



REVISED
CITY COUNCIL MEETING
OF THE CITY OF CEDAR HILLS
Tuesday, January 8, 2013 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, January 8, 2013, 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 and Pledge
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)

CITY REPORTS AND BUSINESS

4. City Manager
5. Mayor and Council

SCHEDULED ITEMS

6. Review/Action on Adopting a Resolution Recognizing Cedar Hills Champion, Brad Sears
7. Review/Action on Approval of the Fiscal Year 2012 Independent Financial Audit Report
8. Review/Action on appointment of Mayor Pro Tem
9. Review/Action on an Ordinance amending Title 5, Chapter 1, Article C-5 regarding Cattery
10. Review/Action on approval of the Exterior Elevations for Bridgestone Plat C, located at approximately 9601 North 4500 West

ADJOURNMENT

11. Adjourn

Gretchen F. Gordon, Deputy City Recorder

Posted this 4th day of January, 2013

- Supporting documentation for this agenda is posted on the City's Web Site 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 to be held.
- 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:	1/8/2013

City Council Agenda Item

SUBJECT:	Cedar Hills Champion – Brad Sears
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	David Bunker

BACKGROUND AND FINDINGS:

As part of the Cedar Hills Champions Program, the City would like to recognize Mr. Brad Sears.

Brad Sears served on Board of Adjustments starting in 1986.

He served as City Councilman from March 1996 to October 1998.

He continued to serve as the Mayor of Cedar Hills From November 1998 to June 2004.

Through the years following his public service, the former Mayor has been instrumental in forwarding the agenda of the City. As a founding member and chair of the Cedar Hills Foundation, Mr. Sears has dedicated many resources to assisting the residents of Cedar Hills.

PREVIOUS LEGISLATIVE ACTION:

None.

FISCAL IMPACT:

N/A.

SUPPORTING DOCUMENTS:

Resolution proclaiming Brad Sears, Cedar Hills Champion.

RECOMMENDATION:

Staff recommends the City Council recognize former Mayor Brad Sears for his outstanding achievements and contributions to the City of Cedar Hills.

MOTION:

To approve/not approve Resolution _____, A Resolution recognizing former Mayor Brad Sears for his outstanding achievements and contributions to the City of Cedar Hills, and for his continued support to the citizens of our community.

RESOLUTION NO. _____

A RESOLUTION RECOGNIZING CEDAR HILLS CHAMPION BRAD SEARS FOR HIS OUTSTANDING SERVICE AND CONTRIBUTIONS TO THE CITY OF CEDAR HILLS.

WHEREAS, the City of Cedar Hills wishes to fully recognize the distinguished service to youth in the Boy Scouts of America; and,

WHEREAS, the City wishes to acknowledge the noteworthy achievements and outstanding contributions to the community of Cedar Hills through the invaluable contributions he has made; and,

WHEREAS, the City officially recognizes the achievement of Scouting's highest commendation, that of Silver Buffalo.

NOW THEREFORE, be it resolved by the City Council of the City of Cedar Hills, Utah, and on behalf of the residents, hereby proclaims that January 8, 2013, be recognized as "Cedar Hills Champion, Brad Sears Day". With this, the City of Cedar Hills wishes to recognize and sincerely thank Brad Sears for his dedication and inspiration that he has provided to our community by achieving the award of Silver Buffalo, the highest commendation from the Boy Scouts of America.

PASSED AND ORDERED RECORDED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH, THIS 8TH DAY OF JANUARY, 2013.

Gary R. Gygi, Mayor

ATTEST:

Colleen Mulvey, City Recorder



CITY OF CEDAR HILLS

TO:	Mayor Gygi & City Council
FROM:	David Bunker, City Manager
DATE:	1/8/2013

City Council Memorandum

SUBJECT:	Exit Conference--Fiscal Year 2012 Financial Audit
APPLICANT PRESENTATION:	Diana Cannell, Allred Jackson Shareholder
STAFF PRESENTATION:	Charl Louw, Finance Director
BACKGROUND AND FINDINGS: Review of the annual financial report and the related audit results. Annually we contract with independent auditors to review the basic financial statements. The independent auditors are expected to obtain reasonable assurance that the financial statements are free from material misstatement and are fairly presented in accordance with generally accepted accounting principles. The City received an unqualified opinion, or clean opinion.	
PREVIOUS LEGISLATIVE ACTION: None	
FISCAL IMPACT: None	
SUPPORTING DOCUMENTS: The 2012 Independent Audit Report will be distributed at the meeting and is available online: http://cedarhills.org/pdfs/auditors_report_2012.pdf	
RECOMMENDATION: To accept the 2012 annual financial audit report.	
MOTION: To accept the 2012 annual financial audit report.	



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	David Bunker, City Manager
DATE:	1/8/2013

City Council Agenda Item

SUBJECT:	Appointment of Mayor Pro-Tempore
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	David Bunker

BACKGROUND AND FINDINGS:

Consistent with UCA 10-3b-302 and City Code 1-5-3, MAYOR AS MEMBER OF CITY COUNCIL; the terms and scope of the duties of Mayor Pro Tempore are defined. In summary, the mayor pro tempore shall have all of the powers and duties of the mayor during his absence, disability or refusal to act. The election of a mayor pro tempore shall be entered in the minutes of the meeting.

Protocol for electing the mayor pro tempore typically has rotated to the councilmember with the most votes from the previous municipal election. Councilmember Jackman and Councilmember Martinez have both served most diligently in previous years. Due to the appointment of Mayor Gygi to his office, the next council member to serve would be Councilmember Rees. The term would begin January 8, 2013 and continue to January 7, 2014.

PREVIOUS LEGISLATIVE ACTION:

The previous mayor pro tempore is Councilmember Martinez.

FISCAL IMPACT:

N/A.

SUPPORTING DOCUMENTS:

N/A.

RECOMMENDATION:

Staff recommends the City Council elect Jenney Rees, a member of the City council as mayor pro tempore for the 2013 term ending January 7, 2014.

MOTION:

To elect Council Member _____ as Mayor Pro Tempore, who shall have all the powers and duties of the mayor during his absence, disability, or refusal to act according to State and City Codes.



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Chandler Goodwin, Assistant City Manager
DATE:	1/8/2013

City Council Agenda Item

SUBJECT:	Review/Action on amendments to the City Code, Title 5, Chapter 1, Article C, Section 5, Cattery.
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Scott McMahon, Code Enforcement Officer

BACKGROUND AND FINDINGS:

The City was contacted by a resident requesting to board cats in a residential zone as a home occupation business.

The Utah County Health Department, Humane Society of Utah and the North Utah Valley Animal Shelter were contacted by Scott McMahon for input on the proposed changes to the code.

The Planning Commission made recommendations on the proposed code amendments on October 25, 2012. On November 14, 2012 the Planning Commission reviewed the revised code proposal and recommended it be sent to the City Council for consideration.

Changes to existing code would allow for a cattery to be located in a residential zone; additionally, restrictions would be placed on the number of animals that would be allowed, minimum cage sizes, sanitation requirements, and how the animals are to be boarded.

PREVIOUS LEGISLATIVE ACTION:

City Code 5-1C-5, last updated prior to codification in 2006

FISCAL IMPACT:

N/A

SUPPORTING DOCUMENTS:

Proposed code changes to 5-1C-5: Cattery.

RECOMMENDATION:

Staff recommends the City Council approve the proposed ordinance as prepared.

MOTION:

To approve / not approve Ordinance No. _____, an ordinance amending City Code 5-1C-5, Cattery.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 5 OF THE CITY CODE OF THE CITY OF CEDAR HILLS, UTAH, REGARDING CATTERY, RELATING TO DEFINITIONS, REQUIREMENTS, FACILITIES, AND ZONING APPLICABILITY.

WHEREAS, the City Council of the City of Cedar Hills has determined that it is in the best interest of the City of Cedar Hills and the residents thereof to enact certain amendments to Title 5 of the City Code.

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

**PART 1
AMENDMENTS**

SECTION 1: Title 5, Chapter 1C-5, of the City Code entitled Cattery, is hereby amended by adding/amending the following:

A. Definitions:

ANIMAL ROOM: An indoor area wherein cats are housed.

CAGES: Individual, portable facilities for containing cats. A structure or enclosure that does not contain space for an animal to exercise

CATTERY: See section 5-1A-1 of this chapter.

EXERCISE AREA: An indoor area wherein cats are allowed to run and exercise.

INDOOR CATTERY: A lot, building, structure, enclosure or premises where upon or wherein a maximum of four (4) cats are kept or maintained for any purpose, including boarding, breeding, buying, grooming, letting for hire, training for fee, or selling. An indoor area used to house cats, which contains cages, runs, animal room or an exercise area.

RUN: A structure or enclosure that contains an exercise area for an animal(s).

B. Requirements:

1. Each cattery must have a current city business license to operate a cattery. Such licenses are required to be displayed and readily available for inspection by any authorized person;

a. Business License:

Contact the City Planner regarding your request prior to filing an application for a Home Occupation Business License for a cattery business.

Submit a completed Home Occupation Business License Application and all of the following materials to the Cedar Hills City Planner:

1. A diagram showing the dimensions, layout and location of the cattery.
 2. A list of owner names, mailing addresses, and property identification numbers of all property owners within 300 feet of the subject property. Property owner information may be obtained from the Utah County Recorder's Office.
 3. Self-adhesive mailing labels, typed or machine printed with each property owner's name and address as identified above (no hand written labels please). Note: Duplicate listings should be omitted.
 4. Plain white envelopes (size 10 business envelope measuring 4" x 9½") with postage for each property owner. Note: Labels should not be placed on envelopes.
 5. An administrative fee will be assessed to cover the cost of verifying the submitted property owner's names, addresses and mailing them notification of the public hearing and pending application.
2. Cattery records must be kept available for inspection. Such record to show: name, current address, a telephone number of the owner of the cat, the date the cat entered the cattery, the reason for it being in the cattery, i.e., for boarding, sale, breeding, grooming, etc., the description of the cat (age, breed, sex, color, etc.). On any cat over four (4) months of age, a current valid rabies certificate shall be maintained as a part of this record, as long as the cat is maintained in the cattery;
3. Each cat in the cattery shall have current rabies vaccination;
4. Be operated in such a manner as not to constitute a nuisance;
5. Keep all boarded animals caged or under control of the owner or operator of the cattery;
6. Care for all animals in the cattery, whether or not owned by the cattery, and comply with all the requirements of this title for the general care of animals;

7. Comply with all applicable federal, state and local laws and all regulations respecting catteries which are adopted by the city;
8. Comply with all sections of 3-1B-1: Home occupations requirements and conditions;
9. Catteries shall not be left unattended for a period in excess of twenty four (24) hours. All animals shall be supplied with sufficient good wholesome food as feeding habits of such animals require. Clean (potable) water shall be continuously available unless otherwise recommended and documented by a licensed veterinarian;
10. Information Posted: An emergency name, address and phone number must be posted in a conspicuous place at the front of the property for use by authorized persons;

C. Physical Facilities: The basic intent of these regulations is to see that all animals receive proper care, that they are being treated kindly, properly fed, and that their surroundings are being kept in a sanitary condition.

1. Indoor facilities:

- a. Cage: A structure or enclosure that does not contain space for an animal to exercise.

Minimum Size Requirements:

Cage length and width shall exceed the animal's length from the base of the tail to the tip of the animal's nose by at least four inches (4"). Cage height shall exceed the animal's height from the bottom of the foot to the top of the shoulder by at least four inches (4"). Cages shall allow an animal to stand, sit, lie, and turn about freely and comfortably.

Communal cages for cats more than four months old shall be as long and wide as the total for all cages if the cats had been housed separately.

All animals kept in a communal cage or run shall be either from the same litter or belong to the same owner, unless written permission is given by the owners of each of the animals in a communal cage or run.

Cages shall be so constructed and be of such material as to be maintained in a sanitary condition. All cages must be cleaned and sanitized daily, animal droppings, spoiled food, and other wastes shall be removed no less frequently than daily to prevent odors, attraction and breeding of insects and rodents, and other nuisances. All cages shall have bedding, feeding bowl, and water container that are easily sanitizable and in the case of cats, litter boxes or trays that are easily sanitizable.

Animals shall be removed from cages and be provided with an exercise area for their daily use for such periods as determined by the size, age and condition of the animal. Diseased animals must be maintained apart from healthy animals in suitable and separate quarters.

- b. Run: A structure or enclosure that contains an exercise area for an animal(s).

Minimum Size Requirements:

Cats shall not be kept in runs with less than 4 square feet (.37 square meters) of floor space and less than 2 feet (.61 meters) in height.

All runs must be cleaned and sanitized daily, animal droppings, spoiled food, and other wastes shall be removed no less frequently than daily to prevent odors, attraction and breeding of insects and rodents, and other nuisances. All runs shall have bedding, feeding bowl, and water container that are easily sanitizable and in the case of cats, litter boxes or trays that are easily sanitizable.

Diseased animals must be maintained apart from healthy animals in suitable and separate quarters.

c. General: Walls, ceilings and floors shall be constructed of materials which are resistant to the absorption of moisture and odors or such surfaces shall be treated with a sealant or with paint, when such materials are not originally resistant to moisture or odors. The room shall be properly screened and insect and vermin proof. It shall be properly ventilated to prevent drafts and to assist in the removal of foul and obnoxious odors. Heating and cooling shall be provided as required. Animal rooms shall be sufficiently heated or cooled to protect such animals from temperatures to which they are not normally acclimated. Have sufficient light (preferably natural) to allow observation of animals and sanitation.

d. Suitable food and bedding shall be provided and stored in facilities adequate to provide protection against infestation or contamination by insects or rodents. Refrigeration shall be provided for the protection of perishable foods.

e. Cages and runs shall not occupy more than 50% of the business area floor space.

f. Provision shall be made to effectively collect, treat, and dispose of animal liquid and solid wastes. Solid waste shall be stored, collected, and disposed of in such a manner as will minimize vermin infestation, odor or other health hazards. No solid or liquid waste shall be washed into adjoining properties, gutters, storm drains, irrigation ditches or canals.

g. Inspection: All areas of indoor housing, cages, runs, exercise areas and food storage shall be subject to inspection by authorized persons. The animal control officer, the code enforcement officer, the zoning administrator, or their designees, shall have the authority to enter the premises of any person to inspect and assure compliance with the cattery / license requirements and conditional use permit requirements. Catteries shall be inspected prior to the business license being issued or renewed.

h. Indoor catteries shall not house or board any animals in outbuildings, kennel buildings or outside kennel runs.

i. Inspection: All cages, runs, animal rooms, exercise areas and food storage areas shall be subject to inspection by authorized persons. The animal control officer, the code enforcement officer, the zoning administrator, or their designees, shall have the authority to enter the premises of any cattery to inspect and assure compliance with the cattery license requirements and conditional use permit requirements.

D. Zoning Applicability: This section shall not be construed or interpreted as permitting the establishment or maintenance of a cattery in violation of the city zoning regulations. The provisions of this section regulating catteries shall be applicable only in those locations within the city wherein catteries are (may be) used under the terms of the city zoning regulations. (2004 Code)

1. In addition to obtaining a business license required by this chapter, all catteries within the city shall comply with all zoning requirements.

2. Indoor catteries in all zones shall limit the maximum number of boarded cats to four (4).

**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 5.

D. PENALTY

Hereafter these amendments shall be construed as part of the Public Safety and Traffic Regulations 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 THE CITY OF CEDAR HILLS, UTAH, THIS DAY OF JANUARY, 2012.

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:	1/8/2013

City Council Agenda Item

SUBJECT:	Review Bridgestone Plat C Architectural Renderings
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	David Bunker

BACKGROUND AND FINDINGS:

UPDATE: New renderings were submitted Friday January 4, 2013.

Perry Homes has re-submitted architectural renderings for the two 8-plex units approved for Bridgestone Plat C. Perry has added rock around the doors of the units, and modified the hardi-plank siding. Current units in Bridgestone have masonry in excess of 50%. Total masonry proposed for the 8-plex units has been calculated less than 50%. However, it is within the purview of the Council to review and accept the submitted drawings for approval of the units. Below is the original motion by council granting approval:

MOTION: C. Augustus—To grant final approval for Bridgestone, Plat C subject to: approval of exterior material that is like the other buildings, verification of water rights, final engineering, final drainage, verification recording of amended PUD HOA CC&Rs, postal easement verification, a final plat suitable for recording shall be submitted and reviewed by the city engineer, that the sidewalk in front is a minimum six feet but a recommended 8 feet and is in front of the parking stalls, and final landscaping plan review, and that we grant a one-time variance based on the finding of fact that the development meets section 10-6b-5b, that it is appropriate for the proper development of the lot and that such an increase will not result in the establishment of a hazardous condition. We would also recommend that the exterior materials more closely match what is existing in the neighborhood, brick exterior and bar tile or some type of tile roof would be recommended, and a letter from the HOA's architectural review committee verifying acceptance of plans.

PREVIOUS LEGISLATIVE ACTION:

The City Council granted final plat approval on July 31, 2012.

FISCAL IMPACT:

N/A.

SUPPORTING DOCUMENTS:

Amended architectural renderings submitted 1-4-2013.

RECOMMENDATION:

Staff recommends the City Council review the submitted renderings for compliance with the intent of the July 31, 2012 motion.

MOTION:

To approve/not approve the revised architectural renderings for Bridgestone Plat C, buildings A and B, subject to, .