under the approved guidelines.	



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	David Bunker, City Manager
DATE:	10/20/2015

City Council Agenda Item

SUBJECT:	Review/Action on proposal for the Bayhill Park Design
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, Assistant City Manager
BACKGROUND AND FINDINGS:	
<p>Following the recommendation of the Beautification, Recreation, Parks and Trails Committee, the new proposal for Bayhill Park was sent to Bowen Collins to give the city a cost estimate. The Bowen Collins study has come back, and they have provided an updated cost estimate for the original proposal, a cost estimate for the Parks and Trails Committee proposal, and cost estimate of a modified version of the Committee's proposal. The Committee's proposal includes the construction of large retaining walls that significantly raised the cost estimate for the construction of the Park. The Bowen Collins proposal took elements of the Committee's proposal and tried to incorporate those ideas in a more cost effective manner. In the supporting documents, Concept A is the original proposal for Bayhill Park, Concept B is the Parks and Trails proposal, and Concept C is the Bowen Collins proposal. The Beautification, Recreation, Parks & Trails Committee reviewed the proposals and found that Bowen Collins proposal would serve the needs of the residents by moving the pavilion, altering the play area, and adding a grass play area.</p>	
PREVIOUS LEGISLATIVE ACTION:	
Proposal was sent to the Beautification, Recreation, Parks and Trails Committee for review.	
FISCAL IMPACT:	
See cost estimates for the three proposals, the budgeted amount for Bayhill Park is \$446,224.	
SUPPORTING DOCUMENTS:	
See Bowen Collins drafts and cost estimates.	
RECOMMENDATION:	
Staff recommends that the City Council review the Bowen Collins proposal and provide staff with any additional direction and input on how to proceed with Bayhill Park.	
MOTION:	
No motion necessary, discussion item only.	



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Greg Gordon, Recreation Director
DATE:	10/20/2015

City Council Agenda Item

SUBJECT:	Discussion on Resident Issues Regarding the G.C. Driving Range Fence
APPLICANT PRESENTATION:	
STAFF PRESENTATION:	Greg Gordon

BACKGROUND AND FINDINGS:

A resident who is building a home on Cottonwood Drive recently approached the City Council to ask for some help in protecting their home once it has been built due to golf balls that apparently are still being found in their yard. This is as always a sticky subject for staff and we will always follow the advice of the Council.

Having said that, staff recently met with Mr. Bunker and we discussed some different options to help alleviate some of these concerns and brainstorm some ideas. One thing we discussed was to limit all golfers to only be able to use irons. This would hopefully prevent the majority of the balls from flying over the fence because an iron will not travel as far as a fairway wood or driver. We recently posted a note advising our clients that we may be going this direction and so far the feedback has been very negative from them and many of them have explained that they will take their business elsewhere if that is the decision that is made.

We also discussed moving the tee boxes from one end to the other. We could have a problem with golfers in the fairway of hole #18 getting hit by an errant shot from the tee box because there are currently no fences on that side. They could also get hit by a golfer that is teeing off on the 18th tee box. This really doesn't make sense from our perspective.

Another idea is to install new poles again like we did last year; however as we saw last time it will cost the City approximately \$38,000 to do 5 more poles and netting, last time this was paid out of the Capital Improvements plan. Our revenues for the driving range last year was just over \$28,000.

One thing to think about is by doing so the City is opening itself up to having other homeowners that border the golf course coming and expecting the Council to do something to protect their homes also. Typically people that live along a golf course know what they are getting themselves into when purchasing a home/land and they will do whatever they have to protect their investment.

PREVIOUS LEGISLATIVE ACTION:

The City Council approved and had staff move forward with 5 new poles and netting back in 2014 to offset some of the issues from errant golf balls going into the area.

FISCAL IMPACT:

This will be an unexpected expense that is not budgeted for.

SUPPORTING DOCUMENTS:**RECOMMENDATION:**

Staff as always will listen to what the Council would like to see happen and assist in any way we can.

MOTION:

Discussion item only.