



AMENDED
CITY COUNCIL MEETING
OF THE CITY OF CEDAR HILLS
Tuesday, October 15, 2019 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 15, 2019, 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 Pledge led by C. Miller and Invocation given by C. Andersen
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 & PUBLIC HEARINGS

6. Review/Action on Approving the Cedar Canyon Subdivision Plat for recording with the Utah County Recorder's Office
7. Review/Action on an Ordinance Amending Title 6, Chapter 8-6 related to Park Curfews
8. Review/Action on an Ordinance Amending Title 6, Chapter 5-3 related to Motorized Vehicles on Public Trails
9. Review/Action on a Resolution Adopting the Voter Participation Area Map as Prepared by the Utah County Elections Office
10. Discussion on Landscaping and Watering Restrictions in Park Strips and in the SC-1 Commercial Zone
11. Discussion/Review of Request for Qualifications (RFQ) for Legal Services
12. Discussion on Tobacco Specialty Shops

ADJOURNMENT

13. Adjourn

Posted this 14th day of October, 2019

/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 52-4-204 & 52-4-205.
- 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:	Chandler Goodwin, City Manager
DATE:	10/15/2019

City Council Agenda Item

SUBJECT:	Review/Action on Approving the Cedar Canyon Subdivision Plat to be Recorded
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, City Manager
BACKGROUND AND FINDINGS: The Cedar Canyon subdivision is nearing completion; the developer has a number of items that are minor in nature to be addressed prior to accepting the public improvements and entering them into the one year durability period. The decision tonight, does not enter the subdivision into the durability period, but records the plat. By recording the plat, the easements, lots, and public right-of-ways get recorded, so that when the subdivision does enter the durability period, these public/private areas are recorded. There are two bigger items that have yet to be completed, street signs and street lights. The developer, David Weekley Homes, has been working on a plan to get these completed, but the developer is prepared to bond for these items should they not be complete at the time the subdivision enters the durability period.	
PREVIOUS LEGISLATIVE ACTION: City Council granted an extension during the August City Council Meeting	
FISCAL IMPACT: N/A	
SUPPORTING DOCUMENTS: Proposed plat	
RECOMMENDATION: Staff recommends that the City Council review the plat, come prepared to address any concerns, and approve the plat to be recorded.	
MOTION: To approve/not approve the Cedar Canyon plat as presented and direct staff to record the plat with the Utah County Records Office.	



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manager
DATE:	10/15/2019

City Council Agenda Item

SUBJECT:	Review/Action on a Proposed Parks and Trails Curfew
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin

BACKGROUND AND FINDINGS:

Based on feedback from the October 1 2019 City Council meeting staff is proposing an amendment to City Code 6-8-6 Park Curfew, to read as follows:

“All parks shall be closed between the hours of eleven o’clock (11:00) P.M. and five o’clock (5:00) A.M. between Memorial Day and Labor Day. Between Labor Day and Memorial Day all parks shall be closed between the hours of ten o’clock (10:00) P.M. and five o’clock (5:00) A.M. It shall be unlawful for any person other than city employees performing their duties to loiter in the park when it is closed.”

Based on the recommendation from Lt. Christensen, it is easier from an enforcement and compliance perspective to make park curfews consistent throughout the community. There was discussion on having Timpanogos Cove Park have a unique curfew, however, in order to assist AFPD in the enforcement aspect of compliance, we feel that it would be best to pursue a city wide policy/code change rather than to a single park.

PREVIOUS LEGISLATIVE ACTION:

October 2013, Current park curfew was adopted

FISCAL IMPACT:

None

SUPPORTING DOCUMENTS:

See proposed Parks and Trails Ordinance

RECOMMENDATION:

Staffs recommends the City Council review the proposed ordinance, and make any necessary changes for adoption.

MOTION:

To approve/not approve Ordinance No. _____, an ordinance amending Title 6-8-6 of the City Code of the City of Cedar Hills, Utah, relating to curfew in Parks and Public Properties.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 6 OF THE CITY CODE OF THE CITY OF CEDAR HILLS, UTAH, RELATING TO PARKS AND PUBLIC PROPERTIES.

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 6 of the City Code.

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

**PART I
AMENDMENTS**

Title 6 of the City Code is hereby amended by adding Section 8 entitled Parks and Public Properties to read as follows:

6-8-6: PARK CURFEW:

- A. Park Curfew shall be as follows: ~~All parks shall be closed between the hours of eleven o'clock (11:00) P.M. and five o'clock (5:00) A.M. It shall be unlawful for any person other than city employees performing their duties to loiter in the park when it is closed.~~
- a. From Labor Day to Memorial Day, park curfew shall be between the hours of ten o'clock (10:00) P.M. and five o'clock (5:00) A.M.
 - b. From Memorial Day to Labor Day, park curfew shall be between the hours of eleven o'clock (11:00) P.M. and five o'clock (5:00) A.M.
 - c. It shall be unlawful for any person other than city employees performing their duties to loiter in the park when it is closed.

**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 3.

D. PENALTY

Hereafter these amendments shall be construed as part 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 1st DAY OF OCTOBER, 2013.

APPROVED:

Jenney Rees, Mayor

ATTEST:

Colleen A. Mulvey, City Recorder



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manager
DATE:	10/15/2019

City Council Agenda Item

SUBJECT:	Review/Action on Modifying The Rules of Prohibited Activities in Parks and Trails
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin

BACKGROUND AND FINDINGS:

With the increased use of electronic bikes and scooters and the recreational opportunities that they provide for individuals to recreate with their families, we have been requested to review our rules on prohibited activities on the City trail system. Currently, City Code states that it is prohibited to "operate, ride, or otherwise use any licensed or unlicensed motorized vehicle..." Staff would like to add an exception that would allow for electronic bikes, peddle-assisted bikes, and scooters to be used on the City trail system.

PREVIOUS LEGISLATIVE ACTION:

Rules section last modified by Ord. 09-17-2013A

FISCAL IMPACT:

None

SUPPORTING DOCUMENTS:

See proposed Parks and Trails Ordinance Related to Electronic Bikes

RECOMMENDATION:

Staffs recommends the City Council review the proposed ordinance, and make any necessary changes for adoption.

MOTION:

To approve/not approve Ordinance No. _____, an ordinance amending Title 6-8-6 of the City Code of the City of Cedar Hills, Utah, relating to the use of electronic bikes, peddle assisted bikes and electronic scooters on the City trail system.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 6 OF THE CITY CODE OF THE CITY OF CEDAR HILLS, UTAH, RELATING TO PARKS AND PUBLIC PROPERTIES.

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 6 of the City Code.

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

**PART I
AMENDMENTS**

Title 6 of the City Code is hereby amended by adding Section 8 entitled Parks and Public Properties to read as follows:

6-8-2: VANDALISM AND NUISANCES PROHIBITED:

- B. It shall be unlawful for any person or persons to ride any animal or to permit a dog to be unleashed within the area of a park, or for any individual or group to do any of the following in a city park:
1. To play or practice golf;
 2. To shoot any firearm or propel arrows, rocks or any projectile;
 3. To engage in any activity that threatens the safety or well-being of other persons;
 4. To create a disturbance or a nuisance; or
 5. To operate, ride or otherwise use any licensed or unlicensed motorized vehicle, including, but not limited to, all-terrain vehicles (ATV), motorcycles, dirt bikes, or any wheeled or tracked commercially built or home built devices, excluding any vehicle used in compliance with the Americans with Disabilities Act (Section 35.137), **or any electronic bike, peddle-assisted bike, or electronic scooter.**

**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 3.

D. PENALTY

Hereafter these amendments shall be construed as part 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 1st DAY OF OCTOBER, 2013.

APPROVED:

Jenney Rees, Mayor

ATTEST:

Colleen A. Mulvey, City Recorder



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manager
DATE:	10/15/2019

City Council Agenda Item

SUBJECT:	Approve a Resolution Adopting the Voter Participation Areas as Established by the Utah County Clerks Elections Office
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, City Manager
BACKGROUND AND FINDINGS: Based on a legislative bill from the 2019 General Session, each City must establish voter participation areas (VPA) within their city limits. These are not the same as voting precincts. The voter participation areas become important when there is a referendum or an initiative. The individuals gathering signatures must collect a certain percentage of voter's signatures in a percentage of the voter participation areas. In this way, when collecting signatures for a referendum or an initiative, the process of gathering signatures requires better representation of the community. The City must adopt these voter participation areas by January 1, 2020. Additionally, these VPAs were created by Utah County Clerk's Elections Office, and are supposed to be equal (within reason) in population, and the VPAs must be contiguous.	
PREVIOUS LEGISLATIVE ACTION: N/A	
FISCAL IMPACT: N/A	
SUPPORTING DOCUMENTS: Proposed Voter Participation Areas	
RECOMMENDATION: Staff recommends the City Council review the proposed voter participation areas prior to adoption.	
MOTION: To approve/not approve resolution _____, adopting the voter participation areas to comply with House Bill 119 from the 2019 General Legislative Session.	

Cedar Hills Quadrants

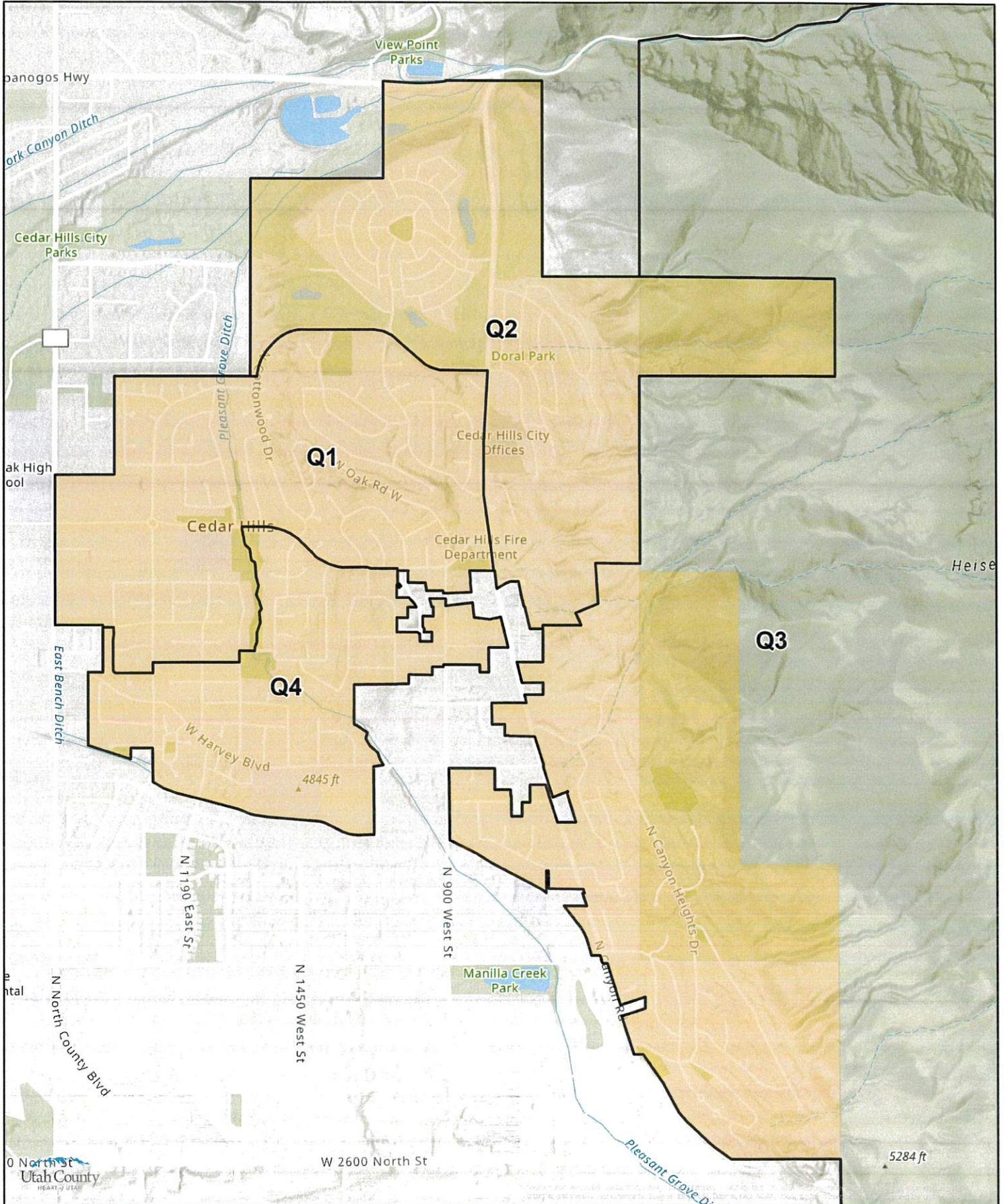
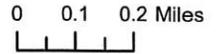
Utah County GIS Department

Q1
CH01
CH02

Q2
CH03

Q3
CH05

Q4
CH04



RESOLUTION NO. _____

A RESOLUTION ADOPTING THE VOTER PARTICIPATION AREA MAP AS PREPARED BY THE UTAH COUNTY ELECTIONS OFFICE.

WHEREAS, during the 2019 Legislative General Session HB 119 was adopted relating to Initiatives, Referenda, and other Political Activities; and

WHEREAS, HB 119 included the requirement for municipalities to establish “Voter Participation Areas”; and

WHEREAS, in accordance with State Code §20A-7-401.3, the city shall, no later than January 1, 2020, again on January 1, 2022, and January 1 each 10 years after 2022, divide the city into four contiguous and compact voter participation areas of substantially equal population for the purpose of obtaining signatures for initiatives and referenda; and

WHEREAS, the Utah County Elections Office has prepared the Voter Participation Area Maps for each municipality, including the City of Cedar Hills.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Hills, Utah as follows:

1. The Voter Participation Area Map (Exhibit A) prepared by Utah County Elections Office is hereby adopted.

PASSED AND APPROVED this 15th day of October, 2019.

Jenney Rees, Mayor

ATTEST:

Colleen A. Mulvey, City Recorder



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manager
DATE:	10/15/2019

City Council Agenda Item

SUBJECT:	Discussion on Landscaping Requirements in City Park Strips and in the SC-1 Commercial Zone
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, City Manager
BACKGROUND AND FINDINGS:	<p>The State of Utah has issued directives requiring cities to develop plans to conserve water. The target is focused on residential and commercial water use. In an effort to lead out, the City Council has directed staff to begin the discussion on where we can make changes to the City Code that would reflect a conservation mindset in development. Areas of code that could be modified and that could be impactful would be to change some of the landscaping requirements for residential dwellings, and modify the requirements for landscaping park strips. In the commercial zone, we require 30% of any development to be landscaped. Typically, this landscaping is aesthetic, and not usable. The Mayor and Council have brought up the idea of changing this requirement as well.</p>
PREVIOUS LEGISLATIVE ACTION:	N/A
FISCAL IMPACT:	N/A
SUPPORTING DOCUMENTS:	N/A
RECOMMENDATION:	<p>Staff recommends the City Council make proposals that staff can take to the Planning Commission. As this item is in Title 10 of the City Code, it will require a public hearing and a Planning Commission recommendation.</p>
MOTION:	<p>This item is a discussion item only. No motion is necessary.</p>



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manager
DATE:	10/15/2019

City Council Agenda Item

SUBJECT:	Discussion/Review of Request For Qualifications for Professional Legal Services
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, City Manager
BACKGROUND AND FINDINGS: As directed by the City Council, staff has prepared, advertised, and received Requests For Qualifications from qualified firms for legal services. Seven firms submitted proposals for legal services.	
PREVIOUS LEGISLATIVE ACTION: City Council last went out to RFQ for legal services in 2015	
FISCAL IMPACT: TBD	
SUPPORTING DOCUMENTS: RFQ responses have been provided electronically for the Mayor and Council to review.	
RECOMMENDATION: Staffs recommends the City Council review responses to the Request for Qualifications and provide further direction on firms they would like to schedule to come back for an interview on November 19.	
MOTION: This item is a discussion item only. No motion is necessary.	